

The Honorable Robert S. Lasnik

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

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, et al.,

Defendants.

NO. 3:22-cv-5035-RSL

DEFENDANT STEVEN  
HOBBS' ANSWER TO COMPLAINT  
FOR DECLARATORY AND  
INJUNCTIVE RELIEF

Defendant Steven Hobbs hereby answers Plaintiffs' Complaint as follows. To the extent an allegation is directed to either or both Defendant Laurie Jinkins or Andy Billig, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegation and therefore denies.

Defendant Hobbs reserves the right to amend this pleading as permitted by this Court's rules and orders, including Fed. R. Civ. P. 15.

**INTRODUCTION**

1. This Paragraph and the statement preceding it state a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

1           2.       Defendant Hobbs admits that District 15 includes parts of the Yakima Valley and  
2 Pasco. The remaining allegation in this Paragraph states a legal conclusion to which no response  
3 is required. To the extent a response is required, Defendant Hobbs denies the remaining  
4 allegation in this Paragraph.

5           3.       This Paragraph states a legal conclusion to which no response is required. To the  
6 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
7 as to the truth of the allegations in this paragraph, and therefore denies.

8           4.       Defendant Hobbs is without information sufficient to form a belief as to the truth  
9 of the allegations in this Paragraph, and therefore denies.

10          5.       Defendant Hobbs admits that the cities of Yakima, Toppenish, Wapato, and  
11 Mabton are located in Yakima County. Defendant Hobbs also admits that the Commission  
12 included communities in Benton, Grant, and Franklin counties. Defendant Hobbs is without  
13 information sufficient to form a belief as to the truth of the allegations in the remainder of this  
14 Paragraph, and therefore denies.

15          6.       Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17          7.       Defendant Hobbs admits that the City of Othello is located in Adams County and  
18 is included in District 15. Defendant Hobbs is without information sufficient to form a belief as  
19 to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

20          8.       This Paragraph states a legal conclusion and contains legal arguments to which  
21 no response is required. To the extent a response is required, Defendant Hobbs is without  
22 information sufficient to form a belief as to the truth of allegations in the remainder of this  
23 Paragraph, and therefore denies.

24          9.       This Paragraph states a legal conclusion to which no response is required. To the  
25 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
26 as to the truth of allegations in this Paragraph, and therefore denies.

1           10.     This Paragraph states a legal conclusion to which no response is required. To the  
2 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
3 as to the truth of allegations in this Paragraph, and therefore denies.

4           11.     This Paragraph states a legal conclusion to which no response is required. To the  
5 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
6 as to the truth of allegations in this Paragraph, and therefore denies.

7           12.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           13.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11          14.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13          15.     Defendant Hobbs admits that in the Adams County portion of District 15 (where  
14 Othello is located), former President Donald Trump received 60.73% of ballots counted.  
15 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
16 remaining allegation in this Paragraph, and therefore denies.

17          16.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19          17.     This Paragraph states a legal conclusion and contains legal arguments to which  
20 no response is required. To the extent a response is required, Defendant Hobbs is without  
21 information sufficient to form a belief as to the truth of allegations in this Paragraph, and  
22 therefore denies.

23          18.     Defendant Hobbs admits that legislative district elections are held every two years  
24 for the House of Representatives. Defendant Hobbs denies that elections for Senate depend on  
25 whether legislative districts are even- or odd-numbered. Defendant Hobbs is without information  
26 sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

1           19. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           20. Defendant Hobbs admits that the Commission assigned District 15 an odd  
4 number. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
5 remaining allegations in this Paragraph, and therefore denies.

6           21. This Paragraph states a legal conclusion and contains legal arguments to which  
7 no response is required. To the extent a response is required, Defendant Hobbs denies the  
8 allegations in this Paragraph.

9           22. This Paragraph states a legal conclusion and contains legal arguments to which  
10 no response is required. To the extent a response is required, Defendant Hobbs admits only that  
11 this Paragraph has accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399 (2006), which  
12 otherwise speaks for itself. To the extent a further response is required, denied.

13           23. This Paragraph is a continuation of the previous Paragraph, and Defendant Hobbs  
14 incorporates his answer to that Paragraph by reference. To the extent a further response is  
15 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
16 the allegations in this Paragraph, and therefore denies.

17           24. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           25. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           26. Defendant Hobbs admits that current District 15 includes portions of Yakima  
22 County. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
23 allegations in the remainder of this Paragraph, and therefore denies.

24           27. Defendant Hobbs admits that Maria Cantwell was a candidate for U.S. Senate  
25 in 2018. Defendant Hobbs denies that Maria Cantwell received 43.3% of the vote. Defendant  
26 Hobbs admits that Evangelina Aguilar was a candidate for state senate in District 15 that year

1 and that she received 39.41% of ballots counted. Defendant Hobbs is without information  
2 sufficient to form a belief as to the truth of the allegations in the remainder of this Paragraph,  
3 and therefore denies.

4 28. Defendant Hobbs is without information sufficient to form a belief as to the truth  
5 of the allegations in this Paragraph, and therefore denies.

6 29. Defendant Hobbs is without information sufficient to form a belief as to the truth  
7 of the allegations in this Paragraph, and therefore denies.

8 30. Defendant Hobbs admits that this Paragraph contains references to two articles  
9 from the Seattle Times and Crosscut from November 10, 2021, and October 21, 2021,  
10 respectively. Defendant Hobbs otherwise denies.

