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3 KING COUNTY
4 SUPERIOR COURT CLERK
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6 CASE #: 22-2-19384-1 SEA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

VET VOICE FOUNDATION, THE)
WASHINGTON BUS, EL CENTRO DE LA) No. 22-2-19384-1 SEA
RAZA, KAELEENE ESCALANTE)
MARTINEZ, BETHAN CANTRELL, AND)
DAISHA BRITT, GABRIEL BERSON, AND) KING COUNTY DEFENDANTS'
MARI MATSUMOTO;) ANSWER TO PLAINTIFFS' FIRST
) AMENDED COMPLAINT FOR
Plaintiffs,) DECLARTORY AND INJUNCTIVE
v.) RELIEF
)
STEVE HOBBS, in his official capacity as)
Washington State Secretary of State, JULIE)
WISE, in her official capacity as the)
Auditor/Director of Elections in King County)
and a King County Canvassing Board Member,)
SUSAN SLONECKER, in her official capacity)
as a King County Canvassing Board Member,)
AND STEPHANIE CIRKOVICH, in her)
official capacity as a King County Canvassing)
Board Member;)
)
Defendants.)

COMES NOW Defendants Julie Wise, Director of King County Elections, Susan
Slonecker, King County Canvassing Board Member and Stephanie Cirkovich, King County
Canvassing Board Member (hereafter King County Defendants), to answer Plaintiffs' Complaint
for Declaratory and Injunctive Relief (hereinafter "Complaint"), admit, deny and state and allege
as set forth below: Each allegation contained in Plaintiffs' Complaint not expressly admitted in

1 full below is denied. The paragraph numbers below correspond to the paragraph numbers in
2 Plaintiffs' Complaint.

3 **COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

4 **NATURE OF THE ACTION**

5 1. In answering paragraph 1 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn.2d 85,
6 95, 163 P.3d 757 (2007), *Gold Bar Citizens for Good Gov't v. Whalen*, 99 Wn.2d 724, 730, 665
7 P.2d 393 (1983) (quoting *Reynolds v. Sims*, 377 U.S. 533, 555 (1964)), and RCW 29A.04.205
8 speak for themselves. The remaining allegations in this complaint raise legal conclusions to
9 which no answer is required.

10 2. In answering paragraph 2 of Plaintiffs' Complaint, King County Defendants deny.

11 3. In answering paragraph 3 of Plaintiffs' Complaint, King County Defendants admit
12 only that RCW 29A.40.091 requires the county auditor to send each voter a ballot that includes a
13 declaration that the voter must sign to swear under penalty of perjury that he or she meets to the
14 qualifications to vote, and that RCW 29A.40.110 requires the county auditor's personnel to
15 verify that the voter's signature on the ballot declaration is the same as the signature of that voter
16 in the registration files of the county and that all personnel assigned to verify signatures must
17 receive training on statewide standards for signature verification. Any remaining allegations in
18 this paragraph are denied.

19 4. In answering paragraph 4 of Plaintiffs' Complaint, King County Defendants deny.

20 5. In answering paragraph 5 of Plaintiffs' Complaint, King County Defendants deny.

21 6. In answering paragraph 6 of Plaintiffs' Complaint, King County Defendants are
22 without sufficient information to form a belief as to the truth or falsity of the allegations
23 contained therein and, therefore, deny the same.

1 7. In answering paragraph 7 of Plaintiffs' Complaint, King County Defendants admit
2 only that RCW 29A.04.205 provides that "It is the policy of the state of Washington to
3 encourage every eligible person to register to vote and to participate fully in all elections, and to
4 protect the integrity of the electoral process by providing equal access to the process while
5 guarding against discrimination and fraud. The election registration laws and the voting laws of
6 the state of Washington must be administered without discrimination based upon race, creed,
7 color, national origin, sex, or political affiliation." Any remaining allegations in this paragraph
8 are denied.

