



Rob McKenna

# ATTORNEY GENERAL OF WASHINGTON

Tort Claims Division

629 Woodland Square Loop SE • PO Box 40126 • Olympia WA 98504-0126

## TORT SETTLEMENT AND RELEASE

The parties, Plaintiff Shirley Lacy and Defendant Karen Villeneuve, acting by and through her attorneys, Jesse Wing and Tim Ford for the plaintiff and defendant through her attorneys Paul Triesch, Michael Lynch and Tim Steen, assistant attorneys general for Karen Villeneuve agree that:

1. FOR AND IN CONSIDERATION of the sum of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00), Shirley Lacy or other successors in interest, do(es) hereby release and forever discharge Karen Villeneuve and the STATE OF WASHINGTON and its officers, agents, employees, agencies and departments from any and all existing and future claims, damages and causes of action of any nature whatsoever arising out of occurrences, or events described in her respective claims for damages previously filed by Shirley Lacy against the Washington State Patrol of the STATE OF WASHINGTON, and the lawsuit filed on July 31, 2003, in United States District Court, under cause of action CV-03-2442.
2. Within fourteen judicial days after the plaintiff's attorney signs the attached Stipulation, Judgment and Order of Partial Dismissal of plaintiff's Fourteenth Amendment claim and Defendant's related counterclaim (attachment 1), Defendant shall pay \$250,000 to Plaintiff in full settlement for all damages, attorneys fees, and costs resolving the remaining Fourth Amendment claim between Plaintiff and Defendant, and that the parties will sign and file the attached stipulation that all remaining claims and counterclaims to this matter be dismissed with prejudice, Stipulation, Judgment and Order of Dismissal of Remaining Claims (attachment 2).
3. This Settlement and Agreement are not an admission by Defendant of any wrongdoing or liability, and is a compromise by the parties.
4. This is a final, conclusive and complete release of all claims, counterclaims and potential claims in or related to United State District Court cause of action CV03-2442 and all unknown and unanticipated damages arising out of the above-stated accident, occurrence, casualty or event as well as those now known or disclosed.
5. The parties will indemnify and save harmless the opposing party from all liens, loss, damage and expense of any kind or character arising out of the injury, damage or loss sustained by the opposing party herein relating to the above-described accident, occurrence, casualty or event, and from all loss, damage and expense incurred directly or indirectly.
6. The undersigned hereby declares that the terms of this settlement have been completely read and are fully understood and voluntarily accepted, for the purpose of making a full and final compromise, adjustment and settlement of any and all claims, disputed or otherwise, without any admissions of liability by the parties herein released.
7. This settlement includes any attorney fees, costs and any adverse tax consequences to plaintiff.



8. The State is still obligated to pay Plaintiff \$14,000 dollars in sanctions due and this settlement agreement and release shall have no effect on the Courts prior orders on discovery and sanctions.

9. This release and the Stipulated Judgments entered by the Court contain the entire agreement of the parties.

Accepted:

\_\_\_\_\_ Date: \_\_\_\_\_  
SHIRLEY LACY

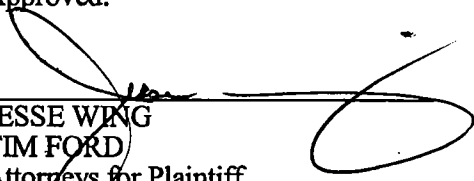
STATE OF WASHINGTON )  
COUNTY OF \_\_\_\_\_ ) ss.

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared before me Shirley Lacy, to me known to be the individual described and who executed the foregoing instrument, and acknowledged that he/she signed and sealed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year last written.

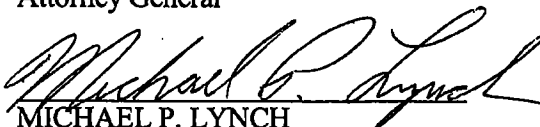
\_\_\_\_\_  
NOTARY PUBLIC in and for the State  
Washington, residing at \_\_\_\_\_  
My Commission expires \_\_\_\_\_

Approved:

  
\_\_\_\_\_  
JESSE WING  
TIM FORD  
Attorneys for Plaintiff

Date: 2/6/06

Approved:

ROB MCKENNA  
Attorney General  
  
\_\_\_\_\_  
MICHAEL P. LYNCH  
Assistant Attorney General

Date: 2/6/06