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**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

VET VOICE FOUNDATION; THE  
WASHINGTON BUS; EL CENTRO DE LA  
RAZA; KAELEENE ESCALANTE  
MARTINEZ; BETHAN CANTRELL;  
DAISHA BRITT; GABRIEL BERSON; and  
MARI MATSUMOTO,

Plaintiffs,

v.

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.

NO. 22-2-19384-1 SEA

DEFENDANT STEVE HOBBS'  
ANSWER TO PLAINTIFF'S  
SECOND AMENDED  
COMPLAINT FOR  
DECLARATORY AND  
INJUNCTIVE RELIEF

Defendant Secretary of State Steve Hobbs hereby answers Plaintiffs' Second Amended Complaint for Declaratory Judgement as follows. Except as herein expressly admitted or qualified, Secretary Hobbs denies each and every allegation, statement, or charge contained in the Second Amended Complaint, and denies that Plaintiffs are entitled to any of the relief requested. The Second Amended Complaint includes headings, which are not specifically

1 responded to herein and are re-produced for the purposes of readability and convenience. To the  
2 extent a response to any heading is required, the heading is denied.

3 Secretary Hobbs reserves the right to amend this pleading as permitted by this Court's  
4 rules and orders, including Civil Rule 15.

### 5 I. NATURE OF THE ACTION

6 1. Secretary Hobbs admits that the cases and statute cited in this Paragraph, which  
7 speak for themselves, are accurately quoted.

8 2. 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 a further response is required,  
10 denied.

11 3. Secretary Hobbs admits that comparison of a voter's signature on the declaration  
12 accompanying a ballot to the signature on a voter's registration is a means to verify that the ballot  
13 was cast by the person to whom it was issued; Secretary Hobbs admits that the elections officials  
14 comparing such signatures are human; Secretary Hobbs admits that in the event an elections  
15 official determines that the signatures do not match there is an opportunity to cure the signature  
16 such that the ballot may be counted. The remainder of this Paragraph consists of argument,  
17 conclusions of law, and characterization to which no response is required. To the extent a further  
18 response is required, denied.

19 4. Secretary Hobbs admits that from the 2018 Primary Election through the  
20 2022 Primary Election, tens of thousands of voters whose ballots were initially rejected for  
21 mismatched signatures were able to cure their ballots and have their ballots counted.  
22 Secretary Hobbs denies the remainder.

23 5. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
24 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-)  
25 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-)  
26

1 [1029711.pdf](#). The audit speaks for itself. Secretary Hobbs denies the remainder of the allegations  
2 in this Paragraph.

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

5 7. Secretary Hobbs admits that comparison of a voter's signature on the declaration  
6 accompanying a ballot to the signature on a voter's registration is a means to verify that the ballot  
7 was cast by the person to whom it was issued. Secretary Hobbs admits that successful voter fraud  
8 is rare in Washington. The remainder of this Paragraph asserts legal conclusions and questions  
9 of law to be determined by the Court, to which no response is required. To the extent a further  
10 response is required, denied.

11 8. This paragraph summarizes Plaintiff's claims and requests for relief, and requires  
12 no response. To the extent further response is required, denied.

13 9. This paragraph summarizes Plaintiff's request for relief, and requires no  
14 response. To the extent a further response is required, denied.

15 **Q. PARTIES**

16 10. Secretary Hobbs admits that Plaintiff Vet Voice Foundation is a charitable  
17 organization with a status of "involuntarily closed" in the Secretary of State's records.  
18 Secretary Hobbs is without information sufficient to form a belief as to the truth of the remaining  
19 allegations in this Paragraph, and therefore denies.

20 11. Secretary Hobbs admits that Plaintiff The Washington Bus is a charitable  
21 organization. Secretary Hobbs is without information sufficient to form a belief as to the truth  
22 of the remaining allegations in this Paragraph, and therefore denies.

23 12. Secretary Hobbs admits that Plaintiff El Centro de la Raza is a charitable,  
24 organization. Secretary Hobbs is without information sufficient to form a belief as to the truth  
25 of the remaining allegations in this Paragraph, and therefore denies.  
26

1           13. Secretary Hobbs admits that Plaintiff Kaeleene Escalante Martinez has attested  
2 that she is a United States citizen and over the age of 18, and is a registered voter in the State of  
3 Washington. Secretary Hobbs is without information sufficient to form a belief as to the truth of  
4 the remaining allegations in this Paragraph, and therefore denies.

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

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

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

11           17. Secretary Hobbs admits that Plaintiff Bethan Cantrell has attested that she is a  
12 United States citizen and over the age of 18, and is a registered voter in the State of Washington.  
13 Secretary Hobbs is without information sufficient to form a belief as to the truth of the remaining  
14 allegations in this Paragraph, and therefore denies.

