

FILED
1991 JAN 23 AM 11:27
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

DONALD L. BARNETT)
)
Plaintiff,)
)
v.)
)
JACK A. HICKS, JACK E.)
DuBOIS and E. SCOTT HARTLEY,)
individually and as the)
Board of Directors of)
COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER,)
)
Defendants.)

NO. 88-2-04148-2

STIPULATION AND AGREED
ORDER OF REFERENCE TO
PRIVATE ARBITRATION

The parties to this action, through their below-signed
counsel of record, stipulate as follows:

1. This action is referred to Honorable Walter Deierlein, Retired Superior Court Judge for Snohomish County.
2. Superior court proceedings shall be stayed and parties shall litigate before Judge Deierlein in accordance with the Civil Rules for Superior Court, King County Superior Court Local Rules, the Rules of Evidence, and statutes governing civil cases, with the arbitrator functioning in the role of a judge.
3. Either party may apply to superior court for judicial confirmation of any order or award entered by Judge Deierlein and the court shall confirm such order or award.

STIPULATION AND AGREED ORDER OF
REFERENCE TO PRIVATE ARBITRATION - 1

EDWARDS, SIEH, WIGGINS & HATHAWAY
ATTORNEYS AT LAW
6501 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104
TELEPHONE (206) 624-0974

558
d

1 4. All parties agree to be bound by the decision of the
2 arbitrator unless the decision is overturned by a court.

3 5. The arbitrator shall have power to rule on any
4 appropriate pretrial motion.

5 6. Any superior court order entered on a motion to
6 confirm an order or award shall be subject to review by the
7 appellate courts under applicable rules, and review, if
8 granted, shall extend to the arbitration proceedings just as
9 if the arbitration proceedings had occurred in superior court,
10 subject to the power of the arbitrator to seal portions of the
11 record.

12 7. All proceedings before the arbitrator shall be
13 confidential as provided in the agreement of the parties to
14 arbitrate this case.

15 8. The parties agree to request of all courts hearing
16 an appeal of the award or order of the arbitration that any
17 record of arbitration necessary for confirmation or review by
18 the courts be sealed to the extent necessary to protect the
19 confidentiality of matters of a private and intimate nature
20 which would prove embarrassing or humiliating if revealed
21 publicly.

22 9. Judge Deierlein's powers shall include the powers
23 conferred on arbitrators by RCW 7.04.110, and Judge Deierlein
24 shall issue any subpoena requested by any party on a ex parte
25 basis, but notice of such issuance shall be given to the
26 opposing party after issuance on a timely basis.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STIPULATED AND AGREED to this 22 day of January, 1991.

EDWARDS, SIEH, WIGGINS & HATHAWAY

By Charles K. Wiggins
Charles K. Wiggins, WSBA #6948
Attorneys for Plaintiff

STIPULATED AND AGREED to this 22nd day of January, 1991.

ROHAN, GOLDFARB & SHAPIRO

By Robert J. Rohan
Robert J. Rohan, WSBA #7744
Attorneys for Defendants

STIPULATION AND AGREED ORDER OF
REFERENCE TO PRIVATE ARBITRATION - 3

86

EDWARDS, SIEH, WIGGINS & HATHAWAY, P.S.
ATTORNEYS AT LAW
6501 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104
TELEPHONE (206) 624-0974

ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

THIS MATTER having come on before this court on the stipulation of the parties for an Order of Reference, the court being fully advised in the premises, now, therefore, it is hereby

ORDERED that this action be referred to Honorable Walter Deierlein, Retired Superior Court Judge for Snohomish County, in accordance with the foregoing stipulation, and this action is otherwise stayed pending reference.

DONE IN OPEN COURT this 23rd day of January, 1991.



Judge/Commissioner

PRESENTED BY:

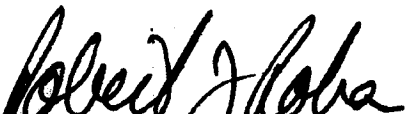
EDWARDS, SIEH, WIGGINS & HATHAWAY

By 

Charles K. Wiggins, WSBA #6948
Attorneys for Plaintiff

COPY RECEIVED, APPROVED FOR ENTRY,
NOTICE OF PRESENTATION WAIVED:

ROHAN, GOLDFARB & SHAPIRO

By 

Robert J. Rohan, WSBA #7744
Attorneys for Defendants

STIPULATION AND AGREED ORDER OF
REFERENCE TO PRIVATE ARBITRATION - 4

EDWARDS, SIEH, WIGGINS & HATHAWAY, P.S.

ATTORNEYS AT LAW
650 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104
TELEPHONE (206) 624-0974