

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 Intervenors

WASHINGTON STATE GRANGE'S
ANSWER TO INTERVENOR
DEMOCRATS' FIRST AMENDED AND
SUPPLEMENTAL COMPLAINT

LIBERTARIAN PARTY OF WASHINGTON
STATE, et al.,

Plaintiff Intervenors

v.

STATE OF WASHINGTON, et al.,
Defendant Intervenors

WASHINGTON STATE GRANGE,
Defendant Intervenor.

WASHINGTON STATE GRANGE'S ANS. TO INTERVENOR
DEM. FIRST AM. & SUPP. COMPLAINT - 1
Case No. CV05-0927 -JCC

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1 **I. ANSWER**

2 1-17. In answer to paragraphs 1-17 of the First Amended & Supplemental Complaint of
3 the intervenor Democrats, the Washington State Grange (“Grange”) admits, denies, and alleges
4 the same as its co-defendants did in answer to those paragraphs, and further admits that
5 paragraph 14 includes a short quote, taken out of context, that is not material to this controversy.

6 18. In answer to paragraph 18, the Grange admits, denies, and alleges the same as its
7 co-defendants did in answer to that paragraph. It further admits that it initiated and pursued a
8 signature gathering campaign to place I-872 on the November 2004 ballot, that paragraph 18
9 includes short quotes, taken out of context, that are not material to this controversy, and that any
10 April 19, 2004 communication from the democrats’ lawyer speaks for itself.

11 19-41. In answer to paragraphs 19-41, the Grange admits, denies, and alleges the same
12 as its co-defendants did in answer to those paragraphs, and further admits that paragraph 36
13 includes a short quote, taken out of context, that is not material to this controversy.

14 42. In answer to paragraph 42, the Grange admits there is a disagreement between the
15 plaintiffs and defendants concerning the constitutionality of I-872, but denies the plaintiff
16 parties have stated a cognizable claim for relief.

17 43-44. In answer to paragraphs 43-44, the Grange admits, denies, and alleges the same
18 as its co-defendants did in answer to those paragraphs.

19 45. In answer to paragraph 45, the Grange admits that Initiative 872 does not have a
20 clause entitled “severability”, but as explained in the prior briefing in this case, denies the
21 remainder of this paragraph’s allegation concerning its legal effect.

22 46-59. In answer to paragraphs 46-59, the Grange admits, denies, and alleges the same
23 as its co-defendants did in answer to those paragraphs.

24 **II. DEFENSES**

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

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

RESPECTFULLY SUBMITTED this 11th day of August, 2010.

FOSTER PEPPER PLLC

s/ Thomas F. Ahearne

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Washington State Grange

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 INTERVENOR DEMOCRATS' FIRST AMENDED AND SUPPLEMENTAL 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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