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No. 96578-1

NO. 49726-3-II

**COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON**

SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 925,

Appellant,

v.

STATE OF WASHINGTON DEPARTMENT OF EARLY LEARNING,
and FREEDOM FOUNDATION,

Respondents.

STATE RESPONDENT'S OPENING BRIEF

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I. INTRODUCTION

The Freedom Foundation (the Foundation) submitted a public records request to the Department of Early Learning (the Department) asking for the names, mailing address and email addresses for all licensed and license exempt family child care providers. The child care providers' bargaining representative, Service Employees International Union 925 (SEIU 925), sought and was denied a preliminary injunction preventing release of responsive records.

This appeal concerns two issues. The first issue is whether RCW 74.04.060(4) acts as an "other statute" exemption that prevents release of these records for purposes of the Public Records Act (PRA). Upon receipt of the request, the Department, cognizant of the broad mandate for public disclosure of records and the potential penalties for improperly failing to disclose, determined that the exemption did not apply and disclosure of the requested records was required.

The second issue is whether two new statutes, RCW 42.56.640 and RCW 43.17.410, enacted as part of Initiative 1501 (I-1501) in 2016, exempt the requested records as sensitive information. These statutes, if applicable, would prevent release of the records. These statutes were not in effect when the Department received the request and first determined release was required; they took effect afterwards. Nothing has convinced

the Department that its initial determination—that the records should be released—was incorrect. There is no guidance from any court of record whether a newly enacted exemption to the PRA disclosure requirement should be applied retroactively to pending requests.

The Department stands ready to release the records when directed or permitted to do so by this court.

II. STATEMENT OF THE CASE

Washington State subsidizes child care expenses of qualified low wage working families. RCW 43.215.020, .135, .495. The State offers subsidies for child care through several programs, the largest of which is the Working Connections Child Care (WCCC) Program.[1] RCW 43.215.135; WAC 170-290-0001–0240.

The Department administers the WCCC Program. Through an agency service level agreement, the Department contracts with the Department of Social and Health Services (DSHS), to determine eligibility for the program, as well as authorize and administer payments to providers on behalf of families participating in the WCCC Program.

[1] The WCCC is funded in roughly equal parts by three sources: (1) State General Funds; (2) Temporary Assistance for Needy Families (TANF); and (3) Child Care Development Fund (CCDF). CP at 905 TANF dollars are used to pay for child care services for parents who are participating in TANF services. *Id.* Not all families who receive a child care subsidy are participating in TANF services. DSHS is the lead agency for TANF funds. CCDF funds are federal funds provided to the State in a block grant and the Department is the lead agency for those funds. *Id.*

Clerk's Papers (CP) 903; WAC 170-290-0002; RCW 43.215.060–.070. The Department determines child care subsidy policy, eligibility standards, copayment amounts, and rights and responsibilities. WAC 170-290-0002; RCW 43.215.060–.070. It also licenses and regulates child care providers who are required by law to be licensed. RCW 43.215.200. The Department is also responsible for working with child care providers on professional development, coaching, and training opportunities. CP 904; RCW 43.215.100.

The eligible parent, not the provider, is the recipient of the WCCC Program subsidy. CP 904. Parents who are eligible to receive the child care subsidy through the WCCC Program choose the child care setting in which to enroll their children, and pay a co-payment towards the cost of the child care services based upon their income level. *Id.*; WAC 170-290-0025, 0075 - 0090. The State subsidizes the remaining portion of that care which is paid to the child care provider on behalf of the parent. *Id.* RCW 43.215; WAC 170-290-0001–0240.

Child care in Washington State is provided in two different care settings–child care centers and in-home child care. CP 904. Child care centers are commercial operations (for profit or not-for-profit) that hire staff and are usually located in a building or school, other than a private residence, or in a faith-based space. *Id.* Child care center provider

information is not at issue in this case.

In-home child care is provided by family child care providers usually in the provider's residence or in the home of the child. WAC 170-296A-0010; CP 904. Family child care providers can be either licensed or licensed-exempt. CP 904-05.

Licensed family child care providers operate independent home businesses regulated, monitored, and licensed by the Department. CP 904. Licensed family child care providers care for children eligible for subsidized care from multiple families unrelated to the provider in the provider's home on a regular and ongoing basis. *Id.* There are approximately 3,400 licensed family child care providers in Washington State. CP 905.