11 31. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 32. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 33. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 34. This Paragraph states a legal conclusion and contains legal arguments to which  
18 no response is required. To the extent a response is required, Defendant Hobbs denies the  
19 allegations in this Paragraph.

## 20 JURISDICTION AND VENUE

21 35. This Paragraph asserts legal conclusions and questions of law to be determined  
22 by the Court, to which no response is required. To the extent that a response is required,  
23 Defendant Hobbs admits that this Court has jurisdiction over the federal law claims in this action,  
24 but denies all necessary parties have been joined.

25 36. This Paragraph asserts legal conclusions and questions of law to be determined  
26 by the Court, to which no response is required. To the extent that a response is required,

1 Defendant Hobbs admits that the referenced provisions relate to the award of costs and attorney's  
2 fees.

3 37. This Paragraph asserts legal conclusions and questions of law to be determined  
4 by the Court, to which no response is required. To the extent that a response is required,  
5 Defendant Hobbs admits that he is a state official who resides in Washington and performs  
6 official duties in Olympia, Washington.

7 38. This Paragraph asserts legal conclusions and questions of law to be determined  
8 by the Court, to which no response is required. To the extent that a response is required,  
9 Defendant Hobbs admits only that venue is proper in this judicial district and that he is a state  
10 official performing official duties in the Western District of Washington.

11 **PARTIES**

12 39. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14 40. Defendant Hobbs is without information sufficient to form a belief as to the truth  
15 of the allegations in this Paragraph, and therefore denies.

16 41. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18 42. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20 43. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22 44. Defendant Hobbs is without information sufficient to form a belief as to the truth  
23 of the allegations in this Paragraph, and therefore denies.

24 45. Defendant Hobbs is without information sufficient to form a belief as to the truth  
25 of the allegations in this Paragraph, and therefore denies.

1           46. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           47. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           48. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           49. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           50. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           51. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           52. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           53. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17           54. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           55. This Paragraph asserts legal conclusions and questions of law to be determined  
20 by the Court, to which no response is required. To the extent that a response is required,  
21 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
22 allegations in this Paragraph, and therefore denies.

23           56. Defendant Hobbs admits that Southcentral Coalition of People of Colors for  
24 Redistricting is a Washington non-profit organization. Defendant Hobbs is without information  
25 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
26 therefore denies.

1 57. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 58. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 59. Defendant Hobbs admits that the language in quotations in the second sentence  
6 of this Paragraph accurately quotes a portion of RCW 29A.04.230. Defendant Hobbs admits that  
7 RCW 29A.04.255 provides the Secretary of State will accept and file certain documents,  
8 including some declarations of candidacy. Defendant Hobbs admits that the Complaint purports  
9 to assert a claim against Defendant Hobbs in his official capacity as the Secretary of State of  
10 Washington. Otherwise, this Paragraph asserts legal conclusions and questions of law to be  
11 determined by the Court, to which no response is required. To the extent that a response is  
12 required, Defendant Hobbs denies.

13 60. Defendant Hobbs admits that Defendant Jinkins is the current Speaker of the  
14 Washington State House of Representatives and that the Complaint purports to assert claims  
15 against Defendant Jinkins in her official capacity. Otherwise, this Paragraph asserts legal  
16 conclusions and questions of law to be determined by the Court, to which no response is required.  
17 To the extent that a response is required, Defendant Hobbs denies.

18 61. Defendant Hobbs admits that Defendant Billig is the current Senate Majority  
19 Leader of the Washington State Senate and that the Complaint purports to assert a claim against  
20 him in his official capacity. Otherwise, this Paragraph asserts legal conclusions and questions of  
21 law to be determined by the Court, to which no response is required. To the extent that a response  
22 is required, Defendant Hobbs denies.

### 23 **LEGAL BACKGROUND**

24 62. This Paragraph asserts legal conclusions and questions of law to be determined  
25 by the Court, to which no response is required. To the extent that a response is required,  
26



1 Defendant Hobbs admits that the language in quotations is accurate but denies that the Paragraph  
2 is a complete or accurate recitation or summary of the referenced law.

3 63. This Paragraph asserts legal conclusions and questions of law to be determined  
4 by the Court, to which no response is required. To the extent that a response is required,  
5 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Thornburg*  
6 *v. Gingles*, 478 U.S. 30 (1986), which otherwise speaks for itself. To the extent a further response  
7 is required, denied.

8 64. This Paragraph asserts legal conclusions and questions of law to be determined  
9 by the Court, to which no response is required. To the extent that a response is required,  
10 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Thornburg*  
11 *v. Gingles*, 478 U.S. 30 (1986), which otherwise speaks for itself. To the extent a further response  
12 is required, denied.

13 65. This Paragraph asserts legal conclusions and questions of law to be determined  
14 by the Court, to which no response is required. To the extent that a response is required,  
15 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *N. Carolina*  
16 *State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise speaks for  
17 itself. To the extent a further response is required, denied.

18 66. This Paragraph asserts legal conclusions and questions of law to be determined  
19 by the Court, to which no response is required. To the extent that a response is required, denied.

20 67. This Paragraph asserts legal conclusions and questions of law to be determined  
21 by the Court, to which no response is required. To the extent that a response is required, denied.

