

**BEFORE THE WESTERN WASHINGTON GROWTH  
MANAGEMENT HEARINGS BOARD**

SHERILYN C. WELLS AND CLEAN WATER	)	
ALLIANCE,	)	No. 99-2-0003
Petitioner,	)	
	)	ORDER OF
v.	)	DISMISSAL
	)	(VOLUNTARY)
WHATCOM COUNTY,	)	
Respondent.	)	
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On April 16, 1999, the parties entered into a stipulation in the above entitled case. We received that stipulation on April 23, 1999.

The gravamen of the stipulation is a recognition that the issues in this case are the same as currently pending in Division 1 of the Court of Appeals under Cause No. 43397-1-I. Until that case is decided by the Court of Appeals, the parties and we agree that further proceeding in this case would be wasteful of limited resources for all concerned.

**ORDER**

In order to comply with the requirements of RCW 36.70A.300(2)(a) the above entitled case is dismissed without prejudice at the request of the parties. Pursuant to the stipulation dated April 16, 1999, neither the County nor the Board will raise any issue concerning jurisdiction and/or timeliness after the Court of Appeals mandate has been filed if either party requests further action on this case within 60 days of that date.

So ORDERED this 3<sup>rd</sup> day of May, 1999.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

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William H. Nielson  
Presiding Officer