License-exempt family child care providers[2] are informal care providers exempt from State child care licensing regulations who care for children eligible for subsidized care. *Id.* They provide care either in the children's home (if the children are siblings), or in their own home (if the provider is related to the children). WAC 170-290-0125–0130. There are approximately 4,000 licensed-exempt providers in Washington State. *Id.*

The SEIU 925 represents all family child care providers, both licensed and license-exempt providers, for purposes of collective

[2] License exempt providers are also known as "Family, Friend and Neighbor" providers (FFN).

bargaining with the state. The Department does not know how many family child care providers are members of the SEIU 925.

On November 2, 2016, Foundation employee Maxford Nelson made a request under the PRA to the Department for two records. The first was for a list containing the first name, last name, work mailing address, and work email address of all licensed family child care providers, as defined by RCW 41.56.030(7). CP 909. The second was for a similar list but for license-exempt family child care providers. *Id.* ("Providers Lists"). CP 909-10. On November 4, 2016, the Department notified the SEIU 925 that it intended to release the Provider Lists on November 22, 2016, unless the SEIU 925 produced a court order enjoining disclosure. CP 912-13.

Some of the information requested is readily available on the Department's website: www.del.wa.gov. CP 907. In particular, the "Child Care Check" link provides the following information about licensed family child care providers to the public: (1) the provider's first and last name; (2) the city or town where the child care facility is located; (3) the provider's telephone number; and (4) the number of children the provider is licensed to care for. *Id.* The "Child Care Check" link does not identify or provide any information about any of the children that receive care at any location or their parents. *Id.* No contact information is provided about

licensed-exempt providers. Verbatim Report of Proceedings (VRP) at 19:4-6.

On November 16, 2016, Appellant filed its Complaint for Declaratory and Injunctive Relief Under Public Records Act to enjoin release of the records. CP 5-14. In its Complaint, Appellant asserted four specific protections preventing release of the records: RCW 42.56.070(9) (Commercial Purpose), RCW 42.56.230(1) (Protection of Welfare recipients)[3], RCW 74.04.060 (Protection of public assistance recipients, *supra*) as an "other statute" exemption incorporated through RCW 42.56.070(1), and a privacy interest under the Washington State Constitution.

On November 16, 2016, the SEIU 925 filed a motion for Temporary Restraining Order (TRO). CP 257-63. A hearing on the TRO motion was scheduled for November 18, 2016. By agreement of the parties, the records were not released prior to the hearing. The hearing for the TRO was combined with the Preliminary Injunction hearing and re-noted for December 9, 2016. Without amending its Complaint, Appellant's Preliminary Injunction Motion added two additional statutory bases for injunctive relief: new exemptions established in I-1501, codified

[3] Application of exemptions under RCW42.56.070(9) and RCW 42.56.230(1) were addressed by this court in *SEIU 925 v. Freedom Foundation*, 197 Wn. App. 203, 389 P.3d 641 (2016)

as RCW 42.56.640 and RCW 43.17.410. Neither of these statutes were in effect when the Department received the Foundation's request, identified a responsive record, and gave notice of its intent to release the records on November 22, 2016, if not enjoined from release. CP 912-13.

I-1501, an initiative to the people, was originally filed with the Washington Secretary of State's Office on February 22, 2016. This initiative addressed "the protection of seniors and vulnerable individuals from financial crimes and victimization." The Secretary of State's Office certified I-1501 for the November 8, 2016, General Election ballot. On December 7, 2016, the Secretary of State certified the results of the General Election, and the Governor proclaimed that the proposed law, as set forth in I-1501, had been approved by the voters of Washington. Governor's Proclamation re I-1501, executed December 7, 2016.

Because I-1501 contained no later effective date, it took effect on December 8, 2016, the thirtieth day after the election at which it was approved. Const. art. II, § 1(d). I-1501 includes two new sections of law relevant herein: Section 8, later codified as RCW 42.56.640; and Section 10, later codified as RCW 43.17.410. I-1501 had not been approved by the voters and was not yet in effect on November 2, 2016, the day that the Foundation submitted its public records request to the Department.

