

DEC 20 1988

HONORABLE NORMAN QUINN
CIVIL TRACK I

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

DONALD L. BARNETT)
)
 Plaintiff,)
)
 v.)
)
 JACK A. HICKS, JACK H.)
 DuBOIS, and E. SCOTT HARTLEY,)
 individually and as the Board)
 of Directors of COMMUNITY)
 CHAPEL BIBLE TRAINING CENTER)
 and COMMUNITY CHAPEL AND)
 BIBLE TRAINING CENTER,)
)
 Defendants.)

NO. 88-2-04148-2

ORDER AND JUDGMENT GRANTING
DEFENDANTS' SECOND MOTION FOR
PARTIAL SUMMARY JUDGMENT

THIS MATTER having come on for hearing before the Honorable
Norman Quinn, upon the Second Motion of Defendants for Partial
Summary Judgment, and the Court having reviewed defendants Motion
(CP _____), and Reply Brief (CP _____) and pleadings submitted
by plaintiff Donald L. Barnett, including the declarations of

those documents referenced at page 3 of Plaintiff's brief,
(CP _____) and _____ (CP _____) and
Plaintiff's Memorandum (CP _____), and the Court having heard
together with articles and by-laws previously submitted with declarations
arguments by Robert J. Rohan, of Schweppe, Krug & Tausend,
of members of congregation
representing defendants, and attorneys representing plaintiff,

and the Court finding that there are no genuine issues of
disputed fact, and that defendants are entitled to partial
summary judgment as a matter of law, now, therefore, it is hereby

441.7

ORDER AND JUDGMENT GRANTING
DEFS' SECOND MOTION FOR
PARTIAL SUMMARY JUDGMENT -1-

SCHWEPPE KRUG & TAUSEND PS

561

APPENDIX B

1 ORDERED, ADJUDGED AND DECREED that:

2 1. The following affirmative defenses of plaintiff are
3 dismissed: 2.2, 2.3, 2.4, 2.5, 2.6, 2.9, 2.10, 2.11, 2.14, 2.15,
4 2.16, 2.18, 2.19, 2.20.

5 2. This Court confirms that it has previously dismissed
6 plaintiff's affirmative defenses 2.7 and 2.8.

7 3. Defendants' counterclaim may be amended to include an
8 allegation that all licenses and fees have been paid.

9 Based on the foregoing order, JUDGMENT is hereby entered as
10 follows:

11 1. Plaintiff's complaint is dismissed with prejudice.

12 2. Defendants are granted judgment on their first
13 counterclaim. The declaratory relief set forth in this Court's
14 Order Granting Defendants' Motion for Partial Summary Judgment,
15 entered November 30, 1988, is now a final declaration of the
16 rights of the parties with respect to defendants' first
17 counterclaim.

18 3. Defendants are entitled to their statutory costs and
19 fees herein.

20 4. There is no just reason for delay. The Clerk is
21 expressly directed to enter this judgment.

22 DONE IN OPEN COURT this 16th day of December, 1988.

23
24 _____
25 JUDGE
26

[Signature]
SWINN

ORDER AND JUDGMENT GRANTING
DEFS' SECOND MOTION FOR
PARTIAL SUMMARY JUDGMENT -2-

APPENDIX B

SCHWEPPE, KRUG & TAUSEND P.S.

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1 Presented by:


2 SCHWEPPE, KRUG & TAUSEND, P.S.

3 

4 ROBERT J. ROWAN
Attorneys for Defendants

5 ~~Copy Received; Notice of~~
6 ~~Presentation Waived:~~

7 LAW OFFICES OF RODNEY G. PIERCE

8 
9 RODNEY G. PIERCE
Attorney for Plaintiff

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ORDER AND JUDGMENT GRANTING
DEFS' SECOND MOTION FOR
PARTIAL SUMMARY JUDGMENT -3-

APPENDIX B

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