

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 26 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ROBINETTE AMAKER,

Plaintiff - Appellant,

v.

KING COUNTY, a municipal corporation;
STANLEY MEDICAL RESEARCH
INSTITUTE, a foreign corporation; E.
FULLER TORREY,

Defendants - Appellees.

No. 07-35241

D.C. No. CV-05-01470-MJP

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Marsha J. Pechman, District Judge, Presiding

Argued and Submitted July 10, 2008
Seattle, Washington

Before: CLIFTON and N.R. SMITH, Circuit Judges, and SANDOVAL,** District
Judge.

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The Honorable Brian E. Sandoval, United States District Judge for the
District of Nevada, sitting by designation.

Robinette Amaker appeals the district court's decision granting summary judgment in favor of defendants King County, Stanley Medical Research Institute, and E. Fuller Torrey, on her state law claims for (1) tortious interference with a corpse, (2) violation of the Washington Anatomical Gift Act, (3) invasion of privacy, and (4) civil conspiracy. We review de novo the district court's grant of summary judgment, and we affirm in part, and stay further proceedings. *Quest Commc'ns, Inc. v. Berkeley*, 433 F.3d 1253, 1256 (9th Cir. 2006).

Amaker's claims for tortious interference with a corpse and for violation of the Washington Anatomical Gift Act are the subject of a separate order certifying questions to the Washington Supreme Court, filed concurrently with this memorandum disposition. Further proceedings with respect to these questions are stayed pending the Washington Supreme Court's decision on whether it will accept review, and if so, receipt of the answers to the certified questions.

As to Amaker's remaining state law claims for invasion of privacy and civil conspiracy, we affirm the district court on the basis of the reasoning in its published opinion at *Amaker v. King County*, 479 F.Supp.2d 1151, 1157-59 (W.D. Wash. 2007).

AFFIRMED in part; Further Proceedings Stayed.