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The Honorable Catherine Shaffer

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 CANVASSING
MARI MATSUMOTO,)	BOARD DEFENDANTS' ANSWER
)	TO PLAINTIFFS' SECOND
Plaintiffs,)	AMENDED COMPLAINT FOR
v.)	DECLARATORY AND INJUNCTIVE
)	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, Susan Slonecker, and Stephanie Cirkovich, King County Canvassing Board Members (hereafter "King County Canvassing Board Defendants"), to answer Plaintiffs' Second Amended Complaint for Declaratory and Injunctive Relief (hereinafter "Complaint"), admit, deny and state and allege as set forth below: Each allegation contained in

1 Plaintiffs' Complaint not expressly admitted in full below is denied. The paragraph numbers
2 below correspond to the paragraph numbers in 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 paragraph raise legal conclusions to
9 which no answer is required.

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

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

20 4. In answering paragraph 4 of Plaintiffs' Complaint, King County Canvassing Board
21 Defendants deny.

22 5. In answering paragraph 5 of Plaintiffs' Complaint, King County Canvassing Board
23 Defendants deny.

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

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

12 8. In answering paragraph 8 of Plaintiffs' Complaint, King County Canvassing Board
13 Defendants acknowledge the nature of plaintiffs' claims but deny the merits of those claims.

14 9. In answering paragraph 9 of Plaintiffs' Complaint, King County Canvassing Board
15 Defendants deny.

16 **PARTIES**

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

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

23

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 27. In answering paragraph 27 of Plaintiffs' Complaint, King County Canvassing Board
2 Defendants admit only that Julie Wise is the elected Director of Elections in King County and a
3 King County Canvassing Board member and that Susan Slonecker and Stephanie Cirkovich are
4 King County employees and King County Canvassing Board members. Any remaining
5 allegations in this paragraph are denied.

6
7 **JURISDICTION AND VENUE**

8 28. In answering paragraph 28 of Plaintiffs' Complaint, King County Canvassing Board
9 Defendants leave the matters of jurisdiction and venue to the Court

10 29. In answering paragraph 29 of Plaintiffs' Complaint, King County Canvassing Board
11 Defendants leave the matters of jurisdiction and venue to the Court.

12 30. In answering paragraph 30 of Plaintiffs' Complaint, King County Canvassing Board
13 Defendants leave the matters of jurisdiction and venue to the Court.

14 31. In answering paragraph 31 of Plaintiffs' Complaint, King County Canvassing Board
15 Defendants deny.

16 **FACTUAL ALLEGATIONS**

17 **A. Washington's Signature Verification Requirement Disenfranchises Tens of
18 Thousands of Voters for No Discernable Benefit**

19 32. In answering paragraph 32 of Plaintiffs' Complaint, King County Canvassing Board
20 Defendants deny.

21 33. In answering paragraph 33 of Plaintiffs' Complaint, King County Canvassing Board
22 Defendants deny.

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

1 35. In answering paragraph 35 of Plaintiffs' Complaint, King County Canvassing Board
2 Defendants deny.

3 36. In answering paragraph 36 of Plaintiffs' Complaint, King County Canvassing Board
4 Defendants deny.

5 37. In answering paragraph 37 of Plaintiffs' Complaint, King County Canvassing Board
6 Defendants deny.

7 38. In answering paragraph 38 of Plaintiffs' Complaint, King County Canvassing Board
8 Defendants deny.

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

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

15 41. In answering paragraph 41 of Plaintiffs' Complaint, King County Canvassing Board
16 Defendants deny.

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

20 43. In answering paragraph 43 of Plaintiffs' Complaint, King County Canvassing Board
21 Defendants deny.

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

1 44. In answering paragraph 44 of Plaintiffs' Complaint, King County Canvassing Board
2 Defendants admit only that Washington Laws of 2011, Ch. 10 enacted amendments to RCW
3 29A.40.010 that require that each registered voter of the state shall automatically be issued a
4 mail ballot for general, special and primary elections. King County Canvassing Board
5 Defendants are without sufficient information to form a belief as to the truth or falsity of the
6 remaining allegations contained therein and, therefore, deny the same.

