

NOS. 05-35780 & 05-35774

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WASHINGTON STATE REPUBLICAN PARTY, et al.,
Appellees/Plaintiffs,

WASHINGTON STATE DEMOCRATIC CENTRAL COMMITTEE, et al.
Appellees/Plaintiff Intervenors,

LIBERTARIAN PARTY OF WASHINGTON STATE, et al.,
Appellee/Plaintiff Intervenors,

v.

DEAN LOGAN, King County Records & Elections Division Manager, et al.,
Defendants,

STATE OF WASHINGTON, et al.
Appellants/Defendant Intervenors,

WASHINGTON STATE GRANGE,
Appellant/Defendant Intervenor

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE
No. C05-0927

The Honorable Thomas S. Zilly
United States District Court Judge

**MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE IN
SUPPORT OF APPELLEES IN SUPPORT OF AFFIRMANCE**

**Jerome R. Cronk, Attorney at Law,
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FairVote – The Center for Voting and
Democracy, et al.**

FairVote – The Center for Voting and Democracy (hereinafter “FairVote”) and Washington state voters; Jack Bennetto, John R. Burbank, George K. Cheung, Jerome Cronk, Todd Donovan, Geric W. Dudley, Robert Keller, David Korten, Frances Korten, Becky Liebman, Krist Novoselic, and Nadine Shiroma; respectfully move this Court, Pursuant to Federal Rule of Appellate Procedure 29, for leave to file the brief submitted herewith, as amici curiae in support of the Plaintiffs-Appellees. As more fully explained in the brief itself, FairVote is interested in the matter because it implicates FairVote’s ability to promote election reforms in the public interest. In particular, a number of ranked choice voting reforms that FairVote is working to implement in Washington state may be unfairly brought within the scope of the District Court’s overly broad ruling. Hence, FairVote seeks to affirm the unconstitutionality of the particular implementation mechanism for the top-two primary system in question, while confirming the constitutionality of the system with certain specific modifications discussed within the brief.

The Washington state voters listed herein are interested in the matter because they too seek to implement ranked choice voting systems in Washington state, at the same time, they agree that this case implicates the

effectiveness of their votes and their ability to affect representation in Washington state. Many of these voters are additionally political party activists or electoral reform advocates who seek fair elections in the public interest.

DATED: October 25, 2005 at Shoreline, Washington

Respectfully submitted,

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