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**CERTIFICATION**

I hereby certify that on 5/2/01 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.

*Valerie A. de Franco*  
Messina Law Firm

**FILED**  
**IN COUNTY CLERK'S OFFICE**

A.M. MAY - 2 2001 P.M.

PIERCE COUNTY, WASHINGTON  
TED RUTT, COUNTY CLERK  
BY J 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, )  
  
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. )

No. 99 2 13911 4

CONFIRMATION OF JOINDER  
OF PARTIES, CLAIMS AND  
DEFENSES

CJNSC  The parties make the following joint representa-  
tions: [IF THIS BOX IS CHECKED, THERE WILL NOT BE A  
STATUS CONFERENCE.]

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

1037 1 - 2001 2

- 1 1. This case is not subject to mandatory arbitration.  
 2 (If it is, this report should not be filed;  
 3 instead, no later than the deadline for filing this  
 4 report, a statement of arbitrability should be  
 5 filed.)
- 6 2. No additional parties will be joined.
- 7 3. All parties have been served or have accepted  
 8 service.
- 9 4. All mandatory pleadings have been filed.
- 10 5. No additional claims or defenses will be raised.  
 11 The City of Tacoma reserves the right to assert  
 12 additional affirmative defenses as discovery  
 13 continues; however, a joint status conference is  
 14 NOT necessary in this regard.
- 15 6. The parties anticipate no problems in meeting the  
 16 deadlines for disclosing possible witnesses and  
 17 other, subsequent deadlines in the Case Schedule.
- 18 7. All parties have cooperated in completing this  
 19 report.
- 20 CJ [ ] The parties do not join in making the foregoing  
 21 representations, as explained below (if appropri-  
 22 ate, check both the box at left and every applica-  
 23 ble box below):  
 24 [IF THE BOX ADJACENT TO THE PRECEDING SENTENCE IS  
 25 CHECKED, THERE WILL BE A STATUS CONFERENCE, WHICH  
 ALL PARTIES OR THEIR ATTORNEYS MUST ATTEND.]
- [ ] An additional party will be joined.
- [ ] A party remains to be served.
- [ ] A mandatory pleading remains to be filed.
- [ ] An additional claim or defense will be raised.
- [ ] One or more parties anticipate a problem in meeting  
 the deadlines for disclosing possible witnesses or  
 other, subsequent deadlines in the Case Schedule.
- [ ] Other explanation:

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In order to obtain the court's direction in the matters described above, the parties will appear at an Initial Status Conference, the date of which (as stated in the Case Schedule) is:

DATED this 1<sup>st</sup> day of May 2001.

MESSINA BULZOMI

By   
JEFFREY H. SADLER 27136  
Attorneys for Plaintiffs

  
SHELLY KERSLAKE 21820  
Attorney for Defendants

APPROVED TELEPHONICALLY

**MESSINA • BULZOMI**

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