

State of Washington
GROWTH MANAGEMENT HEARINGS BOARD
FOR EASTERN WASHINGTON

WENATCHEE VALLEY MALL PARTNER-)
SHIP; ROKAN IDAHO, LLC; WL)
PARTNERS, AND CITIZENS FOR) Case No. 97-1-0003
QUALITY OF LIFE IN DOUGLAS COUNTY,)

ORDER OF DISMISSAL

) Petitioners)

v.)
DOUGLAS COUNTY,)

) Respondent)

On February 10, 1997, Wenatchee Valley Mall Partnership, ROKAN IDAHO, LLC; WL Partners and Citizens for Quality of Life in Douglas County, (Partners and Citizens) by and through their attorney, James Tracy, filed a Petition for Review with the Eastern Washington Growth Management Hearings Board.

On March 13, 1997, Respondent filed a Motion to Dismiss Petition for Review or, in the Alternative, to Convert Petition to a Motion for Compliance Hearing. The Respondent contended that this Petition for Review concerns the County's effort to come into compliance with the FDO in Case No. 96-1-0009 and petitioners are barred from asserting issues previously litigated and decided by raising such issues in a new petition.

On March 26, 1997, the Board held a prehearing conference in East Wenatchee, Washington. All parties were represented.

The parties all agreed to have the matters raised in the Petition No. 97-1-0003 considered at the compliance hearing to be held in Case No. 96-1-0009, and determine the County's substantive and procedural compliance with the Final Decision and Order issued December 10, 1996. The Petitioners stipulated that Case No. 97-1-0003 be dismissed.

On May 1, 1997, the Board held the compliance hearing in Case No. 96-1-0009. The hearing was in East Wenatchee, Washington. Present at that hearing were the petitioners in this matter, including the Partnership and Citizens for Quality of Life in Douglas County, represented by their Attorney, James Tracy and the Respondent, Douglas County, represented by their attorney, Steve Clem.

On May 20, 1997, the Board issued its Order on Compliance finding Douglas County in compliance with its Final Decision and Order.

In keeping with the agreement of the parties and stipulation of the Petitioners and the Board's finding of the County compliance with the FDO entered in Case No. 96-1-0009, the Board hereby dismisses Case No. 97-1-0003 with prejudice.

SO ORDERED this 6th day of June, 1997.

EASTERN WASHINGTON
GROWTH MANAGEMENT HEARINGS BOARD

Dennis A. Dellwo, Presiding Officer

Judy Wall, Board Member

D. E. "Skip" Chilberg, Board Member