THE SUPREME COURT OF WASHINGTON

SHERRIL HUFF, an individual taxpayer and King County Director of Elections; MARY HALL, an individual taxpayer and Thurston County Auditor; DAVID FROCKT, an individual taxpayer and Washington State Senator, REUVEN CARLYLE, an individual taxpayer and Washington State Senator; EDEN MACK, an individual taxpayer; TONY LEE, an individual taxpayer; ANGELA BARTELS, an individual taxpayer; GERALD REILLY and PAUL BELL, an individual taxpayer,

Appellants,

v.

KIM WYMAN, in her official capacity as Secretary of State for the State of Washington; TIM EYMAN, LEO J. FAGAN, and M.J. FAGAN,

Respondents.

ORDER

No. 92075 - 3

Filed
Washington State Supreme Court

SEP - 4 2015

Ronald R. Carpenter
Clerk

This matter came before the en banc court on appellants' direct appeal to this court and motion for accelerated review of a King County Superior Court order denying appellants' motion to enjoin the Secretary of State from placing Initiative Measure No. 1366 (I-1366) on the November 2015 general election ballot. The court has determined unanimously that the present order should be entered immediately, with an opinion explaining the court's reasoning to be entered in due course.

719/171

IT IS HEREBY ORDERED:

The appeal is retained by this Court for a decision on the merits.

Appellants have not made the clear showing necessary for injunctive relief as required by *Rabon v. City of Seattle*, 135 Wn.2d 278, 957 P.2d 621 (1998). The superior court order denying appellants' motion for injunctive relief is affirmed.

DATED at Olympia, Washington this 4th day of September, 2015.

For the Court

Madsen, C.J.

CHIEF JUSTICE