

The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

<p>SUSAN SOTO PALMER, et al.</p> <p style="padding-left: 40px;">Plaintiffs,</p> <p style="padding-left: 80px;">v.</p> <p>STEVEN HOBBS, in his official capacity as Secretary of State of Washington, and the STATE OF WASHINGTON,</p> <p style="padding-left: 40px;">Defendants,</p> <p style="padding-left: 40px;">and</p> <p>JOSE TREVINO, ISMAEL G. CAMPOS, and State Representative ALEX YBARRA,</p> <p style="padding-left: 40px;">Intervenor–Defendants.</p>		<p>NO. 3:22-cv-5035-RSL</p> <p>DEFENDANT STATE OF WASHINGTON’S RESPONSE TO INTERVENOR-DEFENDANTS’ RENEWED MOTION TO STAY</p> <p>NOTE FOR MOTION CALENDER: January 13, 2023</p>
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The State of Washington opposes Intervenor–Defendants’ renewed motion to stay for the same reasons it opposed Intervenor–Defendants’ prior motion, just three months ago. As the State previously explained, and as Plaintiffs argued in their prior opposition, “Intervenor–Defendants have not shown this is one of the ‘rare circumstances’ in which a stay pending the resolution of an appeal in another case is appropriate. *Landis v. N. Am. Co.*, 299 U.S. 248, 255 (1936).” Dkt. # 99 at p. 1. Moreover, as the State explained then, staying this case until June

1 “would not provide ‘ample time for the Court to make a final decision on the merits, and if  
2 Plaintiffs prevail, for the appropriate governmental entities to develop, approve, and implement  
3 a remedial plan before the 2024 election cycle.’” Dkt. # 99 at p. 2 (quoting Dkt. # 82 at p. 2).

4 Nothing has changed since then. Intervenor–Defendants seek the same stay they did  
5 three months ago, on the same shaky grounds, leaving the parties with the same compressed  
6 timeframe in which to continue litigating and, if necessary, craft relief, once the stay is lifted.  
7 The State therefore reiterates and reincorporates its prior briefing on Intervenor–Defendants’  
8 stay request. Intervenor–Defendants cannot justify the extraordinary relief they seek. Their  
9 motion to stay should be denied.<sup>1</sup>

10  
11 DATED this 12th day of January, 2023.

12  
13 ROBERT W. FERGUSON  
14 Attorney General

15 s/ Andrew R. W. Hughes

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24 <sup>1</sup> As the Court is aware, Intervenor–Defendants and their counsel have also brought the  
25 same racial gerrymandering claim as a cross-claim in this litigation and in another case called  
26 *Garcia v. Hobbs, et al*, Case No. 22-cv-05152-RSL-DGE-LJCV. These claims turn on  
essentially the same legal analysis as Plaintiffs’ VRA cases, and, consequently, if Plaintiffs’  
claims are stayed, the racial gerrymandering claims should be stayed as well.

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*Attorneys for Defendant/Cross-Defendant  
State of Washington*

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**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 12th day of January 2023, at Seattle, Washington.

s/ Andrew R.W. Hughes  
ANDREW R.W. HUGHES, WSBA No. 49515  
Assistant Attorney General

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