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82306-5

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SUPREME COURT
STATE OF WASHINGTON

NO. 82306-5

CITY OF MEDINA

Petitioner (Respondent in Court of Appeals)

v.

ROGER L. SKINNER

Respondent (Appellant in Court of Appeals)

Court of Appeals Case No. 60868-1-1

RESPONDENT'S ANSWER TO PETITION FOR REVIEW

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A. INTRODUCTION

Respondent Roger Skinner (Skinner) asks that this Court deny the Petition for Discretionary Review by City of Medina because the issues it raises are not fundamental or urgent issues of broad public importance and, further, because there is no conflict between the decision of the Court of Appeals below and any statute of this State or decisions of this Court or other Divisions of the Court of Appeals.

B. STATEMENT OF THE CASE

Roger Skinner served the City of Medina as a respected member of its police department for over 15 years, rising to the rank of lieutenant. After serving the City and its citizens faithfully for over a decade and a half, during which time Roger Skinner was consistently promoted through the ranks and received "exceeds standards" in performance appraisals, he was abruptly terminated by City of Medina Police Chief Jeffrey Chen on February 15, 2006. Skinner believes the termination was based, in part, in retaliation for Skinner's disclosure of improper remarks made by the Chief of Police. CP 102-103.

The City's Civil Service Commission entered a decision upholding that termination on September 1, 2006. CP 4-13. Skinner timely filed a Motion for Reconsideration, which motion was considered

by the Civil Service Commission. On September 18, 2006 the Civil Service Commission entered its order denying Skinner's Motion for Reconsideration. CP 17-18. Skinner filed his appeal to the King County Superior Court on October 17, 2006 (CP 1-18), within the 30 days after the date of the Commission's order denying reconsideration. See CP 50-52.

Respondent City of Medina first argued to have Skinner's Superior Court appeal dismissed for lack of jurisdiction before King County Superior Court Judge Lum on November 29, 2006. After hearing Petitioner, and then taking this matter under advisement, Judge Lum denied the City's Motion to Dismiss on December 1, 2006. CP 229.

The parties then proceeded to prepare their cases for a hearing on the merits. The City of Medina and its Civil Service Commission prepared and filed a transcript of proceedings for review. CP 202-3, 205. Skinner prepared his trial/appeal brief for King County Superior Court, relying on the transcript provided. Skinner's trial brief was filed with King County Superior Court on July 17, 2007. CP 102-115.

Thereafter, on August 15, 2007, King County Superior Court Judge Lau decided, without notice to Skinner and without oral argument, to grant a summary judgment motion for dismissal in contradiction to local rule requirements and despite the Skinner's request for oral

argument. Due to the irregularities in this proceeding, two days later, on August 17, 2007, Judge Lau agreed to vacate that order and to recuse herself from further proceedings in the case. Judge Lau entered orders vacating her decision and recusing herself. CP 246.

The City then re-filed its summary judgment motion for dismissal which motion was heard by Superior Court Judge McBroom on November 2, 2007. At the conclusion of the argument, Judge McBroom entered a decision dismissing the appeal without taking the matter under advisement. CP 257-259.

The Court of Appeals reversed the dismissal in its published opinion, dated July 28, 2008, a copy of which is attached hereto as Appendix A-1. The City of Medina then filed its Motion for Reconsideration which the Court of Appeals denied on September 11, 2008.

C. SUMMARY OF ARGUMENT

Appellant Skinner filed his Notice of Appeal with King County Superior Court in accordance with the written and published rules of the City of Medina and the statutes of the State of Washington, and thus established the jurisdiction of the Superior Court to hear his appeal of the Civil Service Commission decision. His Notice of Appeal was filed with the King County Superior Court within 30 days after receiving the

Commission's written decision on reconsideration. His filing was therefore timely.

A critical fact in this case is that the Motion for Reconsideration filed by Skinner, prior to his filing of a Notice of Appeal, was based upon Rules promulgated and published by the City of Medina, which rules specifically provided that the Commission could consider and decide Motions for Reconsideration. In this case, it is undisputed that Skinner timely filed a Motion for Reconsideration and the City of Medina did, in fact, consider that Motion and entered a decision on that Motion for Reconsideration. It is also undisputed that Skinner filed his Notice of Appearance within 30 days of the decision on the Motion for Reconsideration.

