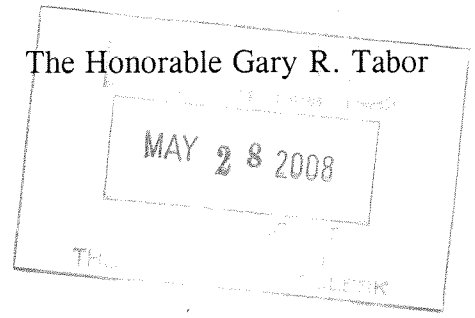


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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

RECEIVED  
MAY 30 2008  
GordonDerr LLP

TAYLOR RESOURCES, INC., a  
Washington corporation, also known as  
TAYLOR SHELLFISH FARMS,

NO. 08-2-00904-9

Petitioners,

STIPULATIONS AND AGREED  
ORDER REGARDING  
INTERVENTION AND STAY

v.

PIERCE COUNTY, a political  
subdivision of the State of Washington,

Respondent,

and

NORTH BAY PARTNERS, a family  
partnership; FOSS M. LESLIE ET  
AL., Taxpayers of record for the  
property at issue,

Additional Parties.

I. STIPULATION TO DISMISS DEMILLE MICHAEL

Demille Michael is named as an "additional party" in this action because he is identified as the taxpayer of a parcel that was erroneously included in Taylor's permit application filed with Pierce County. Because the parcel was included in the application in

1 error and has no relation to the Foss Farm project, the parties stipulate that Demille Michael  
2 should be dismissed from this action.

3  
4 II. STIPULATION REGARDING INTERVENTION BY COALITION  
5 TO PROTECT PUGET SOUND HABITAT

6 The Coalition to Protect Puget Sound Habitat ("the Coalition") intervened and  
7 participated actively in the administrative proceedings before the Pierce County Hearing  
8 Examiner. The Coalition is a Washington State non-profit corporation comprised of  
9 organizations whose members are property owners and residents along Puget Sound  
10 shorelines seeking to assure that geoduck aquaculture operations are conducted in  
11 appropriate locations using appropriate means. The Coalition desires to intervene in this  
12 proceeding. The original parties to this action have no objection to that intervention. An  
13 order authorizing intervention by the Coalition should be entered.  
14

15 III. STIPULATION REGARDING A STAY

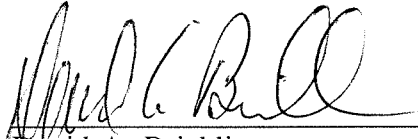
16 Concurrent with the filing of this action, Taylor Resources filed a parallel action  
17 before the Washington State Shorelines Hearings Board. Concurrent actions were filed  
18 because there is some ambiguity regarding whether the Superior Court or the Shorelines  
19 Hearings Board initially has jurisdiction to review this matter. The parties, including the  
20 intervenor, have agreed that this matter should be stayed until the Shorelines Hearings Board  
21 determines the jurisdictional issue. If the Shorelines Hearing Board decides it does not have  
22 jurisdiction, then Taylor plans to file an appeal of that decision and to consolidate that  
23 appeal with this action. If the Shorelines Hearings Board decides it does have jurisdiction,  
24 then there may be an interlocutory appeal of that decision or the Shorelines Hearings Board  
25  
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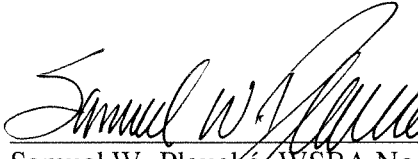
1 may proceed to address the merits of the underlying issue. The parties agree that, in any  
2 event, this action brought pursuant to the Land Use Petition Act should be stayed until the  
3 Shorelines Hearings Board enters a final order or until a Superior Court reverses a  
4 Shorelines Hearings Board decision that the Shorelines Hearings Board has jurisdiction,  
5 whichever is first to occur. An order to that effect should be entered.  
6

7 Based on the foregoing stipulations, the parties and the Coalition to Protect Puget  
8 Sound Habitat request the Court to enter the following order.  
9

10 Dated this 22d day of May, 2008.

11 Respectfully submitted,  
12 BRICKLIN NEWMAN DOLD, LLP

13  
14 By:  4-30-08  
15 David A. Bricklin  
16 WSBA No. 7583  
17 Attorneys for Coalition to Protect Puget  
18 Sound Habitat

19 GORDONDERR, LLP  
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21 By:  5/1/08  
22 Samuel W. Plauché, WSBA No. 25476  
23 Attorneys for Taylor Shellfish Farms  
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OFFICE OF THE PIERCE COUNTY  
PROSECUTING ATTORNEY

By: Samuel W. Russell for *per e-mail auth. 5/1/08*  
Jill Guernsey, WSBA No. 9443  
Attorneys for Pierce County

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By: Samuel W. Russell for *per e-mail auth. 4/30/08*  
Jerry R. Kimball, WSBA No. 8641  
Attorneys for North Bay Partners and  
M. Leslie Foss, as managing partner

\_\_\_\_\_  
DEMILLE MICHAEL

ORDER

Based on the foregoing Stipulations, the Court orders as follows:

1. Demille Michael is dismissed from this action.
2. The Coalition to Protect Puget Sound Habitat is hereby authorized to intervene in this action.
- 3.1 This action brought pursuant to the Land Use Petition Act is hereby stayed. If the Shorelines Hearings Board determines that it lacks jurisdiction over the parallel action, the stay shall automatically be lifted ten days after entry of that final order.

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Jerry R. Kimball, WSBA No. 8641  
Attorneys for North Bay Partners and  
M. Leslie Foss, as managing partner

Demille Michael  
DEMILLE MICHAEL

ORDER

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By:

*Samuel W. Planché* 5/1/08  
Samuel W. Planché, WSBA No. 25476  
Attorneys for Taylor Shellfish Farms

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Attorneys for North Bay Partners and  
M. Leslie Foss, as managing partner

DEMILLE MICHAEL

CPPSH\Superior\Stipulation Re Intervention and Stay

STIPULATIONS AND AGREED ORDER  
REGARDING INTERVENTION AND STAY - 6

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Attorneys for North Bay Partners and  
M. Leslie Foss, as managing partner

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18 Michael Demille  
DEMILLE MICHAEL

19 CPPSH\Superior\Stipulation Re Intervention and Stay

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STIPULATIONS AND AGREED ORDER  
REGARDING INTERVENTION AND STAY - 6