22 68. This Paragraph asserts legal conclusions and questions of law to be determined  
23 by the Court, to which no response is required. To the extent that a response is required, denied.

24 69. This Paragraph asserts legal conclusions and questions of law to be determined  
25 by the Court, to which no response is required. To the extent that a response is required,  
26 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *United*

1 *States v. Marengo Cnty. Comm'n*, 731 F.2d 1546 (11th Cir. 1984), which otherwise speaks for  
2 itself. To the extent a further response is required, denied.

3 70. This Paragraph asserts legal conclusions and questions of law to be determined  
4 by the Court, to which no response is required. To the extent that a response is required, admitted.

5 71. This Paragraph asserts legal conclusions and questions of law to be determined  
6 by the Court, to which no response is required. To the extent that a response is required,  
7 Defendant Hobbs admits only that this Paragraph has accurately quoted portions of *Village of*  
8 *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252 (1977) and *N.*  
9 *Carolina State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise  
10 speak for themselves. To the extent a further response is required, denied.

11 72. This Paragraph asserts legal conclusions and questions of law to be determined  
12 by the Court, to which no response is required. To the extent that a response is required,  
13 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *N. Carolina*  
14 *State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise speaks for  
15 itself. To the extent a further response is required, denied.

16 73. This Paragraph asserts legal conclusions and questions of law to be determined  
17 by the Court, to which no response is required. To the extent that a response is required,  
18 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Hunter v.*  
19 *Underwood*, 471 U.S. 222 (1985), which otherwise speaks for itself. To the extent a further  
20 response is required, denied.

21 74. This Paragraph asserts legal conclusions and questions of law to be determined  
22 by the Court, to which no response is required. To the extent that a response is required,  
23 Defendant Hobbs admits only that this Paragraph has cited two authorities, *Thomas v. Bryant*,  
24 366 F. Supp. 3d 786 (S.D. Miss. 2019), *aff'd*, 938 F.3d 134 (5th Cir. 2019) and *Mo. State Conf.*  
25 *of the NAACP v. Ferguson–Florissant Sch. Dist.*, 894 F.3d 924 (8th Cir. 2018), which both speak  
26 for themselves. To the extent a further response is required, denied.

1 75. This Paragraph states a legal conclusion and contains legal arguments to which  
2 no response is required. To the extent a response is required, Defendant Hobbs admits only that  
3 this Paragraph has accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399 (2006), which  
4 otherwise speaks for itself. To the extent a further response is required, admitted.

5 76. This Paragraph asserts legal conclusions and questions of law to be determined  
6 by the Court, to which no response is required. To the extent that a response is required,  
7 Defendant Hobbs admits only that this Paragraph has cited a case, *Perez v. Abbott*, 250 F. Supp.  
8 3d 123 (W.D. Tex. 2017), which speaks for itself. To the extent a further response is required,  
9 denied.

10 77. This Paragraph asserts legal conclusions and questions of law to be determined  
11 by the Court, to which no response is required. To the extent that a response is required,  
12 Defendant Hobbs admits only that this Paragraph has cited a case, *Perez v. Abbott*, 250 F. Supp.  
13 3d 123 (W.D. Tex. 2017), and accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399  
14 (2006), which otherwise both speak for themselves. To the extent a further response is required,  
15 denied.

16 **FACTUAL ALLEGATIONS**

17 **A. 2020 Demographic Changes in Washington State**

18 78. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20 79. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22 80. This Paragraph asserts legal conclusions and questions of law to be determined  
23 by the Court, to which no response is required. To the extent that a response is required,  
24 Defendant Hobbs admits only that this Paragraph cites a statute, 13 U.S.C. § 141(c), which  
25 speaks for itself. To the extent a further response is required, denied.

26 81. Admitted.

1           82. This Paragraph asserts legal conclusions and questions of law to be determined  
2 by the Court, to which no response is required. To the extent that a response is required,  
3 Defendant Hobbs admits only that this Paragraph cites a statute, RCW 44.05.140, which speaks  
4 for itself. To the extent a further response is required, denied.

5           83. Admitted.

6           84. Defendant Hobbs is without information sufficient to form a belief as to the truth  
7 of the allegations in this Paragraph, and therefore denies.

8           85. Defendant Hobbs is without information sufficient to form a belief as to the truth  
9 of the allegations in this Paragraph, and therefore denies.

10          86. Defendant Hobbs is without information sufficient to form a belief as to the truth  
11 of the allegations in this Paragraph, and therefore denies.

12          87. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14          88. Defendant Hobbs is without information sufficient to form a belief as to the truth  
15 of the allegations in this Paragraph, and therefore denies.

16          89. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18          90. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20          91. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22          92. Defendant Hobbs is without information sufficient to form a belief as to the truth  
23 of the allegations in this Paragraph, and therefore denies.

24          93. Defendant Hobbs is without information sufficient to form a belief as to the truth  
25 of the allegations in this Paragraph, and therefore denies.

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1 94. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 95. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 96. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 97. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 98. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 **B. The Washington State Redistricting Commission**

12 99. This Paragraph asserts legal conclusions and questions of law to be determined  
13 by the Court, to which no response is required. To the extent that a response is required,  
14 Defendant Hobbs admits that article II, section 43 of the Washington Constitution provides a  
15 process for establishing a five-member bipartisan redistricting commission in every year ending  
16 in one.

17 100. Admitted.

