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The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

WASHINGTON STATE REPUBLICAN  
PARTY, BERTABELLE HUBKA,  
STEVE NEIGHBORS, MARCY  
COLLINS, MICHAEL YOUNG, DIANE  
TEBELIUS, MIKE GASTON,

Plaintiffs,

and,

WASHINGTON STATE  
DEMOCRATIC CENTRAL  
COMMITTEE, PAUL BERENDT,

Plaintiff-Intervenors,

and,

LIBERTARIAN PARTY OF  
WASHINGTON STATE, RUTH  
BENNETT, J.S. MILLS,

Plaintiff-Intervenors,

v.

NO. C05-0927-JCC

DECLARATION OF COUNSEL  
IN SUPPORT OF MOTION FOR  
ENTRY OF JUDGMENT

1 STATE OF WASHINGTON, ROB  
 2 MCKENNA, SAM REED,  
 3  
 4 Defendant-Intervenors,  
 5  
 6 and,  
 7 WASHINGTON STATE GRANGE,  
 8  
 9 Defendant-Intervenors.

10 I, Jeffrey T. Even, being first duly sworn upon oath, declare as follows:

11 1. I am over eighteen years of age and competent to testify. I am an attorney  
 12 licensed to practice law in the state of Washington and admitted to the bar of this court.  
 13 I am currently employed as a Deputy Solicitor General for the state of Washington. I am  
 14 one of the counsel for Defendant-Intervenors State of Washington, Secretary of State Sam  
 15 Reed, and Attorney General Rob McKenna in this action.

16 2. On August 20, 2009, this Court entered an Order that, along with resolving other  
 17 pending issues, granted the motion of the State of Washington, Attorney General Rob  
 18 McKenna, and Secretary of State Sam Reed to Recover Attorney Fees and for Costs. This  
 19 Court ordered the Plaintiffs and Plaintiff-Intervenors to pay to the State specified sums that  
 20 the State had previously paid at an earlier stage of litigation. Order at 28 (Aug. 20, 2009)  
 (Docket No. 184).

21 3. On August 25, 2009, I sent a letter to counsel for the Plaintiffs and Plaintiff-  
 22 Intervenors providing them with instructions as to how to pay the amounts ordered by the  
 23 Court. A true and correct copy of that letter is attached as Exhibit A.

24 4. Following that letter, the Washington State Democratic Central Committee paid  
 25 in full the amount awarded to the State from them, by check in the amount of \$37,673.97.  
 26 Counsel for the Washington State Republican Party contacted the State's counsel and orally

1 informed us that the Republican Party did not anticipate making any payment on this award  
2 in the near future. We have had no contact regarding this matter from counsel for the  
3 Libertarian Party of Washington State, or from anybody else on their behalf. The only  
4 payment we have received is the payment on behalf of the Democratic Party noted above.

5 5. I swear under penalty of perjury under the laws of the state of Washington that  
6 the foregoing is true and correct and of my own knowledge, and that I executed this  
7 declaration at Olympia, Washington, in the County of Thurston, this 16th day of November,  
8 2009.

9  
10 s/ Jeffrey T. Even \_\_\_\_\_  
11 Jeffrey T. Even  
12 WSBA #20367  
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# **EXHIBIT A**



Rob McKenna  
**ATTORNEY GENERAL OF WASHINGTON**

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

August 25, 2009

John J. White  
Livengood Fitzgerald & Alskog  
121 Third Avenue  
Kirkland, WA 98083

Orrin L. Grover  
Attorney at Law  
416 Young Street  
Woodburn, OR 97071

David T. McDonald  
K & L Gates LLP  
925 4th Ave., Suite 2900  
Seattle, WA 98104-1158

*Via email and U.S. Mail*

Re: *Wash. State Republican Party v. State of Washington*, No. C05-0927-JCC (W.D. Wash.)

Dear Counsel:

As you know, on August 20, 2009, the United States District Court entered an order that, among other things, ordered your clients to reimburse the State for attorneys' fees and costs previously paid in this action. Pursuant to this Order, your clients are obligated to pay the following amounts to the State (totaling the prior awards for attorneys' fees and costs):

Republican Party: \$55,097.25  
Democratic Party: \$37,673.97  
Libertarian Party: \$16,301.12

Checks should be made payable to the State of Washington, and sent to my attention at the Office of the Attorney General. We anticipate receiving payment in full by no later than September 21, 2009.

I would appreciate your prompt responses.

Sincerely,

JEFFREY T. EVEN  
Deputy Solicitor General  
360-586-0728

cc: Tom Ahearne