

COUNTY CLERK OFFICE
FILED

AUG 21 2024

LISA A. HENDERSON
SAN JUAN COUNTY, WASHINGTON

SUPERIOR COURT OF WASHINGTON FOR SAN JUAN COUNTY

FARM TO MARKET, LLC,

Plaintiff,

v.

EASTSOUND WATER USERS
ASSOCIATION, a Washington non-profit
corporation,

Defendant.

NO. 23-2-05153-28

ORDER GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT
AND DENYING PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT

THIS MATTER comes before the Court on Plaintiff's Motion for Summary Judgment and Defendant's Motion for Summary Judgment. The Court has considered the following:

1. Plaintiff's Motion for Summary Judgment;
2. Declaration of Steve Smith with exhibits thereto;
3. Defendant's Opposition to Plaintiff's Motion for Summary Judgment;
4. Supplemental Declaration of Jim Nelson;
5. Plaintiff's Reply in Support of its Motion for Summary Judgment;
6. Declaration of Carol Ann Anderson;
7. Declaration of Ronald Claus;
8. Defendant's Motion for Summary Judgment;
9. Declaration of Rochelle Y. Doyea with exhibits thereto;
10. Declaration of Jim Nelson with exhibits thereto;

~~(PROPOSED)~~ ORDER GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT AND DENYING
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT - 1

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11. Plaintiff's Response to Defendant's Motion for Summary Judgment;
12. Reply in Support of Defendant's Motion for Summary Judgment; and
13. Second Supplemental Declaration of Jim Nelson.
14. The pleadings in the Court file; and
15. Oral argument by all parties.

ORDER

Incorporating by reference its letter decision issued contemporaneously herewith, the Court hereby:

ORDERS, ADJUDGES AND DECREES that Defendant's Motion for Summary Judgment is GRANTED and Plaintiff's Motion for Summary Judgment is DENIED. Plaintiff's causes of action against Defendant are hereby DISMISSED with prejudice.

It is FURTHER ORDERED that Plaintiff's Motion to Compel Answers to Interrogatories is DENIED as moot.

DONE this 21st day of August, 2024.


KATHRYN C. LORING

Prepared and Presented By:

CAIRNCROSS & HEMPELMANN, P.S.

Presented electronically – Modified by Court

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ORDER GRANTING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AND DENYING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT - 2

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