

1 of Governor Inslee’s COVID-19-related Stay Home – Stay Healthy Proclamations, as amended,
2 including any attachments, references, bulletins, guidance, and appendixes to the same.

3 3.2 In the future, Northwest Fitness Co., Michael Jason Baker, and Shane David
4 Cowhig agree to open and operate the Northwest Fitness Co. gym in full compliance with the
5 Governor’s COVID-19-related Stay Home – Stay Healthy Proclamations, including any
6 existing or future amendments, attachments, references, bulletins, guidance, and appendixes to
7 the same.

8 **IV. ADDITIONAL PROVISIONS**

9 4.1 The parties acknowledge and agree that no other promises, representations, or
10 agreements of any nature have been made or entered into by the parties. The parties further
11 acknowledge that this Assurance of Discontinuance constitutes a single and entire agreement
12 that is not severable or divisible, except that if any provisions herein are found to be legally
13 insufficient or unenforceable, the remaining provisions shall continue in full force and effect.

14 4.2 Under no circumstances may this Assurance of Discontinuance or the name of
15 the State of Washington, the Office of the Attorney General, the Consumer Protection Division,
16 or any of their employees or representatives be used by Defendants to express any endorsement
17 of any business activity of Defendants.

18 4.3 This Assurance of Discontinuance is binding on Defendants and their respective
19 owners, successors, assigns, officers, directors, principals, members, agents, employees,
20 representatives, and all other persons or entities in active concert or participation with
21 Defendants. This Assurance of Discontinuance resolves all issues raised in this lawsuit. Upon
22 the Court’s approval of this Assurance of Discontinuance, the State will file a voluntary dismissal
23 without prejudice of the above-captioned action.

24
25 (Approval and Signature on Next Page)
26

1 APPROVED on this ____ day of _____, 2020.

2
3 _____
4 JUDGE/COURT COMMISSIONER

5 Presented by:

6 ROBERT W. FERGUSON
7 Attorney General

8 

9 Daniel L. Allen, WSBA #45036
10 Breena M. Roos, WSBA #34501
11 Ben Brysacz, WSBA #54683
12 Assistant Attorney General
13 Attorneys for State of Washington
14 Office of the Attorney General
15 800 Fifth Avenue, Suite 2000
16 Seattle, Washington 98104
17 Daniel.Allen@atg.wa.gov
18 (206) 464-7744

19
20 Fitness 101 Team Puyallup L.L.C., Shane David Cowhig, and Michael Jason Baker agree to this
21 Assurance of Discontinuance, and with binding authority granted to counsel to sign and assent on

22 
23 _____
24 STEPHEN PIDGEON, WSBA#25265

25 Attorney at Law, P.S.
26 1523 - 132nd Street SE
27 Suite C-350
28 Everett, Washington 98208
29 Stephen.Pidgeon@comcast.net
30 (425) 347-7513

31 Counsel for Defendants Fitness 101 Team Puyallup L.L.C., Shane David Cowhig, and Michael
32 Jason Baker

Case: STATE OF WASHINGTON VS. FITNESS 101 TEAM PUYALLUP LLC
Cause Number: 20-2-06237-1
Filing ID: 54740351
Signed: June 02 2020 09:37 AM

This order has been reviewed, approved, and electronically signed.



A handwritten signature in black ink, appearing to read "Craig S Adams", written over a horizontal line.

Craig S Adams, Pierce County Commissioners