

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

PIONEER SQUARE HOTEL  
COMPANY and APH CORPORATION,  
Washington corporations,

Respondents,

v.

THE CITY OF SEATTLE, acting through  
the SEATTLE PUBLIC UTILITIES,

Appellant.

DIVISION ONE

No. 79939-8-1

UNPUBLISHED OPINION

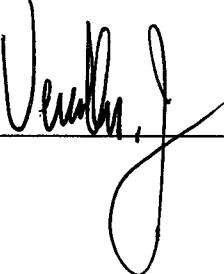
FILED: February 18, 2020

DWYER, J. — The parties to this appeal dispute whether the trial court erred by dismissing Pioneer Square’s complaint without prejudice. The City of Seattle asserts that the complaint should have been dismissed with prejudice.


In the companion case, Pioneer Square Hotel Co. v. City of Seattle, No. 80000-1-1 (Wash. Ct. App. Feb. 18, 2020), we held that the trial court erred by dismissing the underlying complaint at all. For the reasons set forth in No. 80000-1-1, we hold that the order of dismissal entered herein must be reversed.

Reversed and remanded.

WE CONCUR:



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