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FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2022 OCT 19 PM 4: 53

LINDA MYHRE ENLOW
THURSTON COUNTY CLERK

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Hearing date: N/A
Hearing time:
Judge/Calendar:
Hon. Carol Murphy/Civil

**STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT**

BUILDING INDUSTRY
ASSOCIATION OF WASHINGTON,
a Washington nonprofit trade
association, and SOUNDBUILT
HOMES, LLC., a Washington Limited
Liability Company,

Petitioners,

v.

THE STATE OF WASHINGTON and
THURSTON COUNTY AUDITOR,
MARY HALL, in her official capacity,

Respondents.

NO. 21 -2-01850-34

ORDER

GRANTING RESPONDENTS'
MOTION FOR SUMMARY
JUDGMENT ON ALL CLAIMS

AND

DENYING PETITIONERS' MOTION
FOR SUMMARY JUDGMENT

CLERK'S ACTION REQUIRED

EX PARTE

THIS MATTER having come on for hearing on the Respondent State of Washington's Motion for Summary Judgment Dismissal and the Petitioners' Motion for Summary Judgment, said Respondent appearing by Alicia O. Young and Peter B. Gonick, Deputy Solicitors General; and Petitioners appearing by its attorneys, Jackson Maynard and Brooke Frickleton, and the Court having heard argument, considered the records and files herein, including:

1. Petitioners' Motion for Summary Judgment;
2. Declaration of Jackson Maynard in Support of Petitioners' Motion for Summary Judgment, and attached Exhibits;

- 1 3. Declaration of Kurt Wilson in Support of Plaintiffs' Motion for Summary
2 Judgment, and attached Exhibit;
- 3 4. State of Washington's Response to BIAW's Motion for Summary Judgment and
4 Cross-Motion for Summary Judgment Dismissal;
- 5 5. Declaration of Jared Krause and attached Exhibit;
- 6 6. Building Industry Association of Washington's Reply and Response to State of
7 Washington's Response and Cross-Motion for Summary Judgment Dismissal;
- 8 7. State of Washington's Reply in Support of Motion for Summary Judgment
9 Dismissal; and
- 10 8. Other Pleadings on file Herein;
- 11 and being fully advised; now, therefore,

12
13 IT IS HEREBY ORDERED that the Respondents' Motion for Summary Judgment is
14 **GRANTED** on all claims. There is no genuine issue as to any material fact and Respondents
15 are entitled to judgment as a matter of law on all claims.

16 Petitioners' Motion for Summary Judgment is **DENIED**.

17 Judgment is hereby entered for Respondents on all claims. The Clerk is directed to close
18 the case.

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20 ENTERED this 19th day of October 2022.

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23 THE HONORABLE CAROL MURPHY
Thurston County Superior Court Judge

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25 CAROL MURPHY

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1 Presented by:

2

3 s/ Alicia O. Young

PETER B. GONICK, WSBA 25616

4 ALICIA O. YOUNG, WSBA 35553

Deputy Solicitors General

5 *Attorneys for Respondent State of Washington*

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8 Approved as to form;
Notice of Presentation Waived:

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10 s/ Jackson Maynard

JACKSON WILDER MAYNARD, JR., WSBA 43481

11 BROOKE MARIE FRICKLETON, WSBA 55580

12 *Attorneys for Petitioners*

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14 Approved as to form;
Notice of Presentation Waived:

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16 s/ Elizabeth Petrich

ELIZABETH PETRICH, WSBA 18713

17 Chief Civil Deputy

18 *Attorney for Respondent Mary Hall*

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