

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Olympic View Water and Sewer District v. Edmonds School District
No. 15

No. C25-1409-KKE, United States District Court for the Western District of Washington (January 23, 2026)

SUMMARY

The United States District Court for the Western District of Washington converts Edmonds School District No. 15’s motion to dismiss into a motion for summary judgment. The conversion is warranted because the court must consider materials outside the pleadings, including a Water Service Connection Agreement containing a mediation provision. The court orders the parties to meet and confer regarding a supplemental briefing schedule and to file an appropriate submission by January 29, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Kymberly K. Evanson
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	January 23, 2026
DOCKET	C25-1409-KKE
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to dismiss the plaintiff's citizen suit without prejudice based on an alleged contractual mediation prerequisite. Because the court determined that resolving the motion required consideration of materials outside the pleadings, it converted the motion to dismiss into a motion for summary judgment and ordered supplemental briefing.
STANDARD OF REVIEW	A motion to dismiss under Rule 12(b)(6) must be treated as a motion for summary judgment under Rule 56 when the court considers materials outside the pleadings. The parties must receive notice that the court will consider extrinsic evidence and an opportunity to supplement the record.
PRECEDENTIAL VALUE	Unknown

TOPICS

motions to dismiss

summary judgment

mediation

contracts

environmental law

PRACTICE AREAS

civil procedure

environmental law

contracts

QUESTIONS PRESENTED

1. Whether the School District's motion to dismiss should be converted to a motion for summary judgment because the court would consider the Water Service Connection Agreement and other materials outside the pleadings.
2. Whether the parties should be permitted to submit supplemental briefing under the Rule 56 standards after conversion.

HOLDINGS

1. Because resolution of the School District's motion required consideration of materials outside the pleadings, the court converted the Rule 12(b)(6) motion to a motion for summary judgment under Rule 56.
2. The court permitted supplemental briefing so the parties could address the Rule 56 standards and fully present arguments that may not have been raised in the Rule 12(b)(6) context.

KEY QUOTATIONS

“When a district court “looks beyond the pleadings in evaluating a Rule 12(b)(6) motion to dismiss, the motion must be treated as one for summary judgment under Rule 56.”” (at 2)

“In providing notice to the parties, “a district court need only apprise the parties that it will look beyond the pleadings to extrinsic evidence and give them an opportunity to supplement the record.”” (at 2)

FACTUAL BACKGROUND

Olympic View brought a citizen suit alleging that Edmonds School District discharged contaminated stormwater to underground sources of drinking water at Madrona K–8 School. The parties had entered into a Water Service Connection Agreement addressing measures to protect the drinking water supply and providing that disputes arising from or relating to the agreement should first be submitted to mediation. Olympic View did not attempt mediation before filing suit, and the School District relied on the agreement in moving to dismiss. Olympic View opposed consideration of the agreement and submitted declarations and more than 200 pages of exhibits.

PROCEDURAL HISTORY

Olympic View filed a citizen suit alleging that Edmonds School District violated the Safe Drinking Water Act by discharging contaminated stormwater to underground sources of drinking water. The School District moved to dismiss based on a mediation clause in the parties' Water Service Connection Agreement. The parties submitted extrinsic evidence, including the agreement, declarations, and exhibits. The court converted the motion to a motion for summary judgment and directed the parties to propose a supplemental briefing schedule.

DISPOSITION

other

CASES CITED

- Grove v. Mead School District No. 354, 753 F.2d 1528, 1532 (9th Cir. 1985)
- Bank Melli Iran v. Pahlavi, 58 F.3d 1406, 1408 (9th Cir. 1995)
- San Pedro Hotel Co., Inc. v. City of Los Angeles, 159 F.3d 470, 477 (9th Cir. 1998)

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