9 8. In answering paragraph 8 of Plaintiffs' Complaint, King County Defendants deny.

10 **PARTIES**

11 9. In answering paragraph 9 of Plaintiffs' Complaint, King County Defendants are
12 without sufficient information to form a belief as to the truth or falsity of the allegations
13 contained therein and, therefore, deny the same.

14 10. In answering paragraph 10 of Plaintiffs' Complaint, King County Defendants are
15 without sufficient information to form a belief as to the truth or falsity of the allegations
16 contained therein and, therefore, deny the same.

17 11. In answering paragraph 11 of Plaintiffs' Complaint, King County Defendants are
18 without sufficient information to form a belief as to the truth or falsity of the allegations
19 contained therein and, therefore, deny the same.

20 12. In answering paragraph 12 of Plaintiffs' Complaint, King County Defendants are
21 without sufficient information to form a belief as to the truth or falsity of the allegations
22 contained therein and, therefore, deny the same.
23

1 13. In answering paragraph 13 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 14. In answering paragraph 14 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 15. In answering paragraph 15 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 16. In answering paragraph 16 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 17. In answering paragraph 17 of Plaintiffs' Complaint, King County Defendants are
14 without sufficient information to form a belief as to the truth or falsity of the allegations
15 contained therein and, therefore, deny the same.

16 18. In answering paragraph 18 of Plaintiffs' Complaint, King County Defendants are
17 without sufficient information to form a belief as to the truth or falsity of the allegations
18 contained therein and, therefore, deny the same.

19 19. In answering paragraph 19 of Plaintiffs' Complaint, King County Defendants are
20 without sufficient information to form a belief as to the truth or falsity of the allegations
21 contained therein and, therefore, deny the same.

1 20. In answering paragraph 20 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 21. In answering paragraph 21 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 22. In answering paragraph 22 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 23. In answering paragraph 23 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 24. In answering paragraph 24 of Plaintiffs' Complaint, King County Defendants are
14 without sufficient information to form a belief as to the truth or falsity of the allegations
15 contained therein and, therefore, deny the same.

16 25. In answering paragraph 25 of Plaintiffs' Complaint, King County Defendants are
17 without sufficient information to form a belief as to the truth or falsity of the allegations
18 contained therein and, therefore, deny the same.

19 26. In answering paragraph 26 of Plaintiffs' Complaint, King County Defendants make
20 no response to these allegations as they pertain to another defendant

21 27. In answering paragraph 27 of Plaintiffs' Complaint, King County Defendants admit
22 only that Julie Wise is the elected Director of Elections in King County and the Susan Slonecker
23

1 and Stephanie Cirkovich are King County employees and canvassing board members. Any
2 remaining allegations in this paragraph are denied.

3 JURISDICTION AND VENUE

4 28. In answering paragraph 28 of Plaintiffs' Complaint, King County Defendants leave
5 the matters of jurisdiction and venue to the Court

6 29. In answering paragraph 29 of Plaintiffs' Complaint, King County Defendants leave
7 the matters of jurisdiction and venue to the Court.

8 30. In answering paragraph 30 of Plaintiffs' Complaint, King County Defendants deny.

9 31. In answering paragraph 31 of Plaintiffs' Complaint, King County Defendants deny.

10 FACTUAL ALLEGATIONS

11 A. Washington's Signature Matching Procedure Disenfranchises Tens of Thousands of 12 Voters for No Discernable Benefit

13 32. In answering paragraph 32 of Plaintiffs' Complaint, King County Defendants deny.

14 33. In answering paragraph 33 of Plaintiffs' Complaint, King County Defendants deny.

15 34. In answering paragraph 34 of Plaintiffs' Complaint, King County Defendants are
16 without sufficient information to form a belief as to the truth or falsity of the allegations
17 contained therein and, therefore, deny the same.

18 35. In answering paragraph 35 of Plaintiffs' Complaint, King County Defendants deny.

