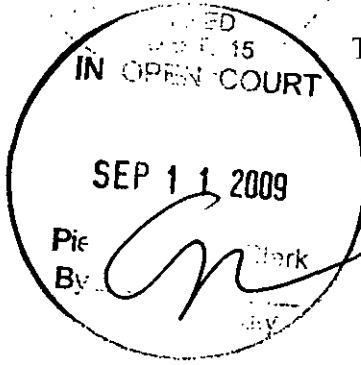


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The Honorable Thomas J. Felnagle

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SUPERIOR COURT OF WASHINGTON IN AND FOR PIERCE COUNTY

CITY OF PUYALLUP, a municipal corporation,

Petitioner,

v.

CARL R. HOGAN, a married man, as his separate estate, CARL R. HOGAN and JANE DOE HOGAN, husband and wife, and the marital community composed thereof; QWEST CORPORATION, a Colorado corporation, successor in interest to PACIFIC NORTHWEST BELL TELEPHONE COMPANY, a Washington corporation; PUGET SOUND ENERGY, INC., a Washington corporation, on its own behalf and as successor in interest to PUGET SOUND POWER & LIGHT COMPANY, a Washington corporation; FRUITLAND MUTUAL WATER COMPANY, a Washington nonprofit corporation; KITSAP BANK, a Washington corporation; STATE OF WASHINGTON; PIERCE COUNTY, BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION; BANK OF AMERICA, N.A.; PAY'N SAVE CORPORATION, a Washington corporation; RANDALL W. LARSON and HELEN L. LARSON, husband and wife, and the marital community composed thereof; B. CRAIG LARSON, a single man; KEYBANK NATIONAL ASSOCIATION, successor in interest to PUGET SOUND NATIONAL BANK, a national banking association; TANDY CORPORATION, a Delaware corporation; SUPER VALU STORES, INC., a Delaware corporation;

No. 05 2 05211 8

ORDER APPROVING RESPONDENT CARL HOGAN'S RCW 8.25.070 MOTION FOR AN AWARD OF HIS REASONABLE ATTORNEYS' AND EXPERT WITNESS FEES

ORDER APPROVING RESPONDENT CARL HOGAN'S RCW 8.25.070 MOTION FOR AN AWARD OF HIS REASONABLE ATTORNEYS' AND EXPERTS' FEES - 1

VANDEBERG JOHNSON & GANDARA, LLP
ATTORNEYS AT LAW
1201 PACIFIC AVENUE, SUITE 1900
P.O. BOX 1315
TACOMA, WASHINGTON 98401-1315
(253) 383-3791 (TACOMA)
FACSIMILE (253) 383-6377

1 MCDONALD'S CORPORATION, a Delaware)
 2 corporation; AARON BROTHERS, INC., a)
 3 Delaware corporation; BORDERS, INC., a)
 4 Colorado corporation; STARBUCKS)
 5 CORPORATION, a Washington corporation;)
 6 JAMBA JUICE COMPANY, a California)
 7 corporation; RITZ CAMERA CENTERS,)
 8 INC., a Delaware corporation,)
 9 Respondents.)
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This matter came on regularly for hearing upon the motion of Respondent Carl Hogan under RCW 8.25.070 for an award of his reasonable attorneys' and expert witness fees, the Court having considered the Motion, the City of Puyallup's Response, Hogan's Reply and the Declarations of G. Perrin Walker, Murray Brackett, Shelley Kerslake, and Virginia Tucker and the Supplemental Declaration of G. Perrin Walker, and having considered the files and records herein and the argument of counsel,

Now, therefore, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That Respondent Carl Hogan's motion is granted for an award of reasonable attorneys' fees in the sum of \$ 719,331.00 , and for reasonable expert witness fees in the sum of \$ 321,777.00 .

Handwritten signature and initials, possibly 'J. P.' and '207'.

ORDER APPROVING RESPONDENT CARL HOGAN'S
 RCW 8.25.070 MOTION FOR AN AWARD OF HIS
 REASONABLE ATTORNEYS' AND EXPERTS' FEES - 2

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2. That judgment shall be entered forthwith in favor of Carl R. Hogan against the City of Puyallup, in such total amount of \$ 1,091,108.00 *ju*

DONE IN OPEN COURT this 11th day of September, 2009.

Thomas J. Felagle
HONORABLE THOMAS J. FELAGLE

Presented by:

VANDEBERG JOHNSON & GANDARA, LLP



By *G. Perrin Walker*
G. Perrin Walker, WSBA # 4013
Attorneys for Respondents Hogan

KENYON DISEND, PLLC

By *Michael R. Kenyon*
Michael R. Kenyon, WSBA #15802
Attorneys for Petitioner City of Puyallup