

CERTIFICATION FROM THE U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Chong and Marilyn Yim, Kelly)	
Lyles, Eileen, LLC, and Rental)	
Housing Ass'n of Wash.,)	
)	
Plaintiffs,)	CITY OF SEATTLE'S
)	STATEMENT OF
vs.)	ADDITIONAL AUTHORITIES
)	
City of Seattle,)	
)	
Defendant.)	

Defendant City of Seattle offers this statement of additional authorities under RAP 10.8.

Regarding the City's contentions about the analysis Washington courts have applied to substantive due process claims under the Washington Constitution since *Amunrud* (see City's Opening Brief at 16-17 & n.59), please see *State v. Conway*, __ Wn. App. 2d __, 438 P.3d 1235, 1244 (2019); *Haines-Marchel v. Washington State Liquor & Cannabis Bd.*, 1 Wn. App. 2d. 712, 406 P.3d 1199 (2017), *rev. denied*, 191 Wn.2d 1001, 422 P.3d 913 (2018); *cert. denied*, __ U.S. __, 139 S.Ct. 1383 (2019).

Regarding the City's contentions about pre-*Amunrud* decisions applying the "undue oppression" analysis beyond land use regulations (*see* City's Opening Brief at 20-21 & n.77), please see *Viking Properties*, 155 Wn.2d 112, 130-31, 118 P.3d 322 (2005).

Respectfully submitted May 28, 2019.

PETER S. HOLMES
Seattle City Attorney

By: /s/ Roger D. Wynne, WSBA # 23399
/s/ Sara O'Connor-Kriss, WSBA #41569
Assistant City Attorneys
For Appellant City of Seattle

Seattle City Attorney's Office
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7097
(206) 233-2177

CERTIFICATE OF SERVICE

I certify that, on this day, I filed this document via the Clerk's electronic portal filing system, which should cause it to be served by the Clerk on all parties and *amici curiae*, and emailed a courtesy copy of this document to:

Ethan W. Blevins, WSBA #48219

Brian T. Hodges, WSBA #31976

Pacific Legal Foundation

10940 NE 33rd Place, Suite 210

Bellevue, WA 98004

Eblevins@pacificlegal.org

bth@pacificlegal.org

JManley@pacificlegal.org

BBartels@pacificlegal.org

Attorneys for Plaintiffs Chong and Marilyn Yim, et al.

DATED May 28, 2019 at Seattle, Washington.

/s/ Alicia Reise

ALICIA REISE, Legal Assistant

SEATTLE CITY ATTORNEY'S OFFICE - LAND USE SECTION

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