

FILED
SUPREME COURT
STATE OF WASHINGTON
7/18/2019 10:41 AM
BY SUSAN L. CARLSON
CLERK

NO. 96613-3

SUPREME COURT
OF THE STATE OF WASHINGTON

Court of Appeals, Division II No. 49854-5-II

THE CHURCH OF THE DIVINE EARTH

Petitioner,

v.

CITY OF TACOMA,

Respondent.

PETITIONER'S STATEMENT OF ADDITIONAL AUTHORITY

Richard B. Sanders, WSBA No. 2813
Carolyn A. Lake, WSBA No. 13980
Attorneys for Petitioner
Goodstein Law Group PLLC
501 South G Street
Tacoma, WA 98405
(253) 779-4000

Comes now The Church of the Divine Earth and submits its Statement of Additional Authority pursuant to RAP 10.8.

Issue: This additional authority pertains to the Church's request that review be enlarged to address the trial court's refusal to permit the Church to amend its complaint to include a cause of action for violation of 42 USC 1983 and the Court of Appeal's refusal to reverse this trial court decision.

Additional Authority: *Rose Mary Knick v. Township of Scott, Pennsylvania*, 588 U.S. ____ (2019) (plaintiff may pursue 42 USC 1983 claim without exhausting state court remedy for compensation, overruling *San Remo Hotel v. City and County of San Francisco*, 545 U.S. 323 (2005) and *Williamson County v. Hamilton Bank*, 473 U.S. 172 (1985), in part.

RESPECTFULLY SUBMITTED this 18th day of July 2019.

GOODSTEIN LAW GROUP PLLC

s/Richard B. Sanders

Richard B. Sanders, WSBA #2813
Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below, I caused to be served the foregoing document on the following persons and in the manner listed below:

| | |
|--|---|
| Margaret Elofson, Deputy City Attorney City of Tacoma, Office of the City Attorney 747 Market Street, Room 1120 Tacoma, WA 98402 Email: margaret.elfofson@ci.tacoma.wa.us | <input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input checked="" type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile |
| Brian T. Hodges Pacific Legal Foundation 255 South King Street, Suite 800 Seattle, Washington 98104 Email: BHodges@pacificlegal.org | <input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input checked="" type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile |
| Jackson Maynard, Jr. Hannah Marcley Building Industry Association of Washington 111 21st Ave SW Olympia, WA 98501 Email: jacksonm@biaw.com hannahm@biaw.com | <input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input checked="" type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile |

DATED this 18th day of July 2019, at Tacoma, Washington.

s/Deena Pinckney
Deena Pinckney

GOODSTEIN LAW GROUP PLLC

July 18, 2019 - 10:41 AM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 96613-3
Appellate Court Case Title: Church of the Divine Earth v. City of Tacoma
Superior Court Case Number: 14-2-13006-1

The following documents have been uploaded:

- 966133_State_of_Add_Authorities_20190718104022SC114410_0211.pdf
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Statement of Additional Authorities
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- jwmaynard2003@yahoo.com
- margaret.elfson@ci.tacoma.wa.us

Comments:

Sender Name: Deena Pinckney - Email: dpinckney@goodsteinlaw.com

Filing on Behalf of: Richard B Sanders - Email: rsanders@goodsteinlaw.com (Alternate Email: dpinckney@goodsteinlaw.com)

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