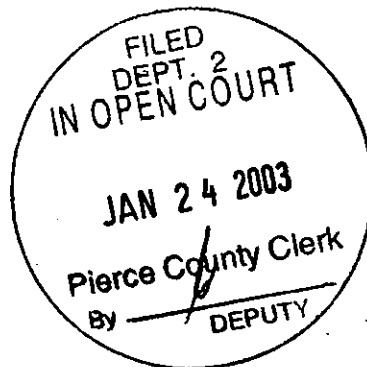


99-2-13911-4 18340078 JD 01-27-03

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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,

v.

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.

NO. 99-2-13911-4

JUDGMENT FOR DEFENDANTS

SUMMARY OF JUDGMENT

Pursuant to RCW 4.64.030, the following information should be entered in the Clerk's Execution Docket:

JUDGMENT FOR DEFENDANTS - 1

Tacoma City Attorney
Civil Division
747 Market Street, Room 1120
Tacoma, Washington 98402-3767
(253) 591-5885 / FAX 591-5755

ORIGINAL

1. Judgment Creditor: City of Tacoma
2. Judgment Creditor's Attorney: Robin S. Jenkinson, City Attorney.
3. Judgment Debtor: Joseph J. Kirby and Deborah A. Kirby
4. Amount of Judgment: \$401.25
5. Amount of Interest Owed to Date of Judgment: N/A
6. Total of Taxable Costs and Attorney Fees: \$401.25

JUDGMENT

Defendants' motions for summary judgment, were heard on Friday, January 10, 2003, before the Honorable Katherine M. Stolz. Plaintiffs, Joseph Kirby and Deborah Kirby, appeared personally and through their attorney of record, John L. Messina. Defendants appeared personally and through its attorneys of record, Shelley M. Kerslake, Assistant City Attorney.

The parties presented oral argument, and Judge Stolz granted summary judgment in favor of defendants, dismissing plaintiffs' complaint in its entirety.

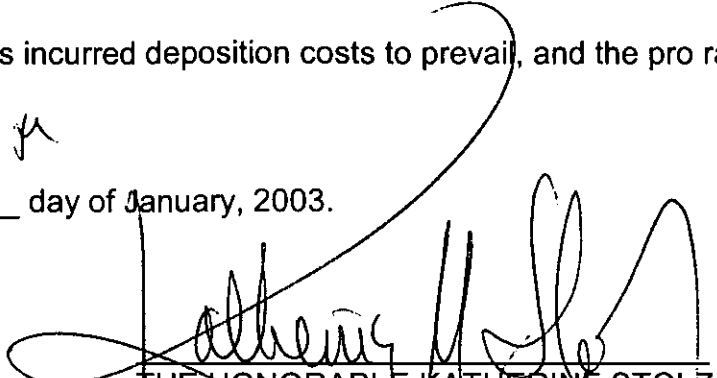
The Court enters judgment as follows:

1. Plaintiff's age discrimination claim is dismissed with prejudice.
2. Plaintiff's claims against Philip Arreola, David Brame, and Raymond Roberts are dismissed with prejudice.
3. Plaintiff's claim of intentional infliction of emotional distress is dismissed with prejudice.
4. Plaintiff's disability discrimination claim is dismissed with prejudice.

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- 5. Plaintiff's claim of retaliation for protected union activity is dismissed with prejudice.
- 6. Plaintiffs' Motion for Reconsideration is denied.
- 7. Defendants are awarded statutory attorney fees in the amount of \$125.00.
- 8. Defendants incurred deposition costs to prevail, and the pro rata amount due is \$276.25.

DATED this 24 day of January, 2003.

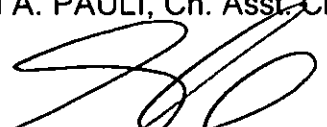


 THE HONORABLE KATHERINE STOLZ

Presented By:

ROBIN S. JENKINSON, City Attorney
ELIZABETH A. PAULI, Ch. Asst. City Attorney

By:




 SHELLEY M. KERSLAKE
 WSB# 21820
 Assistant City Attorney
 Attorney for Defendants

FILED
 DEPT. 2
 IN OPEN COURT
 JAN 24 2003
 Pierce County Clerk
 By _____
 DEPUTY

Approved as to form:

MESSINA BULZOMI

By:



 JOHN L. MESSINA
 WSB# 4440
 Attorney for Plaintiffs