7 45. In answering paragraph 45 of Plaintiffs' Complaint, King County Canvassing Board
8 Defendants admit.

9 46. In answering paragraph 46 of Plaintiffs' Complaint, King County Canvassing Board
10 Defendants admit.

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

16 **C. Washington Provides Limited Signature Verification Guidance That Requires**
17 **Election Officials to Make Subjective, Arbitrary Determinations**

18 48. In answering paragraph 48 of Plaintiffs' Complaint, King County Canvassing Board
19 Defendants admit.

20 49. In answering paragraph 49 of Plaintiffs' Complaint, King County Canvassing Board
21 Defendants admit.

22 50. In answering paragraph 50 of Plaintiffs' Complaint, King County Canvassing Board
23 Defendants deny.

1 51. In answering paragraph 51 of Plaintiffs' Complaint, WAC 434-379-020 speaks for
2 itself. Any remaining allegations in this paragraph are denied.

3 52. In answering paragraph 52 of Plaintiffs' Complaint, King County Canvassing Board
4 Defendants admit only that the Washington State Patrol provides training to King County
5 elections personnel who conduct signature verification. Any remaining allegations in this
6 paragraph are denied.

7 53. In answering paragraph 53 of Plaintiffs' Complaint, King County Canvassing Board
8 Defendants are without sufficient information to form a belief as to the truth or falsity of the
9 allegations contained therein and, therefore, deny the same.

10 54. In answering paragraph 54 of Plaintiffs' Complaint, King County Canvassing Board
11 Defendants are without sufficient information to form a belief as to the truth or falsity of the
12 allegations contained therein and, therefore, deny the same.

13 55. In answering paragraph 55 of Plaintiffs' Complaint, King County Canvassing
14 Board Defendants admit only that voters and elections personnel are human beings. Any
15 remaining allegations in this paragraph are denied.

16 **D. Washington's Signature Verification Requirement Is Highly Error-Prone**
17 **and Unduly Burdens the Right to Vote**

18 56. In answering paragraph 56 of Plaintiffs' Complaint, King County Canvassing Board
19 Defendants deny.

20 57. In answering paragraph 57 of Plaintiffs' Complaint, King County Canvassing Board
21 Defendants are without sufficient information to form a belief as to the truth or falsity of the
22 allegations contained therein and, therefore, deny the same.

1 58. In answering paragraph 58 of Plaintiffs' Complaint, King County Canvassing Board
2 Defendants are without sufficient information to form a belief as to the truth or falsity of the
3 allegations contained therein and, therefore, deny the same.

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

7 60. In answering paragraph 60 of Plaintiffs' Complaint, King County Canvassing Board
8 Defendants deny.

9 **E. The Signature Verification Requirement Has Disproportionate Impacts on**
10 **Certain Populations Statewide**

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

14 62. In answering paragraph 62 of Plaintiffs' Complaint, King County Canvassing Board
15 Defendants are without sufficient information to form a belief as to the truth or falsity of the
16 allegations contained therein and, therefore, deny the same.

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

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

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

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

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

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

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

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

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

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

4 **F. The Signature Verification Requirement Has Disproportionate Impacts on**
5 **the Same Populations in King County**

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

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

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

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

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

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

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

4 **G. The Signature Verification Requirement Disproportionately Impacts**
5 **Active-Duty Military and Overseas Voters**

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

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

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

15 **H. Other Groups Are Especially Vulnerable to Disenfranchisement Through the**
16 **Signature Verification Requirement**

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

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

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

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

7 **I. Whether a Voter's Ballot Will Be Accepted or Rejected Depends in Large**
8 **Part on What County They Vote In**

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

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

15 **J. The Signature Matching Procedure Imposes an Undue Burden on the Right**
16 **to Vote That Is Not Justified by Any Legitimate, Much Less Compelling,**
17 **State Interest**

18 89. In answering paragraph 89 of Plaintiffs' Complaint, King County Canvassing Board
19 Defendants deny.