18 101. Admitted.

19 102. This Paragraph asserts legal conclusions and questions of law to be determined  
20 by the Court, to which no response is required. To the extent that a response is required,  
21 Defendant Hobbs admits that this Paragraph accurately quotes article II, section 43 of the  
22 Washington Constitution, which speaks for itself.

23 103. This Paragraph asserts legal conclusions and questions of law to be determined  
24 by the Court, to which no response is required. To the extent that a response is required,  
25 Defendant Hobbs admits that this Paragraph accurately quotes RCW 44.05.100, which otherwise  
26 speaks for itself. To the extent a further response is required, denied.

1           104. This Paragraph asserts legal conclusions and questions of law to be determined  
2 by the Court, to which no response is required. To the extent that a response is required,  
3 Defendant Hobbs admits that this Paragraph cites to two statutory authorities, RCW 44.05.090  
4 and RCW 44.05.140, both of which speak for themselves. To the extent a further response is  
5 required, denied.

6           105. This Paragraph asserts legal conclusions and questions of law to be determined  
7 by the Court, to which no response is required. To the extent that a response is required,  
8 Defendant Hobbs admits that this Paragraph cites to a statutory authority, RCW 44.05.110,  
9 which speaks for itself. To the extent a further response is required, denied.

10           106. This Paragraph asserts legal conclusions and questions of law to be determined  
11 by the Court, to which no response is required. To the extent that a response is required,  
12 Defendant Hobbs admits that this Paragraph includes a reference to a statutory authority,  
13 RCW 44.05.110, which speaks for itself. To the extent a further response is required, denied.

14           107. This Paragraph asserts legal conclusions and questions of law to be determined  
15 by the Court, to which no response is required. To the extent that a response is required,  
16 Defendant Hobbs admits that this Paragraph accurately quotes RCW 44.05.110, which otherwise  
17 speaks for itself. To the extent a further response is required, denied.

18           108. This Paragraph asserts legal conclusions and questions of law to be determined  
19 by the Court, to which no response is required. To the extent that a response is required,  
20 Defendant Hobbs admits that this Paragraph accurately quotes RCW 44.05.120, which otherwise  
21 speaks for itself. To the extent a further response is required, denied.

22           109. This Paragraph asserts legal conclusions and questions of law to be determined  
23 by the Court, to which no response is required. To the extent that a response is required, admitted.

24 **C. 2021 Washington State Redistricting Commission's Official Actions and Approval**  
25 **of Final Maps**

26           110. Admitted.

1 111. Admitted.

2 112. Admitted.

3 113. Admitted.

4 114. Admitted.

5 115. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 116. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 117. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 118. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 119. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 120. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 121. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 122. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 123. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23 124. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25 125. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.



1           126. Defendant Hobbs admits that a document titled *Assessment of Voting Patterns in*  
2 *Central/Eastern Washington and Review of Federal Voting Rights Act, Section 2 Issues*,  
3 dated October 19, 2021, with the name Dr. Matt Barreto, UCLA Political Science &  
4 Chicana/o Studies, Faculty Director of the UCLA Voting Rights Project on it, can be found at  
5 [https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-](https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-Public-Version.pdf)  
6 [Public-Version.pdf](https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-Public-Version.pdf). To the extent a further response is required, Defendant Hobbs is without  
7 information sufficient to form a belief as to the truth of the allegations in this Paragraph, and  
8 therefore denies.

9           127. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           128. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           129. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           130. Defendant Hobbs admits that page 18 of the document referenced in Defendant's  
16 response to Paragraph 126 of the Complaint includes the phrase "Text-book 'cracking' of Latino  
17 population[.]" Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in the remainder of this Paragraph, and therefore denies.

19           131. This Paragraph asserts legal conclusions and questions of law to be determined  
20 by the Court, to which no response is required. To the extent that a response is required,  
21 Defendant Hobbs admits that this Paragraph cites to a case, *Clerveaux v. E. Ramapo Cent. Sch.*  
22 *Dist.*, 984 F.3d 213 (2d Cir. 2020), which speaks for itself. To the extent a further response is  
23 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
24 the allegations in the remainder of this Paragraph, and therefore denies.

25           132. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.



1 133. Defendant Hobbs admits that a document titled *Proposed WA redistricting maps*  
2 *may violate Voting Rights Act*, dated October 21, 2021, updated at 11:16 a.m. on Thursday,  
3 Oct. 21, with the name Melissa Santos on it, can be found at [https://crosscut.com/politics/2021/](https://crosscut.com/politics/2021/10/proposed-wa-redistricting-maps-may-violate-voting-rights-act)  
4 [10/proposed-wa-redistricting-maps-may-violate-voting-rights-act](https://crosscut.com/politics/2021/10/proposed-wa-redistricting-maps-may-violate-voting-rights-act). Defendant Hobbs further  
5 admits that additional websites reference statements made by Dr. Barreto. Defendant Hobbs is  
6 without information sufficient to form a belief as to the truth of the allegations in the remainder  
7 of this Paragraph, and therefore denies.

8 134. Defendant Hobbs admits that the Senate Democratic Caucus posted a webpage,  
9 [https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/)  
10 [rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/)  
11 [the-yakima-valley/](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/), which includes a hyperlink to the document referenced in Defendant's  
12 response to Paragraph 126 of the Complaint. The Senate Democratic Caucus webpage includes  
13 a date of October 21. Defendant Hobbs is without information sufficient to form a belief as to  
14 the truth of the allegations in the remainder of this Paragraph, and therefore denies.

