

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,

No. CV05-0927-JCC

WASHINGTON DEMOCRATIC CENTRAL
COMMITTEE, et al.,

Plaintiff Intervenor

WASHINGTON STATE GRANGE'S
ANSWER TO REPUBLICANS'
SUPPLEMENTAL AND AMENDED
COMPLAINT

LIBERTARIAN PARTY OF WASHINGTON
STATE, et al.,

Plaintiff Intervenor

v.

STATE OF WASHINGTON, et al.,

Defendant Intervenor

WASHINGTON STATE GRANGE,

Defendant Intervenor.

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I. ANSWER

1-18. In answer to paragraphs 1-18 of the Supplemental & Amended Complaint of the plaintiff Republicans, the Washington State Grange (“Grange”) admits, denies, and alleges the same as its co-defendants did in answer to those paragraphs, and further admits that paragraph 15 includes a short quote, taken out of context, that is not material to this controversy.

19. In answer to paragraph 19, the Grange admits, denies, and alleges the same as its co-defendants did in answer to that paragraph. It further admits that it initiated and pursued a signature gathering campaign to place I-872 on the November 2004 ballot, that paragraph 19 includes short quotes, taken out of context, that are not material to this controversy, and that any April 19, 2004 communication from the republicans’ lawyer speaks for itself.

20-52. In answer to paragraphs 20-52, the Grange admits, denies, and alleges the same as its co-defendants did in answer to those paragraphs, and further admits that paragraph 43 includes a short quote, taken out of context, that is not material to this controversy.

53. In answer to paragraph 53, the Grange admits that Initiative 872 does not have a clause entitled “severability”, but as explained in the prior briefing in this case, denies the remainder of this paragraph’s allegation concerning its legal effect.

54-68. In answer to paragraphs 54-68, the Grange admits, denies, and alleges the same as its co-defendants did in answer to those paragraphs.

II. DEFENSES

The Grange asserts the same defense as its co-defendants – namely, that the complaint still fails to state a claim upon which relief can be granted.

III. PRAYER FOR RELIEF

The Grange asserts the same prayer for relief as its co-defendants, and therefore respectfully requests that this Court enter the judgment requested by its co-defendants, including

1 but not limited to awarding defendants their reasonable fees and costs to the extent permitted by
2 law.

3 RESPECTFULLY SUBMITTED this 11th day of August, 2010.

4 FOSTER PEPPER PLLC

5
6 s/ Thomas F. Ahearne

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CERTIFICATE OF SERVICE

Kelly Mueller states: I hereby certify that on August 11, 2010, I electronically filed the following documents with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties listed below:

1. WASHINGTON STATE GRANGE'S ANSWER TO REPUBLICANS' SUPPLEMENTAL AND AMENDED COMPLAINT.

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Attorney General Rob McKenna

I certify and declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at Seattle, Washington this 11th day of August, 2010.

s/ Kelly Mueller

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