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July 17, 2008

VIA E-MAIL (HARD COPY TO FOLLOW)

The Honorable Chris Wickham  
The Honorable Christine Pomeroy  
Thurston County Superior Court  
Building Two, Thurston County Courthouse  
2000 Lakeridge Drive SW  
Olympia, WA 98502-6045

Re: Taylor v. Pierce County, Cause Nos. 08-2-00904-9 and 08-2-01571-5

Dear Judge Wickham and Judge Pomeroy:

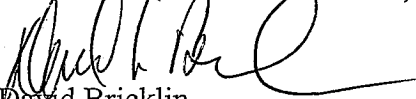
The above referenced matters have been assigned to you. There is a motion to consolidate these matters tomorrow. There also is a motion to have the Court approve a settlement agreement among some (but not all) of the parties. I do not know which of you is hearing these motions, so I am addressing this letter to both of you.

This morning, one of the parties, North Bay Partners, LLC, filed a "reply" brief in support of the motion to approve the settlement agreement. The brief is untimely and should be stricken. The brief is not a rebuttal of the response brief we filed yesterday. Instead, it includes the type of material that should have been included in the original moving papers. It includes many new factual allegations that we will not have any opportunity to address in writing. Because the brief is not responsive to our brief and because of the prejudice that would be caused by the Court's consideration of these unchallenged (and inaccurate) factual assertions, the Reply of North Bay Partners should be stricken.

Thank you for your attention to this matter.

Very truly yours,

BRICKLIN, NEWMAN, DOLD, LLP

  
David Bricklin

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cc: All Counsel  
Clients