15 135. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 136. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 137. Defendant Hobbs admits that that the document referenced in Defendant's  
20 response to Paragraph 126 of the Complaint contains a slide 22, titled *VRA Complaint Option-*  
21 *1: Yakima-Columbia River Valley*, and a slide 23, titled *VRA Compliant Option-2: Yakama*  
22 *Reservation*. Otherwise, this Paragraph asserts legal conclusions and questions of law to be  
23 determined by the Court, to which no response is required. To the extent a further response is  
24 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
25 the allegations in the remainder of this Paragraph, and therefore denies.

1 138. Defendant Hobbs admits that the document referenced in Defendant's response  
2 to Paragraph 126 of the Complaint contains a slide 22, titled *VRA Complaint Option-1: Yakima-*  
3 *Columbia River Valley*, which includes a text box with the phrase "Latino CVAP 60%."  
4 Otherwise, this Paragraph asserts legal conclusions and questions of law to be determined by the  
5 Court, to which no response is required. To the extent a further response is required, Defendant  
6 Hobbs is without information sufficient to form a belief as to the truth of the allegations in this  
7 Paragraph, and therefore denies.

8 139. Defendant Hobbs admits that the document referenced in Defendant's response  
9 to Paragraph 126 contains a slide 23, titled *VRA Compliant Option-2: Yakama Reservation*,  
10 which contains a text box which includes the phrase "Latino CVAP 52%." Otherwise, this  
11 Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which  
12 no response is required. To the extent a further response is required, Defendant Hobbs is without  
13 information sufficient to form a belief as to the truth of the allegations in this Paragraph, and  
14 therefore denies.

15 140. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 141. Defendant Hobbs admits that the quoted language appeared in the document  
18 referenced in Defendant's response to Paragraph 133 of the Complaint. Defendant Hobbs is  
19 without information sufficient to form a belief as to the truth of the allegations in the remainder  
20 of this Paragraph, and therefore denies.

21 142. Defendant Hobbs admits that the website <http://redistricting.wa.gov> includes  
22 links to "Revised Map October 25, 2021" with another link to "View Revised Map & Comment  
23 Online" under the names of both Commissioner Piñero and Commissioner Sims. Defendant  
24 Hobbs is without information sufficient to form a belief as to the truth of the allegations in the  
25 remainder of this Paragraph, and therefore denies.  
26

1 143. Defendant Hobbs admits that the documents referenced in Defendant's response  
2 to Paragraph 142 of the Complaint purport to include legislative districts for the entirety of the  
3 State of Washington. Defendant Hobbs is without information sufficient to form a belief as to  
4 the truth of the allegations in the remainder of this Paragraph, and therefore denies.

5 144. This Paragraph states a legal conclusion to which no response is required. To the  
6 extent a response is required, denied.

7 145. Defendant Hobbs admits that the Washington Supreme Court issued an order on  
8 December 3, 2021, describing a letter sent to the Court on November 16, 2021, by Sarah  
9 Augustine, the chair of the Washington State Redistricting Commission (Commission), "stating  
10 that the Commission was unable to adopt a redistricting plan by the midnight deadline of  
11 November 15, 2021." General Order No. 25700-B-676, *In re Washington State Redistricting*  
12 *Commission's Letter to the Supreme Court on November 16, 2021 and the Commission Chair's*  
13 *November 21, 2021, Declaration* (Wash.), [https://www.courts.wa.gov/content/publicUpload/R](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf)  
14 [edistricting/Order%2025700B676.pdf](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf). The remainder of this Paragraph states a legal conclusion  
15 to which no response is required. To the extent a further response is required, denied.

16 146. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18 147. Defendant Hobbs admits that that the Washington Supreme Court issued an order  
19 on December 3, 2021, describing a letter sent to the Court on November 16, 2021, by Sarah  
20 Augustine, the chair of the Washington State Redistricting Commission (Commission), with  
21 "what she described as a full redistricting plan, consisting of a resolution signed by all four  
22 commissioners approving the plan, a signed letter transmitting the plan to the majority and  
23 minority leaders of the Washington State Senate and House of Representatives, and maps and  
24 legal descriptions of the new congressional and legislative districts." General Order No. 25700-  
25 B-676, *In re Washington State Redistricting Commission's Letter to the Supreme Court on*  
26 *November 16, 2021 and the Commission Chair's November 21, 2021, Declaration* (Wash.),

1 <https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf>. The  
 2 remainder of this Paragraph states a legal conclusion to which no response is required. To the  
 3 extent a further response is required, denied.

4 148. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 5 of the allegations in this Paragraph, and therefore denies.

6 149. Defendant Hobbs admits that in a December 3, 2021 order the Washington  
 7 Supreme Court “decline[d] to exercise its authority under article II, subsection 43(6) and chapter  
 8 44.05 RCW to adopt a redistricting plan because it concludes that the plan adopted by the  
 9 Washington State Redistricting Commission met the constitutional deadline and substantially  
 10 complied with the statutory deadline to transmit the matter to the legislature.” General Order  
 11 No. 25700-B-676, *In re Washington State Redistricting Commission’s Letter to the Supreme*  
 12 *Court on November 16, 2021 and the Commission Chair’s November 21, 2021, Declaration*  
 13 (Wash.), [https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf)  
 14 [.pdf](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf).

