

FILED

2020 JUN -9 PM 1:40

HEIDI PERCY  
COUNTY CLERK  
SNOHOMISH CO. WASH

20-2-02973-31  
OTHER 4  
Other  
8320829



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

STATE OF WASHINGTON  
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
  
Plaintiff,

v.

POWER ALLEY FITNESS, INC. D/B/A  
PA FITNESS AND MICHAEL R.  
JELLISON

Defendants.

NO. 20-2-02973-31

ASSURANCE OF DISCONTINUANCE

**[CLERK'S ACTION REQUIRED]**

**I. INTRODUCTION**

1.1 The State of Washington (State), by and through its attorneys, Robert W. Ferguson, Attorney General, and Daniel L. Allen, Breana M. Roos, and Ben Brysacz, Assistant Attorneys General, files this Assurance of Discontinuance pursuant to the Consumer Protection Act (CPA), RCW 19.86.100.

1.2 Defendant Power Alley Fitness Inc. d/b/a PA Fitness (PA Fitness) is a for profit corporation organized under the laws of Washington with its principal place of business at 3131 Smokey Point Drive, Arlington, Washington 98223.

1.3 Defendant Michael R. Jellison is the owner and President of PA Fitness, and a resident of Snohomish County, Washington.





1 acknowledge that this Assurance of Discontinuance constitutes a single and entire agreement  
2 that is not severable or divisible, except that if any provisions herein are found to be legally  
3 insufficient or unenforceable, the remaining provisions shall continue in full force and effect.

4 4.2 Under no circumstances may this Assurance of Discontinuance or the name of  
5 the State of Washington, the Office of the Attorney General, the Consumer Protection Division,  
6 or any of their employees or representatives be used by Defendants to express any endorsement  
7 of any business activity of Defendants.

8 4.3 This Assurance of Discontinuance is binding on Defendants and their respective  
9 owners, successors, assigns, officers, directors, principals, members, agents, employees,  
10 representatives, and all other persons or entities in active concert or participation with  
11 Defendants. This Assurance of Discontinuance resolves all issues raised in this lawsuit. Upon  
12 the Court's approval of this Assurance of Discontinuance, the State will file a voluntary dismissal  
13 without prejudice of the above-captioned action.

14  
15 APPROVED on this 8<sup>th</sup> day of June, 2020.

16  
17   
18 JUDGE/COURT COMMISSIONER  
19  
20  
21  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Presented by:

ROBERT W. FERGUSON  
Attorney General

*Daniel Allen*

---

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

Michael R. Jellison and Power Alley Fitness Inc. agree to this Assurance of Discontinuance, and with binding authority granted to counsel to sign and assent on their behalf, approve entry by:

*Stephen Pidgeon*

---

Stephen Pidgeon, WSBA #25265  
Attorney at Law, P.S.  
1523 – 132<sup>nd</sup> Street SE  
Suite C-350  
Everett, Washington 98208  
(425) 347-7513  
Stephen.Pidgeon@comcast.net  
Counsel for Defendants Power Alley Fitness Inc.  
and Michael R. Jellison