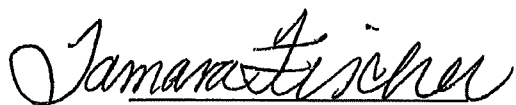


CR 2A Memorandum of Settlement Agreement

On March 23, 2021, the parties engaged in mediation of the matter *Tamara and Thomas Fischer v. City of Yakima and Michael Harness*, Yakima County Superior Court Cause No. 18-2-02424-39, via Zoom with mediator Teresa Wakeen. Pursuant to the agreement reached at that mediation, the parties hereby reached the following global settlement agreement:

1. On behalf of the City of Yakima, its insurer Clear Risk Solutions agrees to pay plaintiffs Tamara Fischer and Thomas Fischer one million seven hundred and fifty thousand dollars (\$1,750,000.00) in exchange for plaintiffs' complete release of all claims against the City of Yakima;
2. This settlement is subject to approval by the Yakima City Council, which is expected to convene on this matter in early- to mid-April of 2021;
3. If the Yakima City Council approves this settlement, the plaintiffs agree to execute a Settlement and Full Release of all of the claims plaintiff has asserted or could assert in the matter *Tamara and Thomas Fischer v. City of Yakima and Michael Harness*, Yakima County Superior Court Cause No. 18-2-02424-39 against the City of Yakima;
4. The Settlement and Full Release will include an indemnification and hold harmless agreement releasing the City of Yakima and all its employees and agents from any and all liens that may be asserted as a result of the matter *Tamara and Thomas Fischer v. City of Yakima and Michael Harness*, Yakima County Superior Court Cause No. 18-2-02424-39, including any and all liens of any insurer, any and all medical provider of any kind, Medicare/Medicaid, and attorneys;
5. Clear Risk Solutions will utilize best efforts to expedite the delivery of the settlement check, although it is not in a position to guarantee the date of delivery;
6. Plaintiffs further agree to enter a stipulated order dismissing all claims against the City of Yakima with prejudice in the matter *Tamara and Thomas Fischer v. City of Yakima and Michael Harness*, Yakima County Superior Court Cause No. 18-2-02424-39, with each party bearing their own costs; and
7. Plaintiffs have entered into a separate agreement with defendant Michael Harness that is part of this global agreement, but which be addressed by a separate CR 2A agreement between those parties.
8. Any dispute regarding the terms to be contained in the Settlement and Full Release will be mediated by Teresa Wakeen.

Signed this 23rd day of March, 2021.



Tamara Fischer
Plaintiff



Thomas Fischer
Plaintiff



Scott Brumback
Attorney for Plaintiffs



Ann Trivett
Attorney for Defendant City of Yakima