

The Honorable Robert S. Lasnik

**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-05035-RSL

DEFENDANT SECRETARY OF STATE
STEVEN HOBBS' RESPONSE TO
DEFENDANTS JINKINS AND BILLIG'S
MOTION TO DISMISS

Defendant Secretary of State Steven Hobbs does not oppose Defendants Jinkins and Billig's Motion to Dismiss.

Secretary Hobbs emphasizes, however, the urgent need for a proper party to defend on the merits the plan adopted by the Redistricting Commission. *See* Dkt. 40, Notice that Defendant Hobbs Takes No Position. The most natural candidate would be the Redistricting Commission itself, the entity to which the Washington Constitution assigns authority to create, enact, and modify the State's redistricting plan. Wash. Const. art. II, § 43. However, the Plaintiffs have not named the Commission as a defendant, and the Commission declined to voluntarily intervene in this action and defend its work.¹

¹ Joanna Markell, *WA Redistricting Commission Won't Intervene in Voting Rights Lawsuit; Chair Resigns*, Yakima Herald-Republic (Mar. 7, 2022), https://www.yakimaherald.com/news/local/wa-redistricting-commission-wont-intervene-in-voting-rights-lawsuit-chair-resigns/article_20827ca1-24cc-539b-9015-395796869a9a.html.

1 Whether the Commission or some other entities or persons (such as the State of
2 Washington, the Commission members in their official capacities, or, as Defendants Jinkins and
3 Billig suggest, minority leaders of the Washington Legislature) should be made parties if no one
4 seeks to intervene is an issue that should be addressed and resolved promptly. This will avoid
5 any possible concerns from lack of “sharp adversarial presentation of the issues,” *United States*
6 *v. Windsor*, 570 U.S. 744, 761 (2013), and ensure full consideration and resolution of the case.

7 RESPECTFULLY SUBMITTED this 14th day of March, 2022.

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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 14th day of March 2022, at Olympia, Washington.

s/ Leena Vanderwood
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