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SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

SR9/US2 LLC, a Washington limited liability company,

Plaintiff,

v.

SNOHOMISH COUNTY, a political subdivision of Washington State,

Defendant.

The Honorable Julie Spector

No. 08-2-26901-9

ORDER GRANTING PARTIAL SUMMARY JUDGMENT

THIS MATTER came before the Court on Plaintiff's Motion for Partial Summary Judgment. The Court heard oral argument and considered the Motion, the Declaration of Mike Reid, the Declaration of Steven J. Gillespie, Defendant's Response, the Declaration of William W. Hall, the Declaration of Stacey Malmstead, the Declaration of Sheila McCallister, the Declaration of Thomas L. Schwanz, the Declaration of Michael Zelinski, the Declaration of Stephen Toy, Plaintiff's Reply, the Second Declaration of Mike Reid, the Second Declaration of Steven J. Gillespie.

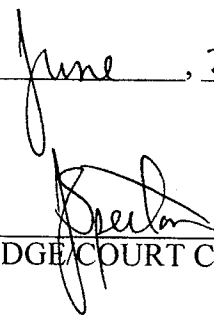
The Court is fully advised in the premises.

NOW, THEREFORE, IT IS HEREBY ordered, adjudged, and decreed that the Plaintiff's Motion for Partial Summary Judgment is GRANTED. The County is liable as a matter of law under theories of negligence, negligent misrepresentation, promissory estoppel, and violation of RCW 82.02.020. Trial will be held on the question of damages.

ORDER GRANTING PARTIAL SUMMARY JUDGMENT - 1

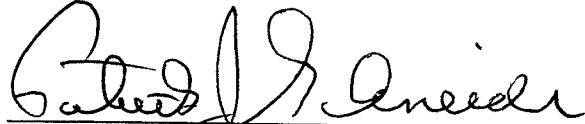
FOSTER PEPPER PLLC  
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PHONE (206) 447-4400 FAX (206) 447-9700

1 DONE IN OPEN COURT this 26 day of June, 2009

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6 JUDGE/COURT COMMISSIONER

7 Presented by:

8 FOSTER PEPPER PLLC

9 

10 Patrick J. Schneider, WSBA No. 11957  
11 Steven J. Gillespie, WSBA No. 39538  
12 Attorneys for Plaintiff

13 Approved as to form;  
14 Notice of presentation waived.

15 SNOHOMISH COUNTY PROSECUTING ATTORNEY

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17 \_\_\_\_\_  
18 Thomas L. Schwanz, WSBA No. 13842  
19 Attorney for Defendant

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ORDER GRANTING PARTIAL SUMMARY  
JUDGMENT - 2

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