

1 Timothy Lang, WSBA #21314
Haley Beach, WSBA #44731
2 Cassie vanRoojen, WSBA #44049
Assistant Attorneys General
3 Corrections Division
PO Box 40116
4 Olympia, WA 98504
(360) 586-1445
5

6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF WASHINGTON**

8 **DISABILITY RIGHTS**
WASHINGTON,

9 **Plaintiff,**

10 **v.**

11 **JAY INSLEE, Governor, State of**
Washington; STEPHEN
12 **SINCLAIR, Secretary,**
Washington State Dept. of
13 **Corrections; and DONALD**
14 **HOLBROOK, Superintendent,**
Washington State Penitentiary,

15 **Defendants.**

NO. 4:18-cv-05071-RMP

STIPULATION AND
MOTION FOR APPROVAL
OF SETTLEMENT

7/1/2019

Without Oral Argument 6:30 pm

16 The Parties, through their attorneys of record, hereby jointly request
17 Court approval of their Final Settlement Agreement (Agreement), a copy of
18 which is attached as Exhibit A. The Agreement resolves all claims in this
19 matter, including for fees and costs, and requires the Defendants to make
20 certain physical plant and condition of confinement modifications for
21 incarcerated individuals housed in the “BAR” Residential Treatment Units at
22 the Washington State Penitentiary.

The Parties do not anticipate they will need Court involvement during settlement implementation, but they request that the Court incorporate the Agreement into an Order and retain jurisdiction to enforce the substantive terms of Section II (D)(1) of the Agreement for thirty (30) months following approval of the Agreement. In addition, the parties have agreed, and request the Court to order, that after thirty (30) months, absent an order extending the term of the Agreement pursuant to Section II (F)(3), the Agreement will automatically terminate, the Court's jurisdiction will end, and the Court shall dismiss the case with prejudice upon presentation of an order to that effect.

Stipulated and jointly presented June 27, 2019.

By: s/ Rachael Seevers
DISABILITY RIGHTS WASHINGTON

David Carlson, WSBA #35767
davidc@dr-wa.org

Heather McKimmie, WSBA #36730
heatherm@dr-wa.org

Rachael Seevers, WSBA #45846
rachael@dr-wa.org

PAUKERT & TROPPEMAN

Andrew Biviano, WSBA #38086
abiviano@pt-law.com

Breean Beggs, WSBA #20795
bbeggs@pt-law.com

Mary Dillon, WSBA #50727
bdillon@pt-law.com
Attorneys for Plaintiff

By: s/ Haley Beach
ATTORNEY GENERAL'S OFFICE

Tim Lang, WSBA #21314
Senior Assistant Attorney General
TimothyL@atg.wa.gov

Haley Beach, WSBA #44731
Assistant Attorney General
HaleyB@atg.wa.gov

Cassie vanRoojen, WSBA #44049
Assistant Attorney General
CassieV@atg.wa.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on the date below I caused to be electronically filed the foregoing STIPULATION AND MOTION FOR APPROVAL OF SETTLEMENT with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

David R. Carlson:	davidc@dr-wa.org
Heather Lynn McKimmie:	heatherm@dr-wa.org
Rachael E. Seevers:	rachael@dr-wa.org
Andrew Sean Biviano:	abiviano@pt-law.com
Brean Lawrence Beggs:	bbeggs@pt-law.com
Mary Elizabeth Dillon:	bdillon@pt-law.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 27th day of June, 2019, at Olympia, Washington.

s/ Tera Linford
TERA LINFORD
Legal Assistant
Corrections Division
PO BOX 40116
Olympia WA 98504-0116
360-586-1445
Tera.Linford@atg.wa.gov