



HON. KATHERINE M. STOLZ

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IN COUNTY CLERK'S OFFICE  
FILED  
A.M. MAR 21 2003 P.M.  
PIERCE COUNTY, WASHINGTON  
BY KEVIN STOCK, County Clerk 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  
Court of Appeals  
No. 29963-1

vs. )  
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. )

ON APPEAL TO COURT OF  
APPEALS, DIVISION II  
AMENDED DESIGNATION  
OF CLERK'S PAPERS

TO: CLERK OF THE SUPERIOR COURT OF PIERCE COUNTY

1           You are hereby directed to prepare, certify and file in  
 2 your office a transcript of record in the above-entitled cause  
 3 on appeal from the Superior Court of the State of Washington  
 4 for Pierce County to the Court of Appeals of the State of  
 5 Washington containing the following:

<u>DATE FILED</u>	<u>DOCUMENT</u>
12/20/99	Summons and Complaint for Personal Injuries and Damages In Tort
12/26/00	Def. City of Tacoma's Answer and Affirmative Defenses to Plaintiff's Complaint For Personal Injuries and Damages in Tort
05/22/00	Stipulation and Order Amending Complaint
05/22/00	Summons on Amended Complaint for Personal Injuries & Damages In Tort
05/22/00	Amended Complaint for Personal Injuries & Damages In Tort
06/07/00	Plaintiffs' Disclosure of Primary Witnesses
06/06/00	Notice of Removal of Action from State Court
06/13/00	Affidavit of Service of Certification of Shelley M. Kerslake
05/15/01	Plaintiffs' Motion to Amend Complaint
05/31/01	Stipulation to Amend Complaint
07/02/01	Summons on Second Amended Complaint for Personal Injuries & Damages
07/02/01	Second Amended Complaint for Personal Injuries & Damages In Tort
07/02/01	Plaintiffs' Disclosure of Primary Witnesses
07/30/01	Defendant's Disclosure of Primary Witnesses
09/11/01	Plaintiffs' Disclosure of Rebuttal Witnesses

**MESSINA • BULZOMI**

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

AMENDED DESIGNATION OF  
 CLERK'S PAPERS-2.

1	09/21/01	Letter from Dept. 18
2	09/17/01	Defendant's Disclosure of Rebuttal Witnesses
3	09/24/01	Defendant's Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint for Personal Injuries and Damages in Tort
4		
5	10/19/01	Stipulation and Order Amending Defendant's Answer to Plaintiff's Complaint
6		
7	11/01/01	Defendants' Amended Answer and Affirmative Defenses to Plaintiffs' Second Amended Complaint for Personal Injuries & Damages in Tort
8		
9	07/29/02	Plaintiffs' Disclosure of Primary Witnesses
10	07/29/02	Notice of Claim
11	11/14/02	Affidavit of Shelley Kerslake in Support of Defendant's Motion for Partial Summary Judgment to Dismiss Plaintiff's Age Discrimination Claim
12		
13	11/14/02	Defendant's Memorandum in Support of Motion for Partial Summary Judgment To Dismiss Plaintiff's Age Discrimination Claim
14		
15	11/14/02	Defendants' Motion for Partial Summary Judgment To Dismiss Plaintiff's Age Discrimination Claim
16		
17	11/14/02	Defendant's Memorandum in Support of Motion for Partial Summary Judgment To Dismiss Philip Arreola, David Brame and Raymond Roberts
18		
19	11/14/02	Defendant's Motion for Partial Summary Judgment To Dismiss Philip Arreola, David Brame, and Raymond Roberts
20		
21	11/14/02	Memorandum in Support of Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Claim for Retaliation for Protected Union Activity
22		
23		
24	11/14/02	Affidavit of Mary Brown
25		