19 36. In answering paragraph 36 of Plaintiffs' Complaint, King County Defendants deny.

20 37. In answering paragraph 37 of Plaintiffs' Complaint, King County Defendants deny.

21 38. In answering paragraph 38 of Plaintiffs' Complaint, King County Defendants deny.

22 39. In answering paragraph 39 of Plaintiffs' Complaint, King County Defendants are
23 without sufficient information to form a belief as to the truth or falsity of the allegations
contained therein and, therefore, deny the same.

1 40. In answering paragraph 40 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 41. In answering paragraph 41 of Plaintiffs' Complaint, King County Defendants deny.

5 42. In answering paragraph 42 of Plaintiffs' Complaint, King County Defendants are
6 without sufficient information to form a belief as to the truth or falsity of the allegations
7 contained therein and, therefore, deny the same.

8 43. In answering paragraph 43 of Plaintiffs' Complaint, King County Defendants deny.

9 **B. Washington's Electoral Scheme**

10 44. In answering paragraph 44 of Plaintiffs' Complaint, King County Defendants admit
11 only that Washington Laws of 2011, Ch. 10 enacted amendments to RCW 29A.40.010 that
12 require that each registered voter of the state shall automatically be issued a mail ballot for
13 general, special and primary elections. King County Defendants are without sufficient
14 information to form a belief as to the truth or falsity of the remaining allegations contained
15 therein and, therefore, deny the same.

16 45. In answering paragraph 45 of Plaintiffs' Complaint, King County Defendants admit.

17 46. In answering paragraph 46 of Plaintiffs' Complaint, King County Defendants admit.

18 **C. Washington's Signature Matching Process**

19 47. In answering paragraph 47 of Plaintiffs' Complaint, King County Defendants admit
20 only that RCW 29A.40.110 requires that the county auditor's personnel to verify that the voter's
21 signature on the ballot declaration is the same as the signature of that voter in the registration
22 files of the county. However, to the extent factual allegations are intended or legal conclusions
23 contrary to applicable law are alleged, they are hereby denied.

1 48. In answering paragraph 48 of Plaintiffs' Complaint, King County Defendants admit.

2 49. In answering paragraph 49 of Plaintiffs' Complaint, King County Defendants admit
3 provisions of the Washington Administrative Code provide a ballot signature verification process
4 and standards and a procedure for voters to cure missing signatures or signatures that do not
5 match the signature on the voter's registration record. However, to the extent factual allegations
6 are intended or legal conclusions contrary to applicable law are alleged, they are hereby denied.

7 **D. Washington Provides Limited Signature Matching Guidance That Requires**
8 **Election Officials to Make Subjective, Arbitrary Determinations**

9 50. In answering paragraph 50 of Plaintiffs' Complaint, King County Defendants admit.

10 51. In answering paragraph 51 of Plaintiffs' Complaint, King County Defendants admit.

11 52. In answering paragraph 52 of Plaintiffs' Complaint, King County Defendants deny.

12 53. In answering paragraph 53 of Plaintiffs' Complaint, WAC 434-379-020 speaks for
13 itself. Any remaining allegations in this paragraph are denied.

14 54. In answering paragraph 54 of Plaintiffs' Complaint, King County Defendants admit
15 only that the Washington State Patrol provides training to King County elections personnel who
16 conduct signature verification. Any remaining allegations in this paragraph are denied.

17 55. In answering paragraph 55 of Plaintiffs' Complaint, King County Defendants are
18 without sufficient information to form a belief as to the truth or falsity of the allegations
19 contained therein and, therefore, deny the same.

20 56. In answering paragraph 56 of Plaintiffs' Complaint, King County Defendants are
21 without sufficient information to form a belief as to the truth or falsity of the allegations
22 contained therein and, therefore, deny the same.

1 57. In answering paragraph 57 of Plaintiffs' Complaint, King County Defendants
2 admit only that voters and elections personnel are human beings. Any remaining allegations
3 in this paragraph are denied.

