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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

7 SARA L. LACY in her Personal Capacity and
8 as Personal Representative of the Estate of
9 CECIL D. LACY, JR., deceased,

10 Plaintiff,

11 v.

12 SNOHOMISH COUNTY,

Defendant.

NO. 16-2-21526-2 SEA

**ORDER DENYING DEFENDANT'S
MOTION TO STAY TRIAL DATE
AND CERTIFY FOR
DISCRETIONARY REVIEW**

13 This matter came before this Court on motion by Defendant to Stay Trial Date and Certify
14 for Discretionary Review. Having read and considered the Motion, Plaintiff's response papers, and
15 the files and records herein:

16 The Court makes the following clarifications and findings

17 1. Pursuant to the Letter Ruling Granting Partial Summary Judgment, the Court denied the
18 motion for summary judgment on the negligence claim. With the language " While it
19 may be appropriate to instruct the jury as to either the intentional tort or the negligence
20 claim, *that will only become apparent through evidence presented at trial...*" the Court
21 intended to reserve the Negligent Use of Excessive Force claim to the time of trial. To
22 that extent, the Court clarifies its previous ruling.

23 2. The original complaint in this case was filed September 8, 2016; the first amended
24 complaint was filed March 9, 2017 and the second amended complaint was filed May
25

ORDER DENYING DEFENDANT'S MOTION TO
STAY TRIAL DATE AND CERTIFY FOR
DISCRETIONARY REVIEW

**Judge Karen Donohue
King County Superior Court
516 Third Avenue, C-203
Seattle, WA 98104**

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30, 2017. The case has been twice removed to U.S. District Court. Public policy favors prompt resolution of cases.

IT IS HEREBY ADJUDGED AND ORDERED that Defendant's Motion to Stay Trial Date and Certify for Discretionary Review is hereby DENIED. Trial shall proceed as originally scheduled.

IT IS SO ORDERED this ____ day of _____ 2018.

KING COUNTY SUPERIOR COURT JUDGE

King County Superior Court
Judicial Electronic Signature Page

Case Number: 16-2-21526-2
Case Title: LACY ET ANO VS SNOHOMISH COUNTY ET AL

Document Title: ORDER ORDER DENYING STAY

Signed by: Karen Donohue
Date: 9/5/2018 3:33:59 PM



Judge/Commissioner: Karen Donohue

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 2477D7CC993B54267C067086CFECB548B757A768
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Certificate expiry date: 3/8/2023 5:04:17 PM
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O=KCDJA, CN="Karen Donohue:
r1F3b4r95BGy4FxmH11GsA=="