Finally, it is important to note that the City of Medina Civil Service Commission, upon which the service was made according to the applicable statute, was composed of citizen volunteers. These citizen volunteers were not required to maintain any particular schedule with the Commission or at City Hall.

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D. ARGUMENT

1. STANDARD FOR GRANTING DIRECT REVIEW BY THE SUPREME COURT UNDER RAP 13.4

Pursuant to RAP 13.4, a petition for review will be accepted by the Supreme Court only: (1) If the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; or (2) If the decision of the Court of Appeals is in conflict with another decision of the Court of Appeals; or (3) If a significant question of law under the Constitution of the State of Washington or of the United States is involved; or (4) If the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

The City of Medina's Petition does not meet any of these criteria set forth in RAP 13.4(b).

2. THE COURT OF APPEALS CORRECTLY DETERMINED THAT SKINNER'S APPEAL TO THE SUPERIOR COURT WAS TIMELY AND PROPERLY FILED

The City of Medina and its Civil Service Commission argue that Skinner's appeal to King County Superior Court was not timely because Skinner's Motion for Reconsideration to the Civil Service Commission did not toll the period for the filing of his appeal. This argument is

contrary to applicable case law, statutory law, and the efficient administration of justice in the civil courts of this State.

a. The Court of Appeals Decision Is Not In Conflict With RCW 41.12.090

There is no conflict between RCW 41.12.090 and the Court of Appeals decision in this case. Petitioner argues that such a conflict exists but does not, because it cannot, specify any language in RCW 41.12.090 that is contrary to the Court of Appeals decision in this case. RCW 41.12.090 is silent with regard to the issues present in this case, i.e., the means of service and the effect of a Motion For Reconsideration. As noted by the Court of Appeals, “Interestingly, procedures for serving an appeal with the Commission are not articulated by statute.” Skinner, COA Decision, ¶ 10. There simply is no conflict between the decision of the Court of Appeals below and RCW 41.12.090 or any other statute.

b. The Decision Of The Court Of Appeals That A Motion For Reconsideration Tolls The Time By Which An Appeal Must Be Filed, Is In Accord With Controlling Case Law

There is no conflict between the decision of the Court of Appeals and established case law. In *Hall v. Seattle School District*, 66 Wn.App. 308, 831 P.2d 1128 (Div. 1, 1992), the Court considered whether the time for appeal runs from the date of the initial decision or from the date on the ruling for

reconsideration. The court held that the filing of a Petition for Writ of Review filed within 30 days of an order on a motion for reconsideration was timely filed. *Hall* at 317. In its decision, the *Hall* court noted the consistency of this rule with the Federal Rules of Appellate Procedure, RAP 5.2(3), and the Administrative Procedure Act at RCW 34.05.070.

The *Hall* Court also stated (emphasis added):

Contrary to Hall’s contention, there is no firmly established common law that a motion for reconsideration does not toll the time for appeal from the original decision.

Id.

Skinner awaited receipt of the decision on reconsideration before engaging an attorney to commence an appeal on his behalf. Once that decision was received, Skinner timely filed his appeal within 30 days. Like the facts presented to the appellate Court in *Hall*, such actions were consistent with the rule well established by the Federal Rules of Appellate Procedure, the corresponding State rule at RAP 5.2(3) and the State of Washington’s Administrative Procedures Act.¹

¹ In its Petition, at page 6, the City refers, without analysis, to “more recent decisions of the Washington Supreme Court.” One of the decisions the City references is not a Supreme Court case at all but actually a decision of the same Court of Appeals (Division 1) that rendered the decision in this case. The other decision cited by the Petitioner concerns the Administrative Procedures Act, which the City has vociferously denied as being applicable to this case. Similarly, the City cites several cases in its Petition, at page 7, without offering any analysis to demonstrate their relevance.

c. The Tolling of the Period to File an Appeal by A Motion for Reconsideration Promotes the Efficient and Effective Administration of Justice

Consider the situation that would arise if Motions for Reconsideration did not toll the period for filing an appeal.

Because the date of a pending decision on a motion for reconsideration would be unknown, counsel for the aggrieved party would be in the untenable position of preparing and then holding a notice of appeal as the clock ticked and then having to file it precisely on the 30th day after an original decision, even if the Motion for Reconsideration was thereafter granted in favor of the aggrieved party.