15 150. Defendant Hobbs admits that the quoted language in this Paragraph is included  
 16 in Washington Supreme Court Order No. 25700-B-676, dated December 3, 2021. Defendant  
 17 Hobbs is without information sufficient to form a belief as to the truth of the allegations in the  
 18 remainder of this Paragraph, and therefore denies.

19 **D. Elections in the Yakima Valley Region Exhibit Racially Polarized Voting**

20 151. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 21 of the allegations in this Paragraph, and therefore denies.

22 152. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 23 of the allegations in this Paragraph, and therefore denies.

24 153. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 25 of the allegations in this Paragraph, and therefore denies.

26

1 154. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 155. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 156. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 157. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 158. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 159. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 160. Defendant Hobbs admits that in the 2012 State Representative election for  
14 Legislative District 15, Pablo Gonzalez lost to David Taylor. Defendant Hobbs is without  
15 information sufficient to form a belief as to the truth of the remaining allegations in this  
16 Paragraph, and therefore denies.

17 161. Defendant Hobbs admits that in the 2014 State Senate election for Legislative  
18 District 15, Gabriel Muñoz lost to Jim Honeyford. Defendant Hobbs is without information  
19 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
20 therefore denies.

21 162. Defendant Hobbs admits that in the 2014 State Representative election for  
22 Legislative District 15, Teodora Martinez-Chavez lost to David Taylor. Defendant Hobbs is  
23 without information sufficient to form a belief as to the truth of the remaining allegations in this  
24 Paragraph, and therefore denies.

25 163. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
26 District 15, Evangelina Aguilar lost to Jim Honeyford. Defendant Hobbs is without information

1 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
2 therefore denies.

3 164. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 165. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 166. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
8 District 15, Evangelina Aguilar received 72.62% of ballots counted in Yakima County Precinct  
9 104. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
10 remaining allegations in this Paragraph, and therefore denies.

11 167. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
12 District 15, Evangelina Aguilar received 70.00% of ballots counted in Yakima County Precinct  
13 501. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
14 remaining allegations in this Paragraph, and therefore denies.

15 168. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 169. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 170. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 171. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23 172. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
24 District 15, Evangelina Aguilar received 21.51% of ballots counted in Yakima County  
25 Precinct 4616. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the remaining allegations in this Paragraph, and therefore denies.

1 173. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
2 District 15, Evangelina Aguilar received 22.00% of ballots counted in Yakima County  
3 Precinct 4106. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the remaining allegations in this Paragraph, and therefore denies.

5 174. Defendant Hobbs admits that under RCW 29A.04.110, legislative state offices  
6 are “partisan offices” for which a candidate may indicate a political party preference on his or  
7 her declaration of candidacy. Defendant Hobbs further admits that Republican Party and  
8 Democratic Party are party preferences declared by some Washington state legislature  
9 candidates. Defendant Hobbs is without information sufficient to form a belief as to the truth of  
10 the allegations in the remainder of this Paragraph, and therefore denies.

11 175. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 176. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 177. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 178. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 179. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 180. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23 181. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25 182. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.



1 183. This Paragraph asserts legal conclusions and questions of law to be determined  
2 by the Court, to which no response is required. To the extent that a response is required,  
3 Defendant Hobbs admits only that this Paragraph has cited a case, *Montes v. City of Yakima*,  
4 40 F. Supp. 3d 1377 (E.D. Wash. 2014), which speaks for itself. To the extent a further response  
5 is required, denied.

6 184. This Paragraph asserts legal conclusions and questions of law to be determined  
7 by the Court, to which no response is required. To the extent that a response is required,  
8 Defendant Hobbs admits only that this Paragraph has cited what purports to be a case, *Aguilar*  
9 *v. Yakima County*, Case No. 20-2-0018019 (Kittitas Cnty. Sup. Ct. July 13, 2020), which would  
10 speak for itself. To the extent a further response is required, Defendant Hobbs is without  
11 sufficient information to form a belief as to the truth of the allegations in the remainder of this  
12 Paragraph, and therefore denies.

13 185. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 186. This Paragraph asserts legal conclusions and questions of law to be determined  
16 by the Court, to which no response is required. To the extent that a response is required,  
17 Defendant Hobbs admits only that this Paragraph has cited a case, *Glatt v. City of Pasco*,  
18 No. 4:16-CV-05108-LRS (E.D. Wash. Jan. 27, 2017), which speaks for itself. To the extent a  
19 further response is required, Defendant Hobbs is without sufficient information to form a belief  
20 as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

21 187. This Paragraph asserts legal conclusions and questions of law to be determined  
22 by the Court, to which no response is required. To the extent that a response is required,  
23 Defendant Hobbs admits only that this Paragraph has cited a case from California, *Luna v.*  
24 *County of Kern*, 291 F. Supp. 3d 1088 (E.D. Cal. 2018), which speaks for itself. To the extent a  
25 further response is required, Defendant Hobbs is without sufficient information to form a belief  
26 as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.



