

The Route to Success.

MONTGOMERY SCARP & CHAIT PLLC

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ATTORNEYS AT LAW

TOM MONTGOMERY (admitted in WA)
BRADLEY SCARP (admitted in WA)
MICHAEL CHAIT (admitted in WA & CA)
KELSEY ENDRES (admitted in WA)
HAYLEY VENTOZA (admitted in WA)

VIA U.S. MAIL

January 24, 2020

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RECEIVED
RECORDS MANAGEMENT,
JAN 28 2020
STATE OF WASH.
UTIL. & TRANSP. COMMISSION

RE: Clark County v. BNSF Railway Company
Docket TR-190228

Dear Mr. Johnson:

Enclosed for filing in the above-referenced docket is the original and one copy of Fourth Joint Status Report.

Regards,

Laura Meier
Paralegal
Montgomery Scarp & Chait PLLC

Enclosure
Cc: Parties via email

206-625-1801 (p) 
206-625-1807 (f)

1218 Third Avenue, Suite 2500 
Seattle, Washington 98101

www.montgomeryscarp.com



**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In Re the Petition of: CLARK COUNTY, Petitioner v. BURLINGTON NORTHERN SANTA FE RAILWAY, Respondent.	DOCKET NO. TR-190228 FOURTH JOINT STATUS REPORT
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Pursuant to the ALJ's September 25, 2019, Notice Suspending Procedural Schedule, the parties provide this Fourth Joint Status Report regarding ongoing settlement negotiations.

Clark County and BNSF Railway Company (the "Parties") are still working to resolve ownership issues involving NW 122nd Street and the railroad right of way but are committed to working together to execute the necessary easements for the roadway in an effort to move the greater crossing project forward. It remains necessary to resolve these ownership and easement issues prior to, or as a part of, a negotiated settlement involving the construction of infrastructure in the right of way.

The Parties jointly request that the ALJ maintain the suspension of the procedural schedule to allow the parties to complete the above referenced review and settlement discussion.

Respectfully submitted this 24th day of January 2020.

s/ Taylor R. Hallvik

Taylor R. Hallvik, WSBA #44963

Deputy Prosecuting Attorney

Clark County Prosecutor's Office – Civil Div.

Attorney for Petitioner

Per email authority

s/ Kelsey Endres

Kelsey Endres, WSBA # 39409

Attorney, BNSF Railway Company

Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed the parties' Fourth Joint Status Report to Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Dr. SW, P.O. Box 47250, Olympia, Washington 98504-7250 and served the same upon the persons and entities listed below via U.S. Mail:

Jeff Roberson
Assistant Attorney General
Office of the Attorney General
Utilities and Transportation Division
P.O. Box 40128, Olympia, WA 98504-0128
jeff.roberson@utc.wa.gov

Taylor Hallvik
Deputy Prosecuting Attorney
Clark County Prosecutor's Office
P.O. Box 5000
Vancouver, WA 98666
Taylor.Hallvik@clark.wa.gov

I declare under penalty under the laws of the State of Washington that the foregoing information is true and correct.

DATED this 24th day of January, 2020, Seattle, Washington.

s/Laura Meier

Laura Meier