

The Honorable John C. Coughenour

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WASHINGTON STATE REPUBLICAN  
PARTY, et al.,

Plaintiffs,

WASHINGTON STATE DEMOCRATIC  
CENTRAL COMMITTEE, et al.,

Plaintiff Intervenors,

and

LIBERTARIAN PARTY OF WASHINGTON  
STATE, et al,

Plaintiff Intervenors,

v.

STATE OF WASHINGTON, et al,

Defendant Intervenors,

and

WASHINGTON STATE GRANGE, et al,

Defendant Intervenors.

No. CV05-0927 JCC

RESPONSE OF WASHINGTON  
STATE DEMOCRATIC PARTY TO  
LIBERTARIAN PARTY'S MOTION  
FOR CONTINUANCE OF HEARINGS

The Washington State Democratic Central Committee ("Democratic Party") does not object to the request of the Libertarian Party for a reasonable continuance of the Motions to Dismiss that have been brought by the State defendants and the Washington State Grange.

1 The Libertarians can be assumed to object to dismissal of their case and counsel is necessary  
2 to properly present the objection to the Court.

3 However, the Democratic Party does object to the State's request for a continuance of  
4 the Democratic Party's Motion to Amend and Supplement its Complaint and to stay all  
5 proceedings in the case pending retention by the Libertarians of new counsel. The  
6 Democratic Party's Motion to Amend and Supplement is not objected to by the Libertarian  
7 Party and no continuance has been sought.

8 The Democratic Party's Motion to Amend and Supplement its Complaint should be  
9 decided by the Court as soon as the Court is prepared to do so. Resolving the Motion to  
10 Amend and Supplement now will allow the Democratic Party to plan the rest of its case while  
11 awaiting the Libertarians' new counsel. Similarly, the defendants and the Republican Party  
12 could plan their next steps based on the results of the Motion to Amend and Supplement while  
13 waiting for the Libertarian Party to obtain counsel and respond to the Motions to Dismiss.

14 Deferring resolution of the Motion to Amend and Supplement, as the State requests,  
15 serves no particular purpose and they have not put forth any compelling reason for this Court  
16 to do so now. The State's request for a continuance of the Motion to Amend and Supplement  
17 and for a stay of proceedings should be rejected.

18 DATED this 9<sup>th</sup> Day of December, 2008.

19  
20 /s/David T. McDonald  
21 David T. McDonald, WSBA #5260  
22 Alex Wagner, WSBA # 36856  
23 K&L GATES LLP  
24 925 Fourth Avenue, Suite 2900  
25 Seattle, WA 98104  
26 Tel: (206) 623-7580  
Fax: (206) 623-7022  
david.mcdonald@klgates.com

Attorneys for Plaintiffs in Intervention,  
Washington State Democratic Party and  
Dwight Pelz, Chair

**CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2008, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

**James Kendrick Pharris**

**Thomas Ahearne**

**Richard Dale Shepard**

**John James White, Jr.**

/s/David T. McDonald  
David T. McDonald, WSBA #5260  
Alex Wagner, WSBA # 36856  
KIRKPATRICK & LOCKHART  
PRESTON GATES ELLIS LLP  
925 Fourth Avenue, Suite 2900  
Seattle, WA 98104  
Tel: (206) 623-7580  
Fax: (206) 623-7022  
[david.mcdonald@klgates.com](mailto:david.mcdonald@klgates.com)

Attorneys for Plaintiffs in Intervention,  
Washington State Democratic Party and  
Dwight Pelz, Chair