

**Hamilton, Pamela**

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**From:** Hamilton, Pamela  
**Sent:** Tuesday, September 24, 2019 4:45 PM  
**To:** 'Pearson, Rayne (UTC)'  
**Cc:** Hallvik, Taylor; Kremer, Thelma; Owsley, Travis; Roberson, Jeff (UTC); 'Kelsey@montgomeryscarp.com'  
**Subject:** Clark County v. BNSF; WUTC Docket No. TR-190228; CC File No. 19-034 - Correspondence Attached  
**Attachments:** TRH-Pearson-Request to Suspend Procedural Schedule.pdf

Dear Judge Pearson,

Please see attached correspondence from attorney Taylor Hallvik. A hard copy has also been mailed to you.

Feel free to call or email with any questions or to discuss.

Respectfully,

**Pamela Hamilton**, Civil Paralegal / Criminal Public Records Coordinator  
CLARK COUNTY PROSECUTOR'S OFFICE – Civil Division  
P.O. Box 5000  
Vancouver, WA 98666-5000  
Direct: (564) 397-4798  
Pamela.Hamilton@clark.wa.gov



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PROSECUTING ATTORNEY | ANTHONY F. GOLIK

SCOTT D. JACKSON  
Chief Deputy

CAMARA L. J. BANFIELD  
Chief Criminal Deputy

EMILY A. SHELDRIK  
Chief Civil Deputy

SHARI JENSEN  
Administrator

September 24, 2019

Via U.S. Mail and Email to: [Rayne.Pearson@utc.wa.gov](mailto:Rayne.Pearson@utc.wa.gov)

Hon. Rayne Pearson  
Administrative Law Director  
Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250

RE: *Clark County v. BNSF Railway Company*  
*WUTC Docket No. TR-190228*  
*Clark County File No. 19-034*

Dear Judge Pearson:

Clark County respectfully requests that the procedural schedule for this matter be suspended to allow the parties to focus their efforts on reaching a negotiated resolution. This request is supported by good cause and is not opposed by BNSF or UTC Staff.

On September 12, 2019, the parties conducted a productive settlement conference and it appears that a negotiated settlement may be possible in this matter. However, given the complexity of the issues involved in this case, additional time is necessary to determine whether an agreement can be reached and to seek any necessary approvals from the Federal Railroad Administration. A suspension of the procedural schedule will serve the interests of judicial economy by allowing the parties and staff to continue productive settlement discussions without simultaneously spending limited time and resources litigating this matter to hearing. Under these circumstances, good cause exists to suspend the procedural schedule, including all deadlines and hearing dates.

If this request is granted and the procedural schedule is suspended, Clark County intends to provide regular updates to the UTC staff, as well as notice of any settlement agreement.

Hon. Rayne Pearson  
September 24, 2019  
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Additionally, to the extent that a settlement cannot be reached in a timely manner, Clark County will request a scheduling conference to reinstate the procedural schedule.

Respectfully,

A handwritten signature in black ink, appearing to read "Taylor R. Hallvik", written over a horizontal line.

Taylor R. Hallvik  
Deputy Prosecuting Attorney

TRH/tk

*cc via email only:* Kelsey Endres  
Travis Owsley, BNSF  
Jeff Roberson, Utilities & Transportation Commission