

No. \_\_\_\_\_

From Court of Appeals Division II 49599-6 SEA

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

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**TIMOTHY WHITE**

Petitioner,

v.

**CLARK COUNTY**

Respondent.

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**MOTION TO EXTEND TIME TO SUBMIT PETITION FOR REVIEW**

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Knoll Lowney, WSBA #23457  
Alyssa Englebrecht, WSBA 46773  
*Attorney for Plaintiff*  
2317 E John St  
Seattle, WA 98112  
Tel: (206) 860-2976  
Fax: (206) 860-4187

### **I. IDENTITY OF MOVING PARTY**

Petitioner, Timothy White, asks for the relief designated in Part II.

### **II. STATEMENT OF RELIEF SOUGHT**

Timothy White hereby requests that the deadline for submitting the Petition for Review in this case be extended by 30 days.

### **III. FACTS RELEVANT TO MOTION**

The extension is sought based on the following factors. First, through the entire superior court and court of appeals process, this matter was handled almost exclusively by Marc Zemel. He recently left the country on a one year leave of absence after accepting a Robert Bosch Fellowship in Berlin, Germany. Other attorneys in our firm will have to come up to speed on a very complex case to prepare the Petition for Review.

Further, Knoll Lowney, who will be taking over the case, will be out of the state on pre-planned trips from August 4<sup>th</sup>, 2017, through August 23<sup>rd</sup>. Without an extension, the Petition for Review would be due immediately upon his return. The firm will require a 30 day extension so that after Mr. Lowney's return he can become acquainted with the file and the series of related cases that Mr. Zemel has litigated on behalf of the Petitioner, and to prepare the Petition for Review.

### **IV. GROUNDS FOR RELIEF AND ARGUMENT**

An extension of time for submitting the Petitioner's Petition for Review due to these exigent circumstances and to prevent a miscarriage of

justice.

Petitioner therefore requests a thirty (30) day extension for submission of the petition for review.

DATED this 7th day of August, 2017

RESPECTFULLY SUBMITTED:



Knoll Lowney, WSBA #23457  
Alyssa Englebrecht, WSBA 46773  
2317 E John St  
Seattle, WA 98112  
Tel: (206) 860-2976  
Fax: (206) 860-4187  
E-mail: knoll@smithandlowney.com  
*Attorney for Plaintiff*

CERTIFICATE OF SERVICE

I, Kai McDavid, declare under penalty of perjury of the laws of the State of Washington, that I am a citizen of the United States and a resident of the State of Washington, that I am over the age of eighteen, that I am not a party to this lawsuit, and that on August 7, 2017, I caused the appellants' Motion to Extend Time to be served on the following in the manner indicated:

Jane Vetto Clark County Prosecuting Attorney Civil Division PO Box 5000 Vancouver WA 98666-5000 <a href="mailto:jane.vetto@clark.wa.gov">jane.vetto@clark.wa.gov</a>	<input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail (postage prepaid) <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> E-Service
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DATED August 7, 2017, in Seattle, Washington.

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**SMITH & LOWNEY**

**August 07, 2017 - 10:25 AM**

**Transmittal Information**

**Filed with Court:** Court of Appeals Division II  
**Appellate Court Case Number:** 49599-6  
**Appellate Court Case Title:** Timothy White, Appellant v. Clark County, Respondent  
**Superior Court Case Number:** 15-2-02827-1

**The following documents have been uploaded:**

- 5-495996\_Motion\_20170807102327D2702077\_4742.pdf  
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**Comments:**

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Sender Name: Kai McDavid - Email: kai@smithandlowney.com

**Filing on Behalf of:** Eric D. 'Knoll' Lowney - Email: knoll@smithandlowney.com (Alternate Email: knoll@smithandlowney.com)

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