COUNTY CLERK
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WHATCOM COUNTY

SUPERIOR COURT OF WASHINGTON COUNTY OF WHATCOM

SCOTT HILLIUS, et al.,

Plaintiffs,

v.

18 PARADISE LLP, et al.,

Defendants.

No. 20-2-00701-37

COURT'S ORDER ON PLAINTIFFS' MOTION FOR RECONSIDERATION ON PARTIAL SUMMARY JUDGMENT

THIS MATTER CAME ON FOR HEARING by this Court on February 26, 2021, on the Plaintiffs' Motion for Partial Summary Judgment, and the Court having considered the arguments of the parties and reviewed documents filed in support and opposition thereof consisting of the following:

- 1. All documents as set forth in this Court's Order on Plaintiffs' Motion for Partial Summary Judgment made and entered on February 1, 2021;
- 2. Plaintiffs' Motion for Reconsideration on Partial Summary Judgment filed February 11, 2021;
- 3. The Declaration of Matthew Davis filed February 11, 2021;
- 4. 18 Paradise, L.l.P.'s Joinder to MJ Management LLC's Response filed February 22, 2021; and
- 5. Defendant MJ Management's Opposition to Reconsideration filed February 22, 2021;
- 6. The Reply on Motion for Reconsideration, filed February 24, 2021;

and the Court being otherwise fully apprised in the premises, makes and enters the following Findings, Conclusions and Order:

FINDINGS, CONCLUSIONS AND ORDER

- 1. This Court is not persuaded to reconsider its rulings made and entered on February 1, 2021.
- 2. Based on all of the documents referenced above, the Court is obligated pursuant to Civil Rule (CR) 56 (d) to identify a remaining issue of material fact in addition to those specified in the Court's February 1, 2021, order, to wit:
 - a. The degree to which the master plan and any corresponding documents, agreements, declarations or amendments are fully integrated and to what extent extrinsic evidence may be used to prove relationships between the parties not necessarily expressed in the master plan, documents, agreements, declarations or amendments.

WHEREFORE, Plaintiffs' Motion for Reconsideration on Partial Summary Judgment is DENIED.

Dated: 3 15 21

Robert E. Olson, Judge

Whatcom County Superior Court

Department One