

NO. 79976-8

FILED  
SUPERIOR COURT  
STATE OF WASHINGTON  
2007 MAR 30 3:47 PM  
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**SUPREME COURT OF THE  
STATE OF WASHINGTON**

CURTIS A. BEAUPRE, Plaintiff/Respondent

v.

PIERCE COUNTY, Defendant/Appellant

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**ADDITIONAL AUTHORITY PURSUANT TO RAP 10.8  
RE: MOTIONS TO STRIKE**

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GERALD A. HORNE  
Prosecuting Attorney

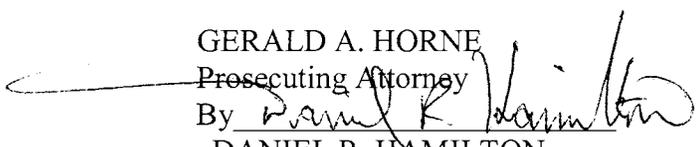
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Under RAP 10.4(f), parties must cite to the record for it to be considered by the Court. See In re Estate of Lint, 135 Wn.2d 518, 531-32, 957 P.2d 755 (1998). After Pierce County filed its final brief, it learned plaintiff had ordered a verbatim transcript of the remainder of the May 19, 2006, hearing and that it had been filed with the Court on March 13, 2007.

Accordingly, pursuant to RAP 10.8, appellant now submits the following record citation as additional authority for its two Motions to Strike documents and argument concerning discovery material not previously offered into the record or considered by the trial court at the time of summary judgment. Specifically, as to plaintiff's assertion that he allegedly "opened and read the appropriate interrogatory and offered to hand the interrogatories up to the court," Resp.'s Ans. To Mot. To Strike, p. 2, please compare the actual transcript of that hearing. See 5/19/06 RP at p. 30 In 24-p. 31 In 7 (when sua sponte asked by the court about discovery, plaintiff told the court "I don't have that with me" and instead verbally characterized what -- "as I recall" -- it allegedly would show if presented).

DATED: April 30th, 2007.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of April, 2007, a true copy of Pierce County's Additional Authority Pursuant to RAP 10.8 Re: Motions to Strike was forwarded by United States Mail, postage prepaid, to:

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