

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COUNTRY MUTUAL INSURANCE
COMPANY, a foreign company,

Plaintiff,

v.

ATLASRHINO, INC. DBA ZENAPTIC
CHIROPRACTIC, a Washington
corporation, and TROY DREILING, an
individual and the president of Atlasrhino,
Inc.,

Defendants.

No. 3:24-cv-05853-MJP

**STIPULATED MOTION AND ORDER
TO STAY PLAINTIFF'S SECOND
CLAIM FOR RELIEF AND DISMISS
DEFENDANTS' SECOND
COUNTERCLAIM**

**NOTED ON MOTION CALENDAR:
MARCH 4, 2025**

(WITHOUT ORAL ARGUMENT)

Plaintiff and Counter Defendant COUNTRY Mutual Insurance Company ("Country") and Defendants and Counterclaimants AtlasRhino, Inc. dba Zenaptic Chiropractic and Troy Dreiling ("Defendants") (collectively the "Parties") by and through their counsel of record, hereby stipulate as follows:

The Parties have agreed to a resolution that moots Country's Rule 12(b)(6) Motion to Dismiss Defendants' Counterclaim re Bad Faith [Dkt. 27]. Country agrees to stay its Second Claim for Relief (Declaratory Judgment – Duty to Indemnify) pending final resolution of the underlying lawsuit giving rise to this coverage action. Country will also withdraw the pending Rule 12(b)(6) Motion. In exchange for Country's agreements, Defendants agree to dismiss

**STIPULATED MOTION AND ORDER TO STAY PLAINTIFF'S
SECOND CLAIM FOR RELIEF AND DISMISS DEFENDANTS'
SECOND COUNTERCLAIM**

– PAGE 1 (Case No. 3:24-cv-05853-MJP)

PATERNOSTER FARNELL & GREIN, LLP
Attorneys at Law
1030 SW Morrison Street
Portland, Oregon 97205
TELEPHONE (503) 222-1812 FAX: (503) 274-7979

1 without prejudice their Second Counterclaim (Bad Faith). The Parties respectfully request the
2 Court enter an order consistent with the foregoing.

3 In consideration of information presented in this stipulated motion, the Court orders
4 that: (1) Country's Second Claim for Relief (Declaratory Judgment – Duty to Indemnify) is
5 stayed pending final resolution of the underlying lawsuit giving rise to this coverage action and
6 (2) Defendants' Second Counterclaim (Bad Faith) is dismissed without prejudice and without
7 costs to either Party.

8 **IS SO ORDERED.**

9 DATED this 11th day of March, 2025.

10
11
12
13 

14 THE HONORABLE MARSHA J. PECHMAN
15 United States District Judge
16
17
18
19
20
21
22
23
24
25
26

1 *Stipulated and Presented by:*

2 PATERNOSTER FARNELL & GREIN, LLP

3 /s/ Gabriel J. Le Chevallier

4 Gabriel J. Le Chevallier, WSBA #62008

5 E-mail: glechevallier@pfglaw.com

6 1030 SW Morrison Street

7 Portland, OR 97205

8 Telephone: (503) 222-1812

9 Fax: (503) 274-7979

10 *Attorney for Defendants*

11 I certify that this memorandum contains 184
12 words, in compliance with the Local Civil
13 Rules.

14 SELMAN LEICHENGER EDSON HSU
15 NEWMAN & MOORE LLP

16 /s/ H. Matthew Munson

17 H. Matthew Munson, WSBA# 32019

18 Email: mmunson@selmanlaw.com

19 Daehyun Kim, WSBA# 54955

20 Email: dkim@selmanlaw.com

21 600 University Street, Suite 2305

22 Seattle, WA 98101

23 Tel.: 206.447.6461

24 *Attorneys for Plaintiff*

25 **STIPULATED MOTION AND ORDER TO STAY PLAINTIFF'S**
26 **SECOND CLAIM FOR RELIEF AND DISMISS DEFENDANTS'**
SECOND COUNTERCLAIM

– PAGE 3 (Case No. 3:24-cv-05853-MJP)

PATERNOSTER FARNELL & GREIN, LLP
Attorneys at Law
1030 SW Morrison Street
Portland, Oregon 97205
TELEPHONE (503) 222-1812 FAX: (503) 274-7979