Alternatively, counsel could file an appeal prior to a reconsideration decision and before the 30th day. In such case, Counsel would be required to affirmatively represent to the appellate body that the decision in the case was final and improper, when, in fact the decision on the Motion for Reconsideration might address the very issue that was brought up on appeal.

Furthermore, not tolling the appeal period would require appellants to pay the not insignificant and unrefundable filing fee required of all appeals even when such an appeal was unnecessary.

Finally, the appellate court (whether that is the Superior Court or the Court of Appeals) would be faced with numerous appellate filings that were unnecessary and which would be dismissed shortly after initial processing (needlessly adding to the administrative burden of the courts), as decisions were rendered on reconsideration.

It simply makes no sense, from the perspective of the administration of justice, to ignore Motions for Reconsideration for purposes of tolling the appeal period, particularly when the tolling is of such short duration as to have minimal impact on respondents to appeals.

d. The City of Medina and Its Civil Service Commission Cannot Promulgate and Publish Rules Regarding Motions for Reconsideration, Operate in Accordance With Those Rules, and Thereafter Deny Their Legality

The City argues that:

. . . a civil service commission being a body of limited jurisdiction when acting in a quasi judicial capacity has no inherent power, irrespective of statute, to grant a rehearing or review or annul its own order sustaining the discharge of a civil service employee.

However, the Civil Service Rules of The City of Medina expressly provide:

RECONSIDERATION. A party may move for reconsideration by the Commission only on the basis of fraud, mistake, or misconception of facts. Such motion must be filed with the Commission within ten (10) days of

the decision of the Commission. Such motion for reconsideration shall be decided on affidavits, absent special showing that testimony is necessary. City of Medina Civil Service Rule 18.31.

Despite its current argument, the City:

1. promulgated and published an express rule allowing Skinner to file a Motion for Reconsideration;
2. accepted his motion on reconsideration and thereafter proceeded to take the motion under advisement; and
3. rendered a decision on reconsideration.

Although the City now argues that the Civil Service Commission had no authority to “grant a rehearing or review or annul its own order” (citing *State v. Brown*, 126 Wash. 175, a case decided in 1923, some 66 years prior to the enactment of the Administrative Procedures Act and 71 years prior to adoption of the City of Medina Civil Service Rules), it is improper for the City to promulgate and publish rules authorizing a Motion for Reconsideration, engage Skinner in that process, and themselves operate under those rules by considering Skinner’s Motion and rendering a decision on that Motion, and thereafter disavow its authority, solely in an attempt to preclude an appeal on the merits by Skinner.

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3. SKINNER'S MANNER OF SERVICE WAS IN ACCORDANCE WITH PUBLISHED RULES AND EFFECTIVE

Skinner timely served his appeal upon the City and the Civil Service Commission at 501 Evergreen Point Rd. in Medina, WA by service upon the City Clerk. The Civil Service Rules of the City of Medina, officially adopted by the City of Medina on November 22, 1994,

provide, in pertinent part:

SERVICE OF PROCESS-PAPERS:

. . . .

4. Papers required to be filed with the Commission shall be deemed filed upon actual receipt of the papers by the Commission staff at the Commission office

. . . .

City of Medina Civil Service Rules 18.15.

The Civil Service Rules of The City of Medina further provide that "the office address of the Civil Service Commission is 501 Evergreen Point Rd., Medina, WA 98039" Rule 2.13. The address thus provided for the office of the Medina Civil Service Commission is the address of Medina

City Hall. The Rules also provide “The City Manager of the City of Medina, or his/her designee, shall be the Secretary and Chief

While, theoretically, a Civil Service Commission may be independent from a City, in this case the two entities in Medina are inextricably intertwined. The Commission’s own published rules co-locate its office with that of the City of Medina. Rule 2.13. Furthermore, the Commission adopted a rule that the Medina City Manager (an employee of the City of Medina) or his designee is the Commission’s Secretary and Chief Examiner. Rule 3.01. The Commission also adopted a rule that Service of Process and filing of papers were effective when received by Commission staff. Rule 18.15. Commission staff is, to the best of anyone’s reading of the Commission’s rules, the staff of the City Manager (i.e., city administrative employees). It seems disingenuous, at best, for the Commission to argue that service on the City Clerk did not provide actual notice to the Commission. In fact, both the City and the Civil Service Commission quickly responded to the filing indicating that both had actual notice of the proceedings.