20 90. In answering paragraph 90 of Plaintiffs' Complaint, King County Canvassing Board
21 Defendants deny.

22 91. In answering paragraph 91 of Plaintiffs' Complaint, King County Canvassing Board
23 Defendants deny.

24 92. In answering paragraph 92 of Plaintiffs' Complaint, WAC 434-250-130 and RCW
25 29A.40.070 speak for themselves. King County Canvassing Board Defendants are without

1 sufficient information to form a belief as to the truth or falsity of the remaining allegations
2 contained in this paragraph and, therefore, deny the same.

3 93. In answering paragraph 93 of Plaintiffs' Complaint, WAC 434-250-120 and RCW
4 29A.84.680 speak for themselves. King County Canvassing Board Defendants are without
5 sufficient information to form a belief as to the truth or falsity of the remaining allegations
6 contained in this paragraph and, therefore, deny the same.

7 94. In answering paragraph 94 of Plaintiffs' Complaint, WAC 434-230-015 speaks for
8 itself. King County Canvassing Board Defendants are without sufficient information to form a
9 belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
10 therefore, deny the same.

11 95. In answering paragraph 95 of Plaintiffs' Complaint, King County Canvassing Board
12 Defendants admit.

13 96. In answering paragraph 96 of Plaintiffs' Complaint, King County Canvassing Board
14 Defendants admit.

15 97. In answering paragraph 97 of Plaintiffs' Complaint, King County Canvassing Board
16 Defendants are without sufficient information to form a belief as to the truth or falsity of the
17 allegations contained therein and, therefore, deny the same.

18 98. In answering paragraph 98 of Plaintiffs' Complaint, King County Canvassing Board
19 Defendants deny.

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

22 99. In answering paragraph 99 of Plaintiffs' Complaint, King County Canvassing Board
23 Defendants admit only that Washington statutes and regulations provide a procedure for curing

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

3 100. In answering paragraph 100 of Plaintiffs' Complaint, WAC 434-261-050 speaks for
4 itself. King County Canvassing Board Defendants are without sufficient information to form a
5 belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
6 therefore, deny the same

7 101. In answering paragraph 101 of Plaintiffs' Complaint, WAC 434-261-050 speaks for
8 itself. King County Canvassing Board Defendants are without sufficient information to form a
9 belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
10 therefore, deny the same

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

15 103. In answering paragraph 103 of Plaintiffs' Complaint, King County Canvassing
16 Board Defendants admit only that Washington statutes and regulations provide a procedure for
17 curing signatures that do not match the signature on the voter's registration record. Any
18 remaining allegations in this paragraph are denied.

19 **L. The Washington State Auditor Confirmed the Numerous Problems with**
20 **Washington's Signature Verification Requirement**

21 104. In answering paragraph 104 of Plaintiffs' Complaint, King County Canvassing
22 Board Defendants admit that the Washington State Auditor conducted an audit which can be
23 found at this URL: : [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-)

[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-)

1 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
2 denied.

3 105. In answering paragraph 105 of Plaintiffs' Complaint, King County Canvassing
4 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
5 this URL: [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-
6 content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-
7 1029711.pdf)

8 [1029711.pdf](#). The audit speaks for itself. Any remaining allegations in this paragraph are
9 denied.

10 106. In answering paragraph 106 of Plaintiffs' Complaint, King County Canvassing
11 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
12 this URL: : [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-
13 content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-
14 1029711.pdf)

15 [1029711.pdf](#). The audit speaks for itself. Any remaining allegations in this paragraph are denied.

16 107. In answering paragraph 107 of Plaintiffs' Complaint, King County Canvassing
17 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
18 this URL: : [https://sao.wa.gov/wp-](https://sao.wa.gov/wp-
19 content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-
20 1029711.pdf)

21 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
22 denied.

