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HON. KATHERINE M. STOLZ

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IN COUNTY CLERK'S OFFICE  
A.M. JAN 8 2003 P.M.  
PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
BY \_\_\_\_\_ DEPUTY

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

JOSEPH J. KIRBY and DEBORAH A. )  
KIRBY, husband and wife, )  
Plaintiffs, )

No. 99 2 13911 4

vs. )

PLAINTIFFS' OBJECTIONS  
TO DEFENDANTS' ER 904 (b)  
SUBMISSIONS

THE CITY OF TACOMA, a municipal )  
corporation; RAY CORPUZ and )  
"JANE DOE" CORPUZ, husband and )  
wife; PHILIP ARREOLA and "JANE )  
DOE" ARREOLA, husband and )  
wife; WILLIAM WOODARD and )  
CATHERINE WOODARD, husband and )  
wife; RAYMOND ROBERTS and "JANE )  
DOE" ROBERTS, husband and wife; )  
DAVID BRAME and "JANE DOE" )  
BRAME, husband and wife; and )  
JAMES HAIRSTON and "JANE DOE" )  
HAIRSTON, husband and wife, )  
Defendants. )

COME NOW the plaintiffs and object to Defendants' ER  
904 (b) submissions as follows:

**MESSINA • BULZOMI**

5316 Orchard St. W.  
Tacoma, WA 98467-3633  
(253) 472-6000

1 Plaintiffs object to the following offered exhibits on  
2 grounds of relevancy:

3 3. Supervisor's Report/Employee's Occupational Injury  
4 or Illness dated September 19, 1986 (JK000004).

5 4. Certificate of Physician dated September 23, 1986,  
6 signed by Jay Ehly, M.D. (JK000005).

7 5. Memo to Captain Monner, T.P.D., from Jay Hugh Ehly,  
8 M.D., dated September 23, 1986 (JK000007).

9 6. Letter to OMAC from Larry Bellinger, dated October  
10 2, 1896 (JK000011).

11 7. Psychiatric Evaluation dated October 3, 1986  
12 (JK000012-15).

13 20. Interoffice Memorandum to "84 addressees" from Gayle  
14 Hall dated October 14, 1997, subject: Personnel Order #97-24 -  
15 Written Reprimand (JK000186).

16 22. Claim for Damages dated December 18, 1997, filed by  
17 Joseph Kirby (JK000208-211).

18 37. Joseph Kirby - Information and Background provided  
19 to Fitness for Duty Evaluating Physician dated September 3,  
20 1998 (JK000338-340).

21 64. Claim for Damages dated August 30, 1999, signed by  
22 Joseph Kirby (JK000717-720).

23 70. Documentation of Tacoma Police Department Incident  
24 dated September 14, 1999, signed by Tanya Harmon (JK000733).

25 81. Medical records - Jay Ehly, M.D., Certification of  
Custodian and medical records #1-67.

DATED this 8 day of January 2003.

CERTIFICATION	
I hereby certify that on <u>1/8/03</u> I deposited	
in the mails of the United States of America and/or	
placed with Legal Messengers and/or faxed a copy of the	
document to which this certificate is attached, for	
delivery to all counsel of record.	
<u>John L. Messina</u>	
Messina Law Firm	

MESSINA BULZOMI

BY John L. Messina  
JOHN L. MESSINA 4440  
Attorneys for Plaintiffs

**MESSINA • BULZOMI**

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