

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SPOKANE

LORI E. DAVIS-BAILEY, an individual;
and LORRAINE and DOUG BACON,
husband and wife; and TONY BAMONTE,
an individual, individually and on behalf of
themselves and all persons similarly
situated,

Plaintiffs,

v.

AMERICAN MEDICAL RESPONSE
NORTHWEST, INC., an Oregon
corporation; JERRY LUECK and JANE
DOE LUECK, husband and wife, and the
marital community composed thereof;
RANDY STROZYK and JANE DOE
STROZYK, husband and wife, and the
marital community composed thereof,

Defendants.

Case No. 05-2-05871-9

ORDER DENYING DEFENDANTS
MOTION TO LIMIT SUBCLASS A

The Defendants Motion to Limit Subclass A came on for hearing and argument on September 7, 2007 and was reargued on August 15, 2008.

The following documents and other evidence were called to the specific attention of this Court prior to ruling upon the Motion:

- a. Defendants' Motion to Limit Subclass A, filed August 24,2007 (Docket # 194);
- b. Declaration of Andrew N. Singleton, filed August 24,2007 (Docket #196);
- c. Declaration of Randy Strozyk, filed August 24,2007 (Docket #197);\
- d. Declaration of Paul J. Dayton Regarding Spokane Fire Department Documents, filed August 24, 2007 (Docket #198)(with attached filed under seal documentation removed);

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- e. Declaration of Carl Duff, filed August 24, 2007 (Docket #199) (with attached filed under seal documentation removed);
- f. Declaration of Suzanne L. Robinson Regarding Billing Practices in Spokane, filed August 24, 2007 (Docket #200) (with attached filed under seal documentation removed);
- g. Defendants' Proposed Order on Motion to Limit Subclass A, filed August 24,2007 (Docket #201);
- h. Defendants' Note for Hearing Issue of Law, filed August 24,2007 (Docket #202);
- i. Plaintiffs' Response to AMR's Motion to Decertify Certain Members of Subclass A, filed August 31,2007 (Docket #207);
- j. Declaration of D. Roger Reed Re: Facsimile Transmission of the Declaration of Adam P. Tait in Support of Plaintiffs' Motion to Decertify Certain Members of Subclass A, filed October 3, 2007 (Docket #235);
- k. Plaintiffs' Supplemental Memorandum in Opposition to Defendants' Motion to Decertify Certain Members of Subclass A, filed October 3, 2007 (Docket #236);**(with attached filed under seal documentation removed)**
- l. Errata to the Declaration of Adam P. Tait, filed October 5,2007 (Docket #244) ; **(with attached filed under seal documentation removed)**
- m. Supplemental Declaration of Leslie C. Clark in Support of Defendant AMR's Reply to Plaintiffs' Response to AMR's Motion to Decertify Certain Members of Subclass A, filed October 5, 2007 (Docket #245);
- n. Defendants' Response to Plaintiffs' Supplemental Briefing Regarding Limitation of Subclass A, filed October 5, 2007 (Docket #246),
- o. Defendants' Response to Plaintiffs' Motion For Order Approving Notice To The Class; and,

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- p. The Declaration of Robin Lynn Haynes In Support of Plaintiffs' Reply To Defendants' Response To Motion For Order Approving Notice to the Class and Continued Opposition To Defendants' Motion To Limit Subclass A.
- q. All other documents and pleadings on file.

Having fully considered the forgoing and the arguments of counsel,

It is hereby **ORDERED, ADJUDGED, AND DECREED** that the Defendants Motion to Limit Subclass A is **DENIED**.

DONE IN OPEN COURT this _____ day of _____, 2008.

Hon. Jerome J. Leveque
Spokane County Superior Court Judge

PRESENTED BY:
REED & GIESA, P.S.

John P. Giesa, WSBA #6147 Date
Attorneys for the Plaintiffs

APPROVED AS TO FORM AND
NOTICE OF PRESENTMENT WAIVED:
SHORT CRESSMAN & BURGESS PLLC

Paul J. Dayton, WSBA #12619 Date
Attorneys for the Defendants

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