

1 TIMOTHY M. LAWLOR, WSBA # 16352  
2 MATTHEW A. MENSİK, WSBA # 44260  
3 WITHERSPOON · KELLEY  
4 1100 U.S. Bank Building  
5 422 West Riverside Avenue  
6 Spokane, Washington 99201-0300  
7 Telephone: 509 624 5265  
8 Facsimile: 509 458 2728  
9 Email: tml@witherspoonkelley.com  
10 Email: mam@witherspoonkelley.com

11 Counsel for Marcellay Defendants

12 **IN THE UNITED STATES DISTRICT COURT FOR THE  
13 EASTERN DISTRICT OF WASHINGTON**

14 PAUL GRONDAL, a Washington  
15 resident; and THE MILL BAY  
16 MEMBERS ASSOCIATION, INC., a  
17 Washington Non-Profit Corporation,

18 Plaintiffs,

19 v.

20 UNITED STATES OF AMERICA;  
21 UNITED STATES DEPARTMENT  
22 OF THE INTERIOR; THE BUREAU  
23 OF INDIAN AFFAIRS, et al.,

Case No.: 09-CV-00018-RMP

[PROPOSED] ORDER GRANTING  
MOTION TO WITHDRAW AS  
COUNSEL

24 This matter came before the Court on Timothy M. Lawlor and  
25 Matthew A. Mensik's Motion for Order Granting Leave for Withdrawal of  
26 Attorneys (ECF No. 370).  
27  
28

[PROPOSED] ORDER GRANTING MOTION TO  
WITHDRAW AS COUNSEL: 1

**WITHERSPOON · KELLEY**  
422 WEST RIVERSIDE AVENUE, SUITE 1100  
SPOKANE, WASHINGTON 99201-0302  
(509) 624-5265

1 Upon review of the Motion, and good cause appearing therefore: IT IS  
2 ORDERED that:  
3

- 4 1) Counsel's Motion to Withdraw as Attorneys (ECF No. 370) is  
5 GRANTED;  
6  
7 2) Timothy M. Lawlor and Matthew A. Mensik of Witherspoon Kelley,  
8 P.S. are hereby withdrawn as counsel for Defendants, Cross-  
9 Defendants Darlene Marcellay-Hyland, Maureen M. Marcellay,  
10 Marlene M. Marcellay, Mike Marcellay, Lynn K. Benson, James  
11 Abraham (Marcellay), Randy Marcellay, and Gabe Marcellay; and  
12  
13 3) The District Court Clerk is directed to enter this Order, to amend  
14 CM/ECF accordingly, and to provide copies to counsel and to  
15 Defendants, Cross-Defendants at their last known addresses as  
16  
17 follows:  
18

19

20 Darlene Marcellay-Hyland 16713 SE Fisher Drive Vancouver, WA 98683	Maureen M. Marcellay 501 SE 123rd Ave., Apt U150 Vancouver, WA 98683-4008
21 22 Marlene M. Marcellay 1300 SE 116th Ct Vancouver, WA 98683-5290	Mike Marcellay PO Box 594 Brewster, WA 98812-0594
23 24 Lynn K. Benson PO Box 746 Omak, WA 98841-0746	James Abraham 2727 Virginia Ave Everett, WA 98201-3743

25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Randy Marcellay PO Box 3287 Omak, WA 98841-3287	Gabe Marcellay PO Box 76 Wellpinit, WA 99040-0076
---	---

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2019.

---

The Honorable Rosanna Malouf Peterson  
United States District Judge

Presented by:

WITHERSPOON · KELLEY

By: s/ Timothy M. Lawlor  
 Timothy M. Lawlor, WSBA # 16352  
 Matthew A. Mensik, WSBA # 44260

1 **CERTIFICATE OF SERVICE**

2

3 I hereby certify that on October 3, 2019, I electronically filed the foregoing  
4 with the Clerk of the Court using the CM/ECF system. The CM/ECF system will  
5 send notification of such filing to all current CM/ECF participants.  
6

7 I hereby certify that on October 3, 2019, I mailed the foregoing document by  
8 United States Postal Service to the following non-CM/ECF participants:  
9

10 11 12 13	Darlene Marcellay-Hyland 16713 SE Fisher Drive Vancouver, WA 98683	Maureen M. Marcellay 501 SE 123rd Ave., Apt U150 Vancouver, WA 98683-4008
14 15 16	Marlene M. Marcellay 1300 SE 116th Ct Vancouver, WA 98683-5290	Mike Marcellay PO Box 594 Brewster, WA 98812-0594
17 18 19	Lynn K. Benson PO Box 746 Omak, WA 98841-0746	James Abraham 2727 Virginia Ave Everett, WA 98201-3743
20 21	Randy Marcellay PO Box 3287 Omak, WA 98841-3287	Gabe Marcellay PO Box 76 Wellpinit, WA 99040-0076
22 23 24	Catherine Garrison 3434 S 114 <sup>th</sup> Street, Apt 124 Tukwila, WA 98168-4061	Deborah A. Backwell 24375 SE Keegan RD Eagle Creek, OR 97022
25 26 27	Enid T. Wippel PO Box 101 Nespelem, WA 99155	Francis Abraham 11103 E. Empire Avenue Spokane Valley, WA 99206

28

1 2 3	Gary and Francis Reyes PO Box 296 Newman Lake, WA 99025	Francis J. Reyes PO Box 215 Elmer City, WA 99124-0215
4 5 6	Judy Zunie PO Box 3341 Omak, WA 98841	Linda Saint PO Box 3614 Omak, WA 98841-3614
7 8 9	Mary Jo Garrison PO Box 1922 Seattle, WA 98111	Michael H. Palmer PO Box 466 Nespelem, WA 99155
10 11 12 13	Pamela Jean DeRusha US Attorney's Office – SPO 920 W. Riverside, Suite 300 PO Box 1494 Spokane, WA 99210-1494	Paul Wapato, Jr. 2312 Forest Estates Drive Spokane, WA 99223
14 15 16 17	Sandra Covington P.O. Box 1152 Omak, WA 98841	Timothy Ward Woolsey Colville Tribes Office of Reservation Attorney PO Box 150 Nespelem, WA 99155

18  
19  
20 s/Timothy M. Lawlor  
21 Timothy M. Lawlor  
22 Matthew A. Mensik  
23 Witherspoon Kelley  
24 422 W Riverside Ave, Ste 1100  
25 Spokane, WA 99201  
26  
27 Email: tml@witherspoonkelley.com  
28 Email: mam@witherspoonkelley.com