

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

LAKEHAVEN WATER AND SEWER
DISTRICT, HIGHLINE
WATER DISTRICT, and MIDWAY
SEWER DISTRICT, municipal
corporations,

Appellants,

v.

CITY OF FEDERAL WAY, a municipal
corporation,

Respondents.

No. 96585-4

SECOND STATEMENT
OF ADDITIONAL
AUTHORITIES

COME NOW appellants Lakehaven Water and Sewer District, Highline Water District, and Midway Sewer District (“Districts”), and submit the following additional authorities to the Court pursuant to RAP 10.8:

- The COVID-19 pandemic has made clear that utility services are vital governmental services, and governments will not allow such utilities to be shut off during the crisis. <https://www.governor.ny.gov/news/no-2026-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (“essential infrastructure including utilities, telecommunication, airports and transportation infrastructure”) as modified by <https://www.governor.ny.gov/news/no-2027-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>; *see also*, <https://esd.ny.gov/guidance-executive-order-2026>; <https://covid19.ca.gov/img/Executive-Order-N-33-20.pdf>, which cites <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> (water and wastewater system sector states “Safe drinking water is a prerequisite for protecting public health and all human

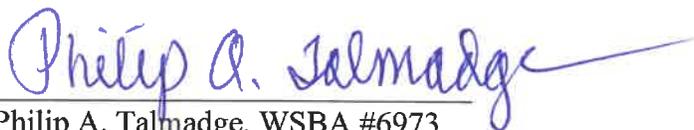
Second Statement of
Additional Authorities - 1

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activity. Properly treated wastewater is vital for preventing disease and protecting the environment. Thus, ensuring the supply of drinking water and wastewater treatment and service is essential to modern life and the Nation's economy.”).

DATED this 23^d day of March, 2020.

Respectfully submitted,



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DECLARATION OF SERVICE

On said day below, I electronically served a true and accurate copy of the *Second Statement of Additional Authorities* in Supreme Court Cause No. 96585-4 to the following parties indicated below:

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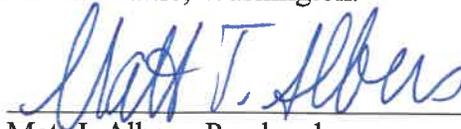
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Original e-filed with:
Washington Supreme Court
Clerk's Office

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: March 23, 2020 at Seattle, Washington.



Matt J. Albers, Paralegal
Talmadge/Fitzpatrick

TALMADGE/FITZPATRICK

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Appellate Court Case Number: 96585-4
Appellate Court Case Title: Lakehaven Water and Sewer District, et al v. City of Federal Way

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Comments:

Appellants Second Statement of Additional Authorities

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