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The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE

PRISON LEGAL NEWS, *et. al.*,

Plaintiff,

v.

JOSEPH LEHMAN, *et. al.*,

Defendants.

NO. CV-01-01911-RSL

STIPULATION, JUDGMENT AND
ORDER OF DISMISSAL WITH
PREJUDICE

STIPULATION

Plaintiffs, Prison Legal News, and Rollin Wright, acting by and through their attorneys, Jesse Wing, and the Defendants, State of Washington, Department of Corrections (DOC) and named employees of DOC and its attorneys, Rob McKenna, Attorney General, and Daniel J. Judge and Mary C. McLachlan, Assistant Attorneys General, having made a stipulation pursuant to RCW 4.92.150 settling and compromising in this action all claims between Plaintiffs and Defendants, hereby agree that all remaining claims in this matter should be dismissed with prejudice. This stipulation has no effect on the injunction entered in this matter that was affirmed by the U.S. Court of Appeals for the Ninth Circuit.

JUDGMENT

1 THIS MATTER having come before this Court as a Stipulated Order of Dismissal
2 Following Settlement by the Parties and the Court having considered the submissions of the
3 parties and being fully advised, now, therefore.

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this matter in its
5 entirety is DISMISSED WITH PREJUDICE apart from the injunction entered.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that no party shall
7 recover costs, interest, tax consequences, or fees, including attorney fees.

8 DONE in open court this ____ day of _____, 2005

9
10 _____
11 ROBERT S. LASNIK
12 UNITED STATES DISTRICT COURT

13 Presented by:

14 ROB MCKENNA
15 Attorney General

16 _____
17 DANIEL J. JUDGE, WSB #17392
18 MARY C. McLACHLAN, WSB# 34178
19 Assistant Attorneys General
20 Attorney for Defendants

21 APPROVED FOR ENTRY:

22 _____
23 JESSE WING, WSB# 27751
24 TIMOTHY K. FORD, WSB# 5986
25 Attorneys for Plaintiffs
26

**SETTLEMENT AGREEMENT, RELEASE OF CLAIMS,
AND AGREEMENT TO HOLD HARMLESS**

FOR AND IN CONSIDERATION of payment by the State of Washington of the total sum of Three Hundred Ninety Thousand Dollars (\$390,000) to Prison Legal News, Inc., a Washington Corporation, Plaintiffs PLN and Rollin Wright, individually, their heirs, assigns, or other successors in interest, do hereby release and forever discharge the STATE OF WASHINGTON, Joseph Lehman, Eldon Vail, Carol Porter, James Blodgett, Kay Walter, Alice Payne, Maggie Miller-Stout, Richard Morgan, Bob Moore, John Lambert, Doug Waddington, Belinda Stewart, and any other named defendants, and the officers, agents, employees, agencies and departments of the state of Washington, from any and all existing and future claims, damages and causes of action of any nature whatsoever arising out of the allegations and claims stated in the lawsuit filed in the United States District Court, Western District of Washington at Seattle, under Prison Legal News, et. al. v. Lehman et. al., Cause No. CV01-01911-RSL (HEREINAFTER referred to as "above-stated incidents, occurrences, and events up to the date of this agreement"). In making this agreement and settling this matter, the State of Washington Department of Corrections, the named defendants and their respective agencies and employees, make no admission of liability. FURTHER, the claimants represent, warrant and agree that:

1. This is a final, conclusive and complete release of all unknown and unanticipated claims, damages, and causes of action arising out of the above-stated incidents, occurrences, and events as well as those now known or disclosed up to the date of this agreement.
2. Plaintiffs acknowledge and agree that all liabilities, financial obligations, liens, or subrogated claims (hereinafter "liabilities"), arising out of the above incidents, occurrences, and events are the claimants' sole and separate obligation. Therefore, the claimants will indemnify and save harmless the STATE OF WASHINGTON and its officers, agents, employees, agencies and departments, agencies, and departments, including the named defendants, from all such liabilities arising out of the above-stated incidents, occurrences, and events.
3. The undersigned hereby declares that the terms of this settlement have been

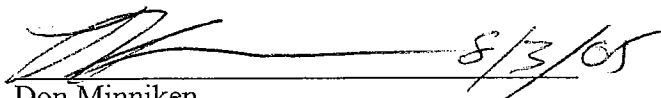
completely read and are fully understood and voluntarily accepted, for the purpose of making a full and final compromise, adjustment and settlement of any and all: (1) existing claims, damages, and causes of action arising out of the above-stated incidents, occurrences, and events; and (2) future claims, damages, and causes of action arising out of the above-stated incidents, occurrences, and events up to the date of this agreement.

4. Nothing in this agreement shall be construed to waive claims for incidents that have not yet occurred.

5. This settlement agreement, release of claims, and hold harmless includes any adverse tax consequences caused to Plaintiffs by the settlement of this matter; any such consequences are solely the responsibilities, liabilities, and obligations of Plaintiffs.

6. Claimants shall agree to entry by the Court of an order dismissing with prejudice, and without costs or fees assessed against any party, their complaints filed in the United States District Court, Western District of Washington, under Prison Legal News, et. al. v. Lehman et. al., Cause No. CV01-01911-RSL. Failure of the Court to enter the order of dismissal with prejudice shall render this agreement null and void. Provided the order of dismissal is entered by the Court, State of Washington, shall pay the total amount of Three Hundred Ninety Thousand (\$390,000.00) payable by check to MacDonald, Hoague, and Bayless client trust account. Such payment shall be made within thirty (30) days following receipt by the undersigned Assistant Attorney General of a certified copy of the Order of Dismissal of this matter with prejudice.


I approve.


Don Minniken,
Prison Legal News
2400 N.W. 80th St. #148
Seattle WA 98117

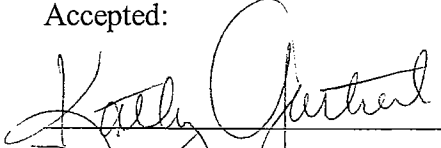
Rollin Wright
721 N. L St.
Lake Worth FL 33460

Approved:

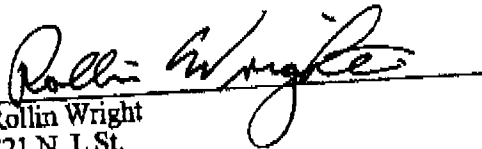
Rob McKenna
Attorney General


DANIEL J. JUDGE, WSB#17392
MARY C. McLACHLAN
Assistant Attorneys General
Date: 8/3/05

Accepted:


Kelly Gertzel
Rich Mahager
State of Washington

Representative
Date: 8/3/05


Rollin Wright
721 N. L St.
Lake Worth FL 33460

Approved:

Rob McKenna
Attorney General

~~DANIEL J. JUDGE, WSB#17392
MARY C. McLACHLAN
Assistant Attorneys General
Date: _____~~

Accepted:

State of Washington

Representative
Date: _____