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(253) 472-6000

1	11/14/02	Affidavit of Shelley Kerslake in Support of Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Claim of Retaliation for Protected Union
2		
3	11/14/02	Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Claim Of Retaliation for Protected Union Activity
4		
5	11/20/02	Defendant's Motion for Partial Summary Judgement
6		
7	11/20/02	Defendant's Memorandum in Support
8	11/20/02	Affidavit in Support
9	12/03/02	Defendants' Motion for Partial Summary Judgment Regarding Plaintiff's Disability Discrimination Claim
10		
11	12/03/02	Memorandum in Support of Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Disability Discrimination Claim
12		
13	12/03/02	Affidavit of Shelley Kerslake in Support of Defendant's Motion for Partial Summary Judgment Re: Plaintiff's Disability Discrimination Claim
14		
15	12/03/02	Declaration of William Woodard in Support of Defendant's Motion for Partial Summary Judgment Re: Plaintiff's Disability Discrimination Claim
16		
17	12/03/03	Defendant's Motion for Summary Judgment Regarding Plaintiff's Claim of Intentional Infliction of Emotional Distress
18		
19	12/03/03	Memorandum in Support of Defendant's Motion for Summary Judgment Re: Plaintiff's Claim of Intentional Infliction of Emotional Distress
20		
21	12/03/03	Affidavit of Shelley Kerslake in Support of Defendant's Motion for Summary Judgment Re: Plaintiff's Claim of Intentional Infliction of Emotional Distress
22		
23	12/09/02	Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment To Dismiss
24		
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Tacoma, WA 98467-3633  
(253) 472-6000

1	12/09/02	Declaration of John L. Messina
2	12/09/02	Declaration of Joseph J. Kirby
3	12/09/02	Declaration of Philip G. Lindsay, M.D.
4	12/09/02	Supplemental Declaration of John L. Messina
5	12/09/02	Affidavit of D.P. Van Blaricom
6	01/02/03	Plaintiffs' Submission of Additional Authority Re: Motions for Summary Judg.
7		
8	01/03/03	Notice Re: Evidentiary Rule
9	01/03/03	Plaintiff's List of Witnesses
10	01/03/03	Reply Memorandum in Support of Defendants' Motion for Summary Judgment Regarding Plain- tiff's Claim of Intentional Infliction of Emotional Distress
11		
12	01/07/03	Stipulation and Order of Dismissal of Plain- tiff's Negligent Retention/Supervision Claim and Ray E. Corpuz, Jr.
13		
14	01/06/03	Affidavit of Shelley Kerslake in Support of Reply Memorandum for Partial Summary Judgment to Dismiss Plaintiff's Age Discrimination Claim
15		
16	01/06/03	Reply Memorandum in Support of Defendant's Motion for Partial Summary Judgment to Dismiss Plaintiff's Age Discrimination Claim
17		
18	01/06/03	Affidavit of Shelley Kerslake in Support of Defendant's Reply Memorandum For Partial Summary Judgment Regarding Plaintiff's Disability Disc. Claim
19		
20		
21	01/06/03	Reply Memorandum in Support of Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Disability Discrimination Claim
22		
23	01/06/03	Affidavit of Paul Mielbrecht in Support of Def's Motion for Partial Summary Judgment Regarding Plaintiff's Disability Discrimina- tion Claim
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**MESSINA • BULZOMI**

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

1 01/06/03 Reply Memorandum in Support of Defendants'  
2 Motion for Partial Summary Judgment to Dismiss  
Philip Arreola, David Brame and Raymond  
Roberts

3  
4 01/06/03 Affidavit of Shelley Kerslake in Support of  
5 Defendants' Motion for Partial Summary  
Judgment to Dismiss Philip Arreola, David  
Brame and Roberts

6 01/07/03 Declaration of John L. Messina Re: Civil  
Rights Claim

7  
8 01/08/03 Objections/Opposition

9 01/13/03 Order Granting Defendants' Motion for Summary  
Judgment

10 01/15/03 Motion for Reconsideration of Court's Summary  
11 Judgment Ruling and Order Granting Summary  
Judgment and Brief in Support of Motion

12 01/15/03 Declaration of John L. Messina in Support of  
13 Plaintiff's Motion for Reconsideration

14 01/22/03 Defendants' Response to Plaintiff's Motion for  
15 Reconsideration of Court's Summary Judgment  
Ruling and Order Granting Summary Judgment

16 01/24/03 Defendants' Cost Bill Statement of Costs and  
Disbursements to be Taxed Against Plaintiffs

17 01/24/03 Order of Dismissal with Prejudice & Order  
18 Denying

19 01/24/03 Judgment

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21 I understand upon receipt of acceptable payment, the  
22 Clerk will transmit the Clerks Papers to the appropriate court.  
23 I agree to pay the amount owed within 30 days of receiving a  
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5316 Orchard St. W.  
Tacoma, WA 98467-3633  
(253) 472-6000

AMENDED DESIGNATION OF  
CLERK'S PAPERS-6.

1 | copy of the Index.

2 | DATED this 21 day of March 2003.

3 | MESSINA BULZOMI

4 | By John L. Messina  
5 | JOHN L. MESSINA 4440  
6 | Attorneys for Plaintiffs

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