At the close of the December 9, 2016, hearing, the trial court denied the SEIU 925's requests for a preliminary injunction but continued the TRO to allow the SEIU 925 an opportunity to file an appeal. VRP at 39-56. A written Order entered that day memorialized the rulings. CP 967-68.

The SEIU 925 timely filed its appeal with this Court and obtained an Order extending the TRO. The TRO remains in place.

The Department was ready to release the requested records on November 22, 2016, and is prepared to release all records covered by the TRO when that order is dissolved, or to take any other action ordered by the Court.

III. ARGUMENT

A. Standard of Review

Where the record consists only of affidavits, memoranda of law, and other documentary evidence, an appellate court stands in the same position as the trial court in reviewing agency action challenged under the PRA. *Robbins, Geller, Rudman & Dowd, LLP v. Office of the Att'y Gen.*, 179 Wn. App. 711, 719–20, 328 P.3d 905 (2014). Review in these cases, including application of an exemption, is de novo. *Id.* The burden of proof is on the party seeking to prevent disclosure to show that an exemption

applies. *Ameriquest Mortg. Co. v. Office of Att'y Gen.*, 177 Wn.2d 467, 486, 300 P.3d 799 (2013). In this case, that burden falls on the SEIU 925.

To obtain injunctive relief, preliminary or permanent, the SEIU 925 must establish three basic requirements: (1) it has a clear legal or equitable right; (2) it has a well-grounded fear of immediate invasion of that right by the entity against which it seeks the injunction; and (3) the acts about which it complains are either resulting or will result in actual and substantial injury. *Kucera v. State Dep't of Trans.,* 140 Wn.2d 200, 210, 995 P.2d 63, 69 (2000). If the SEIU 925 fails to satisfy any one of these three requirements, the injunction should be denied. *Federal Way Family Physicians v. Tacoma Stands Up for Life,* 106 Wn.2d 261, 265, 721 P.2d 946, 948 (1986). At the preliminary injunction hearing, the moving party need only establish the *likelihood* that it will ultimately prevail on the merits, not the ultimate right to a permanent injunction. *Tyler Pipe Indus., Inc. v. State Dep't of Rev.*, 96 Wn.2d 785, 793, 638 P.2d 1213, 1217 (1982).

Overlaying this general standard for an injunction is the standard in RCW 42.56.540, which specifically governs the court's power to enjoin production of a record under the PRA. *Bainbridge Island Police Guild v. City of Puyallup*, 172 Wn.2d 398, 407 n.2, 259 P.3d 190, 194 (2011). Where a specific exemption in the PRA applies, the court must also find

that such disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or a vital governmental function in order to enjoin release under RCW 42.56.540. *Yakima v. Yakima Herald-Republic,* 170 Wn.2d 775, 807-08, 246 P.3d 768 (2011).

B. The Trial Court Correctly Found that RCW 74.04.060(4) Was Not an "Other Statute" Under the PRA to Exempt Personal Contact Information of Family Child Care Providers

In the present case, RCW 74.04.060(4) does not operate as an "other statute" prohibiting release of personal contact information of family child care providers, because the records do not fall within that statute's plain meaning as discerned from the context of the statute and overall statutory scheme.

1. To qualify as an "other statute" exemption under RCW 42.56.070(1) the statute must clearly prohibit the release of records

The PRA mandates the broad disclosure of public records. *Resident Action Council v. Seattle Hous. Auth.*, 117 Wn.2d 417, 431, 327 P.3d 600 (2013). The PRA must be liberally construed and its exemptions narrowly construed. RCW 42.56.030. When determining whether an exemption applies, the agency must look to information within the four corners of the record. *Predisik v. Spokane Sch. Dist. No. 81,* 182 Wn.2d 896, 906, 346 P.3d 737 (2015); *Koenig v. City of Des Moines,* 158 Wn.2d 173, 187, 142 P.3d 162 (2006); *King Cty. v. Sheehan,* 114 Wn. App. 325,

341, 57 P.3d 307 (2002). Records must be disclosed, "unless the requested record falls within the specific exemptions of . . . the chapter, or "other statute" which exempts or prohibits disclosure of specific information or records." *Progressive Animal Welfare Soc'y (PAWS) v. Univ. of Wash.,* 125 Wn.2d 243, 250, 888 P.2d 592 (1994). RCW 42.56.080 prohibits an agency from requiring the requestor to disclose the purpose of the request, except to establish if it is for a commercial purpose or other inquiry specifically allowed by statute. *King Cty. v. Sheehan,* 114 Wn. App. 325, 57 P.3d 307 (2002); *SEIU Healthcare 775 NW. v. State Dep't of Soc. & Health Servs.,* 193 Wn. App.377, 227, 377 P.3d 214 (2016).

