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FILED

19 JUL 29 PM 3:13

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

EXP04

**CERTIFIED
COPY**

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

RENTAL HOUSING ASSOCIATION, a
Washington public benefit corporation,

Plaintiff,

vs.

VIRGINIA FERGUSON; WASHINGTON
COMMUNITY ACTION NETWORK, on its
own and as representative of STABLE
HOMES; WASHINGTON COMMUNITY
ACTION NETWORK EDUCATION &
RESEARCH FUND, on its own and as
representative of STABLE HOMES;
ABBOT TAYLOR, as representative of
STABLE HOMES in his capacity as
secretary of Stable Homes; STABLE
HOMES; STEPHANIE COURTNEY, CITY
OF FEDERAL WAY CITY CLERK, in her
official capacity; CITY OF FEDERAL
WAY, a Washington municipal corporation;
J. RYAN CALL, CITY OF FEDERAL
WAY CITY ATTORNEY, in his official
capacity; CITY COUNCIL OF THE CITY
OF FEDERAL WAY; JULIE WISE, KING
COUNTY ELECTIONS DIRECTOR, in her
official capacity; and KYMBER
WALTMUNSON, KING COUNTY
AUDITOR, in her official capacity,

Defendant.

NO. 19-2-19834-6 KNT

ORDER GRANTING TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE

ORDER GRANTING TRO AND ORDER TO SHOW CAUSE -

Page 1

952022.1 - 366723 -0001

INSLEE Skyline Tower
Suite 1500
BEST 10900 NE 4th Street
Bellevue, WA 98004
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1 THIS MATTER having come before the Court upon the motion of Plaintiff for a
2 Temporary Restraining Order and Order to Show Cause, and the Court having reviewed the
3 Plaintiff's Motion for Temporary Restraining Order, Order to Show Cause, and Preliminary
4 Injunction as well as the Declaration of Christopher W. Pirnke and the exhibits attached thereto,
5 ~~and it appearing to the Court that the Plaintiff has a clear legal right and valid claim to ensure~~
6 ~~that the initiative process is performed correctly, the Court finds that a Temporary Restraining~~
7 ~~Order is appropriate to preserve the status quo until a show cause hearing can be held and that~~
8 ~~substantial, immediate and irreparable injury, loss and damage may result to the Plaintiff absent~~
9 such an order, now therefore it is hereby ORDERED ADJUDGED AND DECREED:

10 1. Plaintiff's Motion for a Temporary Restraining Order is ~~granted~~ **DENIED**.

11 ~~2. The City Clerk shall not (1) transmit any additional/amended petitions to King~~
12 ~~County Elections in relation to Initiative Petition No. 19-001 (the "Initiative"), (2)~~
13 ~~certify that there are sufficient signatures related to the Initiative, or (3) transmit the~~
14 ~~Initiative to King County Elections for placement on the November 2019 General~~
15 ~~Election Ballot (the "Ballot");~~

16 3. The King County Elections Director shall not (1) count or cause to be counted any
17 additional signatures related to the Initiative, (2) shall not certify the number of
18 signatures related to the Initiative or certify the sufficiency of the signatures, and (3)
19 shall not place the Initiative on the Ballot;

20 4. The City and the City Council shall not (1) direct the City Clerk to take any action
21 in relation to the Initiative or (2) take any action to select pro- and con- statement
22 committees;

1 ~~5. This Temporary Restraining Order shall remain in effect for fourteen (14) days~~
2 ~~following the date of its entry unless, within that time, an Order is entered extending~~
3 ~~or dismissing the Temporary Restraining Order,~~

4 6. ~~[The Court, recognizing that no financial harm will result from this order, exercises~~
5 ~~its discretion to order that [no bond/a nominal bond of \$10.00] is required for entry~~
6 ~~of this order. This order is conditioned upon the Plaintiff first giving security in the~~
7 ~~amount of _____ for the payment of costs and damages which may be incurred~~
8 ~~by any party found to be wrongfully restrained by this order.]~~

9 7. Defendants are hereby directed to appear and show cause at 8:30 a.m. on August 1,
10 2019, before Judge Scott of the King County Superior Court Regional Justice Center,
11 Room 3H at 401 4th Avenue North, Kent, Washington 98032, why a preliminary
12 injunction should not be issued.

13 8. ~~If the Defendants fail to appear, the Court may elect to treat the Motion as~~
14 ~~uncontested as to that Defendant and enter the proposed order sought by the Plaintiff.~~

15 DONE IN OPEN COURT this 27 day of July, 2019.

16 
17 Brad Moore
18 JUDGE/COURT COMMISSIONER

18 Presented by: Approved as to form

19 INSLEE, BEST, DOEZIE & RYDER, P.S.

20 By M. Leen
21 Mark S. Leen, W.S.B.A. #35934
22 Christopher W. Pirnke, W.S.B.A. #44378
23 10900 NE 4th Street, Suite 1500
24 Bellevue, Washington 98004
25 Tel: (425) 455-1234
Email: mleen@insleebest.com
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Janine Joly
Janine Joly #27314 for King
Knoll Luiney
for (Am) Jols
County

ME
JRC
JDD
KJ
ME
JRC
JDD
KJ

I BARBARA MINER Clerk of the Superior Court of the State of Washington for King County do hereby certify that this copy is a true and perfect transcript of said original as it appears on file and of record in my office and of the whole thereof IN TESTIMONY WHEREOF I have signed this Seal of said Superior Court at my office at Seattle on this date JUL 29 2019



BARBARA MINER Superior Court Clerk


Deputy Clerk

B. CHILDRESS-WHITE