

24-2-00355-37
ORGSJ 38
Order Granting Summary Judgment
17488754



FILED
IN OPEN COURT

SEP 25 2024

WHATCOM COUNTY CLERK

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**THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM**

CITY OF BELLINGHAM, a municipal
corporation,

Plaintiff,

v.

LI-CHING FANG,

Defendant,

and

52nd & BROOKLYN, LLC, a limited
liability company,

Intervenor.

NO. 24-2-00355-37

**ORDER GRANTING SUMMARY
JUDGMENT**

JUDGE LEE GROCHMAL

THIS MATTER has come on for hearing this day upon the Intervenor's "Motion for Summary Judgment." The Plaintiff appeared through its attorney, Michael E. Good of the City of Bellingham. The Intervenor appeared through its attorney, Adam C. Doupé. The Defendant appeared pro se. The Court has considered the following records and files herein:

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- 1. Intervenor's Motion for Summary Judgment;
- 2. Declaration of Adam Doupe in Support of Motion for Summary Judgment;
- 3. City of Bellingham's Memorandum in Support of Intervenor's Motion for Summary Judgment;
- 4. Declaration of Michael Good in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 5. Declaration of Zachary Miles;
- 6. Declaration of Sean O'Neill in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 7. Declaration of Andria Fountain in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 8. Declaration of Michael Olinger in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 9. Declaration of Willaim Angel in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 10. Declaration of Steven Sundin in Support of the City's Response to Intervenor's Motion for Summary Judgment;
- 11. Intervenor's Reply to City's Memorandum in Support of the Motion for Summary Judgment.

and for good cause, it is hereby **ORDERED, ADJUDGED AND**

DECREED:

- 1. That the City's and the Intervenor's Motion for Summary Judgment is **GRANTED.**
- 2. That the Defendant shall abate the nuisance ^{immediately} ~~within three (3) months of the~~ entry of this order.
- 3. That a Warrant of Abatement is issued to the City or its sub-contractor, authorizing the City and/or its sub-contractor to enter onto the premises of the Property, to inspect the conditions and develop a plan to clean-up the Property ^{immediately} ~~after January 1, 2025.~~ The Defendant shall refrain from any conduct which might deter or interfere with the efforts of the City or its sub-contractor in inspecting or planning for clean-up of the property.

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4. That the City, it's contractor, agents and employees are authorized to enter the subject property as many times as is reasonably necessary to inspect and develop a plan to abate the nuisance conditions.


5. N/A

DATED this 25th day of September, 2024.

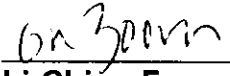


JUDGE/COMMISSIONER

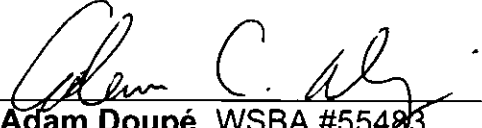
Presented by:

CITY OF BELLINGHAM


Michael E. Good, WSBA #44857
Assistant City Attorney

Agreed to and Notice of Presentation
Waived By:


Li-Ching Fang
Defendant

Agreed to and Notice of Presentation
Waived By:


Adam Doupé, WSBA #55483
Attorney for Intervenor