

Hon. 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 DEMOCRATIC CENTRAL  
COMMITTEE, et al.,

Plaintiff Intervenors,

LIBERTARIAN PARTY OF  
WASHINGTON STATE, et al.,

Plaintiff Intervenors,

vs.

STATE OF WASHINGTON, et al.,

Defendant Intervenors,

WASHINGTON STATE GRANGE, et al.,

Defendant Intervenors.

NO. CV05-0927-JCC

SUPPLEMENTAL DECLARATION  
OF JOHN J. WHITE, JR. IN  
OPPOSITION TO STATE MOTION  
FOR RECOVERY OF FEES

I, John J. White, Jr., hereby declare as follows:

1. I am attorney of record for the Washington State Republican Party (“the Party”) in this matter. I am over the age of eighteen, have personal knowledge of the matters set forth

1 herien, and am competent to testify thereto. I submit this supplemental declaration in  
2 opposition to the Motion to Recover Costs and Fees.

3 2. Attached hereto are true and correct copies of e-mails received early this  
4 afternoon from the Office of the Secretary of State in response to a request made under  
5 Washington's Public Records Act, including the transmittal to me from the public disclosure  
6 officer, which is attached as **Exhibit 1**.

7 3. **Exhibit 2** is an e-mail from Katie Blinn responding to a press inquiry. The e-  
8 mail makes clear that the State's 2005 implementation of I-872 did not include the changes to  
9 the ballot suggested by the Grange in its reply brief to the United State Supreme Court. "[T]his  
10 was an idea that was suggested during the litigation. It was not part of our original  
11 implementation plans in 2005."

12 4. **Exhibit 3** is also an e-mail from Ms. Blinn, noting that I-872 was implemented  
13 by emergency rules in 2005 but "were only in effect from May until July 2005, when the  
14 District Court struck down the initiative."

15 DATED this 10<sup>th</sup> day of December, 2008

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18 /s/ John J. White, Jr.  
19 John J. White, Jr., WSBA #13682  
20 Kevin B. Hansen, WSBA #28349  
21 of Livengood, Fitzgerald & Alskog, PLLC  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 10, 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**

**Richard Dale Shepard**

**Thomas Ahearne**

**David T. McDonald**

/s/ John J. White, Jr.  
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