

FILED
SUPREME COURT
STATE OF WASHINGTON
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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

Supreme Court No. 101093-1

Court of Appeals No. 88342-1-I

FREEDOM FOUNDATION,

Petitioner,

v.

WASHINGTON FEDERATION OF STATE EMPLOYEES,
COUNCIL 28, *et al.* and WASHINGTON STATE
DEPARTMENT OF RETIREMENT SYSTEMS *et al.*,

Respondents.

RESPONDENT SCHOOL DISTRICTS (LISTED HEREIN)
RESPONSE TO PETITION FOR DISCRETIONARY
REVIEW

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I. IDENTITY OF RESPONDENTS

Undersigned counsel represents approximately seventy (70) defendant school districts and educational service districts in this matter, including the following:

1. Anacortes School District #103
2. Auburn School District #408
3. Bainbridge Island School District #303
4. Blaine School District #503
5. Brinnon School District #46
6. Camas School District #117
7. Centerville School District #215
8. Chimacum School District #49
9. Cle Elem-Roslyn School District #404
10. Concrete School District #11
11. Conway School District #317
12. East Valley Yakima School District #90
13. Eatonville School District # 404
14. Edmonds School District #15
15. Educational Service District 112 (ESD #112)
16. Educational Service District 121 (Puget Sound ESD)
17. Enumclaw School District #216
18. Federal Way School District #210
19. Fife School District #417
20. Franklin Pierce School District #402
21. Glenwood School District
22. Green Mountain School District #103
23. Issaquah School District #411
24. Kelso School District #458

- 25.Klickitat School District
- 26.KWRL Transportation Cooperative
- 27.La Center School District
- 28.La Connor School District #311
- 29.Lake Washington School District #414
- 30.Lopez Island School District #144
- 31.Lyle School District #406
- 32.Marysville School District #25
- 33.Mill A School District
- 34.Mount Baker School District #507
- 35.Mount Pleasant School District #29-93
- 36.Mount Vernon School District #320
- 37.Mukilteo School District #6
- 38.Naselle-Grays River Valley School District
- 39.North Kitsap School District
- 40.North Mason School District
- 41.Northshore School District
- 42.Oak Harbor School District
- 43.Ocean Beach School District
- 44.Pasco School District
- 45.Peninsula School District
- 46.Puyallup School District
- 47.Quillayute Valley School District
- 48.Riverview School District
- 49.Seattle School District
- 50.Sedro-Woolley School District
- 51.Sequim School District
- 52.Skykomish School District
- 53.South Kitsap School District
- 54.Spokane School District
- 55.Stanwood-Camano School District

56. Steilacoom Historical School District
57. Stevenson-Carson School District
58. Sultan School District
59. Sumner Bonney-Lake School District
60. Tacoma Public Schools
61. Thorp School District
62. Toutle Lake School District
63. Tukwila School District
64. University Place School District
65. Vashon School District
66. Wahkiakum School District
67. White River School District
68. Winlock School District
69. Wishram School District
70. Woodland Public Schools

In January of 2020, the above listed Districts received requests in its public records offices from Petitioner Freedom Foundation seeking the following for each employee who was a member of a union-represented bargaining unit:

1. First name
2. Middle name
3. Last name
4. Work email address
5. Day and month of birth (excluding year)
6. Bargaining unit indicator, including any or all of the following:
 - a. Name of the entity recognized as the exclusive bargaining representative

- b. The Public Employment Relations Commission decision number defining the bargaining unit and other descriptors used to identify the bargaining unit

In January of 2020, the above listed Districts were served with a Summons and Complaint for Injunctive Relief in this matter, in which it was named as one of numerous defendants. The above listed Districts have been participating in this litigation since that time.

After the lawsuit commenced, at least some of the listed Districts have continued to receive requests for information from the Freedom Foundation.

II. RESPONSE TO PETITION FOR DISCRETIONARY REVIEW

The above listed Districts take no position on the merits of this Petition for Discretionary Review and will comply with the Court's Orders and Decisions.

III. CERTIFICATE OF COMPLIANCE

Pursuant to RAP 18.17, I certify that this document contains 565 words exclusive of words contained in the title

sheet, the table of contents, the certificate of compliance, the certificate of service, and signature blocks.

RESPECTFULLY SUBMITTED this 25th day of
August, 2022

PATTERSON BUCHANAN
FOBES & LEITCH, INC., PS

By: /s/ Duncan K. Fobes
Duncan K. Fobes, WSBA # 14964
Of Attorneys for Respondent School
Districts (Listed Herein)

CERTIFICATE OF SERVICE

I, Jan D. Larsen, declare and state:

1. I am over the age of eighteen, not a party to this action and am competent to be a witness herein.

2. On the date noted below I caused the foregoing Respondent School Districts (Listed Herein) Response to Petition for Discretionary Review to be filed with the Washington State Supreme Court via the eFiling Application, which will automatically provide notice to such filing to all required parties.

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

DATED this 25th day of August, 2022, at Seattle WA.

/s/Jan D. Larsen
Jan D. Larsen, Legal Assistant

PATTERSON BUCHANAN FOBES & LEITCH

August 25, 2022 - 9:05 AM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 101,093-1
Appellate Court Case Title: WA Federation of State Employees, et al. v. Freedom Foundation
Superior Court Case Number: 19-2-06100-3

The following documents have been uploaded:

- 1010931_Answer_Reply_20220825090159SC226520_5266.pdf
This File Contains:
Answer/Reply - Answer to Petition for Review
The Original File Name was Reponse to Petition for Review.PDF

A copy of the uploaded files will be sent to:

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