

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY SUSAN L. CARLSON
CLERK

SUPREME COURT
OF THE STATE OF WASHINGTON

PROTECT PUBLIC HEALTH, and
CITY OF SEATTLE,

Respondents,

v.

JOSHUA FREED, IMPACTION,

Appellants,

and

CITIZENS FOR A SAFE KING
COUNTY, KING COUNTY, and
JULIE WISE, in her official capacity,

Defendants.

No. 95134-9

STATEMENT OF
ADDITIONAL
AUTHORITIES

COME NOW the appellants IMPACTion and Joshua Freed, who submit the following additional authorities to the Court pursuant to RAP 10.8:

- Wash. Const. art. XI, § 11 (confers broad authority on county government to enact public health legislation unless such legislation conflicts with general laws);
- RCW 70.05.035 (broad authority of home rule counties over local public health boards);
- *Parkland Light & Water Co. v. Tacoma-Pierce Cy Bd. of Health*, 151 Wn. 2d 428, 90 P.3d 37 (2004) (power of local boards not unlimited as to public health where other governments have specific statutory authority to address issue;

Statement of
Additional Authorities - 1

Talmadge/Fitzpatrick/Tribe
2775 Harbor Avenue SW
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Seattle, WA 98126
(206) 574-6661

- *Entertainment Industry Coalition v. Tacoma-Pierce Cy Health Dep't*, 153 Wn. 2d 657, 105 P.3d 985 (2005) (same);
- *New York Statewide Coalition of Hispanic Chambers of Commerce v. New York City Dep't of Health and Mental Hygiene*, 16 N.E.3d 538 (NY 2014) (local health board lacked inherent legislative powers and could not make policy; its authority was confined to carrying out policy established by elected city council).

DATED this 10th day of September, 2018.

Respectfully submitted,



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Attorneys for Appellants
Joshua Freed and IMPACTion

DECLARATION OF SERVICE

On said day below, I electronically served a true and accurate copy of the *Statement of Additional Authorities* in Supreme Court Cause No. 95134-9 to the following parties indicated below:

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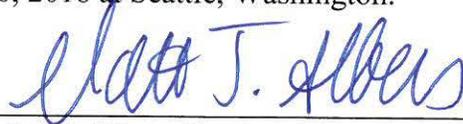
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Original e-filed with:
Washington Supreme Court
Clerk's Office

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: September 10, 2018 at Seattle, Washington.



Matt J. Albers, Paralegal
Talmadge/Fitzpatrick/Tribe

TALMADGE/FITZPATRICK/TRIBE

September 10, 2018 - 9:19 AM

Transmittal Information

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Appellate Court Case Title: Protect Public Health v. Joshua Freed, et al.
Superior Court Case Number: 17-2-21919-3

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Comments:

Appellants' Statement of Additional Authorities

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