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8 SUPERIOR COURT OF WASHINGTON
9 FOR KING COUNTY

10 OOM LIVING, LLC, a Washington limited
11 liability company; JENNIFER EGUSA
12 WALDEN,

13 Plaintiffs,

14 v.

15 CITY OF SEATTLE, a Washington municipal
16 corporation; SEATTLE PUBLIC UTILITIES,

17 Defendants.

Case No. 23-2-14374-4 SEA

~~[Proposed]~~

**ORDER DENYING THE CITY
OF SEATTLE'S MOTION FOR
PARTIAL SUMMARY JUDGMENT
ON DAMAGES**

18 This matter came before the Court on the City of Seattle's Motions for Partial Summary
19 Judgment on Damages ("Motion"), filed February 20, 2025. The Court considered the
20 following evidence:

- 21 1. The City of Seattle's Motion for Partial Summary Judgment on Damages (Dkt. #103);
- 22 2. Corrected Declaration of Andrew C. Eberle in Support of the City of Seattle's Motion
23 for Summary Judgment (Dkt. #106);
3. Plaintiffs' Opposition to City of Seattle's Motion for Partial Summary Judgment on
Damages (Dkt. #107)
4. Declaration of Jennifer Egusa Walden Re: Plaintiffs' Motion for Partial Summary

Judgment (previously submitted with Plaintiff's Motion for Partial Summary Judgment) (Dkt. #79);

5. Declaration of Jennifer Egusa Walden Re: The City of Seattle's Motion for Partial Summary Judgment on Damages (Dkt. #108); and

6. Declaration of Samuel A. Rodabough Re: The City of Seattle's Motion for Partial Summary Judgment on Damages (Dkt. #109).

7. The City of Seattle's Reply in Support of Its Motion for Partial Summary Judgment on Damages (Dkt. #112).

Having considered the Motion, the oral arguments of counsel, and the other pleadings, filings, and evidence in this matter, and being fully advised, the Court finds that there are no genuine issue of material fact precluding entry of partial summary judgment in this case and therefore, it is hereby ordered:

The City of Seattle's Motion for Partial Summary Judgment on Damages is DENIED. Damages are available in this case to Plaintiffs under 42 U.S.C. § 1983. Per the prior Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendants' Motion for Summary Judgment, entered December 6, 2024, "[t]he City is liable for damages under 42 U.S.C. § 1983, the amount of which to be proven at trial."

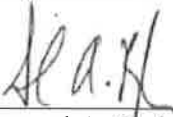
Done in open court this 27 day of March, 2025.

*Court incorporates
its oral ruling.*


HONORABLE SAMUEL CHUNG
King County Superior Court

1 Presented by:

2 LAW OFFICE OF SAMUEL A. RODABOUGH PLLC

3 
4 Samuel A. Rodabough, WSBA #35347
5 *Attorney for Plaintiffs*

6 PACIFIC LEGAL FOUNDATION

7 *s/ Brian T. Hodges*

8 Brian T. Hodges, WSBA #31976
9 *Attorney for Plaintiffs*

10 Agreed as to form; Notice of presentation waived:

11 ANN DAVISON
12 Seattle City Attorney

13 *s/ Andrew C. Eberle*

14 Andrew C. Eberle, WSBA #51790
15 *Attorneys for Defendants*