

**FILED**

KING COUNTY, WASHINGTON  
HONORABLE JULIE SPECTOR

**MAR 20 2009**

SUPERIOR COURT CLERK  
BY JUAN C. BUENAFE  
DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY  
AT SEATTLE

KIRK R. HOGLE

Plaintiff,

v.

ARICA FISHNG COMPANY, LLC

Defendant.

No. C07-2-35109-48SEA

*[Proposed]*

**ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

THIS MATTER, has come on before the above-entitled Court on Defendant's Motion for Summary Judgment. The Court reviewed the pleadings, files and records herein, the legal arguments and memoranda and evidence submitted by both parties, including the following:

1. Defendant's Motion for Summary Judgment;
2. Declaration of Kathryn P. Fletcher in Support of Defendant's Motion for Summary Judgment, with exhibits;
3. Declaration of Anissa Olson in Support of Defendant's Motion for Summary Judgment, with exhibits;

*[Proposed]* **ORDER GRANTING DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT – Page 1**

No. C07-2-35109-48SEA  
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- 1 4. Declaration of Jackie Little in Support of Defendant's Motion for Summary
- 2 Judgment, with exhibits;
- 3 5. Plaintiff's Response to Defendant's Motion for Summary Judgment;
- 4 6. Declaration of George Luhrs and Exhibits thereto;
- 5 7. Declaration of H.L. George Knowles;
- 6 8. Declaration of David Predmore;
- 7 9. Declaration of Anna Ruiz;
- 8 10. Declaration of Ryckie Rendon;
- 9 11. Plaintiff's Errata to 3/9/09 Summary Judgment Response and Plaintiff's
- 10 Declarations and Corrected Versions of Referenced Pleadings;
- 11 12. Second Declaration of George Luhrs;
- 12 13. Defendant's Reply in Support of Its Motion for Summary Judgment;
- 13 14. Declaration of Kathryn P. Fletcher in Support of Defendant's Reply in Support of
- 14 Its Motion for Summary Judgment, with exhibits;
- 15 15. Plaintiff's Additional Brief re Anissa Olson Testimony and Surreply;
- 16 16. Third Declaration of George Luhrs and Exhibits thereto;
- 17 17. Plaintiff's Renewed Objections and Motion to Strike Attorney Client Privileged
- 18 Material;
- 19 18. Defendant's Motion to Strike Plaintiff's Late Pleadings in Response to
- 20 Defendant's Motion for Summary Judgment; *Granted*

21 and having considered the following materials:

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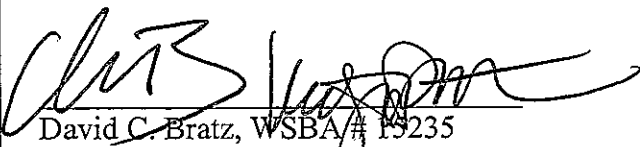
The Court finding itself fully apprised of the premises hereby finds that Plaintiff has failed to present evidence of genuine issues of material fact and plaintiff's claims for Jones Act negligence, unseaworthiness and for maintenance, cure and unearned wages are barred by his Release of all Claims. NOW THEREFORE,

IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment is granted in its entirety.

DATED this 20 day of March 2009.

  
\_\_\_\_\_  
THE HONORABLE JULIE SPECTOR

Presented by:



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*Approved as to form*  
