

COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION I

IN RE: BALLOT TITLE APPEAL )  
OF CITY OF SEATTLE )  
INITIATIVES 107-110, )

NO. 72322-7-1

And, )

KING COUNTY'S ANSWER )  
TO MOTION FOR )  
DISCRETIONARY REVIEW )

IN RE: BALLOT TITLE APPEAL )  
OF CITY OF SEATTLE )  
PROPOSITION NO. 1B )  
(ORDINANCE 124590), )

And, )

YES FOR EARLY SUCCESS, a )  
non-profit corporation, LAURA )  
CHANDLER, and BARBARA )  
FLYE, Plaintiffs )

v. )

CITY OF SEATTLE AND KING )  
COUNTY, )

Defendants. )

FILED  
COURT OF APPEALS DIV I  
STATE OF WASHINGTON  
2014 AUG 22 PM 2:49

1. IDENTITY OF ANSWERING PARTY

King County asks for the relief designated in Part 2.

2. STATEMENT OF RELIEF SOUGHT

King County is not taking a position as to the substantive issues raised in this appeal. However, for the reasons set forth in

the declaration of Kortney Kinzer, King County respectfully requests that this Court resolve all issues affecting the ballot title for City of Seattle Proposition No. 1A and 1B on or before September 5, 2014.

3. FACTS RELEVANT TO ANSWER

The facts on which this Answer relies are set forth in the Declaration of Kortney Kinzer. Ms. Kinzer's declaration was filed with the trial court, was designated by Petitioners in this appeal (CP 185-186), and is attached to this Answer for the Court's convenience.

4. GROUND FOR RELIEF SOUGHT AND ARGUMENT

The statutory deadline for jurisdictions to file resolutions or ordinances with King County Elections notifying Elections that a measure is to be placed on the November 4, 2014 General Election ballot was August 5, 2014. CP 186. The City of Seattle timely filed City of Seattle Proposition No. 1A and 1B with King County Elections on July 23. CP 186. Elections is now in the process of preparing ballots for the General Election with Proposition No. 1A and 1B as it appears in the City of Seattle resolution. CP 186.

The County is scheduled to send the November 4 ballots to its printer on September 11. CP 186. The September 11 deadline

is an important deadline that precedes other steps in the ballot preparation process. CP 186. If that deadline is not met, the printer may not be able to prepare proofs and test decks on time and the County may not finish its final proofing and testing on time. CP 186.

It is critical that the County keep on schedule in the ballot preparation process because a delay could threaten King County's ability to timely mail its ballots to military and overseas voters. CP 186. The County is statutorily required to mail these ballots by September 20, but plans to mail them on September 19 since September 20 is a Saturday. CP 186; RCW 29A.40.070(2).

Though King County is not taking a position as to the substantive issues raised in this appeal, it is critical that the ballot title be finalized on or before September 5 as the County is scheduled to provide its final ballot to the printer on September 11.

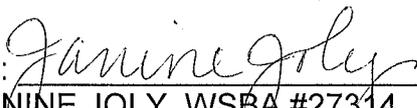
5. CONCLUSION

King County respectfully requests that the court resolve all issues affecting the ballot title for City of Seattle Proposition No. 1A

and 1B on or before September 5, 2014.

DATED this 21<sup>st</sup> day of August, 2014.

DANIEL T. SATTERBERG  
King County Prosecuting Attorney

By:   
\_\_\_\_\_  
JANINE JOLY, WSBA #27314  
Senior Deputy Prosecuting Attorney  
Attorneys for King County

Honorable Marianne Spearman  
Wednesday, August 6, 2014 – 1:30 P.M.  
WITHOUT ORAL ARGUMENT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IN RE: BALLOT TITLE APPEAL OF CITY OF SEATTLE INITIATIVES 107-110,

And

IN RE: BALLOT TITLE APPEAL OF CITY OF SEATTLE PROPOSITION NO. 1B (ORDINANCE 124509),

And

YES FOR EARLY SUCCESS, a non-profit corporation, LAURA CHANDLER, and BARBARA FLYE,

Plaintiffs,

v.

CITY OF SEATTLE and KING COUNTY,

Defendants.

No. 14-2-08551-6  
No. 14-2-21111-2  
No. 14-2-21112-1

DECLARATION OF KORTNEY KINZER IN SUPPORT OF KING COUNTY'S RESPONSE

I, Kortney Kinzer, declare under penalty of perjury of the laws of the State of

Washington that the following is true and correct to the best of my knowledge.

1. I am a Program Supervisor II for King County Elections. I am part of the team that is responsible for many areas of elections operations including duties related to ballot production.

DECLARATION OF KORTNEY KINZER IN SUPPORT OF KING COUNTY'S RESPONSE - 1

Daniel T. Satterberg, Prosecuting Attorney  
CIVIL DIVISION, Contracts Section  
900 King County Administration Building  
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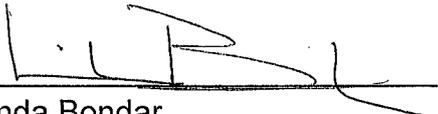
## DECLARATION OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on August 22, 2014, I arranged for service of the foregoing King County's Answer to Motion for Discretionary Review to the court and to the parties to this action as follows:

Court of Appeals of the State of Washington, Division I 600 University St. One Union Square Seattle, WA 98101	By legal messenger service
Knoll D. Lowney Claire Tonry Smith & Lowney, P.L.L.C. 2317 E. John St. Seattle, WA 98112 <i>Attorneys for Plaintiffs</i>	Email by agreement of the parties to:  <a href="mailto:seattleknoll@gmail.com">seattleknoll@gmail.com</a> <a href="mailto:knoll@igc.org">knoll@igc.org</a> <a href="mailto:clairet@igc.org">clairet@igc.org</a> <a href="mailto:jessie.c.sherwood@gmail.com">jessie.c.sherwood@gmail.com</a>
Carlton W.M. Seu Gary T. Smith Assistant City Attorneys City of Seattle P.O. Box 94769 Seattle, WA 98124-4769  Paul Lawrence Greg Wong Pacifica Law Group 1191 2 <sup>nd</sup> Avenue, Suite 2100 Seattle, WA 98101-2945 <i>Attorneys for Defendant City of Seattle</i>	Email by agreement of the parties to:  <a href="mailto:Carlton.Seu@seattle.gov">Carlton.Seu@seattle.gov</a> <a href="mailto:Gary.Smith@seattle.gov">Gary.Smith@seattle.gov</a>  <a href="mailto:Paul.Lawrence@pacificallawgroup.com">Paul.Lawrence@pacificallawgroup.com</a> <a href="mailto:Greg.Wong@pacificallawgroup.com">Greg.Wong@pacificallawgroup.com</a>

DATED at Seattle, Washington, this 22<sup>nd</sup> day of August, 2014.

  
\_\_\_\_\_  
Linda Bondar