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

ELSEVIER, INC., a foreign corporation,

Plaintiff,

v.

WASHINGTON STATE UNIVERSITY,

Defendant.

No. 09-2-00137-3

STIPULATION AND ORDER OF
DISMISSAL OF COMPLAINT FOR
INJUNCTIVE AND DECLARATORY
RELIEF

Based on a review of the records and files herein, the parties stipulate to dismissal of this action and all claims, with prejudice, and without fees or costs to either party.

Dated this 30TH day of JUNE, 2009.

Frank Hruban for permission given per email

Arthur D. McGarry, Jr.
Attorney for Plaintiff

Frank M. Hruban

Frank M. Hruban
Attorney for Defendant

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WHITMAN COUNTY CLERK

ORDER OF DISMISSAL - 1
P-ADM OR DISMISSAL 120850002(2) (2) (2)

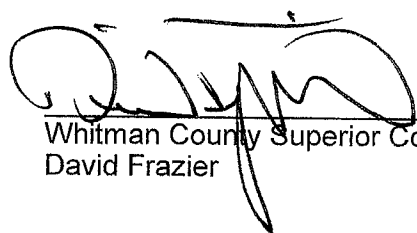
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ORDER


Pursuant to the above stipulation, it is hereby ORDERED that Plaintiff's claims against defendant Washington State University are dismissed with prejudice and without an award of fees or costs to either party.

Dated this 6th day of July, 2009.


Whitman County Superior Court Judge
David Frazier

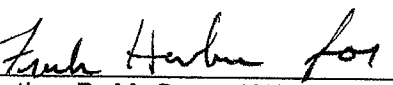
Presented by:

ROBERT M. MCKENNA
Attorney General

By: 
Frank M. Hruban, WSBA 35258
Assistant Attorney General
Attorneys for Defendant
Washington State University

Copy Received, Consent to Entry, and
Notice of Presentation Waived:

OLES MORRISON RINKER & BAKER LLP

By:  *for permission given per email*
Arthur D. McGarry, WSBA 4808
Attorneys for Plaintiff Elsevier, Inc.