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SUPREME COURT  
STATE OF WASHINGTON  
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SUPREME COURT  
OF THE STATE OF WASHINGTON

RECEIVED BY E-MAIL <sup>bjh</sup>

MITCH DOWLER and IN CHA  
DOWLER, individually and as limited  
guardian ad litem for NAM SU CHONG,  
*et al.*,  
  
Appellants,  
  
vs.  
  
CLOVER PARK SCHOOL DISTRICT,  
NO 400,  
  
Respondent.

NO. 84048-2

THIRD  
STATEMENT OF  
ADDITIONAL  
AUTHORITIES

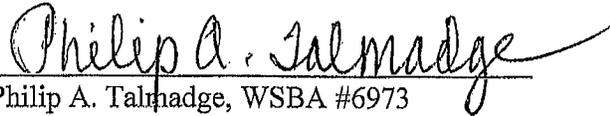
COME NOW the appellants and submit the following additional  
authorities to the Court pursuant to RAP 10.8:

- *Payne v. Peninsula School District*, 621 F.3d 1001 (9<sup>th</sup> Cir. 2010) (Ninth Circuit grants rehearing en banc and directs that the opinion of the three-judge panel at 598 F.3d 1122 “shall not be cited as precedent by or to any court of the Ninth Circuit.”);
- *Contreras v. Crown Zellerbach Corp.*, 88 Wn.2d 735, 565 P.2d 1173 (1977) (Mexican-American worker stated claim for outrage for verbal abuse);
- *Robel v. Roundup Corp.*, 148 Wn.2d 35, 59 P.3d 611 (2002) (disabled worker stated claim for outrage and under RCW 49.60 for verbal abuse).

ORIGINAL

DATED this 14<sup>th</sup> day of May, 2011.

Respectfully submitted,



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Attorneys for Appellants

DECLARATION OF SERVICE

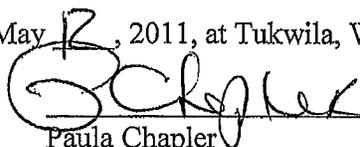
On this day said below, I emailed and deposited with the U.S. Postal Service a true and accurate copy of the Third Statement of Additional Authorities in Supreme Court Cause No. 84048-2 to the following parties:

|  |   |
|--|---|
| Thaddeus P. Martin IV<br>4928 109 <sup>th</sup> St. SW<br>Lakewood, WA 98499   | William A. Coats<br>Daniel C. Montopoli<br>H. Andrew Saller<br>Vandeberg Johnson & Gandara, LLP<br>PO Box 1315<br>Tacoma, WA 98401-1315 |
| Sarah A. Dunne<br>Nancy Talner<br>ACLU of Washington Foundation<br>901 Fifth Avenue, Suite 630<br>Seattle, WA 98164        | Bryan P. Harnetiaux<br>WSAJF<br>517 East 17 <sup>th</sup> Avenue<br>Spokane, WA 99201   |
| George M. Ahrend<br>WSAJF<br>100 East Broadway Avenue<br>Moses Lake, WA 98837  | Heather McKimmie<br>Disability Rights of WA<br>315 5 <sup>th</sup> Avenue South, Suite 850<br>Seattle, WA 98104                         |
| Karen Simmonds<br>Washington Schools Risk Mgmt Pool<br>K&L Gates LLP<br>925 Fourth Avenue, Suite 2900<br>Seattle, WA 98104 | Christopher Henderson<br>Dussault Law Group<br>2722 Eastlake Avenue East, Suite 200<br>Seattle, WA 98102                                |
| Allan Marson<br>Council of Parent Attorneys and<br>Advocates<br>Baker & McKenzie<br>660 Hansen Way<br>Palo Alto, CA 94304  |   |

Original efiled with:  
Washington Supreme Court  
Clerk's Office  
415 12<sup>th</sup> St. 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: May 12, 2011, at Tukwila, Washington.

  
\_\_\_\_\_  
Paula Chapler  
Talmadge/Fitzpatrick

DECLARATION