4 **E. Washington's Signature Matching System Is Highly Error-Prone and**
5 **Unduly Burdens the Right to Vote**

6 58. In answering paragraph 58 of Plaintiffs' Complaint, King County Defendants deny.

7 59. In answering paragraph 59 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 60. In answering paragraph 60 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 61. In answering paragraph 61 of Plaintiffs' Complaint, King County Defendants are
14 without sufficient information to form a belief as to the truth or falsity of the allegations
15 contained therein and, therefore, deny the same.

16 62. In answering paragraph 62 of Plaintiffs' Complaint, King County Defendants deny.

17 **F. The Signature Matching Procedure Has Disproportionate Impacts on**
18 **Certain Populations Statewide**

19 63. In answering paragraph 63 of Plaintiffs' Complaint, King County Defendants are
20 without sufficient information to form a belief as to the truth or falsity of the allegations
21 contained therein and, therefore, deny the same.

22 64. In answering paragraph 64 of Plaintiffs' Complaint, King County Defendants are
23 without sufficient information to form a belief as to the truth or falsity of the allegations
contained therein and, therefore, deny the same.

1 65. In answering paragraph 65 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 66. In answering paragraph 66 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 67. In answering paragraph 67 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 68. In answering paragraph 68 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 69. In answering paragraph 69 of Plaintiffs' Complaint, King County Defendants are
14 without sufficient information to form a belief as to the truth or falsity of the allegations
15 contained therein and, therefore, deny the same.

16 70. In answering paragraph 70 of Plaintiffs' Complaint, King County Defendants are
17 without sufficient information to form a belief as to the truth or falsity of the allegations
18 contained therein and, therefore, deny the same.

19 71. In answering paragraph 71 of Plaintiffs' Complaint, King County Defendants are
20 without sufficient information to form a belief as to the truth or falsity of the allegations
21 contained therein and, therefore, deny the same.

1 72. In answering paragraph 72 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 73. In answering paragraph 73 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 74. In answering paragraph 74 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 **G. The Signature Matching Procedure Has Disproportionate Impacts on the**
11 **Same Populations in King County**

12 75. In answering paragraph 75 of Plaintiffs' Complaint, King County Defendants are
13 without sufficient information to form a belief as to the truth or falsity of the allegations
14 contained therein and, therefore, deny the same.

15 76. In answering paragraph 76 of Plaintiffs' Complaint, King County Defendants are
16 without sufficient information to form a belief as to the truth or falsity of the allegations
17 contained therein and, therefore, deny the same.

18 77. In answering paragraph 77 of Plaintiffs' Complaint, King County Defendants are
19 without sufficient information to form a belief as to the truth or falsity of the allegations
20 contained therein and, therefore, deny the same.

21 78. In answering paragraph 78 of Plaintiffs' Complaint, King County Defendants are
22 without sufficient information to form a belief as to the truth or falsity of the allegations
23 contained therein and, therefore, deny the same.

1 79. In answering paragraph 79 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 80. In answering paragraph 80 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 81. In answering paragraph 81 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 **H. The Signature Matching Procedure Disproportionately Impacts ActiveDuty**
11 **Military and Overseas Voters**

12 82. In answering paragraph 82 of Plaintiffs' Complaint, King County Defendants are
13 without sufficient information to form a belief as to the truth or falsity of the allegations
14 contained therein and, therefore, deny the same.

15 83. In answering paragraph 83 of Plaintiffs' Complaint, King County Defendants are
16 without sufficient information to form a belief as to the truth or falsity of the allegations
17 contained therein and, therefore, deny the same.

18 84. In answering paragraph 84 of Plaintiffs' Complaint, King County Defendants are
19 without sufficient information to form a belief as to the truth or falsity of the allegations
20 contained therein and, therefore, deny the same.

