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NO. 65408-0

COURT OF APPEALS, DIVISION I  
OF THE STATE OF WASHINGTON

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In re City of Lynnwood North-East-South Annexation Proposal,  
Snohomish County, Washington: File No. 01-2009

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CITY OF MILL CREEK, a Washington municipal corporation,

Appellant,

v.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR  
SNOHOMISH COUNTY, CITY OF LYNNWOOD, a Washington  
municipal corporation; SNOHOMISH COUNTY, a Washington  
municipal corporation; CITY OF MUKILTEO, a Washington municipal  
corporation; SNOHOMISH COUNTY FIRE DISTRICT NO. 7, A  
Washington municipal corporation; SNOHOMISH COUNTY FIRE  
DISTRICT NO. 1, a Washington municipal corporation; OPUS  
NORTHWEST, LLC; GORDON NESS; CLINT OLSON; and MARK  
BEALES,

Respondents.

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RESPONDENT SNOHOMISH COUNTY FIRE DISTRICT NO. 7'S  
BRIEF IN RESPONSE

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W. Mitchell Cogdill  
Cogdill Nichols Rein Wartelle Andrews  
Attorney for Respondent SCFD No. 7  
3232 Rockefeller Avenue  
Everett, WA 98201  
Phone: 425-259-6111  
Fax: 425-259-6435

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## **I. INTRODUCTION**

This Response is submitted on behalf of Snohomish County Fire Protection District No. 7, a Washington municipal corporation. Defendant District is named as “Snohomish County Fire District No. 7” in the caption.

Appellant Mill Creek asks the Court to reverse the decision of the Superior Court, which affirmed a decision of the Snohomish County Boundary Review Board on April 23, 2010. Appellant sought reversal of that decision as it related to that portion of the approved annexation lying east of Interstate 5 and north of Interstate 405 within Mill Creek’s Municipal Urban Growth Area (“MUGA”).

District 7 currently provides fire and emergency medical service to the City of Mill Creek by contract, and was thus named a defendant in the underlying action to assure jurisdiction over all potentially necessary parties.

## **II. SUMMARY OF THE ARGUMENT**

The District does not object to Mill Creek’s appeal or to the relief requested.

## **III. ARGUMENT**

Snohomish County Fire Protection District No. 7 takes no position regarding Mill Creek’s appeal, other than not objecting to it.

Dated this 7<sup>th</sup> day of September, 2010.

COGDILL NICHOLS REIN WARTELLE  
ANDREWS

By:   
\_\_\_\_\_  
W. Mitchell Cogdill, WSBA 1950  
Attorney for Respondent SCFPD No. 7

CERTIFICATE OF SERVICE

I, Susan Egbert, hereby certify that on September 7, 2010, I caused a true and correct copy of the foregoing documents to be delivered via email and First Class Mail to the following attorneys of record:

Attorneys for Washington State  
Boundary Review Board for  
Snohomish County and Snohomish  
County:

George B. Marsh, WSBA 26188  
Snohomish County  
Prosecuting Attorney-Civil Div.  
Robert J. Drewel Bldg, 7<sup>th</sup> Floor  
MS 504  
3000 Rockefeller Avenue  
Everett, WA 98201  
[gmarsh@co.snohomish.wa.us](mailto:gmarsh@co.snohomish.wa.us)

Attorneys for City of Lynnwood

Rosemary A. Larson, WSBA 18084  
Inslee, Best, Doezie & Ryder, PS  
777 108<sup>th</sup> Avenue NE, suite 1900  
PO Box 90016  
Bellevue, WA 98009-9016  
Email: [rlarson@insleebest.com](mailto:rlarson@insleebest.com)

Attorney for City of Mukilteo

Angela S. Belbeck, WSBA 24482  
Ogden Murphy Wallace PLLC  
1601 Fifth Avenue, Suite 2100  
Seattle, WA 98101-1686  
Email: [abelbeck@omwlaw.com](mailto:abelbeck@omwlaw.com)

Attorney for Opus Northwest, LLC

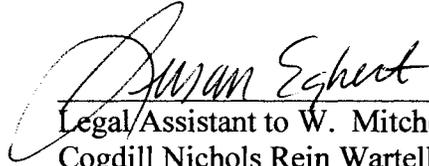
Donald E. Marcy, WSBA 9662  
Cairncross & Hempelmann, PS  
524 Second Avenue, Suite 500  
Seattle, WA 98104-2323  
Email: [dmarcy@cairncross.com](mailto:dmarcy@cairncross.com)

Attorney for City of Mill Creek

Scott M. Missall, WSBA 14465  
Robert D. Zeinemann, WSBA 40124  
Short Cressman & Burgess PLLC  
999 Third Avenue, Suit 3000  
Seattle, WA 98104-4088  
Email: [smisall@scblaw.com](mailto:smisall@scblaw.com)  
Email: [rzeinemann@scblaw.com](mailto:rzeinemann@scblaw.com)

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

Signed at Everett, Washington this 7 day of September, 2010.



Legal/Assistant to W. Mitchell Cogdill  
Cogdill Nichols Rein Wartelle Andrews  
3232 Rockefeller Avenue  
Everett, WA 98201  
Tel: 425-259-6111  
[sue@cnrlaw.com](mailto:sue@cnrlaw.com)