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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 DORISTEEN LESLIE, individually and  
9 on behalf of all others similarly situated,

10 Plaintiff,

11 v.

12 FIDELITY NATIONAL TITLE  
INSURANCE COMPANY,

13 Defendant.

CASE NO. C08-5252BHS

ORDER ACCEPTING  
AMICUS MEMORANDUM

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15 This matter comes before the Court on the Washington State Insurance  
16 Commissioner's motion for leave to file an amicus memorandum. Dkt. 55. The Insurance  
17 Commissioner moves the Court to submit an amicus memorandum regarding the Court's  
18 interpretation of provisions of the Insurance Code, RCW Title 48.

19 Defendant opposes the Insurance Commissioner's motion. Dkt. 62. Defendant  
20 contends that the Insurance Commissioner's filing of the amicus was untimely because  
21 the Insurance Commissioner did not file the amicus until after this Court requested  
22 additional briefing regarding its order dismissing Plaintiff's *per se* Consumer Protection  
23 Act claim and her common law claims.

24 The Court accepts the Insurance Commissioner's brief. The Court finds that the  
25 Defendant will not be prejudiced by the filing of this brief. This litigation is still in its  
26 early stages and Defendant has the opportunity to respond to the Insurance  
27 Commissioner's brief. *See* Dkt. 61.

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ORDER

Dated this 20<sup>th</sup> day of January, 2009.



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BENJAMIN H. SETTLE  
United States District Judge

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