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No. 96264-2

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

CERTIFICATION FROM
THE UNITED STATES
DISTRICT COURT FOR
THE WESTERN DISTRICT
OF WASHINGTON

VALERIE SAMPSON and DAVID RAYMOND, on their own behalf and
on behalf of all others similarly situated,

Petitioners/Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an Arizona corporation, KNIGHT
REFRIGERATED, LLC, an Arizona limited liability company, and
KNIGHT PORT SERVICES, LLC, an Arizona limited liability company,

Respondents/Defendants.

Respondents/Defendants' Statement of Additional Authorities

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Pursuant to Washington Rule of Appellate Procedure 10.8, Defendants and Respondents Knight Transportation, Inc., Knight Refrigerated, LLC, and Knight Port Services, LLC hereby submit this statement of additional authorities in support of their argument that WAC 296-126-021, first effective in its present form on April 15, 1974, controls the outcome of this case. Defendants/Respondents respectfully request that the Court consider *Bowles v. Wash. Dep't of Ret. Sys.*, 121 Wn.2d 52, 64 (1993) (“Greater weight attaches to an agency interpretation when the Legislature acquiesces in that interpretation.”) and *Newschwander v. Bd. of Trs.*, 94 Wn.2d 701, 711 (1980) (“In interpreting a statute, great weight must be accorded to the contemporaneous construction placed upon it by officials charged with its enforcement, particularly where that construction has been accompanied by silent acquiescence of the legislative body over a long period of time.”).

May 9, 2019

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CERTIFICATE OF SERVICE

I certify that on May 9, 2019, I caused a true and correct copy of the foregoing to be filed with the Washington Supreme Court and served upon counsel as indicated below:

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Dated this 9th day of May, 2019.

/s/ Sarah Smith

Sarah Smith

SHEPPARD MULLIN RICHTER & HAMPTON LLP

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