While it is possible for a statutory scheme to establish an exemption even though it does not use the word "confidential" or expressly refer to the PRA, an "other statute" must clearly prohibit the release of records. *Hangartner v. City of Seattle,* 151 Wn.2d 439, 453, 90 P.3d 26 (2004) (attorney-client privilege statute constitutes an "other statute" exemption to the PRA); *see also Doe v. Washington State Patrol,* 185 Wn.2d 363, ¶ 35 n.5, 374 P.3d 63 (2016).

2. The Court correctly found that RCW 74.04.060(4)'s prohibition on disclosure as applying to lists or names of applicants and recipients of public assistance under Title 74 is not an "other statute" exemption under the RCW 42.56.070(1)

The plain meaning of the prohibition in RCW 74.04.060(4) is that the legislature intended the provision to apply to lists or names of recipients or applicants of public assistance used for commercial or political purposes. When RCW 74.04.060(4) is read in conjunction with the context of the statute and Title 74, there is no doubt that the legislature intended the provision to address a subcategory of records: lists or names of *applicants or recipients* of public assistance. The trial court did not err when it concluded that RCW 74.04.060(4)'s prohibition of disclosure of lists or names of applicants or recipients of public assistance was an inapplicable "other statute" exemption under the PRA.

a. The plain meaning of RCW 74.04.060(4) is analyzed in the context of the public assistance title as a whole and other related provisions within the statute

The court's objective when interpreting a statute is to "discern and implement the intent of the legislature." *State v. J.P.*, 149 Wn.2d 444, 450, 69 P.2d 318 (2003). If a statute's meaning is plain on its face, courts must give effect to that plain meaning. *Jongeward v. BNSF Railway Co.,* 174 Wn.2d 586 (2012) at 592 (citing *Dep't of Ecology v. Campbell & Gwinn LLC,* 146 Wn.2d 1, 9, 43 P.3d 4 (2002).Plain meaning is discerned from all that the Legislature has said in the statute. *Id.* Plain meaning may also be discerned from "context of the statute in which the provision is found,

related provisions and the statutory scheme as a whole." *Lake v. Woodcreek Homeowners Ass'n*, 169 Wn.2d 516, 526, 243 P.3d 1283 (2010). Statutory provisions must be read in their entirety and construed together, not piecemeal. *Dep't of Ecology,* 146 Wn.2d at 11. Courts must consider legislative purposes or policies appearing on the face of the statute as part of the statute's context. *Id.*

The primary purpose of Title 74 is to administer public assistance to persons in need and protect from intentional misuse of those benefits. RCW 74.04.050; 74.04.012. Recipients are defined as any persons and their dependents who are in need of public aid, including services, medical care, assistance grants, disbursing orders, work relief, benefits under RCW 74.08A.230 and RCW 74.12.350, and federal aid assistance. RCW 74.04.005(11),(12). Applicants are those who make a request for assistance. RCW 74.05.005(2).

RCW 74.04.060(1)(a) generally provides for the confidentiality of applicant and recipient information. It states as follows:

> (1)(a) For the protection of *applicants and recipients*, the department, the authority, and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, *except for purposes directly connected with the administration of the programs of this title*. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records files and

> paper communication and their contents shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a *recipient of welfare assistance* and such person shall be entitled to an affirmative or negative answer. (Emphasis Added)

RCW 74.04.060(1)(a)

Subsection (1)(a) is a qualified exemption that generally prohibits disclosure of information. Specifically, the exemption is "qualified" by the sentence, "except for purposes directly connected with the administration of the programs of this title." When information is used for purposes directly connected with the administration of the program the prohibition on disclosure no longer applies, thereby creating an ability for information to be shared.

RCW 74.04.060(4) expressly prohibits disclosure of lists or names for political or commercial purposes. It states in pertinent part,

> [i]t shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, *publish, disclose*, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of *any lists or names* for commercial or political purposes of any nature ....

