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No. 84246-9

SUPREME COURT OF THE STATE OF WASHINGTON

MARTIN MELLISH,

Petitioner,

v.

FROG MOUNTAIN PET CARE,
HAROLD ELYEA, JANE ELYEA, and
JEFFERSON COUNTY,

Respondents.

MELLISH'S FIRST STATEMENT OF
AN ADDITIONAL AUTHORITY

Petitioner Mellish submits the following additional authority on the identified issue.

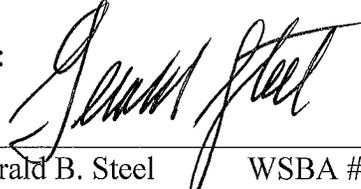
On the issue that HB 2740 should apply retroactively. Div. II determined that the Legislature was able to amend a land use statute to clarify an ambiguity and that amendment has retroactive effect as long as the Supreme Court has not previously interpreted the statute differently. *KAPO v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, No. 38017-0-II, slip op. at 3-10 (Mar. 10, 2011).

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Dated this 17th day of March, 2011.

Respectfully submitted,

By:



Gerald B. Steel WSBA #31084
7303 Young Rd. NW
Olympia WA 98502
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Email: geraldsteel@yahoo.com
Attorney for Martin Mellish

CERTIFICATE OF SERVICE

I certify that on the 17th day of March, 2011, I caused a true and correct copy of this certificate and Mellish's First Statement of an Additional Authority to be served on the following by first class mail:

Counsel for Respondent Jefferson County:

David Alvarez, Dep. Proc.
PO Box 1220
Port Townsend, WA 98368

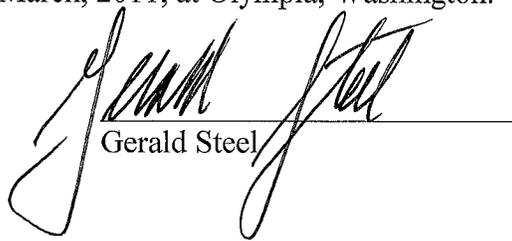
Counsel for Respondents Frog Mountain Pet Care,

Harold Elyea, Jane Elyea:
David P. Horton
3212 NW Byron Street, Ste. 104
Silverdale, WA 98383

Pro se Amicus

Harold T. Hartinger
906 6th Ave., Apt. C
Tacoma, WA 98405-4513

Dated this 17th day of March, 2011, at Olympia, Washington.


Gerald Steel

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