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

17           19. Secretary Hobbs admits that Plaintiff Gabriel Berson, M.D. has attested that he is  
18 a United States citizen and over the age of 18, and is a registered voter in the State of Washington.  
19 Secretary Hobbs is without information sufficient to form a belief as to the truth of the remaining  
20 allegations in this Paragraph, and therefore denies.

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

23           21. Secretary Hobbs admits that Plaintiff Mari Matsumoto is an attorney.  
24 Secretary Hobbs is without information sufficient to form a belief as to the truth of the remaining  
25 allegations in this Paragraph, and therefore denies.  
26





1 non-existent in Washington. Secretary Hobbs is without information sufficient to form a belief  
2 as to the truth of the remaining allegations in this Paragraph, and therefore denies.

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

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

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

9 43. This Paragraph asserts legal conclusions and questions of law to be determined  
10 by the Court, to which no response is required. To the extent a response is required, denied.

11 44. Admit.

12 45. Secretary Hobbs admits that every active registered voter is mailed a mail ballot  
13 at their address of registration for every election by local election officials at least 18 days before  
14 the election. Secretary Hobbs is without information to form a belief as to the truth of the  
15 remaining allegations in this Paragraph, and accordingly denies the same.

16 46. Admit.

17 47. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
18 of the Revised Code of Washington, which otherwise speaks for itself. To the extent a further  
19 response is required, denied.

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

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

24 50. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
25 of the Revised Code of Washington, which otherwise speaks for itself. To the extent a further  
26 response is required, denied.

1           51. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
2 of the Washington Administrative Code, which otherwise speaks for itself. To the extent a  
3 further response is required, denied.

4           52. Secretary Hobbs admits that a training is offered to election officials on signature  
5 verification. Secretary Hobbs denies the remainder of the allegations in this Paragraph.

6           53. This paragraph alleges that a document contains certain language without  
7 providing the title of the document, its author, or a means to view the document to verify the  
8 accuracy of the allegations. Accordingly, Secretary Hobbs is without information sufficient to  
9 form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

10          54. This paragraph alleges that a document contains certain language without  
11 providing the title of the document, its author, or a means to view the document to verify the  
12 accuracy of the allegations. Accordingly, Secretary Hobbs is without information sufficient to  
13 form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

14          55. This Paragraph consists of legal argument and characterizations to which no  
15 response is required. To the extent a response is required, denied.

16          56. Secretary Hobbs denies that verification of signatures on voter declarations are  
17 highly error-prone. Secretary Hobbs lacks sufficient information to admit or deny the remaining  
18 allegations in this this Paragraph, and therefore denies.

19          57. Secretary Hobbs admits that tens of thousands of voters successfully cured  
20 mismatched signatures on their voter's declarations in the 2020 general election.  
21 Secretary Hobbs lacks sufficient information to admit or deny the remaining allegations in this  
22 this Paragraph, and therefore denies.

23          58. Denied.

24          59. Denied.

25          60. Denied.

26



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

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

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

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

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

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

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

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

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

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

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

23          72. Secretary Hobbs admits only that this Paragraph has accurately quoted or  
24 paraphrased a portion of the Revised Code of Washington, which otherwise speaks for itself.  
25 Secretary Hobbs is without information sufficient to form a belief as to the truth of the remaining  
26 allegations in this Paragraph, and therefore denies.

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

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

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

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

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

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

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

15          80.     Uniformed service voters, service voters, and overseas voters may vote as  
16 provided in chapter 434-235 WAC. To the extent this Paragraph conflicts with chapter  
17 434-235 WAC, it is denied. Secretary Hobbs denies the remainder of the allegations in this  
18 Paragraph.

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

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

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

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

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

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

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

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

9           89.     This Paragraph asserts legal argument and characterization to which no response  
10 is required. To the extent a further response is required, denied.

11          90.     This Paragraph asserts legal argument and characterizations to which no response  
12 is required. To the extent a further response is required, denied.

13          91.     Denied.

14          92.     The cited statute and rule speak for themselves. Secretary Hobbs denies the  
15 remaining allegations in this Paragraph.

16          93.     Admit.

17          94.     Secretary Hobbs admits that WAC 434-230-015 contains a declaration that must  
18 accompany a ballot which is substantially set forth in this Paragraph. WAC 434-230-015 speaks  
19 for itself. To the extent this Paragraph is inconsistent with WAC 434-230-015 it is denied.

20          95.     Admit.

