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Jan 22, 2014, 4:10 pm
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SUPREME COURT OF THE STATE OF WASHINGTON

No. 69157-1

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

ARTHUR LANE, JOHN ALLERTON and KENNETH GOROHOFF,

Appellants,

v.

PORT OF SEATTLE; KING COUNTY; BNSF RAILWAY COMPANY;
GNP RLY, INC.; and CITY OF REDMOND,

Respondents.

**BNSF'S JOINDER IN RESPONDENTS' ANSWERS
TO PETITION FOR REVIEW**

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Attorneys for Respondent BNSF Railway Company

 ORIGINAL

I. INTRODUCTION

The BNSF Railway Company (“BNSF”) joins in the Port of Seattle’s, King County’s, and City of Redmond’s (collectively “Respondents”) Answers to the Petition for Review and respectfully requests that the Court deny the Petition for Review.

II. STATEMENT OF JOINDER

The Court should deny the Petition for Review because: (i) the Court of Appeals’ comprehensive, well-reasoned decision applying the plain language of RCW 53.08.010, 53.08.290, and RCW 53.08.245 does not conflict with a decision of this Court; and (ii) the Petition does not “involve[] an issue of substantial public interest that should be determined by the Supreme Court.” RAP 13.4(b)(1) & (4). BNSF therefore joins in Respondents’ request that the Court deny Appellants’ Petition for Review.

III. CONCLUSION

BNSF respectfully requests that the Court deny the Petition for Review.

Dated this 22nd day of January, 2014.

PACIFICA LAW GROUP LLP

By 

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Attorneys for Respondent BNSF