

☐ EXPEDITE
☒ Hearing is set:
Date: December 26, 2024
Time: 9:00 a.m.
Judge/Calendar: Hon Anne Egeler

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

SAVE THE DAVIS-MEEKER GARRY OAK,

Plaintiff,

vs.

DEBBIE SULLIVAN, in her capacity of Mayor
of Tumwater,

Defendant.

NO. 24-2-01895-34

**ORDER ON MOTION FOR PARTIAL
SUMMARY JUDGMENT**

THIS MATTER came on for the Court's consideration on December 26, 2025 pursuant to Plaintiff's Motion for Partial Summary Judgment. The Court, having reviewed the following pleadings and heard oral argument of counsel, if any:

1. Plaintiff's Motion for Partial Summary Judgment;
2. Declaration of Tanya Nozawa (May 24, 2024);
3. Declaration of Diane Riley, (May 27, 2024);
4. Declaration of Bill Iyall (May 28, 2024);
5. Declaration of Stewart Hartman (May 27, 2024);
6. Declaration of Beowulf Brower (May 28, 2024);
7. Declaration of Debbie Sullivan (May 24, 2024);

8. Declaration of Ronda Larson Kramer (May 24, 2024);
9. Declaration of Bryan Telegin in Support of Plaintiff's Motion Partial Summary Judgment (Oct. 24, 2025) and Exhibits thereto, including,
10. Declaration of Beowulf Brower (July 2, 2024);
11. Declaration of Laura Young (July 2, 2024);
12. Declaration of Ronda Larson Kramer (July 18, 2024);
13. Defendant's Response to Motion for Partial Summary Judgment;
14. Declaration of Jeffrey S. Myers (Dec. 12, 2025);
15. Declaration of Alyssa Jones Wood (Dec. 9, 2025) and Exhibits thereto;
16. Declaration of Leatta Dahlhoff (Dec. 10, 2025);
17. Plaintiff's Reply, if any;

NOW THEREFORE, It is hereby ORDERED:

1. Plaintiff's Motion for Partial Summary Judgment is GRANTED in part, as to its claim for declaratory relief.
2. Plaintiff is entitled to a declaration that under TMC 2.06, the City must obtain approval from the Tumwater Historic Preservation Commission prior to removal of the Davis Meeker Garry Oak, for the reasons set forth in the Court of Appeals decision in this matter of July 15, 2025;
3. Plaintiff is not entitled to injunctive relief at this time and its motion for injunctive relief is denied.
4. Further judicial consideration of the claims set forth in this case would be academic and such claims are now moot as the City is not seeking removal of the Davis Meeker Garry Oak. Such claims are dismissed without prejudice.
5. This is a final ruling of the rights and responsibilities of the parties in this matter.

1 DATED this 26th day of December, 2025.

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4 Hon. Anne Egeler
Thurston County Superior Court Judge

5 Presented by:

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7 LAW, LYMAN, DANIEL, KAMERRER
& BOGDANOVICH, P.S.

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