RCW 74.04.060(4).

The trial court, reading this subsection in the context of the statute in its entirety and construing it together, concluded that the "lists or names" must pertain to applicants and recipients of public assistance.

VRP at 42-43. The SEIU 925 argues that the trial court erred and that RCW 74.04.060(4) includes "all lists or names" in the possession of "any person, body, association, firm, corporation or other agency" regardless of to whom those records refer. This argument is not consistent with the Legislature's intent.

Throughout RCW 74.04.060, the legislature references information relating to recipients of public assistance. For instance, in RCW 74.04.060(1)(a) an individual is entitled to inquire and receive either a positive or negative response whether a named individual is a "recipient of welfare assistance." RCW 74.04.060(2) requires maintenance of a report by counties showing names and addresses of "recipients... receiving public assistance under this title." Although the SEIU 925 claims that the beginning clause of RCW 74.04.060(1)(a), "for the protection of applicants and recipients," should be ignored because it is simply a statement of purpose, that is the very clause that guides the statute's plain meaning. Reason follows that to "protect applicants and recipients" the information the Department is safeguarding must pertain to the *applicant or the recipient* of public assistance.

The plain meaning of the statute does not support that RCW 74.04.060(4) is a standalone general prohibition on disclosure of "any list or names" used for commercial or political purposes regardless of

who those lists or names refer to. RCW 74.04.060(4) is modified by the context of the statute in which the provision is found and the statutory scheme as a whole. The trial court did not err when it applied the "lists or names" to recipients or applicants of public assistance.

In this case the Foundation requested records of personal contact information for family child care providers. The Foundation did not seek information about applicants or recipients of public assistance as defined under Title 74. The WCCC Program subsidy is provided to an eligible parent in need of child care services based on income eligibility. The eligible parent, not the provider, is the recipient of the public assistance subsidy under Title 74. The trial court did not err when it determined that RCW 74.04.060(4) was an inapplicable "other statute" exemption under RCW 42.56.070(1), because family child care providers are neither applicants nor recipients of the WCCC Program subsidy.

C. The Trial Court Correctly Found That I-1501 Did Not Prevent the Release of Records

1. I-1501 was not law at the time of the PRA request nor at the time of the Department's required "five day response" under RCW 42.56.520

I-1501 created two new public records exemptions, codified as RCW 42.56.640 and RCW 43.17.410. The SEIU 925 asserts these statutes exempt the Provider Lists from release. Appellant's Opening Brief at

21-30. RCW 42.56.640 provides a specific PRA exemption for sensitive personal information of family child care providers. RCW 43.17.410 prohibits state agencies from otherwise releasing sensitive personal information of family child care providers. "Sensitive information" includes a child care provider's name, address, telephone number, and email address. RCW 42.56.640(2)(b). The new statutes became effective on December 8, 2016, and therefore were not in effect when the requestor submitted his request on November 2, 2016. The trial court did not consider those exemptions to be applicable when the request was received. VRP at 43-45. The SEIU 925 argues that the trial court should apply the law in effect at the time of its ruling, and therefore prohibit the Department from disclosing the records pursuant to RCW 42.56.640 or RCW 43.17.410, rather than apply the law in effect at the time the public records request was submitted. This argument presents an issue of first impression.

RCW 42.56.520 requires the agency to respond to the requestor within five business days by either providing the requested records, providing an internet link where the records can be accessed, providing a reasonable estimate of time necessary to respond, or denying the request. "Denials of requests must be accompanied by a written statement of the specific reasons therefor." RCW 42.56.520. The burden of proof is on the

agency to establish that refusal to permit public inspection and copying is in accordance with a statute that exempts or prohibits disclosure in whole or in part of specific information or records. RCW 42.56.550. Since there was no applicable exemption in effect the day that the Foundation made its PRA request and when the Department responded, the trial court correctly determined that there was no basis to deny the Foundation's request.