21 **I. Other Groups Are Especially Vulnerable to Disenfranchisement Through the**
22 **Signature Matching Procedure**

1 85. In answering paragraph 85 of Plaintiffs' Complaint, King County Defendants are
2 without sufficient information to form a belief as to the truth or falsity of the allegations
3 contained therein and, therefore, deny the same.

4 86. In answering paragraph 86 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 87. In answering paragraph 87 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 88. In answering paragraph 88 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 **J. Whether a Voter's Ballot Will Be Accepted or Rejected Depends in Large**
14 **Part on What County They Vote In**

15 89. In answering paragraph 89 of Plaintiffs' Complaint, King County Defendants are
16 without sufficient information to form a belief as to the truth or falsity of the allegations
17 contained therein and, therefore, deny the same.

18 90. In answering paragraph 90 of Plaintiffs' Complaint, King County Defendants are
19 without sufficient information to form a belief as to the truth or falsity of the allegations
20 contained therein and, therefore, deny the same.

21 **K. The Signature Matching Procedure Imposes an Undue Burden on the Right**
22 **to Vote That Is Not Justified by Any Legitimate, Much Less Compelling,**
23 **State Interest**

91. In answering paragraph 91 of Plaintiffs' Complaint, King County Defendants deny.

92. In answering paragraph 92 of Plaintiffs' Complaint, King County Defendants deny.

1 93. In answering paragraph 93 of Plaintiffs' Complaint, King County Defendants deny.

2 94. In answering paragraph 94 of Plaintiffs' Complaint, WAC 434-250-130 and RCW
3 29A.40.070 speak for themselves. King County Defendants are without sufficient information to
4 form a belief as to the truth or falsity of the remaining allegations contained in this paragraph
5 and, therefore, deny the same.

6 95. In answering paragraph 95 of Plaintiffs' Complaint, WAC 434-250-120 and RCW
7 29A.84.680 speak for themselves. King County Defendants are without sufficient information to
8 form a belief as to the truth or falsity of the remaining allegations contained in this paragraph
9 and, therefore, deny the same.

10 96. In answering paragraph 96 of Plaintiffs' Complaint, WAC 434-230-015 speaks for
11 itself. King County Defendants are without sufficient information to form a belief as to the truth
12 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same.

13 97. In answering paragraph 97 of Plaintiffs' Complaint, King County Defendants admit.

14 98. In answering paragraph 98 of Plaintiffs' Complaint, King County Defendants admit.

15 99. In answering paragraph 99 of Plaintiffs' Complaint, King County Defendants are
16 without sufficient information to form a belief as to the truth or falsity of the allegations
17 contained therein and, therefore, deny the same.

18 100. In answering paragraph 100 of Plaintiffs' Complaint, King County Defendants
19 deny.

20 **L. Washington's Limited Cure Process Places Additional Unnecessary Burdens**
21 **on Voters**

22 101. In answering paragraph 101 of Plaintiffs' Complaint, King County Defendants
23 admit only that Washington statutes and regulations provide a procedure for curing signatures

1 that do not match the signature on the voter's registration record. Any remaining allegations in
2 this paragraph are denied.

3 102. In answering paragraph 102 of Plaintiffs' Complaint, WAC 434-261-050 speaks for
4 itself. King County Defendants are without sufficient information to form a belief as to the truth
5 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same

6 103. In answering paragraph 103 of Plaintiffs' Complaint, WAC 434-261-050 speaks for
7 itself. King County Defendants are without sufficient information to form a belief as to the truth
8 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same

9 104. In answering paragraph 104 of Plaintiffs' Complaint, WAC 434-261-050 speaks for
10 itself. King County Defendants are without sufficient information to form a belief as to the truth
11 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same

12 105. In answering paragraph 105 of Plaintiffs' Complaint, King County Defendants
13 admit only that Washington statutes and regulations provide a procedure for curing signatures
14 that do not match the signature on the voter's registration record. Any remaining allegations in
15 this paragraph are denied.

