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10 BEFORE THE WASHINGTON STATE  
11 UTILITIES AND TRANSPORTATION COMMISSION

12 BNSF RAILWAY COMPANY,

13 Petitioner,

14 v.

15 CITY OF MOUNT VERNON,

16 Respondent,

17 SKAGIT COUNTY, WASHINGTON; and  
18 SKAGIT COUNTY FIRE DISTRICT #3;  
19 and WASHINGTON STATE  
20 DEPARTMENT OF TRANSPORTATION;  
and WEST VALLEY FARMS, LLC,

21 Intervenors.

Docket No. TR – 070696

NOTICE OF APPEARANCE AND  
ASSOCIATION OF COUNSEL

22  
23 TO: BNSF RAILWAY COMPANY, Petitioner  
24 CITY OF MOUNT VERNON, Respondent  
25 SKAGIT COUNTY, WASHINGTON, Intervenor

26 NOTICE OF APPEARANCE AND ASSOCIATION  
OF COUNSEL- 1

BURKE LAW OFFICES, INC. P.S.  
612 SOUTH 227<sup>TH</sup> STREET  
DES MOINES, WASHINGTON 98198

(206) 624-6630  
Fax: (206) 624-6096

1 WASHINGTON STATE DEPARTMENT OF TRANSPORTATION,

2 Intervenor

3 WEST VALLEY FARMS, LLC, Intervenor

4 AND TO: Kelsey Endres, Montgomery Scarp MacDougall, PLLC, 1218 Third Avenue,  
5 Suite 2700, Seattle, WA 98101

6  
7 Stephen Fallquist, Deputy Prosecuting Attorney, Skagit County, 605 S. 3<sup>rd</sup>  
8 Street, Mount Vernon, WA 98273

9 Gary T. Jones, Jones & Smith, P.O. Box 1245, Mount Vernon, WA 98273

10 Adam E. Torem, 1300 S. Evergreen Park Dr. SW, P.O. Box 47250, Olympia,  
11 WA 98504-7250

12 L. Scott Lockwood, Assistant Attorney General, 1400 S. Evergreen Park Dr.  
13 SW, P.O. Box 40128, Olympia, WA 98504

14 Jonathan Thompson, Assistant Attorney General, 1400 S. Evergreen Park Dr.  
15 SW, P.O. Box 40128, Olympia, WA 98504

16 Kevin Rogerson, City Attorney, P.O. Box 809, Mount Vernon, WA 98273

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18  
19 YOU, AND EACH OF YOU, WILL PLEASE BE ADVISED AND TAKE NOTICE  
20 that the undersigned appears and will associate as counsel with attorney Brian Snure, attorney  
21 of record for Intervenor, Skagit County Fire District #3, and hereby requests that any and all  
22 further pleadings or notices of any nature or kind whatsoever affecting the rights of said  
23

24  
25  
26 NOTICE OF APPEARANCE AND ASSOCIATION  
OF COUNSEL- 2


BURKE LAW OFFICES, INC. P.S.  
612 SOUTH 227<sup>TH</sup> STREET  
DES MOINES, WASHINGTON 98198

(206) 824-5630  
Fax: (206) 824-8096

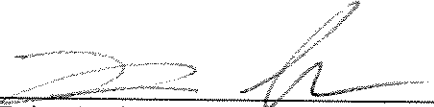
1  
2 parties, except original process, be served upon the undersigned attorneys at the address  
3 stated below.

4 DATED this 18<sup>th</sup> day of December, 2007.

5  
6 BURKE LAW OFFICES, INC. PS

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8   
9 \_\_\_\_\_  
10 Thomas G. Burke, WSBA #6577  
11 Association counsel for Intervenor, Skagit  
12 County Fire District #3

13 SNURE LAW OFFICES

14  
15   
16 \_\_\_\_\_  
17 Brian K. Snure, WSBA #23275  
18 Attorney for Intervenor, Skagit County Fire  
19 District #3  
20  
21  
22  
23  
24  
25

26 NOTICE OF APPEARANCE AND ASSOCIATION  
OF COUNSEL- 3

BURKE LAW OFFICES, INC. P.S.  
612 SOUTH 227<sup>TH</sup> STREET  
DES MOINES, WASHINGTON 98198

(206) 824-5630  
Fax: (206) 824-9096

DECLARATION OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

I am a paralegal for Thomas G. Burke. I certify that the original and 12 copies of the following document were mailed to Carol J. Washburn at the Washington Utilities and Transportation Commission via U.S. mail.

I certify that on the below indicated date, I mailed a copy(ies) of the following document:

1. Notice of Appearance and Association of Counsel

To the following parties:


|  |   |
|--|---|
| Stephen Fallquist<br>Deputy Prosecuting Attorney<br>Skagit County<br>605 S. 3 <sup>rd</sup> Street<br>Mount Vernon, WA 98273 | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile _____ <input type="checkbox"/> |
| L. Scott Lockwood<br>Assistant Attorney General<br>1400 S. Evergreen Park Dr. SW<br>P.O. Box 40128<br>Olympia, WA 98504      | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile _____ <input type="checkbox"/> |
| Gary T. Jones<br>Jones & Smith<br>P.O. Box 1245<br>Mount Vernon, WA 98273  | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile _____ <input type="checkbox"/> |
| Jonathan Thompson<br>Assistant Attorney General<br>1400 S. Evergreen Park Dr. SW<br>P.O. Box 40128<br>Olympia, WA 98504      | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile _____ <input type="checkbox"/> |
| Kevin Rogerson<br>City Attorney<br>P.O. Box 809<br>Mount Vernon, WA 98273  | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile _____ <input type="checkbox"/> |

NOTICE OF APPEARANCE AND ASSOCIATION OF COUNSEL- 4

|  |   |
|--|---|
| 1 Adam E. Torem<br>2 1300 S. Evergreen Park Dr. SW<br>3 P.O. Box 47250<br>4 Olympia, WA 98504-7250               | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile <input type="checkbox"/> |
| 5 Kelsey Endres<br>6 Montgomery Scarp MacDougall, PLLC<br>7 1218 Third Avenue, Suite 2700<br>8 Seattle, WA 98101 | VIA:<br>ABC Legal Messenger <input type="checkbox"/><br>U.S. Mail <input checked="" type="checkbox"/><br>Facsimile <input type="checkbox"/> |

9 Dated in Des Moines, Washington this 18<sup>th</sup> day of December, 2007.

10 BURKE LAW OFFICES, INC. PS

11   
 12 \_\_\_\_\_  
 13 Jeannie L. Kenyon  
 14 Paralegal to Thomas G. Burke