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The Honorable David G. Estudillo

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JASON TORGERSON, ERIN BOURGAULT,
BRIAN LINDGREN, NICHOLAS BARRY,
DAVID MILLER, EDGAR WELLS, and
LARRY FIFE,

Plaintiffs,

v.

LAURA WATSON in her official capacity as
the Director of the WASHINGTON STATE
DEPARTMENT OF ECOLOGY, and TARA
C. SMITH in her official capacity as the
Director of the WASHINGTON STATE
DEPARTMENT OF ENTERPRISE
SERVICES, and MIKE FONG in his capacity
as the Director of the WASHINGTON STATE
DEPARTMENT OF COMMERCE,

Defendants.

Case No. 3:24-cv-05110-DGE

JOINT MOTION AND ORDER OF
DISMISSAL OF PLAINTIFFS
JASON TORGERSON, NICHOLAS
BARRY, DAVID MILLER, EDGAR
WELLS, and LARRY FIFE

Noted for: May 28, 2024
No Oral Argument

I. MOTION

1. The parties to this action have jointly moved pursuant to FRCP 41 to the issuance of this Order, in complete settlement of Plaintiffs Jason Torgerson’s, Nicholas Barry’s, David Miller’s, Edgar Wells’, and Larry Fife’s claims in this action.

1 **II. STIPULATION**

2 1. This Action concerns Plaintiffs’ lawsuit against Defendants Washington Department of
3 Enterprise Services, Washington Department of Commerce, and Washington Department of
4 Ecology. Plaintiffs Jason Torgerson, Nicholas Barry, David Miller, Edgar Wells, and Larry Fife
5 have fully settled and resolved the dispute with all Defendants before the Court. This Proposed
6 Order resolves all disputed claims between these five Plaintiffs and all Defendants in the Action.

7 2. The Parties agree to dismissal of all claims of Plaintiffs Jason Torgerson, Nicholas Barry,
8 David Miller, Edgar Wells, and Larry Fife without prejudice and without costs or fees to any
9 person.

10
11 Agreed to this 28th day of May, 2024.

12
13 By:

NORTHWEST JUSTICE PROJECT

14
15 /s/Carrie Graf
16 Carrie Graf, WSBA #51999
17 Carrie.graf@nwjustice.org
18 Scott Crain, WSBA#37224
19 ScottC@nwjustice.org
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21 Olympia, WA 98501
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/s/Jack Bucknell
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Attorneys for Defendant Washington State

1 Department of Commerce

2 /s/David Merchant

3 DAVID B. MERCHANT, WSBA # 21978

4 Assistant Attorney General

5 Attorney for Defendant Washington State

6 Department of Enterprise Services

7 /s/Julian Beattie

8 JULIAN H. BEATTIE, WSBA # 45586

9 Assistant Attorneys General

10 Attorneys for Defendant Washington State

11 Department of Ecology

12 **III. ORDER**

13 Having reviewed the above stipulation, it is ORDERED:

- 14 1. The claims of Plaintiffs Jason Torgerson, Nicholas Barry, David Miller, Edgar Wells, and
15 Larry Fife are dismissed without prejudice and without costs or fees to any person

16 DATED this 3rd day of June, 2024.

17 

18

David G. Estudillo

19 United States District Judge

1 Presented by:

2 NORTHWEST JUSTICE PROJECT

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