

1 Scout takes this matter seriously and is presently reviewing its options to explore legal action
2 against Mr. Simon for the misappropriation.

3 7. Applicant has three years to bring a claim under the UTSA. RCW 19.108.060.
4 Since Applicant discovered this misappropriation when Mr. Simon filed testimony, the
5 statute of limitations has not expired.

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7 DATED: July 5, 2023.

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9 **STOEL RIVES LLP**


TIMOTHY L. MCMAHAN
tim.mcmahan@stoel.com
WILLA B. PERLMUTTER
willa.perlmutter@stoel.com
ARIEL H. STAVITSKY
ariel.stavitsky@stoel.com
EMILY K. SCHIMELPFENIG
emily.schimelpfenig@stoel.com
Telephone: (503) 294-9517
Attorneys for Applicant

1 **CERTIFICATE OF FILING AND SERVICE**

2 I hereby certify that on July 5, 2023, I filed the foregoing DECLARATION OF
3 TIMOTHY MCMAHAN IN SUPPORT OF APPLICANT’S MOTION TO STRIKE PRE-
4 FILED DIRECT TESTIMONY OF TRI-CITIES C.A.R.E.S. WITNESSES DUNN,
5 KRUPIN, SHARP, AND SIMON with the with the Washington Energy Facility Site
6 Evaluation Council through electronic filing via email to adjudication@efsec.wa.gov.

7 I hereby certify that I have this day served the foregoing document upon all parties
8 of record in this proceeding by electronic mail at the email addresses listed on the attached
9 Service List.

10
11 DATED: July 5, 2023.

12 STOEL RIVES LLP



13
14 TIMOTHY L. MCMAHAN
15 tim.mcmahan@stoel.com
16 Telephone: (503) 294-9517
17 *Attorney for Applicant*

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26
STOEL RIVES LLP
760 SW Ninth Avenue, Suite 3000, Portland, OR 97205
Main 503.224.3380 Fax 503.220.2480

Service List

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AAG Sarah Reyneveld
Attorney General’s Office
800 Fifth Avenue, Suite 2000 (TB/14)
Seattle, WA 98104-3188
sarah.reyneveld@atg.wa.gov

Attorney for Counsel for the Environment

Kenneth W. Harper
Aziza L. Foster
Menke Jackson Beyer, LLP
807 North 39th Avenue
Yakima, WA 98902
kharper@mjbe.com
zfoster@mjbe.com

Attorneys for Benton County

J. Richard Aramburu
Law Offices of J. Richard Aramburu, PLLC
705 2nd Ave, Suite 1300
Seattle, WA 98104-1797
rick@aramburu-eustis.com
aramburulaw@gmail.com

Attorney for Tri-Cities C.A.R.E.S.

Ethan Jones
Shona Voelckers
Jessica Houston
Yakama Nation Office of Legal Counsel
P.O.Box 151
Toppenish, WA 98948
ethan@yakamanation-olc.org
shona@yakamanation-olc.org
jessica@yakamanation-olc.org

*Attorneys for Confederated Tribes
and Bands of the Yakama Nation*