1 188. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 189. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 190. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 **E. The Washington Redistricting Commission’s Approved State Legislative Map**  
8 **Dilutes the Strength of Latino Voters in the Yakima Valley Region**

9 191. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 192. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 193. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 194. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 195. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 196. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 197. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23 198. Defendant Hobbs admits that the Commission’s version of Legislative District 15  
24 does not include the cities of Wapato, Toppenish, and Mabton, and does not include areas of the  
25 City of Yakima. Defendant Hobbs is without information sufficient to form a belief as to the  
26 truth of the remaining allegations in this Paragraph, and therefore denies.

1 199. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 200. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 201. Defendant Hobbs admits that the City of Othello is located in Adams County and  
6 is included in District 15. Defendant Hobbs is without information sufficient to form a belief as  
7 to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

8 202. Defendant Hobbs is without information sufficient to form a belief as to the truth  
9 of the allegations in this Paragraph, and therefore denies.

10 203. Defendant Hobbs is without information sufficient to form a belief as to the truth  
11 of the allegations in this Paragraph, and therefore denies.

12 204. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14 205. Defendant Hobbs is without information sufficient to form a belief as to the truth  
15 of the allegations in this Paragraph, and therefore denies.

16 206. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18 207. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20 208. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22 209. Defendant Hobbs is without information sufficient to form a belief as to the truth  
23 of the allegations in this Paragraph, and therefore denies.

24 210. This Paragraph states a legal conclusion to which no response is required. To the  
25 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.  
26

1 211. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 **F. The Totality of the Circumstances Demonstrates That Latino Voters in the Yakima**  
4 **Valley Region Have Less Opportunity Than Others to Participate in the Political**  
5 **Process and Elect Candidates of Choice**

6 212. This Paragraph states a legal conclusion to which no response is required. To the  
7 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
8 as to the truth of allegations in this Paragraph, and therefore denies

9 213. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 214. Defendant Hobbs admits that Yakima County entered into a Consent Decree with  
12 the United States in Case No. 04-cv-3072, United States District Court for the Eastern District  
13 of Washington. The document speaks for itself. To the extent a further response is required,  
14 Defendant Hobbs is without sufficient information to form a belief as to the truth of the  
15 allegations in the remainder of this Paragraph, and therefore denies.

16 215. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18 216. This Paragraph asserts legal conclusions and questions of law to be determined  
19 by the Court, to which no response is required. To the extent that a response is required,  
20 Defendant Hobbs admits only that this Paragraph has cited a case from California, *Luna v.*  
21 *County of Kern*, 291 F. Supp. 3d 1088 (E.D. Cal. 2018), which speaks for itself. To the extent a  
22 further response is required, Defendant Hobbs is without sufficient information to form a belief  
23 as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

24 217. Defendant Hobbs is without information sufficient to form a belief as to the truth  
25 of the allegations in this Paragraph, and therefore denies.

26 218. Defendant Hobbs is without information sufficient to form a belief as to the truth  
of the allegations in this Paragraph, and therefore denies.

1           219. Defendant Hobbs admits that a document titled *Yakima's cultural divide*, with the  
2 names Mike Faulk and YakimaHerald.com, and a date of October 16, 2015, appears at the link  
3 contained in Paragraph 219 of the Complaint. Defendant Hobbs is without information sufficient  
4 to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore  
5 denies.

6           220. Defendant Hobbs is without information sufficient to form a belief as to the truth  
7 of the allegations in this Paragraph, and therefore denies.

8           221. Defendant Hobbs admits that, according to news coverage, Antonio Zambrano-  
9 Montes was shot and killed by Pasco, Washington police. Defendant Hobbs is without  
10 information sufficient to form a belief as to the truth of the remainder of the allegations in this  
11 Paragraph, and therefore denies.

12           222. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14           223. Defendant Hobbs is without information sufficient to form a belief as to the truth  
15 of the allegations in this Paragraph, and therefore denies.

16           224. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18           225. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20           226. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22           227. Defendant Hobbs is without information sufficient to form a belief as to the truth  
23 of the allegations in this Paragraph, and therefore denies.

24           228. Defendant Hobbs is without information sufficient to form a belief as to the truth  
25 of the allegations in this Paragraph, and therefore denies.

26

1           229. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           230. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           231. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           232. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           233. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           234. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           235. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           236. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17           237. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           238. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           239. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           240. Defendant Hobbs admits that the hyperlink referenced in footnote 2 links to a  
24 webpage headed “Yakima Health District” with information titled *Race and Ethnicity*  
25 *Breakdown of COVID-19 Positive Individuals*. The website states “[t]his information will be  
26

1 updated every two weeks.” Defendant Hobbs is without information sufficient to form a belief  
2 as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

3 241. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 242. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 243. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 244. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 245. Defendant Hobbs admits that the hyperlink referenced in footnote 3 links to a  
12 webpage headed “Yakima County Auditor” with information titled *2020 General Election Voter*  
13 *Participation by surname*. Defendant Hobbs further admits that the number 37,978 appears in a  
14 column titled *Issued* and a row titled *Spanish surname*, and the number 21,281 appears in a  
15 column titled *Returned* and a row titled *Spanish surname*. Defendant Hobbs further admits that  
16 the number 89,713 appears in a column titled *Issued* and a row titled *Non-Spanish surname*, and  
17 the number 75,704 appears in a column titled *Returned* and a row titled *Non-Spanish surname*.  
18 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
19 allegations in the remainder of this Paragraph, and therefore denies.

20 246. Defendant Hobbs is without information sufficient to form a belief as to the truth  
21 of the allegations in this Paragraph, and therefore denies.

