

FILED
SUPREME COURT
STATE OF WASHINGTON
1/14/2020 2:35 PM
BY SUSAN L. CARLSON
CLERK

SUPREME COURT
OF THE STATE OF WASHINGTON

LAKEHAVEN WATER AND SEWER
DISTRICT, HIGHLINE
WATER DISTRICT, and MIDWAY
SEWER DISTRICT, municipal
corporations,

Appellants,

v.

CITY OF FEDERAL WAY, a municipal
corporation,

Respondents.

No. 96585-4

STATEMENT OF
ADDITIONAL
AUTHORITIES

COME NOW appellants Lakehaven Water and Sewer District, Highline Water District, and Midway Sewer District (“Districts”), and submit the following additional authority to the Court pursuant to RAP 10.8:

- *State v. Evergreen Freedom Foundation*, 192 Wn.2d 782, 432 P.3d 805 (2019) (standards re: unconstitutional vagueness);
- RCW 57.08.081(2) (districts must pass the City’s tax through to ratepayers; “Rates shall...produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for efficient and proper operation of the system.”).

DATED this 14th day of January, 2020.

Respectfully submitted,



Philip A. Talmadge, WSBA #6973

Talmadge/Fitzpatrick

2775 Harbor Avenue SW

Third Floor, Suite C

Seattle, WA 98126

(206) 574-6661

John W. Milne, WSBA #10697

Mark S. Leen, WSBA #35934

Inslee Best Doezie & Ryder PS

10900 NE Fourth Avenue Suite 1500

Bellevue, WA 98004-8345

(425) 455-1234

Attorneys for Appellants

Steven H. Pritchett, WSBA #12792

Lakehaven Water and

Sewer District

PO Box 4249

Federal Way, WA 98063

(253) 941-1516

Attorney for Lakehaven Water and

Sewer District

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. 96585-4 to the following parties indicated below:

Jamie L. Lisagor
Jessica A. Skelton
Shae Blood
Pacifica Law Group LLP
1191 Second Avenue, Suite 2000
Seattle, WA 98101-3404

John Milne
Mark S. Leen
Inslee Best Doezie & Ryder PS
10900 NE Fourth Avenue
Suite 1500
Bellevue, WA 98004-8345

Michael M. Hanis
Patrick M. Hanis
Hanis Irvine Prothero, PLLC
6703 S. 234th Street, Suite 300
Kent, WA 98032

J. Ryan Call
Mark D. Orthmann
City of Federal Way
33325 8th Avenue South
Federal Way, WA 98003

Christopher T. Benis
Hecker, Wakefield & Fielberg, PS
321 First Avenue W
Seattle, WA 98119-4103

Eric J. Lamb
Deputy City Attorney
City of Spokane Valley
10210 E. Sprague Avenue
Spokane Valley, WA 99206

Steven Pritchett
Lakehaven Water and Sewer District
PO Box 4249
Federal Way, WA 98063-4249

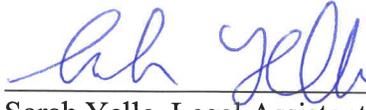
Sheila Gall
AWC General Counsel
1076 Franklin Street SE
Olympia, WA 98501-1346

Joseph P. Bennett
Hendricks-Bennett, PLLC
402 Fifth Avenue S
Edmonds, WA 98020

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: January 14, 2020 at Seattle, Washington.



Sarah Yelle, Legal Assistant
Talmadge/Fitzpatrick

TALMADGE/FITZPATRICK

January 14, 2020 - 2:35 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 96585-4
Appellate Court Case Title: Lakehaven Water and Sewer District, et al v. City of Federal Way

The following documents have been uploaded:

- 965854_Briefs_20200114143308SC470357_4314.pdf
This File Contains:
Briefs - Appellants Additional Authorities
The Original File Name was Stmt of Additional Authorities.pdf

A copy of the uploaded files will be sent to:

- Chrisbenis@hotmail.com
- Jessica.skelton@pacificalawgroup.com
- chrisb@heckerwakefield.com
- cindy.bourne@pacificalawgroup.com
- elamb@spokanevalley.org
- jamie.lisagor@pacificalawgroup.com
- jmilne@insleebest.com
- joe@hendricksb.com
- lalexander@lakehaven.org
- mark.orthmann@cityoffederalway.com
- matt@hendricksb.com
- matt@tal-fitzlaw.com
- mhanis@hiplawfirm.com
- mleen@insleebest.com
- phanis@hiplawfirm.com
- ryan.call@cityoffederalway.com
- sarah@tal-fitzlaw.com
- shae.blood@pacificalawgroup.com
- sheilag@awcnet.org
- spritchett@lakehaven.org
- sydney.henderson@pacificalawgroup.com
- tsarazin@insleebest.com

Comments:

Statement of Additional Authorities

Sender Name: Sarah Yelle - Email: sarah@tal-fitzlaw.com

Filing on Behalf of: Philip Albert Talmadge - Email: phil@tal-fitzlaw.com (Alternate Email: matt@tal-fitzlaw.com)

Address:
2775 Harbor Avenue SW
Third Floor Ste C

Seattle, WA, 98126
Phone: (206) 574-6661

Note: The Filing Id is 20200114143308SC470357