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16 **UNITED STATES DISTRICT COURT**  
 17 **EASTERN DISTRICT OF WASHINGTON**

18 CHRIST'S CHURCH OF MT.  
 19 SPOKANE; WESTGATE CHAPEL,  
 20 *Plaintiffs,*

21 v.

22 JAY INSLEE, et al.,  
 23 *Defendants.*

Case No.: 2:20-cv-00197

Judge Thomas O. Rice

**STIPULATION OF  
 DISMISSAL WITHOUT  
 PREJUDICE**

1           NOW COME the Plaintiffs and Defendants and jointly stipulate to  
2 the dismissal of this action without prejudice, with each of the parties to  
3 bear its own costs and attorneys' fees. In support thereof, the parties  
4 state as follows:  
5

6           1. Plaintiffs brought this action to challenge Defendants'  
7 COVID-19 orders and guidance, which imposed both fixed numerical  
8 caps and building capacity restrictions on religious gatherings.  
9

10           2. On December 21, 2020, Defendants revised their orders and  
11 guidance to remove the fixed numerical caps on religious services.  
12

13           3. Based on these changes, the parties stipulate that this lawsuit  
14 should be dismissed without prejudice.  
15

16           4. This is not a class action lawsuit, no receiver has been  
17 appointed, and no federal statute requires a court order for dismissing  
18 this case.  
19

20           5. Plaintiffs have not previously dismissed any federal or state-  
21 court suit based on or including the same claims as those presented in  
22 this case.  
23

24           6. All parties consented via email to electronic signature.  
25  
26

Respectfully submitted on this 11th day of February, 2021.

*s/ Mark A. Lippelmann*

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1 **Certificate of Service**

2 I hereby certify that on the 11th day of February, 2021, the  
3 foregoing was filed with the Clerk of Court using CM/ECF system, which  
4 in turn automatically generated a Notice of Electronic Filing to all parties  
5 in the case who are registered users of the CM/ECF system.  
6

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