16 **M. The Washington State Auditor Confirmed the Numerous Problems with**
17 **Washington's Signature Matching Procedure**

18 106. In answering paragraph 106 of Plaintiffs' Complaint, King County Defendants
19 admit only that the Washington State Auditor conducted an audit. Any remaining allegations in
20 this paragraph are denied.

21 107. In answering paragraph 107 of Plaintiffs' Complaint, King County Defendants
22 admit only that these were the findings of the State Auditor.

23 108. In answering paragraph 108 of Plaintiffs' Complaint, King County Defendants
admit only that these were the findings of the State Auditor.

1 109. In answering paragraph 109 of Plaintiffs' Complaint, King County Defendants
2 admit only that these were the findings of the State Auditor.

3 110. In answering paragraph 110 of Plaintiffs' Complaint, King County Defendants
4 admit only that these were the findings of the State Auditor.

5 111. In answering paragraph 111 of Plaintiffs' Complaint, King County Defendants
6 admit only that these were the findings of the State Auditor.

7 112. In answering paragraph 112 of Plaintiffs' Complaint, King County Defendants
8 admit only that these were the findings of the State Auditor.

9 113. In answering paragraph 113 of Plaintiffs' Complaint, King County Defendants
10 admit only that these were the findings of the State Auditor.

11 **FIRST CAUSE OF ACTION VIOLATION OF ARTICLE I SECTION 19 OF THE**
12 **WASHINGTON STATE CONSTITUTION - ALL DEFENDANTS**
13 **(UNCONSTITUTIONAL BURDEN ON THE RIGHT TO VOTE)**

14 114. In answering paragraph 114 of Plaintiffs' Complaint, King County Defendants
15 incorporate all responses and denials as set forth in the previous paragraphs.

16 115. In answering paragraph 115 of Plaintiffs' Complaint, Article I, Section 19 of the
17 Washington State Constitution speaks for itself. Any remaining allegations in this paragraph are
18 denied.

19 116. In answering paragraph 116 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn.2d
20 at 99, 163 P.3d 757 (2007) speaks for itself. Any remaining allegations in this paragraph are
21 denied.

22 117. In answering paragraph 117 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
23 85, 97, 163 P.3d 757 (2007) speaks for itself. Any remaining allegations in this paragraph are
denied.

1 118. In answering paragraph 118 of Plaintiffs' Complaint, King County Defendants
2 admit only that Washington's Signature Matching Procedure requires Washington voters to
3 produce signatures. Any remaining allegations in this paragraph are denied.

4 119. In answering paragraph 119 of Plaintiffs' Complaint, King County Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the allegations
6 contained therein and, therefore, deny the same.

7 120. In answering paragraph 120 of Plaintiffs' Complaint, King County Defendants are
8 without sufficient information to form a belief as to the truth or falsity of the allegations
9 contained therein and, therefore, deny the same.

10 121. In answering paragraph 121 of Plaintiffs' Complaint, King County Defendants are
11 without sufficient information to form a belief as to the truth or falsity of the allegations
12 contained therein and, therefore, deny the same.

13 122. In answering paragraph 122 of Plaintiffs' Complaint, King County Defendants
14 make no response as the allegations appear to contain only legal conclusions for which no
15 response is required. To the extent they may be deemed allegations of fact, King County
16 Defendants deny the allegations of paragraph 114.

17 **SECOND CAUSE OF ACTION**
18 **VIOLATION OF ARTICLE I SECTIONS 12 AND 19 OF THE**
19 **WASHINGTON STATE CONSTITUTION - ALL DEFENDANTS**
20 **(EQUAL PROTECTION)**

21 123. In answering paragraph 123 of Plaintiffs' Complaint, King County Defendants
22 incorporate all responses and denials as set forth in the previous paragraphs.

