

Jul 18, 2016, 2:51 pm

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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, on the
Relation of Gregory M. Banks, Prosecuting
Attorney of Island County,

Appellant,

vs.

SUSAN E. DRUMMOND, and Law Offices
of Susan Elizabeth Drummond, PLLC;

Respondents,

and

ISLAND COUNTY BOARD OF
COMMISSIONERS,

Respondent.

NO. 92749-9

STATEMENT OF
ADDITIONAL
AUTHORITIES

COMES NOW the appellant, State of Washington, by and through Pamela B. Loginsky, Special Deputy Prosecuting Attorney for Island County, and respectfully requests that the Court consider the following additional authority pursuant to RAP 10.8:

1. With respect to Susan Drummond's "duty of loyalty" claim, *see* Drummond's Brief at 15 and 34-38 and State's Reply Brief at 11-14:

Chism v. Tri-State Constr., Inc., 193 Wn. App. 818, 847-860, ___ P.3d ___

(2016), *petition for review filed* June 8, 2016 (a lawyer's duty of loyalty to a client does not prohibit an in-house attorney from negotiating an employment contract regarding wages and/or conditions; an in-house attorney does not violate the ethics rules by suing his employer to enforce the employment contract)

2. With respect to Susan Drummond's and the Island County Board of Commissioners' timeliness arguments, *see* Drummond's Brief at 6 and 38-40, Board's Brief at 48-49, and State's Reply Brief at 15-22:

State v. LG Electronics, Inc., No. 91263-7 (Wash. July 14, 2016) (the State has not consented to statutes of limitations in suits that are brought for the purpose of asserting any public right or protecting any public interest)

DATED July 18, 2016.

Respectfully Submitted,



PAMELA B. LOGINSKY, WSBA NO. 18096

Special Deputy Prosecuting Attorney

206 10th Avenue SE

Olympia, WA 98501

Phone: 360-753-2175

E-mail: pamloginsky@waprosecutors.org

PROOF OF SERVICE

On the 18th day of July, 2016, I served copies of the document upon which this proof of service appears, by e-mail, pursuant to the prior agreement of counsel to

Robert Gould, Counsel for Defendants, at rbgould@nwlegalmal.com and at Lphelan@nwlegalmal.com

and to

Scott Missall and Athan E. Tramountanas, Counsel for the Island County Board of Commissioners at smissall@scblaw.com and at athant@scblaw.com and at tbackus@scblaw.com and at nthomas@scblaw.com and at lfsutton@scblaw.com

and to

Jeff Even, Deputy Solicitor General at JeffE@ATG.WA.GOV

Signed under the penalty of perjury under the laws of the state of Washington this 18th day of July, 2016, at Olympia, Washington.


PAMELA B. LOGINSKY
WSBA No. 18096
Special Deputy Prosecuting Attorney

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From: Pam Loginsky [mailto:Pamloginsky@waprosecutors.org]
Sent: Monday, July 18, 2016 2:51 PM
To: Jeff (ATG) Even <JeffE@ATG.WA.GOV>; Gregory Banks <gregb@co.island.wa.us>; Jennifer Wallace <JenniferW@co.island.wa.us>; Patti Switzer <P.Switzer@co.island.wa.us>; OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; Leona Phelan <LPhelan@nwlegalmal.com>; Robert Gould <rbgould@nwlegalmal.com>; Athan Tramountanas <athant@scblaw.com>; Linda Sutton <lfsutton@scblaw.com>; Nicholas Thomas <NThomas@scblaw.com>; Scott Missall <smisall@scblaw.com>; Tricia Backus <TBackus@scblaw.com>
Subject: State ex rel. Banks v. Drummond, No. 92749-9

Dear Clerk and Counsel:

Attached, for filing, is the State's first Statement of Additional Authorities.

Please let me know if you should encounter any difficulty in opening the attached document.

Sincerely,

Pam Loginsky
Island County Special Deputy Prosecuting Attorney