21          96.     Secretary Hobbs admits that Washington participates in the Electronic  
22 Registration and Information Center (“ERIC”), which tracks voters who have moved from one  
23 member jurisdiction to another and receives data on deceased voters from the Social Security  
24 Administration. Secretary Hobbs denies the remainder of the allegations in this Paragraph.

25          97.     Secretary Hobbs admits that the Secretary of State works with the Social Security  
26 Administration, the Washington Department of Licensing, the Washington Department of

1 Health and the Washington Department of Corrections to improve the accuracy of voter  
2 registration data and prevent fraudulently cast ballots from occurring. Secretary Hobbs denies  
3 the remainder of the allegations in this Paragraph.

4 98. Denied.

5 99. 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 a further response is required,  
7 Secretary Hobbs admits that Washington law provides voters the opportunity to cure ballots that  
8 were rejected as part of the signature verification process and denies the remaining allegations  
9 in this Paragraph.

10 100. The procedure for curing a mismatched signature is specified in  
11 WAC 434-261-050, which speaks for itself. To the extent this Paragraph differs from the rule,  
12 Secretary Hobbs denies the allegations in this Paragraph.

13 101. The procedure for curing a mismatched signature is specified in  
14 WAC 434-261-050, which speaks for itself. To the extent this Paragraph differs from the rule,  
15 Secretary Hobbs denies the allegations in this Paragraph.

16 102. The procedure for curing a mismatched signature is specified in  
17 WAC 434-261-050, which speaks for itself. To the extent this Paragraph differs from the rule,  
18 Secretary Hobbs denies the allegations in this Paragraph.

19 103. Denied.

20 104. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
21 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
22 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
23 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
24 this Paragraph.

25 105. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
26 which can be found at this URL: <https://sao.wa.gov/wp->

1 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
2 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
3 this Paragraph.

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5 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
6 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
7 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
8 this Paragraph.

9 107. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
10 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
11 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
12 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
13 this Paragraph.

14 108. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
15 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
16 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
17 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
18 this Paragraph.

19 109. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
20 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
21 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
22 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
23 this Paragraph.

24 110. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
25 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
26 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)

1 [1029711.pdf](#). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
2 this Paragraph.

3 111. Secretary Hobbs admits that the Washington State Auditor conducted an audit  
4 which can be found at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-)  
5 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](#)

6 [1029711.pdf](#). The audit speaks for itself. Secretary Hobbs denies the remaining allegations in  
7 this Paragraph.

8 **V. FIRST CAUSE OF ACTION**  
9 **VIOLATION OF ARTICLE I, SECTION 19 OF THE WASHINGTON STATE**  
10 **CONSTITUTION – ALL DEFENDANTS**  
11 **(UNCONSTITUTIONAL BURDEN ON THE RIGHT TO VOTE)**

12 112. Secretary Hobbs restates and incorporates by reference his responses to the  
13 allegations in the Complaint.

14 113. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
15 of the Washington State Constitution, which otherwise speaks for itself. To the extent a further  
16 response is required, denied.

17 114. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
18 of *Madison v. State*, 161 Wn. 2d 85, 97, 163 P.3d 757 (2007), which otherwise speaks for itself.  
19 To the extent a further response is required, denied.

20 115. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
21 of *Madison v. State*, 161 Wn. 2d 85, 99, 163 P.3d 757 (2007), which otherwise speaks for itself.  
22 To the extent a further response is required, denied.

23 116. This Paragraph states a legal conclusion to which no response is required. To the  
24 extent a response is required, Secretary Hobbs denies the allegations in this Paragraph.

25 117. Secretary Hobbs denies the allegations in this Paragraph.

26 118. This Paragraph states a legal conclusion to which no response is required. To the  
extent a response is required, Secretary Hobbs denies the allegations in this Paragraph.

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

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

5 **VI. SECOND CAUSE OF ACTION**  
6 **VIOLATION OF ARTICLE I, SECTIONS 12 AND 19 OF THE WASHINGTON**  
7 **STATE CONSTITUTION – ALL DEFENDANTS**  
8 **(EQUAL PROTECTION)**

9 121. Secretary Hobbs restates and incorporates by reference his responses to the  
10 allegations in the Complaint.

11 122. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
12 of the Washington State Constitution and has accurately quoted a portion of *Grant Cty. Fire*  
13 *Prot. Dist. No. 5 v. City of Moses Lake*, 150 Wn. 2d 791, 810, 83 P.3d 419 (2004), which  
14 otherwise speaks for itself. To the extent a further response is required, denied.

15 123. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
16 of *Madison v. State*, 161 Wn. 2d 85, 95, 163 P.3d 757 (2007), which otherwise speaks for itself.  
17 To the extent a further response is required, denied.

