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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  
HOLBROOK, Superintendent,  
14 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.

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

10 Stipulated and jointly presented June 27, 2019.

11 By: s/ Rachael Seevers  
DISABILTY RIGHTS WASHINGTON

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By: s/ Haley Beach  
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*Attorneys for Defendants*

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**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
- Breean 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  
 \_\_\_\_\_  
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