23 124. In answering paragraph 124 of Plaintiffs' Complaint, Article I, Section 12 of the
Washington State Constitution and *Grant Cty. Fire Prot. Dist. No. 5 v. City of Moses Lake*, 150
Wn. 2d 791, 810, 83 P.3d 419 (2004) speak for themselves. King County Defendants are

1 without sufficient information to form a belief as to the truth or falsity of the remaining
2 allegations contained in this paragraph and, therefore, deny the same.

3 125. In answering paragraph 125 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
4 85, 95, 163 P.3d 757 (2007) speaks for itself. King County Defendants are without sufficient
5 information to form a belief as to the truth or falsity of the remaining allegations contained in
6 this paragraph and, therefore, deny the same.

7 126. In answering paragraph 126 of Plaintiffs' Complaint, *Am. Legion Post #149 v.*
8 *Washington State Dep't of Health*, 164 Wn. 2d 570, 609, 192 P.3d 306, 326 (2008) speaks for
9 itself. King County Defendants are without sufficient information to form a belief as to the truth
10 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same.

11 127. In answering paragraph 127 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
12 85, 97, 163 P.3d 757 (2007) and *Ockletree v. Franciscan Health Sys.*, 179 Wn. 2d 769, 776, 317
13 P.3d 1009 (2014) speak for themselves. King County Defendants are without sufficient
14 information to form a belief as to the truth or falsity of the remaining allegations contained in
15 this paragraph and, therefore, deny the same.

16 128. In answering paragraph 128 of Plaintiffs' Complaint, King County Defendants
17 make no response to these allegations as they pertain to another defendant. King County
18 Defendants are without sufficient information to form a belief as to the truth or falsity of the
19 remaining allegations contained in this paragraph and, therefore, deny the same.

20 129. In answering paragraph 129 of Plaintiffs' Complaint, King County Defendants
21 make no response to these allegations as they pertain to another defendant. King County
22 Defendants are without sufficient information to form a belief as to the truth or falsity of the
23 remaining allegations contained in this paragraph and, therefore, deny the same.

1 response is required. To the extent they may be deemed allegations of fact, King County
2 Defendants deny the allegations of paragraph 135.

3 **FOURTH CAUSE OF ACTION**
4 **VIOLATION OF ARTICLE I SECTION 3 OF THE WASHINGTON STATE**
5 **CONSTITUTION - ALL DEFENDANTS**
6 **(ARBITRARY AND CAPRICIOUS GOVERNMENT ACTION)**

7 136. In answering paragraph 136 of Plaintiffs' Complaint, King County Defendants
8 incorporate all responses and denials as set forth in the previous paragraphs.

9 137. In answering paragraph 137 of Plaintiffs' Complaint, *Carlson v. San Juan Cty.*, 183
10 Wn. App. 354, 375, 333 P.3d 511 (2014) speaks for itself. King County Defendants are without
11 sufficient information to form a belief as to the truth or falsity of the remaining allegations
12 contained in this paragraph and, therefore, deny the same.

13 138. In answering paragraph 138 of Plaintiffs' Complaint, King County Defendants are
14 without sufficient information to form a belief as to the truth or falsity of the remaining
15 allegations contained in this paragraph and, therefore, deny the same.

16 139. In answering paragraph 139 of Plaintiffs' Complaint, King County Defendants are
17 without sufficient information to form a belief as to the truth or falsity of the remaining
18 allegations contained in this paragraph and, therefore, deny the same.

19 140. In answering paragraph 140 of Plaintiffs' Complaint, King County Defendants
20 make no response as the allegations appear to contain only legal conclusions for which no
21 response is required. To the extent they may be deemed allegations of fact, King County
22 Defendants deny the allegations of paragraph 140.

23 **FIFTH CAUSE OF ACTION**
VIOLATION OF RCW 29A.04.206 - ALL DEFENDANTS
(RIGHT TO VOTE)

1 141. In answering paragraph 141 of Plaintiffs' Complaint, King County Defendants
2 incorporate all responses and denials as set forth in the previous paragraphs.