23 108. In answering paragraph 108 of Plaintiffs' Complaint, King County Canvassing
Board Defendants admit the Washington State Auditor conducted an audit 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)

[1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
denied.

1 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
2 denied.

3 109. In answering paragraph 109 of Plaintiffs' Complaint, King County Canvassing
4 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
5 this URL: : <https://sao.wa.gov/wp->

6 [content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-](#)

7 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
8 denied.

9 110. In answering paragraph 110 of Plaintiffs' Complaint, King County Canvassing
10 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
11 this URL: : [12 \[content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-\]\(#\)](https://sao.wa.gov/wp-</p></div><div data-bbox=)

13 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
14 denied.

15 111. In answering paragraph 111 of Plaintiffs' Complaint, King County Canvassing
16 Board Defendants admit the Washington State Auditor conducted an audit which can be found at
17 this URL: [18 \[content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Ballot_Rejections_ar-\]\(#\)](https://sao.wa.gov/wp-</p></div><div data-bbox=)

19 [1029711.pdf](#) . The audit speaks for itself. Any remaining allegations in this paragraph are
20 denied.

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

1 112. In answering paragraph 112 of Plaintiffs' Complaint, King County Canvassing
2 Board Defendants incorporate all responses and denials as set forth in the previous paragraphs.

3 113. In answering paragraph 113 of Plaintiffs' Complaint, Article I, Section 19 of the
4 Washington State Constitution speaks for itself. Any remaining allegations in this paragraph are
5 denied.

6 114. In answering paragraph 114 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn.2d
7 at 99, 163 P.3d 757 (2007) speaks for itself. Any remaining allegations in this paragraph are
8 denied.

9 115. In answering paragraph 115 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
10 85, 97, 163 P.3d 757 (2007) speaks for itself. Any remaining allegations in this paragraph are
11 denied.

12 116. In answering paragraph 116 of Plaintiffs' Complaint, King County Canvassing
13 Board Defendants admit only that Washington's Signature Matching Procedure requires
14 Washington voters to produce signatures. Any remaining allegations in this paragraph are
15 denied.

16 117. In answering paragraph 117 of Plaintiffs' Complaint, King County Canvassing
17 Board Defendants are without sufficient information to form a belief as to the truth or falsity of
18 the allegations contained therein and, therefore, deny the same.

19 118. In answering paragraph 118 of Plaintiffs' Complaint, King County Canvassing
20 Board Defendants are without sufficient information to form a belief as to the truth or falsity of
21 the allegations contained therein and, therefore, deny the same.

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

4 120. In answering paragraph 120 of Plaintiffs' Complaint, King County Canvassing
5 Board Defendants make no response as the allegations appear to contain only legal conclusions
6 for which no response is required. To the extent they may be deemed allegations of fact, King
7 County Canvassing Board Defendants deny the allegations of paragraph 120.

8 **SECOND CAUSE OF ACTION**
9 **VIOLATION OF ARTICLE I SECTIONS 12 AND 19 OF THE WASHINGTON**
10 **STATE CONSTITUTION - ALL DEFENDANTS**
11 **(EQUAL PROTECTION)**

12 121. In answering paragraph 121 of Plaintiffs' Complaint, King County Canvassing
13 Board Defendants incorporate all responses and denials as set forth in the previous paragraphs.

14 122. In answering paragraph 122 of Plaintiffs' Complaint, Article I, Section 12 of the
15 Washington State Constitution and *Grant Cty. Fire Prot. Dist. No. 5 v. City of Moses Lake*, 150
16 Wn. 2d 791, 810, 83 P.3d 419 (2004) speak for themselves. King County Canvassing Board
17 Defendants are without sufficient information to form a belief as to the truth or falsity of the
18 remaining allegations contained in this paragraph and, therefore, deny the same.

19 123. In answering paragraph 123 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
20 85, 95, 163 P.3d 757 (2007) speaks for itself. King County Canvassing Board Defendants are
21 without sufficient information to form a belief as to the truth or falsity of the remaining
22 allegations contained in this paragraph and, therefore, deny the same.

