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NO. 901368

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IN THE WASHINGTON STATE SUPREME COURT

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JAMES C. EGAN, *Petitioner*.

v.

CITY OF SEATTLE, *Respondent*.

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STATEMENT OF ADDITIONAL AUTHORITIES

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JAMES C. EGAN  
*Petitioner*

The Law Offices of James Egan  
605 First Ave Suite 400  
Seattle, WA 98104  
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(206) 749-5888  
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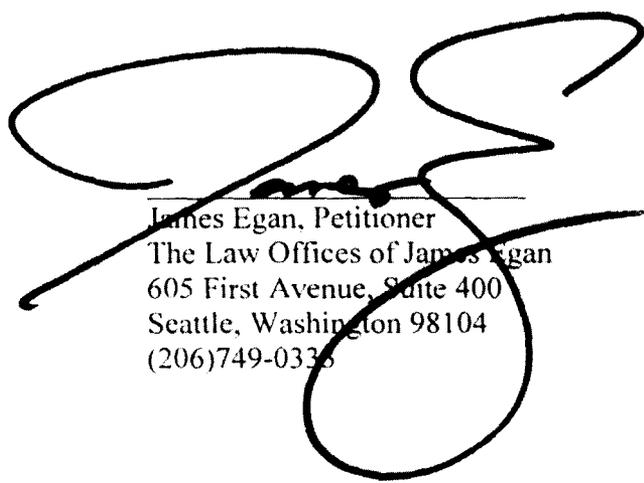
## STATEMENT OF ADDITIONAL AUTHORITIES

Pursuant to RAP 10.8, petitioner James Egan respectfully submits the following additional authorities for the Court's consideration:

1. *Clackamas River Water v. Holloway*, 261 Or.App. 852, 322 P.3d 614 (Or.App. March 26, 2014). The plaintiff in the underlying action, the Clackamas River Water utility, filed a suit for injunctive relief under Oregon's equivalent to the Public Records Act. Defendants responded with a special motion to strike under the Oregon equivalent to the Anti-SLAPP statute. The trial court granted the defendant's motion to strike, and also granted plaintiff some injunctive relief. The Court of Appeals reversed as to the grant of injunctive relief only, so trial court's granting of the Anti-SLAPP motion to strike remains intact. "CRW, for its part, does not cross-appeal; it concedes, in other words, that its action against defendants 'arises out of' defendants' statements in a proceeding authorized by law—presumably, defendants' written request for CRW to comply with the public records law—and that CRW could not establish a probability that it would prevail on its claim." *Clackamas River Water v. Holloway*, 261 Or.App. 852, \_\_\_, 322 P.3d 614 (Or.App. March 26, 2014). "[T]he motion, at on its face does appear to be an appropriate use of the anti-SLAPP statute." *Id.*, quoting trial court.

2. *Fisher Broadcasting v. City of Seattle*, \_\_\_\_\_ Wn.2d \_\_\_\_\_, \_\_\_\_\_ P.3d \_\_\_\_\_, (Washington Supreme Court, June 12, 2014). “We hold that RCW 9.73.090(1)(c) is a limited exception to immediate disclosure under the PRA, but it is one that applies only where there is actual, pending litigation.” In the underlying declaratory judgment action in this case, *City of Seattle v. Egan*, the City sought a declaration that RCW 9.73.090(1)(c) prohibits the release of all in-car videos until three years after the date of recording.

Dated June 18, 2014



James Egan, Petitioner  
The Law Offices of James Egan  
605 First Avenue, Suite 400  
Seattle, Washington 98104  
(206)749-0333

### DECLARATION OF SERVICE

I, Beth Ann Hinkle, do declare that on June 18, 2014, I did serve this Statement of Additional Authorities on counsel for respondent City of Seattle by depositing copies of same in the United States Mail, postage prepaid, to:

Ms. Mary Farver Perry  
City of Seattle Attorney's Office  
PO Box 94169  
Seattle, Washington 98124

Mr. Phillip Talmadge  
Talmadge/Fitzpatrick  
2775 Harbor Avenue SW  
Seattle, Washington 98124

I swear under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

June 18, 2014

  
Beth Ann Hinkle

**OFFICE RECEPTIONIST, CLERK**

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Wednesday, June 18, 2014 4:19 PM  
**To:** 'Beth Ann Hinkle'  
**Cc:** 'Lee H. Rousso'; james@eganattorney.com  
**Subject:** RE: Statement of Additional Authorities, Egan v. Seattle, No. 901368

Rec'd 6-18-14

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

**From:** Beth Ann Hinkle [mailto:info@eganattorney.com]  
**Sent:** Wednesday, June 18, 2014 4:07 PM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Cc:** 'Lee H. Rousso'; james@eganattorney.com  
**Subject:** Statement of Additional Authorities, Egan v. Seattle, No. 901368

To Whom It May Concern:

Please find the attached Statement of Additional Authorities for Egan v. City of Seattle, No. 901368, filed by James Egan, WSBA #28257. A hard copy is to follow in the mail. A copy of this has been mailed to all parties.

Thank you, and have a great day.

Sincerely,

Beth A. Hinkle  
Paralegal

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