3 142. In answering paragraph 142 of Plaintiffs' Complaint, RCW 29A.04.206(1) speaks
4 for itself. King County Defendants are without sufficient information to form a belief as to the
5 truth or falsity of the remaining allegations contained in this paragraph and, therefore, deny the
6 same.

7 143. In answering paragraph 143 of Plaintiffs' Complaint, Article IV, Section 1 of the
8 Washington State Constitution speaks for itself. King County Defendants are without sufficient
9 information to form a belief as to the truth or falsity of the remaining allegations contained in
10 this paragraph and, therefore, deny the same.

11 144. In answering paragraph 144 of Plaintiffs' Complaint, King County Defendants
12 deny.

13 145. In answering paragraph 145 of Plaintiffs' Complaint, RCW 29A.04.206 speaks for
14 itself. King County Defendants are without sufficient information to form a belief as to the truth
15 or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same.

16 146. In answering paragraph 146 of Plaintiffs' Complaint, King County Defendants
17 make no response as the allegations appear to contain only legal conclusions for which no
18 response is required. To the extent they may be deemed allegations of fact, King County
19 Defendants deny the allegations of paragraph 146.

20 **PRAYER FOR RELIEF**

21 In answering paragraphs A-E of Plaintiffs' prayer for relief on page 40 of Plaintiffs'
22 Complaint, King County Defendants deny that Plaintiffs are entitled to any of the relief sought.

1 BY WAY OF FURTHER ANSWER and AFFIRMATIVE DEFENSES, and without
2 admitting anything previously denied, defendant King County states as follows:

- 3 1. Plaintiffs' claims are moot.
- 4 2. Plaintiffs' claims are not ripe.
- 5 3. Plaintiffs' have failed to exhaust remedies provided by statute.
- 6 4. Plaintiffs lack standing.
- 7 5. Plaintiffs' claims are preempted by federal law.
- 8 6. Plaintiffs' claims are barred by applicable statutes of limitation.
- 9 7. Plaintiffs' claims are barred by the doctrine of laches.
- 10 8. Plaintiffs have failed to state a claim upon which relief may be granted.
- 11 9. Defendants at all times acted in good faith in the performance of duties and are

12 therefore immune from suit and entitled to discretionary immunity and/or qualified immunity for
13 the matters alleged in the Plaintiffs' complaint.

14 10. King County is not liable for pre-judgment interest because the State of
15 Washington, of which King County is a political subdivision, has no consented to such pre-
16 judgment interest. RCW 4.56.115.

17 King County Defendants reserve the right to amend this Answer, including these
18 affirmative defenses, if and when additional facts are discovered which support such
19 amendments.

20 WHEREFORE, King County Defendants pray that Plaintiffs take nothing by their
21 Complaint, that the Complaint be dismissed with prejudice.

22 //

23 //

1 DATED this 18th day of January, 2023.

2 LEESA MANION
3 King County Prosecuting Attorney

4 By: 
ANN M. SUMMERS, WSBA #21509

5
6 By: 
DAVID J. HACKETT, WSBA #21236

7
8 By: 
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1 **CERTIFICATE OF SERVICE**

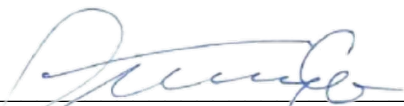
2 I hereby certify that on January 18, 2023, I electronically filed the foregoing document
3 with the Clerk of the Court using the King County Superior Court E-Filing System which will
4 send notification of such filing to the following parties:

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Attorneys for State Defendant Steve Hobbs

18 I declare under penalty of perjury under the laws of the State of Washington that the
19 foregoing is true and correct.

20 DATED this 18th day of January, 2023.

21 
22 _____
23 RAFAEL MUNOZ-CINTRON
Paralegal I
King County Prosecuting Attorney's Office