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CLERK OF COURT  
JUDICIAL BRANCH

SUPERIOR COURT OF WASHINGTON FOR KITTITAS COUNTY

ROBERT YOUNG, et al.,

Plaintiffs,

v.

CLE ELUM-ROSLYN SCHOOL DISTRICT  
NO. 404,

Defendant.

Case No. 05-2-00586-9

STIPULATION AND [PROPOSED]  
ORDER OF DISMISSAL OF ALL  
CLAIMS

I. STIPULATION

Plaintiffs Robert Young, Elizabeth Wise, Sierra Young, Mike Nevills, Kimberly Main, Chelsey Main and Robert Main and Defendant Cle Elum-Roslyn School District No. 404 hereby stipulate that all claims be dismissed in the above-entitled action without prejudice and without costs or fees to either party pursuant to Civil Rule 41(a)(1)(A). Plaintiffs brought this action to halt the Cle Elum-Roslyn School District No. 404's implementation of a policy of conducting suspicionless drug tests of students as a prerequisite to participating in the school district's extracurricular activities. On March 13, 2008, the Washington Supreme Court struck down an analogous program in *York v. Wahkiakum School District No. 200*, 163 Wn.2d 297 (2008), holding that the school district's policy allowing for random and suspicionless drug testing of student athletes violated the Washington State Constitution's prohibition against invasion of private affairs without authority of law. In light of the Washington Supreme Court's decision, the defendant in this case abolished the policy contested by plaintiffs.

STIPULATION AND [PROPOSED] ORDER OF  
DISMISSAL OF ALL CLAIMS - 1

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1 Because the challenged program has been rescinded, the parties stipulate to a  
2 dismissal of all claims under authority of Civil Rule 41(a)(1)(A).

3 Respectfully submitted,

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5 HELLER EHRMAN LLP

6  
7 Date: August 3, 2008

By [Signature]

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14 Attorneys for Plaintiffs

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16 JERRY MOBERG & ASSOCIATES

17 [Signature] ON BEHALF OF  
18 [Signature] VIA EMAIL AUTHORIZATION:

19 Jerry M. Moberg, WSBA #5282  
20 451 Diamond Drive  
21 Ephrata, WA 98823

22 Attorneys for Defendant  
23  
24  
25  
26  
27  
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1  
2 **II. ORDER**

3 Based on the foregoing stipulation of the parties, IT IS ORDERED:

- 4 1. The above-captioned action is dismissed without prejudice.  
5 2. No award of fees or costs shall be made to any party.  
6

7 SCOTT R. SPARKS

8 Dated: August 11, 2009

Judge Scott R. Sparks

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