The effectiveness of Skinner’s filing of his Notice of Appeal is consistent with the holding in *Hall*, and the court’s holding in *In re Saltis*, 94 Wn.2d 889, 621 P.2d 716 (1980), that the test for legal sufficiency of

service is whether the notice was reasonably calculated to reach the intended parties. Id. at 898.

E. CONCLUSION

Skinner properly and timely filed his Notice of Appeal. The decision of the Court of Appeals is in accordance with the precedent of the Court of Appeals and this Court. Skinner therefore respectfully requests this Court to deny the City of Medina's Petition for Review.

November 10, 2008

Respectfully submitted,

William J. Murphy
WSBA No. 19002
Attorney for Skinner

188 P.3d 550; SKINNER v. COMMISSION;

Page 550

SKINNER v. COMMISSION
188 P.3d 550 (WA 2008)

Roger L. SKINNER, Appellant,
v.

CIVIL SERVICE COMMISSION OF the CITY OF MEDINA, The City of Medina, a municipal corporation, Medina Police Department, Respondents.

No. 60868-1-I.
Court of Appeals of Washington, Division 1.

July 28, 2008

Appeal from the Superior Court, King County, Douglas D. McBroom, J.

William Jacob Murphy, Attorney at Law, Rollingbay, WA, for Appellant.

Greg Alan Rubstello, Attorney at Law, Seattle, WA, for Respondents.

P. Stephen DiJulio, Foster Pepper PLLC, Seattle, WA, for Other Parties.

GROSSE, J.

¶ 1 Where an order of a quasi-judicial body provides a timeline within which a party may file a motion for reconsideration of its order, and a motion for reconsideration is filed and denied, the time for an appeal runs from the date of the denial of reconsideration and not from the date of the initial order. A motion for reconsideration tolls the 30-day statute of limitations on appealing a final order. Here, it is undisputed that Roger Skinner appealed within 30 days of the court's denial of his motion for reconsideration. Thus, we reverse and remand.

FACTS

¶ 2 Roger Skinner appealed his dismissal from the City of Medina police force to the Medina Civil Service Commission (Commission). By order dated September 1, 2006, the Commission upheld his dismissal. On September 18, 2006, the Commission denied Skinner's motion for reconsideration. On October 17, 2006, Skinner filed a writ of review in King County Superior Court of both the Commission's September 1 order and the September 18 order denying reconsideration. The trial court granted the City summary judgment dismissal, holding that Skinner had failed to timely serve and file his appeal of the September 1, 2006 order within 30 days of its entry as required by statute.(fn1) Skinner appeals.

ANALYSIS

¶ 3 Paragraph 7.3 of the Commission's September 1 order states as follows:

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Further Proceedings. Under Commission Rule 18.31 a party may move for reconsideration within 10 days of the date of this decision. *In the absence of a motion for reconsideration,* any appeal from this decision to King County Superior Court shall comply with Chapter 41.12 RCW. [(fn2)]

City of Medina Civil Service Rule (MCSR) 18.31 provides:

RECONSIDERATION. A party may move for reconsideration by the Commission only on the basis of fraud, mistake, or misconception of facts. Such motion must be filed with the Commission within ten (10) days of the decision of the Commission. Such motion for reconsideration shall be decided on affidavits, absent special showing that testimony is necessary.

RCW 41.12.090 provides in pertinent part:

If such judgment or order be concurred in by the commission or a majority thereof, the accused may appeal therefrom to the court of original and unlimited jurisdiction in civil suits of the county wherein he or she resides. Such appeal shall be taken by serving the commission, *within thirty days after the entry of such judgment or order,* a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission affecting or relating to such judgment or order, be filed by the commission with such court. [(fn3)]

¶ 4 The City argues that Skinner is barred from pursuing this appeal because he served and filed it 46 days after the entry of the September 1 order. Relying on *State ex rel. Worsham v. Brown*, (fn4) the City contends the Commission lacked authority to reconsider its order and therefore the 30 days started running on the date of its initial order. *Brown* held that a civil service commission has limited jurisdiction and when acting in its quasi-judicial capacity, it has no inherent power, irrespective of statute, to grant a rehearing or to review or annul its own order. But the facts in *Brown* are markedly different than those here.