23 124. In answering paragraph 124 of Plaintiffs' Complaint, *Am. Legion Post #149 v.*
Washington State Dep't of Health, 164 Wn. 2d 570, 609, 192 P.3d 306, 326 (2008) speaks for
itself. King County Canvassing Board Defendants are without sufficient information to form a

1 belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
2 therefore, deny the same.

3 125. In answering paragraph 125 of Plaintiffs' Complaint, *Madison v. State*, 161 Wn. 2d
4 85, 97, 163 P.3d 757 (2007) and *Ockletree v. Franciscan Health Sys.*, 179 Wn. 2d 769, 776, 317
5 P.3d 1009 (2014) speak for themselves. King County Canvassing Board Defendants are without
6 sufficient information to form a belief as to the truth or falsity of the remaining allegations
7 contained in this paragraph and, therefore, deny the same.

8 126. In answering paragraph 126 of Plaintiffs' Complaint, King County Canvassing
9 Board Defendants make no response to these allegations as they pertain to another defendant.
10 King County Canvassing Board Defendants are without sufficient information to form a belief as
11 to the truth or falsity of the remaining allegations contained in this paragraph and, therefore,
12 deny the same.

13 127. In answering paragraph 127 of Plaintiffs' Complaint, King County Canvassing
14 Board Defendants make no response to these allegations as they pertain to another defendant.
15 King County Canvassing Board Defendants are without sufficient information to form a belief as
16 to the truth or falsity of the remaining allegations contained in this paragraph and, therefore,
17 deny the same.

18 128. In answering paragraph 128 of Plaintiffs' Complaint, King County Canvassing
19 Board Defendants make no response as the allegations appear to contain only legal conclusions
20 for which no response is required. To the extent they may be deemed allegations of fact, King
21 County Canvassing Board Defendants deny the allegations of paragraph 128.

22 **THIRD CAUSE OF ACTION**
23 **VIOLATION OF ARTICLE I SECTIONS 3 AND 12 OF THE WASHINGTON**
STATE CONSTITUTION
(COUNTY DISPARITY; DUE PROCESS)

KING COUNTY CANVASSING BOARD DEFENDANTS'
ANSWER TO PLAINTIFFS' SECOND AMENDED
COMPLAINT - 21

Leesa Manion, Prosecuting Attorney
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129. In answering paragraph 129 of Plaintiffs' Complaint, King County Canvassing Board Defendants incorporate all responses and denials as set forth in the previous paragraphs.

130. In answering paragraph 130 of Plaintiffs' Complaint, Article I, Section 3 of the Washington State Constitution speaks for itself. King County Canvassing Board Defendants are without sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same.

131. In answering paragraph 131 of Plaintiffs' Complaint, King County Canvassing Board Defendants make no response to these allegations as they pertain to another defendant. King County Canvassing Board Defendants are without sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in this paragraph and, therefore, deny the same.

132. In answering paragraph 132 of Plaintiffs' Complaint, King County Canvassing Board Defendants make no response as the allegations appear to contain only legal conclusions for which no response is required. To the extent they may be deemed allegations of fact, King County Canvassing Board Defendants deny the allegations of paragraph 132.

133. In answering paragraph 133 of Plaintiffs' Complaint, King County Canvassing Board Defendants make no response as the allegations appear to contain only legal conclusions for which no response is required. To the extent they may be deemed allegations of fact, King County Canvassing Board Defendants deny the allegations of paragraph 133.

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

1 134. In answering paragraph 134 of Plaintiffs' Complaint, King County Canvassing
2 Board Defendants incorporate all responses and denials as set forth in the previous paragraphs.

3 135. In answering paragraph 135 of Plaintiffs' Complaint, *Carlson v. San Juan Cty.*, 183
4 Wn. App. 354, 375, 333 P.3d 511 (2014) speaks for itself. King County Canvassing Board
5 Defendants are without sufficient information to form a belief as to the truth or falsity of the
6 remaining allegations contained in this paragraph and, therefore, deny the same.

