

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jul 25, 2025**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ORTHODOX CHURCH IN  
AMERICAN, *et al.*,

Plaintiffs,

v.

ROBERT FERGUSON, *et al.*,

Defendants.

Civil Case No.: 2:25-cv-00209-RLP

ORDER GRANTING STIPULATED  
MOTION TO STAY PROCEEDINGS  
AND ENTER PRELIMINARY  
INJUNCTION AS TO COUNTY  
PROSECUTOR DEFENDANTS

BEFORE THE COURT is Plaintiffs' and the County Prosecutor  
Defendants' Stipulated Motion to Stay Proceedings and Enter Preliminary  
Injunction as to County Prosecutor Defendants. ECF No. 168. Defendants Leesa  
Manion, Larry Haskell, Joseph Brusic, Randy Flyckt, Curt Leekie, Eric Eisinger,

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1 Robert Sealby, Mark Nichols, Tony Golik, Dale Slack, Ryan Jurvakainen, Sean  
2 Lewis, Michael Golden, Shawn Sant, Mathew Newberg, Kevin McRae, Norma  
3 Tillotson, Gregory Banks, James Kennedy, Chad Enright, Gregory Zempel, David  
4 Quesnel, Jonathan Meyer, Ty Albertson, Michael Dorcy, Albert Lin, Michael  
5 Rothman, Dolly Hunt, Mary Robnett, Amy Vira, Rich Weyrich, Adam Kick,  
6 Jason Cummings, Erika George, Jon Tunheim, Dan Bigelow, Gabe Acosta, Eric  
7 Richey, and Denis Tracy (the “Stipulating Defendants”) have agreed, in exchange  
8 for Plaintiffs’ agreement to stay the lawsuit against them, to stipulate to the  
9 Court’s entry of the Plaintiffs’ proposed preliminary injunction, ECF No. 20-1,  
10 pending the Court’s final judgment in this case, including during the pendency of  
11 any potential interlocutory appeal. The Stipulating Defendants have further  
12 agreed to consent to the Court’s final judgment against the remaining defendants  
13 and not to appeal any such judgment. In consideration of these mutual agreements,  
14 Plaintiffs have agreed not to seek attorneys’ fees and/or costs from the Stipulating  
15 Defendants at the conclusion of this matter and regardless of the Court’s final  
16 judgment. The Stipulating Defendants have likewise agreed to waive any claim  
17 for attorneys’ fees and/or costs from the Plaintiffs, regardless of the Court’s final  
18 judgment.  
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1 Having reviewed the Motion, the docket and all related material, and good  
2 cause appearing,

3 **IT IS HEREBY ORDERED:**

4 1. The Stipulated Motion to Stay Proceedings and Enter Preliminary  
5 Injunction as to County Prosecutor Defendants, **ECF No. 168**, is  
6 **GRANTED**.

7 2. The Motion for Preliminary Injunction, **ECF No. 20**, is **GRANTED** as to  
8 County Prosecutor Defendants.

9 3. The Stipulating Defendants are hereby subject to and bound by Exhibit A  
10 to this Order.

11 4. Plaintiffs' action against the Stipulating Defendants shall be STAYED  
12 until the entry of a final judgment in this matter as to all other defendants.  
13 During the pendency of the stay, the Stipulating Defendants' deadline to  
14 respond to the Complaint and all other case deadlines applicable to the  
15 Stipulating Defendants shall be STRICKEN.

16 5. The Stipulating Defendants will not appeal any interlocutory ruling in  
17 this matter, including but not limited to the Court's ruling on Plaintiffs'  
18 Motion for Preliminary Injunction, ECF No. 20.

19 6. The Stipulating Defendants will consent to the Court's final judgment  
20 against the remaining defendants and will not appeal any such judgment.  
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1 7. In consideration of these mutual agreements, Plaintiffs will not seek  
2 attorneys' fees and/or costs from the Stipulating Defendants at the  
3 conclusion of this matter and regardless of the Court's final judgment.

4 The Stipulating Defendants likewise waive any claim for attorneys' fees  
5 and/or costs from the Plaintiffs, regardless of the Court's final judgment.

6 8. Plaintiffs are not required to provide bond or other security.

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
8 Order and provide copies to counsel.

9 **DATED** July 25, 2025.

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12 REBECCA L. PENNELL  
13 United States District Judge  
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**EXHIBIT A**

Pursuant to the Stipulated Motion of Plaintiffs Orthodox Church in America, Antiochian Orthodox Christian Archdiocese of North America, Romanian Orthodox Metropolia of the Americas, Western American Diocese of the Russian Orthodox Church Outside of Russia, and Timothy Wilkinson (“Plaintiffs”) and Defendants Leesa Manion, Larry Haskell, Joseph Brusic, Randy Flyckt, Curt Liedkie, Eric Eisinger, Robert Sealby, Mark Nichols, Tony Golik, Dale Slack, Ryan Jurvakainen, Sean Lewis, Michael Golden, Shawn Sant, Mathew Newberg, Kevin McRae, Norma Tillotson, Gregory Banks, James Kennedy, Chad Enright, Gregory Zempel, David Quesnel, Jonathan Meyer, Ty Albertson, Michael Dorcy, Albert Lin, Michael Rothman, Dolly Hunt, Mary Robnett, Amy Vira, Rich Weyrich, Adam Kick, Jason Cummings, Erika George, Jon Tunheim, Dan Bigelow, Gabe Acosta, Eric Richey, and Denis Tracy (the “Stipulating Defendants”), IT IS HEREBY ORDERED that the Stipulating Defendants and their agents, servants, employees, and attorneys, and other persons who are in active concert or participation with Stipulating Defendants, their agents, servants, employees, and attorneys, are preliminarily enjoined, pursuant to Federal Rule of Civil Procedure 65(a), from enforcing or attempting to enforce RCW § 26.44.030, as amended by Senate Bill 5375, as applied to information learned by Orthodox priests solely through the Sacrament of Confession.

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