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SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR BENTON COUNTY

KADLEC REGIONAL MEDICAL  
CENTER, a Washington non-profit  
corporation,

Petitioner,

v.

WASHINGTON STATE DEPARTMENT  
OF HEALTH,

Respondent.

NO. 15-2-00039-7

ORDER AFFIRMING DEPARTMENT  
OF HEALTH'S FINAL ORDER

THIS MATTER came before the Court October 26, 2015, for hearing on consolidated  
Petitions For Judicial Review under RCW 34.05 filed by Kadlec Regional Medical Center and  
Kennewick Public Hospital District, challenging a Final Order of the Department of Health  
dated December 8, 2014.

Based on the case record, the memoranda and argument of counsel, and the attached  
oral ruling, the Court pursuant to RCW 34.05.574(1)(a) AFFIRMS the Department's Final  
Order. No costs are awarded to any party.

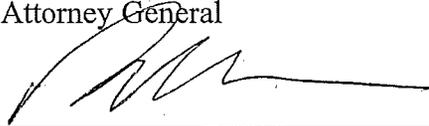
DATED this 7th <sup>January</sup> day of ~~December~~, 2016.

CAMERON MITCHELL

Judge Cameron Mitchell

1 Presented by:

2 ROBERT W. FERGUSON  
3 Attorney General

4 

5 Richard A. McCartan, WSBA No. 8323  
6 Senior Counsel  
7 Attorney for State of Washington  
8 Department of Health  
9 (360) 664-4998

8 Approved as to form:

9 PERKINS COIE LLP

10 *Approved by email AA*  
11 Brian W. Grimm, WSBA No. 29619  
12 Attorney for Kadlec Regional Medical Center

13 FOSTER PEPPER PLLC

14 *Approved by email RM*  
15 Christopher G. Emch, WSBA No. 26457  
16 Attorney for Kennewick Public Hospital District

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1 **PROOF OF SERVICE**

2 I, E. WENDLER, certify that I served a copy of the *Order Affirming Department Of*  
3 *Health's Final Order* pursuant to the parties' Electronic Service agreement on the date below  
4 as follows:

5 BRIAN W. GRIMM 6 PERKINS COIE 7 1201 THIRD AVE., STE 4900 8 SEATTLE, WA 98101 9 <u>bgrimm@perkinscoie.com</u> 10 <u>KSagawinia@perkinscoie.com</u>	<input type="checkbox"/> US Mail Postage Prepaid via Consolidated Mail Service <input checked="" type="checkbox"/> Electronic service via e-mail <input type="checkbox"/> ABC/Legal Messenger <input type="checkbox"/> Hand delivered by _____
9 CHRISTOPHER G. EMCH 10 LORI K. NOMURA 11 FOSTER PEPPER PLLC 12 1111 THIRD AVE., STE 3400 13 SEATTLE, WA 98101-3299 14 <u>emchc@foster.com</u> 15 <u>nomul@foster.com</u>	<input type="checkbox"/> US Mail Postage Prepaid via Consolidated Mail Service <input checked="" type="checkbox"/> Electronic service via e-mail <input type="checkbox"/> ABC/Legal Messenger <input type="checkbox"/> Hand delivered by _____

13 I certify under penalty of perjury under the laws of the state of Washington that the  
14 foregoing is true and correct.

15 DATED this 28 day of December, 2015, at Olympia, Washington.

17 E. Wandler  
18 E. WENDLER  
19 Legal Assistant