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2		2022 MAY -9 P 3: 16	
3		MICHAEL J. KILLIAN	
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5	IN THE SUDEDIOD COUDT OF	U,	
6	IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR FRANKLIN COUNTY		
7	GABRIEL PORTUGAL, BRANDON		
8	PAUL MORALES, JOSE TRINIDAD	No. 21-2-50210-11	
9	CORRAL, and LEAGUE OF UNITED LATIN AMERICAN CITIZENS.		
10	Plaintiffs,	N	
11	V.	CO CO	
12	FRANKLIN COUNTY, a Washington	JOINT ORDER APPROVING SETTLEMENT AND ORDER OF	
13	municipal entity, CLINT DIDIER,	DISMISSAL	
14	RODNEY J. MULLEN, LOWELL B. PECK, in their official capacities as	Str.	
15	members of the Franklin County Board of Commissioners,		
16	LR-O.		
17	Defendants.		
18	THE REPAIR		
19		reement, the Court's previous orders, and the file	
20	in this case, the Court enters the following findings and ORDER approving the settlement and		
21	its terms.		
22	FINDINGS		
23	1. Plaintiffs Gabriel Portugal, Brandon Paul Morales, Jose Trinidad Corral, and		
24	League of United American Citizens ("Plaintiffs") filed suit against Defendants Franklin County,		
25	and Clint Didier, Rodney J. Mullen, Lowell B. Peck, as individuals acting in their official		
26	capacities as members of the Franklin County Board of Directors (collectively, "County" or		
27	of the memory of the realiting board of Directors (concentrely, County of		
28	7		
29			
	JOINT ORDER APPROVING SETTLEMENT AND ORDER OF DISMISSAL - 1	MORFIN LAW FIRM, PLLC 7325 W. Deschutes Ave., Suite A Kennewick, WA 99336 (509) 380-9999 Fax (509) 579-4499	

"Defendants") alleging violations of the Washington Voting Rights Act, Chapter RCW 29A.92 ("Lawsuit").

2. The Parties have entered into a binding agreement to resolve all of Plaintiffs' claims against the County arising from the Lawsuit, and to forever settle, resolve, and compromise, any and all claims, demand, damages, actions, causes of action or suits of any kind or nature whatsoever as enumerated under Chapter 29A.92 RCW, relating to Plaintiffs' claims and allegations in the Lawsuit;

3. Plaintiffs assert that they incurred approximately \$1,420,000 in attorneys' fees and costs in this litigation.

4. The terms of the agreed settlement are attached as **Exhibit A**, and fully incorporated into the Court's findings and order as follows:

- Beginning with the 2024 election cycle, all future elections for the office of Franklin County Commissioner shall be conducted under a single- member district election system for both primary and general elections.
 - b. For the 2022 general election for County Commissioner for District 3 (incumbent Clint Didier), the general election shall proceed as an at-large election, and the member elected to the seat for District 3 in 2022 shall serve a four-year term.
 - c. For the 2026 general election for County Commissioner for District 3, the seat will be elected for the first time as a single-member district.
 - d. The first general election for single-member district elections for County Commissioner shall occur on November 5, 2024, for Districts 1 (incumbent Lowell B. Peck) and District 2 (incumbent Rodney J. Mullen).
 - e. The members elected to seats for Districts 1 and 2 shall be elected to serve four-year terms.

1	f. The districting map for single-member district elections shall be Option 2, as	
2	approved and adopted by the Board of Commissioners on December 28, 2021.	
3	g. Plaintiffs agreed to reduce their attorney's fees and costs from \$1,420,000 to	
4	\$375,000. The County shall pay the foregoing amount in three annual installments of	
5	\$125,000 beginning August 1, 2022, and ending August 1, 2024. No interest shall be	
6	accrued. The Parties have agreed that payments shall be made under the following	
7	schedule:	
8		
9	i. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on or	
10	before August 1, 2022;	
11	ii. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on or	
12	before August 1, 2023;	
13	iii. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on or	
14	before August 1, 2024.	
15	h. The Court finds that the foregoing terms of settlement and resolution reached between	
16	the parties is reasonable.	
17	ORDER	
18	NOW THEREFORE, having reviewed the Parties' executed CR 2A and found that the	
19 20	terms of settlement and resolution are reasonable, it is hereby ORDERED, ADJUDGED, and	
20	DECREED as follows:	
22	1. Franklin County shall conduct all future elections for County Commissioner as	
23		
24		
25		
26	occur on November 5, 2024, for the seats up for election.	
27	3. The members elected to the seats in Districts 1 and 2 in the 2024 election shall	
28	serve four-year terms and run for re-election in 2028.	
29		
	JOINT ORDER APPROVING SETTLEMENT AND ORDER OF DISMISSAL - 3	

1	4. The general election for County Commissioner in 2022 shall proceed under the		
2	current system and shall proceed as an at-large election for County Commissioner for District 3.		
3	5. The member elected to the District 3 commissioner seat in 2022 shall serve a four-		
4	year term and shall run for re-election in 2026.		
5	6. The Court approves "Option 2" as the district map for Franklin County to be used		
6	as the electoral map beginning in 2022.		
7	7. The County shall remit payment to Plaintiffs as set forth in Exhibit A and under		
8	the following payment schedule:		
9 10	i. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on		
11	or before August 1, 2022; $\mathbb{C}^{\mathbb{N}}$		
12	ii. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on		
13	or before August 1, 2023;		
14	iii. One Hundred Twenty-Five Thousand Dollars and no cents (\$125,000) on		
15	or before August 1, 2024.		
16	8. The County shall make the foregoing payments into the Court register, or as		
17	otherwise agreed in writing by the parties.		
18	9. The Court shall retain jurisdiction over any disputes arising from the settlement		
19 20	agreement or the terms of this order.		
21	10. Plaintiffs' claims against Defendants are hereby DISMISSED with prejudice.		
22			
23	DONE IN OPEN COURT this 9 th day of May ₅ 2022.		
24	Mell		
25	Superior Court Judge		
26	///		
27	/// ALEXANDER C. EKSTROM		
28			
29			
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1	Presented By:	
2	MORFIN LAW FIRM, PLLC	FLOYE, PFLUEGER, & RINGER, P.S.
3	CINI .	
4	Edwardo Morfin, WSBA No. 47831	
5	Attorney for Plaintiffs Gabriel Portugal,	Francis S. Floyd WSBA No. 10642 Amanda D. Daylong, WSBA No. 48013
6	Brandon Paul Morales, Jose Trinidad Corral. and League of United American	Attorneys for Defendants Franklin County, and Clint Didier, Rodney J. Mullen, Lowell B.
7	Citizens	Peck, as individuals acting in their official
8		capacities as members of the Franklin County Board of Directors
9		FRANKLIN COUNTY PROSECUTOR
10		Salt
11		Jo N
12		Shawn Sant, WSBA No. Franklin County Prosecutor
13		4000
14	Approved as to Form and Notice of Presentation Waived:	
15	ARD LAW GROUP, PLLC	
16	- I D I I I I I I I I I I I I I I I I I	
17	Joel B. Ard, WSBA No. Attorney for Intervenor James	
18	Giminez/Gimenez	
19	ALL N	
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