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SUPREME COURT
STATE OF WASHINGTON

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SUPREME COURT
OF THE STATE OF WASHINGTON

BY RONALD R. CARPENTER
h/h

KEVIN DOLAN and a class of
similarly situated individuals,

Respondents,

v.

KING COUNTY, a political subdivision
of the State of Washington,

Appellant.

NO. 82842-3

STATEMENT OF
ADDITIONAL
AUTHORITIES

COMES NOW the appellant King County and submits the
following additional authorities to the Court pursuant to RAP 10.8:

- *Hamner v. Butte-Silverbow County*, 760 P.2d 76 (Mont. 1988) (funding under a statute for contractor to provide public defender services did not mandate employment relationship between public defenders and state; similarly, mere existence of a prior contract which had created an employment relationship rather than an independent contractor relationship for public defender services was insufficient to establish that county could not use independent contractors to provide public defender services);
- *Holmgren v. County of Los Angeles*, 71 Cal. Reprtr 3rd 611, 619 (2008) (county has plenary authority by its charter to determine who is or is not a civil service employee; “The fact that Holmgren and the class members performed the same duties as civil service employees has nothing to do with the price of tomatoes.”);
- RCW 7.60.005(10) (a receiver is appointed by the court as the court’s agent and is subject to the court’s direction);
- AGLO 1991 No. 5 (small business export finance assistance center was not the functional equivalent of a state agency and

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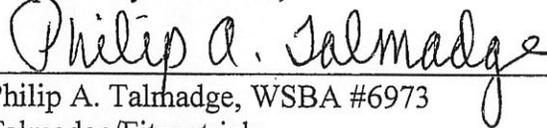
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therefore not subject to the Open Meetings Act or Public Disclosure Act);

- Jeffrey A. Ware, *Clarke v. TriCities Animal Care and Control Shelter: How Did Private Businesses Become Government "Agencies" Under the Washington Public Records Act?* 33 Seattle U. L.Rev. 741 (2010) (law review article critical of Court of Appeals decision in *Clarke*);
- *National Labor Relations Board v. Kemmerer Village, Inc.*, 907 F.2d 661 (7th Cir. 1990) (private nonprofit corporation that operated foster homes funded largely in part by the Illinois Department of Children and Family Services was not a political subdivision exempt from NLRA).

DATED this 25th day of October, 2010.

Respectfully submitted,



Philip A. Talmadge, WSBA #6973

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Attorneys for Appellant King County

DECLARATION OF SERVICE

On said day below I emailed and deposited in the US mail a true and accurate copy of the following document: Statement of Additional Authorities in Supreme Court Cause No. 82842-3 to the following:

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Original efiled with:

Washington Supreme Court
Clerk's Office
415 12th Street W
Olympia, WA 98504-0929

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

DATED: October 25, 2010, at Tukwila, Washington.


Paula Chapler
Talmadge/Fitzpatrick

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