7 136. In answering paragraph 136 of Plaintiffs' Complaint, King County Canvassing
8 Board Defendants are without sufficient information to form a belief as to the truth or falsity of
9 the remaining allegations contained in this paragraph and, therefore, deny the same.

10 137. In answering paragraph 137 of Plaintiffs' Complaint, King County Canvassing
11 Board Defendants are without sufficient information to form a belief as to the truth or falsity of
12 the remaining allegations contained in this paragraph and, therefore, deny the same.

13 138. In answering paragraph 138 of Plaintiffs' Complaint, King County Canvassing
14 Board Defendants make no response as the allegations appear to contain only legal conclusions
15 for which no response is required. To the extent they may be deemed allegations of fact, King
16 County Canvassing Board Defendants deny the allegations of paragraph 138.

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

20 139. In answering paragraph 139 of Plaintiffs' Complaint, King County Canvassing
21 Board Defendants incorporate all responses and denials as set forth in the previous paragraphs.

22 140. In answering paragraph 140 of Plaintiffs' Complaint, RCW 29A.04.206(1) speaks
23 for itself. King County Canvassing Board Defendants are without sufficient information to form

1 a belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
2 therefore, deny the same.

3 141. In answering paragraph 141 of Plaintiffs' Complaint, Article IV, Section 1 of the
4 Washington State Constitution speaks for itself. King County Canvassing Board Defendants are
5 without sufficient information to form a belief as to the truth or falsity of the remaining
6 allegations contained in this paragraph and, therefore, deny the same.

7 142. In answering paragraph 142 of Plaintiffs' Complaint, King County Canvassing
8 Board Defendants deny.

9 143. In answering paragraph 143 of Plaintiffs' Complaint, RCW 29A.04.206 speaks for
10 itself. King County Canvassing Board Defendants are without sufficient information to form a
11 belief as to the truth or falsity of the remaining allegations contained in this paragraph and,
12 therefore, deny the same.

13 144. In answering paragraph 144 of Plaintiffs' Complaint, King County Canvassing
14 Board Defendants make no response as the allegations appear to contain only legal conclusions
15 for which no response is required. To the extent they may be deemed allegations of fact, King
16 County Canvassing Board Defendants deny the allegations of paragraph 144.

17 PRAYER FOR RELIEF

18 In answering paragraphs A-G of Plaintiffs' prayer for relief on page 40 of Plaintiffs'
19 Complaint, King County Canvassing Board Defendants deny that Plaintiffs are entitled to any of
20 the relief sought.

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

- 23 1. Plaintiffs' claims are moot.

2. Plaintiffs' claims are not ripe.
3. Plaintiffs' have failed to exhaust remedies provided by statute.
4. Plaintiffs lack standing.
5. Plaintiffs' claims are preempted by federal law.
6. Plaintiffs' claims are barred by applicable statutes of limitation.
7. Plaintiffs' claims are barred by the doctrine of laches.
8. Plaintiffs have failed to state a claim upon which relief may be granted.
9. Defendants at all times acted in good faith in the performance of duties and are therefore immune from suit and entitled to discretionary immunity and/or qualified immunity for the matters alleged in the Plaintiffs' complaint.

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

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

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

DATED this 21st day of April, 2023.

DANIEL T. SATTERBERG
King County Prosecuting Attorney

By: s/Ann M. Summers
ANN M. SUMMERS, WSBA #21509

By: s/David J. Hackett
DAVID J. HACKETT, WSBA #21236

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By: s/Lindsey Grieve
LINDSEY GRIEVE, WSBA #42951

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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2023, I electronically filed the foregoing document with the Clerk of the Court using the King County Superior Court E-Filing System which will send notification of such filing to the following parties:

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Matthew Gordon, WSBA #41128
Heath L. Hyatt, WSBA #54141 s
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Attorneys for Plaintiffs

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

DATED this 21st day of April, 2023.

s/Kris Bridgman

KRIS BRIDGMAN
Paralegal II
King County Prosecuting Attorney's Office