FILED
SUPREME COURT
STATE OF WASHINGTON
10/11/2021
BY ERIN L. LENNON
CLERK

THE SUPREME COURT OF WASHINGTON

JEFFREY JOHNSON,)
Respondent,	ORDER
	No. 100255-6
JAY INSLEE et al.,	Franklin County Superior Court No. 21-2-50510-3
Petitioners.)
))

On September 30, 2021, the Court received the Petitioners' "Emergency Motion for Discretionary and Accelerated Review" and "Statement of Grounds for Direct Review." On October 5, 2021, the Court received the "Respondent's Answer to Petitioners' Emergency Motion for Discretionary Review and Accelerated Review" and "Respondent's Answer to Petitioners' Statement of Grounds for Direct Review. On October 7, 2021, the Court received the "Petitioners' Reply in Support of Emergency Motion for Discretionary and Accelerated Review".

In the motion for accelerated discretionary review, Petitioners Governor Jay Inslee, the State of Washington, the Washington Department of Corrections, and Cheryl Strange seek this court's direct review of an order of the Franklin County Superior Court denying petitioners' motion for a change of venue to the Thurston County Superior Court in an action brought by Respondent Jeffrey Johnson seeking declaratory and injunctive relief against proclamations issued by the governor requiring certain employees, as a condition of further employment, to be vaccinated against the COVID-19 virus by October 18, 2021. The Court determines that the

governor's proclamations constitute acts performed by him "in virtue of his ... office" within Thurston County, and that therefore, Respondent's cause of action challenging the proclamations "arose" in Thurston County, making the Thurston County Superior Court the mandatory venue for the action under RCW 4.12.020(2).

Now, therefore, it is hereby

ORDERED:

That the motion for accelerated discretionary review by this Court of the motion regarding the proper venue for this case is granted, review of the venue question is retained by this court, the order of the Franklin County Superior Court denying petitioners' motion for change of venue to the Thurston County Superior Court is reversed, and this matter is remanded to the Franklin County Superior Court with directions to grant petitioners' motion to change venue without delay. An explanatory per curiam opinion will be filed at a later date.

DATED at Olympia, Washington this 11th day of October, 2021.

For the Court

Conzález C.J.