At the time that the Foundation made its PRA request, and when the Department was required to respond, not only had I-1501 not yet taken effect, but the 2016 General Election had not occurred. The fate of proposed I-1501 was unknown. While RCW 42.56.520 allows an agency to take additional time to respond to a request in order to clarify the request, locate and assemble the records, notify third persons affected by the request, or determine whether any information is exempt, nothing in the PRA allows an agency to take additional time to wait for the results of an election and base its initial response on potential changes in the law. An agency delaying release of records without authority faces potential penalties for the delay. *Wade's Eastside Gun Shop, Inc., v. Dep't of Labor and Indus.,* 185 Wn. 2d 270, 283-98, 372 P.3d 97 (2016).

2. The trial court correctly concluded that I-1501, effective on December 8, 2016, was not retroactive and did not prevent release of requested records

The Department has a duty to make public records available to

requestors unless they are exempt from disclosure. RCW 42.56.070(1). The SEIU 925 argues that the specific PRA exemptions, RCW 42.56.640, and RCW 43.17.410 as "other statutes" under RCW 42.56.070(1), apply retroactively prohibiting release of the record in this case. No published appellate decision in Washington supports that argument.

If the Court finds it necessary to consider retroactivity because the Foundation made its request before the effective date of I-1501, the normal rules of statutory construction apply. "The rules of statutory construction apply to initiatives as well as to legislative enactments." *Hi-Starr, Inc., v. Liquor Control Bd.*, 106 Wn.2d 455, 460, 722 P.2d 808 (1986). Generally, statutes apply prospectively unless there is some legislative indication to the contrary. *Dragonslayer Inc., v. Gambling Comm'n*, 139 Wn. App. 433, 448, 161 P.3d 428 (2007).

Lacking an explicit statement of retroactivity in I-1501, to overcome the presumption of prospective application, the Court therefore must find some Legislative intent that I-1501 be applied retroactively by looking to the language of the initiative or to some other indication that the average informed voter would have understood the initiative as applying retroactively. *See Am. Legion Post No. 149 v. Dep't of Health*, 164 Wn.2d 570, 585, 192 P.3d 306 (2008); *State v. Rose*, 191 Wn. App. 858, 868, 365 P.3d 756 (2015), *review denied*, 185 Wn.2d 1030;

Dragonslayer, 139 Wn. App. at 448. The trial court did not err when it found that there was no explicit statement or intent within I-1501 on retroactivity allowing it to withhold the record.

Alternatively, the presumption of prospective application is reversed in favor of retroactive application if the amendment is clearly curative or remedial. *Dragonslayer*, 139 Wn. App. at 449. An amendment is curative if it clarifies or makes a technical correction to an ambiguous statute. *In re F.D. Processing, Inc.*, 119 Wn.2d 452, 461, 832 P.2d 1303 (1992). An amendment is remedial if it relates to practice, procedure, or remedies, and does not affect a substantive or vested right. *Id.* at 462-63.

The trial court correctly concluded that the new statutes, RCW 42.56.640 and RCW 43.17.410 were neither curative nor remedial. VRP at 43-45. During the preceding year, a list of child care providers was held to be non-exempt from disclosure to a PRA request. *SEIU Healthcare 925 v. Freedom Foundation*, 197 Wn. App. 203, 389 P.3d 641 (2016). In *Dragonslayer*, a public records request was submitted prior to the Legislature's amendment of a PRA statute. The court commented that the amendment to the PRA exemption was not remedial because it would affect the requestor's vested right in the records. *Dragonslayer*, 139 Wn. App. at 449. Based on this, the trial court was unable to find support for the conclusion that the new PRA exemptions

established in I-1501 apply retroactively to public records requests received before December 8, 2016. The trial court properly concluded that the requested records were not exempt from public disclosure.

IV. CONCLUSION

The Department stands ready to release the requested records when permitted to do so by the courts, and asks the Court to provide the agency with clear direction as to its duties under the PRA in the context of the specific request at issue in this case.

RESPECTFULLY SUBMITTED this 3 day of July, 2017.

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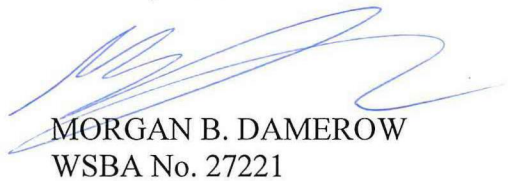

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DATED this 3 day of July, 2017, at Olympia, WA.

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WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL - LABOR AND PERSONNEL DIVISION

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