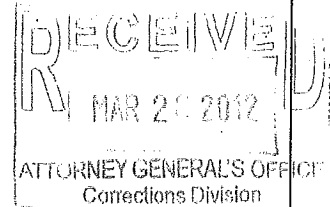


FILED

MAR 20 2012

KATHY MARTIN
WALLA WALLA COUNTY CLERK



STATE OF WASHINGTON
WALLA WALLA COUNTY SUPERIOR COURT

ALLAN PARMELEE,

Plaintiff,

v.

DAVID BREWER, et al.,

Defendants.

NO. 11-2-00651-5

ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS

THIS MATTER having come regularly before the Court on Defendants' Motion to dismiss Plaintiff's Complaint, the Court having heard telephonic argument and reviewed the memoranda and evidence submitted by the parties and being otherwise fully advised makes the following ORDER:

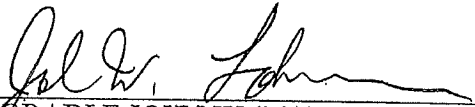
1. Defendants' Motion to Dismiss Plaintiff's Complaint pursuant to Superior Court Civil Rule 12(c) is GRANTED;

2. Plaintiff's action is dismissed with prejudice;

3. Defendants are granted costs in the amount of \$200.00 pursuant to CR 54(d)(1) and CR 78(e).

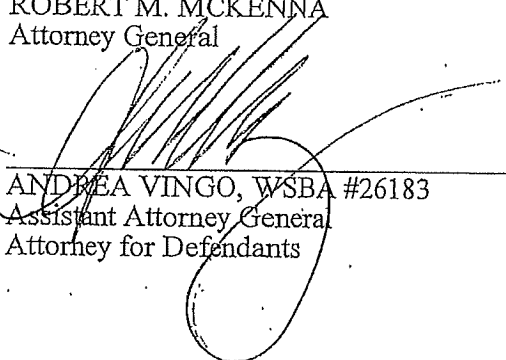
1 4. Further, the Court finds that this cause of action was frivolous, and will count as
2 a "strike" under RCW 4.24.430. See below.*

3 DATED this 26th day of March, 2012.

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5 
6 HONORABLE JOHN W. LOHRMANN
Walla Walla County Superior Court Judge

7 Submitted by:

8 ROBERT M. MCKENNA
9 Attorney General

10 
11 ANDREA VINGO, WSBA #26183
12 Assistant Attorney General
Attorney for Defendants

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16 * Findings re RCW 4.24.430: The Court was required to
17 spend considerable time examining the extensive pleadings and exhibits
18 submitted by the Plaintiffs, only to find nothing actionable. The
19 Court notes that it has three other cases ^{- pending, also filed by Plaintiffs} similar in volume and general
20 subject matter. Each case is carefully reviewed by the Court,
21 and this Court makes no observations about the other pending
22 cases, but having determined that this one has no merit,
23 it does fit the criteria of a "frivolous or malicious"
24 filing under the statute.
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26

-JWL