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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 BECKER FAMILY BUILDERS CO-
11 PLAINTIFFS GROUP,

12 Plaintiffs,

13 v.

14 FEDERAL DEPOSIT INSURANCE
15 CORPORATION, as receiver for
16 WESTSOUND BANK; and WSB
17 FINANCIAL GROUP, INC.,

18 Defendants.

CASE NO. C09-5477RJB

**ORDER ON DEFENDANT FEDERAL
DEPOSIT INSURANCE
CORPORATION'S NOTICE OF
SETTLEMENT OF TEMPLETONS'
CLAIMS AND MOTION FOR
SUMMARY JUDGMENT ON THE
TEMPLETONS' CLAIMS UNDER CR
56(b)**

19 This matter comes before the Court on the Defendant Federal Deposit Insurance
20 Corporation's ("FDIC") Notice of Settlement of Templetons' Claims. Dkt. 85. The Court has
21 reviewed the pleadings filed and the record herein.

22 The FDIC, as receiver for Westsound Bank, and Plaintiffs Matthew A. Templeton, Cher
23 Templeton, and Creative Structures and Designs, Inc. ("Templetons"), have reach a tentative
24 settlement. Dkt. 85. The FDIC states that the parties anticipate that final paperwork will be filed
25 in around 30 days. *Id.* The FDIC states that this settlement does not effect the claims of the
26 other Plaintiffs. *Id.* The FDIC's Motion for Summary Judgment on the Templetons' Claims
27 under CR 56(b) is currently pending. Dkt. 37. Trial is set to begin October 18, 2010.

28 The pending motion for summary judgment regarding the Templetons' claims (Dkt. 37)

1 should be stricken as moot. The settlement paperwork should be filed on or before October 15,
2 2010.

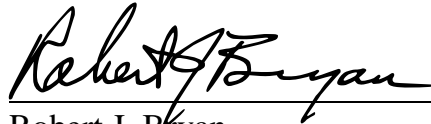
3 **III. ORDER**

4 Accordingly, it is hereby **ORDERED** that:

- 5 • Defendant Federal Deposit Insurance Corporation's Motion for Summary Judgment on
6 the Templetons' Claims under CR 56(b)(Dkt. 37) is **STRICKEN AS MOOT**;
- 7 • The settlement paperwork between the FDIC and the Templetons should be filed on or
8 before **October 15, 2010**.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
10 to any party appearing *pro se* at said party's last known address.

11 DATED this 14th day of September, 2010.

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14 Robert J. Bryan
15 United States District Judge
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