22 247. Defendant Hobbs admits that a document titled *Investigation finds Latino ballots*  
23 *in WA more likely to be rejected*, with a date of February 15, 2021, and the name Joy Borkholder,  
24 can be found at the hyperlink in this Paragraph. Defendant Hobbs is without information  
25 sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.  
26

1           248. Defendant Hobbs admits that a document titled *Investigation finds Latino ballots*  
2 *in WA more likely to be rejected*, with a date of February 15, 2021, and the name Joy Borkholder,  
3 can be found at the hyperlink in this Paragraph. Defendant Hobbs is without information  
4 sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

5           249. Defendant Hobbs admits that the lawsuit *Reyes v. Chilton*, case number 4:21-cv-  
6 05075, was filed in the United States District Court for the Eastern District of Washington on  
7 May 7, 2021. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in the remainder of this Paragraph, and therefore denies.

9           250. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           251. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           252. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           253. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17           254. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           255. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           256. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           257. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25           258. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.

1           259. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           260. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           261. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           262. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           263. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           264. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           265. Defendant Hobbs admits that Susan Soto Palmer ran for State Representative in  
14 the 2016 Legislative District 14 election and was not elected. Defendant Hobbs is without  
15 information sufficient to form a belief as to the truth of the remaining allegations in this  
16 Paragraph, and therefore denies.

17           266. Defendant Hobbs admits that Legislative District 14 is currently represented by  
18 Representatives Chris Corry and Gina Mosbrucker and Senator Curtis King. Defendant Hobbs  
19 is without information sufficient to form a belief as to the truth of the remaining allegations in  
20 this Paragraph, and therefore denies.

21           267. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           268. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25           269. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.



1 270. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 271. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 272. This Paragraph states a legal conclusion to which no response is required. To the  
6 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
7 as to the truth of allegations in this Paragraph, and therefore denies.

8 **CLAIMS FOR RELIEF**

9 **Count 1**

10 **Race and Language Minority Discrimination,**  
11 **Discriminatory Results in Violation of Section 2 of the Voting Rights Act**  
12 **52 U.S.C. § 10301**

13 273. Defendant Hobbs restates and incorporates by reference his responses to the  
14 allegations in the Complaint.

15 274. 52 U.S.C. § 10301(a) speaks for itself. This Paragraph states a legal conclusion  
16 to which no response is required. To the extent a response is required, Defendant Hobbs denies  
17 the allegations in this Paragraph.

18 275. This Paragraph states a legal conclusion to which no response is required. To the  
19 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

20 276. This Paragraph states a legal conclusion to which no response is required. To the  
21 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

22 277. This Paragraph states a legal conclusion to which no response is required. To the  
23 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

24 278. This Paragraph states a legal conclusion to which no response is required. To the  
25 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.  
26

1 279. This Paragraph states a legal conclusion to which no response is required. To the  
2 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

3 280. This Paragraph states a legal conclusion to which no response is required. To the  
4 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

5 281. This Paragraph states a legal conclusion to which no response is required. To the  
6 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

7 **Count 2**  
8 **Race and Language Minority Discrimination,**  
9 **Discriminatory Intent in Violation of Section 2 of the Voting Rights Act**  
10 **52 U.C.S. § 10301**

11 282. Defendant Hobbs restates and incorporates by reference his responses to the  
12 allegations in the Complaint.

13 283. This Paragraph states a legal conclusion to which no response is required. To the  
14 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

15 **PRAYER FOR RELIEF**

16 Defendant Hobbs denies that Plaintiffs are entitled to any relief against him for their  
17 Complaint and is without information sufficient to form a belief as to whether Plaintiffs are  
18 entitled to relief against any other.

19 **AFFIRMATIVE DEFENSES**

20 Defendant Hobbs' affirmative defenses to the Complaint are set forth below. By setting  
21 forth the following defenses, Defendant Hobbs does not assume burden of proof on the matter and  
22 issue other than those on which he has the burden of proof as a matter of law. Defendant Hobbs  
23 reserves the right to supplement these defenses.

- 24 1. Plaintiffs have failed to state a claim upon which relief can be granted.
- 25 2. Plaintiffs have failed to join all necessary parties.
- 26 3. Defendant Hobbs is an improper party.

1 4. One or more Plaintiffs lack individual or associational standing to bring this  
2 action.

3 **PRAYER FOR RELIEF**

- 4 1. Plaintiffs' Complaint against Defendant Hobbs is dismissed.
- 5 2. Defendant Hobbs be awarded his costs and reasonable attorney's fees, expert  
6 fees, and other reasonable litigation expenses.
- 7 3. Such other relief as the Court deems just and proper.

8 DATED this 16th day of February 2022.

9 ROBERT W. FERGUSON  
10 *Attorney General*

11 *s/ Karl D. Smith*  
 12 KARL D. SMITH, WSBA No. 41988  
 13 Deputy Solicitor General  
 14 1125 Washington Street SE  
 15 PO Box 40100  
 16 Olympia, WA 98504-0100  
 17 (360) 753-6200  
 18 Karl.Smith@atg.wa.gov

19 *Attorney for Defendant Steven Hobbs*

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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 16th day of February 2022, at Olympia, Washington.

*s/ Leena Vanderwood*  
Leena Vanderwood  
*Legal Assistant*  
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