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The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARLA TOLLIVER, individually and as
Personal Representative of the ESTATE OF
RONALD L. SCROGGINS; and LARRY
SCROGGINS,

Plaintiffs,

vs.

THE UNITED STATES OF AMERICA,
BUREAU OF INDIAN AFFAIRS, and
DEPARTMENT OF THE INTERIOR;
CLALLAM COUNTY, municipal
corporation; SELA KALAMA, an
individual;
SANDRA A. WELLS, an individual; and
DOES and DOES 1-50,

Defendants.

NO. 3:10-CV-05056-RBL

ORDER DENYING DEFENDANT
UNITED STATES' MOTION FOR
CLARIFICATION OF ORDER DENYING
MOTION TO DISMISS WITHOUT
PREJUDICE

ROBERT AND JONI FRANCIS, as
Personal Representatives of the ESTATE OF
VANNA K FRANCIS; and ROBERT AND
JONI FRANCIS, husband and wife, the
marital community thereof,

Plaintiffs,

vs.

**Order Denying Defendant United States'
Motion for Clarification of Order
Denying Motion to Dismiss Without
Prejudice**

No. C:10-CV-05056-RBL

Martens + Associates | P.S.
705 Fifth Avenue South, Ste. 150
Seattle, Washington 98104-4436
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1 THE UNITED STATES OF AMERICA;
2 DEPARTMENT OF INTERIOR; BUREAU
3 OF INDIAN AFFAIRS; CLALLAM
4 COUNTY, municipal corporation; SELA
5 KALAMA, an individual; SANDRA A.
6 WELLS, an individual; and DOES and
7 DOES 1-50,

8 Defendants.

9 THIS MATTER having come on duly and regularly for hearing before the undersigned
10 Judge of the above-entitled Court on Defendant United States' Motion for Clarification of Order
11 Denying Motion to Dismiss Without Prejudice, and the Court having reviewed the motion,
12 plaintiffs' opposition, including the declaration and the attached exhibit, and all reply materials,
13 if any and the records and files herein, and deeming itself fully advised in the premises, now,
14 therefore,

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant United
16 States' Motion for Clarification of Order Denying Motion to Dismiss Without Prejudice is
17 DENIED in its entirety.

18 DONE IN OPEN COURT/CHAMBERS this 4th day of March, 2011.

19 

20 RONALD B. LEIGHTON
21 UNITED STATES DISTRICT JUDGE

22 Presented By:

23 **Martens + Associates | P.S.**

24 By: s/ Richard L. Martens
Richard L. Martens, WSBA # 4737
Steven A. Stolle, WSBA # 30807
Rose K. McGillis, WSBA # 34469
Kathleen A. Shea, WSBA # 42634
Of Attorneys for Plaintiffs

**Order Denying Defendant United States'
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2 Plaintiffs Joni and Robert Francis
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10 **Karen L. Unger P.S.**

11 By: s/ Karen L. Unger
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**Order Denying Defendant United States’
Motion for Clarification of Order
Denying Motion to Dismiss Without
Prejudice**