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

20 125. Secretary Hobbs admits only that this Paragraph has accurately quoted portions  
21 of *Madison v. State*, 161 Wn. 2d 85, 97, 163 P.3d 757 (2007) and *Ockletree v. Franciscan Health*  
22 *Sys.*, 179 Wn. 2d 769, 776, 317 P.3d 1009 (2014), which otherwise speaks for themselves. To  
23 the extent a further response is required, denied.

24 126. Secretary Hobbs denies that Washington State has made any admissions  
25 concerning alleged disproportionate impacts of verifying the signature on a mail-in ballot. The  
26 remainder of this Paragraph consists of legal argument and characterization to which no response

1 is required. To the extent a response is required, Secretary Hobbs denies the allegations in this  
2 Paragraph.

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

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

7 **VII. THIRD CAUSE OF ACTION**  
8 **VIOLATION OF ARTICLE I, SECTIONS 3 AND 12 OF THE WASHINGTON STATE**  
9 **CONSTITUTION**  
10 **(COUNTY DISPARITY; DUE PROCESS)**

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

13 130. Secretary Hobbs admits only that this Paragraph has accurately quoted a portion  
14 of the Washington State Constitution, which otherwise speaks for itself. To the extent a further  
15 response is required, denied.

16 131. Secretary Hobbs admits that the quoted language can be found in the  
17 State Auditor's report available at this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
18 [content/uploads/Tabs/PerformanceAudit/PA\\_Evaluating\\_WA\\_Ballot\\_Rejections\\_ar-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf)  
19 [1029711.pdf](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-1029711.pdf). Plaintiffs allege rejection rates for mismatched signatures without specifying the  
20 election or elections to which they refer and, accordingly, these allegations are denied. The  
21 remainder of this Paragraph consists of legal argument and characterization to which no response  
22 is required. To the extent a response is required, Secretary Hobbs denies the remainder of the  
23 allegations in this Paragraph.

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

26 133. This Paragraph states a legal conclusion to which no response is required. To the  
extent a response is required, Secretary Hobbs denies the allegations in this Paragraph.







1                                   **XII.    SECRETARY HOBBS’S REQUEST FOR RELIEF**

2           Wherefore, Secretary Hobbs prays that the Court:

3           1.     Dismiss Plaintiffs’ Second Amended Complaint with prejudice such that  
4 Plaintiffs take nothing by the Complaint;

5           2.     Allow Secretary Hobbs his costs and attorneys’ fees herein;

6           3.     Other relief that that the Court deems just and equitable.

7           DATED this 18th day of April 2023.

8                                   ROBERT W. FERGUSON  
9                                   Attorney General

10                                   *s/ William McGinty*  
11                                   KARL D. SMITH, WSBA #41988  
12                                   TERA M. HEINTZ, WSBA #54921  
13                                   Deputy Solicitors General  
14                                   WILLIAM MCGINTY, WSBA #41868  
15                                   SUSAN PARK, WSBA #53857  
16                                   Assistant Attorneys General  
17                                   7141 Cleanwater Drive SW  
18                                   PO Box 40111  
19                                   Olympia, WA 98504-0111  
20                                   (360) 709-6470  
21                                   Karl.Smith@atg.wa.gov  
22                                   Tera.Heintz@atg.wa.gov  
23                                   William.McGinty@atg.wa.gov  
24                                   Susan.Park@atg.wa.gov  
25                                   Attorneys for Secretary Steve Hobbs  
26

1 **DECLARATION OF SERVICE**

2 I hereby declare that on this day I caused the foregoing document to be served, via  
3 electronic mail, on the following:

4 Kevin J. Hamilton  
5 Matthew Gordon  
6 Heath L. Hyatt  
7 Hannah Parman  
8 Perkins Coie LLP  
9 KHamilton@perkinscoie.com  
10 MGordon@perkinscoie.com  
11 HHyatt@perkinscoie.com  
12 HParman@perkinscoie.com  
13 *Counsel for Plaintiffs*

14 Ann M. Summers  
15 David J. Hackett  
16 Lindsey Grieve  
17 ann.summers@kingcounty.gov  
18 david.hackett@kingcounty.gov  
19 lindsey.grieve@kingcounty.gov  
20 *Counsel for King County Defendants*

21 I declare, under penalty of perjury under the laws of the State of Washington, that the  
22 foregoing is true and correct.

23 DATED this 18th day of April 2023, at Olympia, Washington.

24 /s/ William McGinty  
25 WILLIAM MCGINTY, WSBA #41868  
26 Assistant Attorney General