¶ 5 In *Brown*, the Seattle Civil Service Commission sustained the removal of a Seattle police officer on May 23, 1922. Approximately five months later, the officer sought a new trial before the commission. By that time, one of the commission's members had been replaced. On appeal, the commission's decision to reconsider its order was overturned. More recent case law implies that administrative agencies retain jurisdiction to reverse their orders/decisions until jurisdiction is lost by appeal or until a reasonable time has run that is coextensive with the time required by statute for review. (fn5)

¶ 6 More importantly, however, here, the Commission's own rules provide for a party to move for reconsideration within 10 days after entry of its decisions. In addition, the Commission's September 1 order expressly stated that the rules of chapter 41.12 RCW (allowing 30 days to appeal) applied only *absent* a motion for reconsideration.

¶ 7 In *Hall v. Seattle School District No. 1*, (fn6) the pertinent statute, like the one here, neither authorized nor prohibited reconsideration. The *Hall* court held that absent a statute or rule prohibiting reconsideration, the Seattle Civil Service Commission had limited inherent power to reconsider its decisions. In holding that the time for appeal runs from the entry date of the ruling on reconsideration and not that of the initial decision, this court stated in *Hall*:

[Previously], this court followed the general federal rule in holding that under the Rules of Appellate Procedure, when a timely motion for reconsideration has been made, the time for

notice of appeal does not run until the lower court has entered an order on the motion. RAP 5.2(e) specifically provides that a notice of appeal may be filed within 30 days of entry of the order denying the motion for reconsideration. The Administrative Procedure Act

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likewise provides that the time for filing a petition for judicial review commences when the petition for reconsideration is decided.

Contrary to Hall's contention, *there is no firmly established common law rule that a motion for reconsideration does not toll the time for appeal from the original decision.*(fn7)

Thus, although the Administrative Procedure Act(fn8) and its timelines do not directly apply to the Commission, they are instructive.

¶ 8 Here, as in *Hall*, there are compelling policy reasons to hold that the Commission has the authority to reconsider its decision. Filing an appeal before awaiting an order on a motion for reconsideration subjects parties to potential costs that may prove to be unnecessary. Further, reconsideration may remove the need for the superior court to address the issue. Because both the order and the Commission's own rules allow a party to seek reconsideration, such reconsideration was proper here and the 30 days did not begin to run until entry of the Commission's September 18 order denying reconsideration.

Adequate Notice

¶ 9 The City argues that Skinner failed to serve the Commission with the notice of appeal as required by RCW 41.12.090 which provides that the appealing party serve the Commission within 30 days after entry of the decision. In the superior court, the Commission appeared and joined in the City's motion to dismiss the action on the basis that Skinner did not serve either the Commission members or its secretary. (fn9) He did, however, serve the Medina City Clerk and argues that such service is sufficient. We agree.

¶ 10 Interestingly, procedures for serving an appeal with the Commission are not articulated by statute. RCW 41.12.090 provides in pertinent part:

All investigations made by the commission pursuant to the provisions of this section shall be had by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his or her defense. If such judgment or order be concurred in by the commission or a majority thereof, the accused may appeal therefrom to the court of original and unlimited jurisdiction in civil suits of the county wherein he or she resides. *Such appeal shall be taken by serving the commission, within thirty days after the entry of such judgment or order, a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission affecting or relating to such judgment or order, be filed by the commission with such court.* The commission shall, within ten days after the filing of such notice, make, certify and file such transcript with such court. The court of original and unlimited jurisdiction in civil suits shall thereupon proceed to hear and determine such appeal in a summary manner.

Skinner relies upon MCSR 18.15(d), which provides:

Papers required to be filed with the Commission shall be deemed filed upon actual receipt of the papers by the Commission staff at the Commission office.

Skinner asserts that because the Commission actually received his appeal, it is precluded from arguing that it did not receive proper notice. Further, Skinner notes that the Commission's address is stated in its rules and it is the same as the City's.(fn10) That same rule designates regular hours of work for the Commission Secretary. MCSR 3.01 designates Medina's City Manager as the Commission's

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Secretary.(fn11)

¶ 11 For its position, the City relies on *Nitardy v. Snohomish County*.(fn12) There a disgruntled Snohomish County employee sued the County but served the wrong government agent (serving the secretary of the county executive when the statute specifically required service on the county auditor). Unlike the Snohomish County Auditor, the Commissioners here are not full-time employees of the City and substantial compliance is sufficient under these circumstances.

