

08-CV-05743-ORD

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THE HONORABLE FRANK D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEFFREY D. MILES, in his capacity as
Personal Representative of the Estate of
Kimberly L. Miles and as legal guardian of
Brittany L. Miles, a minor, and Joshua T.
Miles, a minor,

Plaintiff,

v.

SHANGHAI ZHENHUA PORT
MACHINERY CO., LTD., a Chinese
corporation, ABB LTD, a Swiss corporation,
EVERGREEN MARINE CORP., LTD., a
Taiwanese corporation, HEMLOCK
EQUIPMENT, LLC, a Delaware limited
liability company, and ISLAND
EQUIPMENT, LLC, a Delaware limited
liability company,

Defendants.

No. 08-CV-5743 FDB

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE OF ISLAND
EQUIPMENT, LLC**

COME NOW plaintiff, by and through its attorneys of record at Rafel Law Group and
defendant Island Equipment, LLC, a Delaware limited liability company, by and through its
attorneys of record at Lane Powell PC and do agree and stipulate that Island Equipment, LLC
shall be dismissed from the above-styled and numbered cause with prejudice and that each
party shall bear its own costs and fees.

STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 1

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LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

1 SO AGREED AND STIPULATED on this 22nd day of January, 2009.

2
3 RAFEL LAW GROUP, PLLC

4 By: David C. Martin
5 Anthony L. Rafel, WSBA No. 13194
6 David C. Martin, WSBA No. 38325
7 Attorneys for Plaintiff Jeffrey D. Miles in his
8 capacity as personal representative of the Estate
9 of Kimberly L. Miles and as legal guardian
10 Brittany L. Miles, a minor and Joshua T. Miles, a
11 minor

12 LANE POWELL PC

13 By: Katie Smith Matison
14 Katie Smith Matison, WSBA No. 20737
15 Attorneys for Defendants Hemlock Equipment,
16 LLC, and Island Equipment, LLC

17 **[PROPOSED] ORDER**

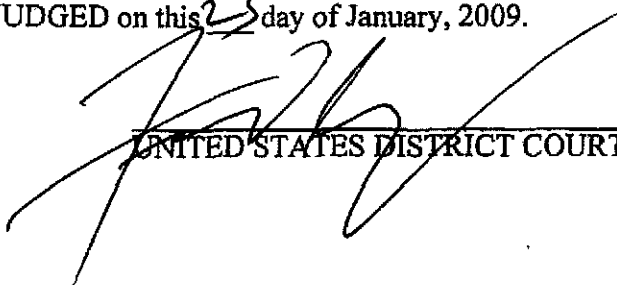
18 THIS DAY THIS CAUSE CAME ONTO BE HEARD by the Stipulation of the
19 plaintiff Jeffrey D. Miles in his capacity as the personal representative of the Estate of
20 Kimberly L. Miles and as legal guardian of Brittany L. Miles, a minor and Joshua T. Miles, a
21 minor by and through attorneys of record Rafel Law Group and Island Equipment, LLC by
22 and through its attorneys of record Lane Powell PC agreeing to dismiss defendant Island
23 Equipment, LLC, a Delaware limited liability company with prejudice in the above-styled and
24 numbered cause.

25 IT IS THEREFORE ORDERED AND ADJUDGED consistent with the stipulation of
26 the parties, that Island Equipment, LLC is hereby dismissed with prejudice and that each party
shall bear its own attorney's fees and costs.

STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 2

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SO ORDERED AND ADJUDGED on this 23 day of January, 2009.



UNITED STATES DISTRICT COURT JUDGE

PRESENTED BY:
RAFEL LAW GROUP, PLLC

By: David C. Martin
Anthony L. Rafel, WSBA No. 13194
David C. Martin, WSBA No. 38325
Attorneys for Plaintiff Jeffrey D. Miles in his
capacity as personal representative of the
Estate of Kimberly L. Miles and as legal
guardian Brittany L. Miles, a minor and
Joshua T. Miles, a minor

LANE POWELL PC

By: Katie Matison
Katie Smith Matison, WSBA No. 20737
Attorneys for Defendants Hemlock
Equipment, LLC, and Island Equipment, LLC

STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 3