

Judge Paris K. Kallas, ret.
Arbitrator

IN ARBITRATION
JUDICIAL DISPUTE RESOLUTION, LLC

CITY HEIGHTS HOLDINGS, LLC,

Claimant,

v.

CITY OF CLE ELUM,

Respondent.

ARBITRATION AWARD

The parties submitted this matter to arbitration. City Heights Holdings, LLC (City Heights) is represented by Margaret Y. Archer and Ryan C. Espgaard of Gordon Thomas Honeywell LLP and Duana T. Koloušková and Dean Williams of Johns Monroe Mitsunaga Kolouskova PLLC. The City of Cle Elum (the City) is represented by Alexandra Kenyon and Michael Kenyon of Kenyon Disend, PLLC, Kenneth W. Harper of Menke Jackson Beyer, LLP, and Rebecca S. Ashbaugh and Brittney S. Rivers of Ashbaugh Beal LLP.

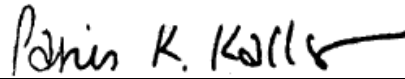
The arbitration hearing took place over nine days, beginning September 30 and concluding October 10, 2024. The parties submitted testimony, expert reports, and thousands of pages of exhibits. At the conclusion of the hearing, the City withdrew its counterclaim for unpaid fees and costs incurred in reviewing and processing land use applications.

1 Having considered the testimony, the credibility of witnesses, the exhibits, the argument
2 of counsel, and the governing law, the following Award is entered.

3 IT IS HEREBY ORDERED:

- 4
- 5 1. City Heights is awarded \$20,340,000.00 in damages and \$1,890,175.00 in interest, for
6 a total Award of \$22,230,175.00.
 - 7 2. The Award shall bear interest from the date of confirmation at the rate of twelve percent
8 (12%) per annum.
 - 9 3. Any motion seeking recovery of prevailing party attorney fees and/or costs shall be
10 filed no later than thirty (30) days of the date of this Award.
 - 11 4. Any subsequent award of attorney fees and/or costs will be treated as a supplemental
12 award. Such a supplemental award shall neither amend nor delay enforcement of this
13 Award.

14 Dated this 5th day of November, 2024.

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16 _____
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18 Arbitrator
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