

BEFORE THE BOARD OF COUNTY COMMISSIONERS

STATE OF WYOMING, COUNTY OF TETON

STEELHEAD PARTNERS, LLC,)

Contestant,)

v.)

PLANNING DIRECTOR OF)
TETON COUNTY, WYOMING,)

Contestee.)

Docket No. 2016-0006

STIPULATED MOTION FOR DISMISSAL

Contestant, Steelhead Partners, LLC, a Wyoming limited liability company (“Steelhead”), and Contestee, Planning Director of Teton County, Wyoming (the “Planning Director”), by and through their respective undersigned counsel hereby submit this *Stipulated Motion for Dismissal*:

1. As one of the four issues that are part of this consolidated appeal, Steelhead appealed the Planning Director’s decision denying the Environmental Analysis Exemption Request, which was issued by the Planning Director on January 27, 2016 (the “EA Exemption Denial”).

2. The other three issues that were the subject of this appeal, in addition to the EA Exemption Denial, have been separately ordered dismissed pursuant to *Findings of Fact and Conclusions of Law and Order Regarding the Motion of the Planning Director to Dismiss Certain Aspects of the Appeal by Steelhead Partners*, which was entered and issued by the Board of County Commissioners on August 31, 2016.

3. The parties stipulate that the sole remaining issue on appeal, which is the EA Exemption Denial, should be dismissed, with prejudice as to the EA Exemption Denial.

A proposed *Order of Dismissal* is filed contemporaneously herewith.

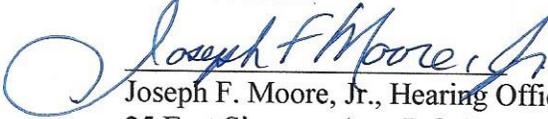
The undersigned Hearing Officer, Mr. Joseph F. Moore, Jr. executes this *Stipulated Motion to Dismiss*, to indicate that he has reviewed and recommends to the Board of County Commissioners the approval and execution of the *Order of Dismissal* in the form proposed, as attached hereto.

DATED this ____ day of September, 2016.

Matt Kim-Miller
Holland & Hart LLP
P.O. Box 68
Jackson, WY 83001
mwkimmiller@hollandhart.com
Attorney for Contestant

Erin E. Weisman
Deputy County Attorney
Teton County Attorney's Office
P.O. Box 4068
Jackson, WY 83001
eweisman@wyoming.com
Attorney for Contestee

The above *Stipulated Motion for Dismissal* and the accompanying form of *Order of Dismissal* have been reviewed and the *Order of Dismissal* is recommended to the Board of County Commissioners for approval and execution.



Joseph F. Moore, Jr., Hearing Officer
25 East Simpson Ave. P.O. Box 8498
Jackson, WY 83002-8498
JoeMoore@JHLaw.com

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STATE OF WYOMING, COUNTY OF TETON

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 PLANNING DIRECTOR OF)
 TETON COUNTY, WYOMING,)
)
 Contestee.)

Docket No. 2016-0006

ORDER OF DISMISSAL

The Board of County Commissioners of Teton County Wyoming,

A. Having considered the *Stipulated Motion for Dismissal*, filed by counsel, Contestant, Steelhead Partners, LLC, a Wyoming limited liability company (“Steelhead”), and Contestee, Planning Director of Teton County, Wyoming (the “Planning Director”), regarding the Planning Director’s decision denying the Environmental Analysis Exemption Request, which was issued by the Planning Director on January 27, 2016 (the “EA Exemption Denial”), and

B. Having had this proposed *Order of Dismissal* reviewed by the Hearing Officer, Mr. Joseph F. Moore, Jr., who recommends approval and execution of the *Order of Dismissal* by the Board of County Commissioners.

IT IS HEREBY ORDERED that the sole remaining issue on appeal, the EA Exemption Denial, is hereby DISMISSED, WITH PREJUDICE, and each party shall bear their own costs and attorney fees; however, the total amount of the Hearing Officer’s costs and fees shall be

borne by the Contestant, Steelhead, pursuant to the Teton County Land Development Regulations, Section 8.10.8.B. and in accordance with the *Order Appointing Hearing Officer*, dated April 14, 2016 .

DATED this _____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS of
Teton County, Wyoming

Barbara Allen, Chair

Attest by:

Sherry L. Daigle, County Clerk

CERTIFICATE OF SERVICE

I, Sherry L. Daigle, do hereby certify that I sent a true and correct copy of the forgoing document, postage prepaid by U.S. Mail and via email on this ____ day of _____ 2016, to the following addresses:

Matt Kim-Miller
Holland & Hart LLP
P.O. Box68
Jackson, WY 83001
mwkimmiller@hollandhart.com
Attorney for Contestant

Erin E. Weisman
Deputy County Attorney
Teton County Attorney's Office
P.O. Box 4068
Jackson, WY 83001
eweisman@wyoming.com
Attorney for Contestee

Joseph F. Moore, Jr.
25 East Simpson Ave. P.O. Box 8498
Jackson, WY 83002-8498
JoeMoore@JHLaw.com
Hearing Officer

Sherry L. Daigle