¶ 12 In *Hall*, this court held notice to the full-time employee at the same address was sufficient where the person required to be served (the chairman of a school board) was in a part-time, unpaid position. The *Hall* court based its decision in part on *In re Saltis*,(fn13) which involved service of a notice of appeal under the Industrial Insurance Act,(fn14) stating:

As in *Saltis*, the District in the case at bar timely received actual notice, so there is no prejudice. Service on the chair's secretary was calculated to give notice to her and to the District. Undoubtedly, service on the secretary achieved the same result as if Ms. Smith, the chair, had been in her office and served personally. The defect in service is purely formal, without practical importance, and not a proper basis to deny Hall's access to the courts.
[(fn15)]

¶ 13 We do not believe the part-time status of the chair in *Hall* is a sufficient distinction to obviate application of the policy and rationale of *Hall* here. The record reveals that the Commission had actual notice of the appeal in a timely manner and thus there is no prejudice.

¶ 14 We reverse and remand.

WE CONCUR: COX and BECKER, JJ.

Footnotes:

FN1. See RCW 41.12.090.

FN2. (Emphasis added.)

FN3. (Emphasis added.)

FN4. 126 Wash. 175, 218 P. 9 (1923).

FN5. *Hall v. Seattle Sch. Dist. No. 1*, 66 Wash.App. 308, 314, 831 P.2d 1128 (1992).

FN6. 66 Wash.App. 308, 831 P.2d 1128.

FN7. *Hall*, 66 Wash.App. at 315-16, 831 P.2d 1128 (internal citations omitted, emphasis added).

FN8. Chapter 41.12 RCW.

FN9: The Commission did not file a brief in this court and noted that it remained a party of record for purposes of receipt of notice and pleadings. Because the issue is before this court, we do not deem the Commission's failure to brief the issue precludes our considering the merits.

FN10. MCSR 2.13.

FN11. MCSR 3.01.

FN12. 105 Wash.2d 133, 712 P.2d 296 (1986).

FN13. 94 Wash.2d 889, 621 P.2d 716 (1980).

FN14. Chapter 51.52 RCW.

FN15. *Hall*, 66 Wash.App. at 313, 831 P.2d 1128.

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7 SUPREME COURT
8 OF THE STATE OF WASHINGTON

9
10 THE CITY OF MEDINA, a municipal
11 corporation)

12 PETITIONER)

SCt. Case No.: 82306-5

Ct. of Appeals No: 60868-1-I

13 vs.)

DECLARATION OF SERVICE

14 ROGER L. SKINNER,
15 RESPONDENT,
16)
17)

18
19 The undersigned declares under penalty of perjury under the laws of the State of
20 Washington that he served copies of RESPONDENT'S ANSWER TO PETITION FOR
21 REVIEW by mailing via pre-paid U.S.P.S. Priority Mail to:

22 Greg Rubstello
23 Ogden, Murphy, Wallace, P.L.L.C.
24 1602 Fifth Avenue, Suite 2100
25 Seattle, WA 98101-0215

26 P. Stephen DiJulio
27 Foster Pepper PLLC
28 1111 Third Avenue, Suite 3400
Seattle, WA 98101-3299

And further that he served both with a copy of this declaration.

DECLARATION OF SERVICE - 1

LAW OFFICE OF WILLIAM J. MURPHY
P.O. BOX 4781
ROLLINGBAY, WA 98061
(206) 605-7200

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Signed this 10th day of November 2008 at Bainbridge Island, WA.

William J. Murphy
WSBA No. 19002
Attorney for Roger L. Skinner

DECLARATION OF SERVICE - 2	LAW OFFICE OF WILLIAM J. MURPHY P.O. BOX 4781 ROLLINGBAY, WA 98061 (206) 605-7200
----------------------------	--

OFFICE RECEPTIONIST, CLERK

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Rec. 11-10-08

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To: OFFICE RECEPTIONIST, CLERK
Subject: Filing in Medina v. Skinner, SCt. No. 82306-5

Attached are Respondent's Answer to Petition for Review, the Appendix consisting of the Appellate Court Decision below, and the Declaration of Service in:

The City of Medina v. Roger L. Skinner
WA. SCt. No. 82306-5

Filed on behalf of Respondent Roger L. Skinner by:

William J. Murphy, Attorney for Roger L. Skinner
Telephone: (206) 605-7200
WSBA No. 19002
e-mail address: bbisland@comcast.net

Thank you for your assistance. Please contact me if you have any question.

Bill Murphy