

SUPREME COURT OF THE STATE OF WASHINGTON

COMMUNITY CARE
COALITION OF WASHINGTON;
HOME CARE OF
WASHINGTON, INC.; THE
FREDRICKSON HOME;
CYNTHIA O'NEILL, a
Washington Citizen and Taxpayer;
RON RALPH and LOIS RALPH,
husband and wife and
Washington Citizens and
Taxpayers,

Petitioners,

v.

SAM REED, Secretary of State,

Respondent,

and

LINDA LEE and PEOPLE FOR
SAFE QUALITY CARE,

Intervenors/Respondents.

No. 81857-6

DECLARATION OF
NARDA PIERCE IN
SUPPORT OF
EMERGENCY MOTION
FOR TEMPORARY
INJUNCTION

Narda Pierce declares as follows:

1. I am one of the attorneys for petitioners herein.
2. On July 28, 2008, I spoke with Solicitor General Maureen Hart and Deputy Solicitor General Jeffrey T. Even, attorneys for respondent Secretary of State Sam Reed herein. I requested that the Secretary of State agree to refrain from certifying Initiative 1029 ("I-1029") to the county auditors for placement on the ballot until the

statutory deadline of September 9, 2008, anticipating that this matter might be resolved before that time.

3. Mr. Even stated that the Secretary of State was close to determining whether I-1029 had sufficient signatures. He further stated the Secretary of State could certify I-1029 to the county auditors for placement on the November 2008 general election ballot as early as August 11, 2008.

4. On July 30, 2008, I learned from Mr. Even that the Secretary of State has determined that the petitions supporting I-1029 contain the valid signatures of legal voters numbering more than eight percent of the votes cast for the office of governor at the last gubernatorial election preceding the initial filing of the text of the initiative measure with the Secretary of State.

5. On August 1, 2008, I received an email message from Shane Hamlin, a true and correct copy of which is attached as Exhibit A. In this email message Mr. Hamlin states: "Sometime in the coming week or so, Secretary Reed will sign a separate document certifying all three initiative measures to the ballot. As of Friday morning I do not have a firm date for when this will occur. I will inform you of a date as soon as I have one."

6. Notice of this Emergency Motion for Temporary Injunction was given by sending an email message and a PDF copy of the Motion and this Declaration at _____ a.m. on August 1, 2008, to Maureen Hart, Solicitor General and Jeffrey T. Even, Deputy Solicitor General, attorneys

for the respondent Secretary of State, and to Knoll D. Lowney, attorney
for the interveners.

SIGNED this 1st day of August, 2008, at Olympia,
Washington.



Narda Pierce, WSBA No. 10923
Attorney for Petitioners

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EXHIBIT A

Narda Pierce

From: Hamlin, Shane [shamlin@secstate.wa.gov]
Sent: Friday, August 01, 2008 8:25 AM
To: pierce@benedictlaw.com; benedictk@benedictlaw.com
Cc: Even, Jeff
Subject: FW: Status update regarding I-1029

Narda,

Please accept my apologies, I did not get your email address correct when I sent the email out a few minutes ago.

-Shane

From: Hamlin, Shane
Sent: Fri 8/1/2008 8:18 AM
To: benedictk@benedictlaw.com; piercen@benedictlaw.com; knoll@igc.org
Cc: Even, Jeff; marnieh@atg.wa.gov; Handy, Nick
Subject: Status update regarding I-1029

Kathy, Narda and Knoll:

This email serves to provide you with the latest information regarding the verification of signatures for I-1029 and share our next steps to move this process forward.

As you may be aware, on Wednesday our signature check team completed the signature verification process for I-1029.

Based on the requirements of Article II, Section 1 of the Washington State Constitution, and the statistical sampling required in RCW 29A.72.230 and provided for in WAC 434-379-010, the sponsors of I-1029 submitted an adequate number of valid signatures for the measure to qualify for the November ballot.

With the signature verification complete, the Secretary will sign a document stating that, based on the sampling methodology and the results of the signature verification process, a sufficient number of signatures were submitted for I-1029 to meet the constitutional requirement.

This document is titled "Certification of Initiative to the People 1029." It receives Secretary Reed's signature and a state seal. We expect the Secretary to sign this document sometime early next week. I will let you know the exact date when we have one. I do not anticipate this event to occur later than Wednesday.

We also want you to know that, as we did with I-985 and I-1000, our office will issue a short media release announcing that I-1029 passed the signature verification process. I expect this release will go out this afternoon (Friday, Aug. 1).

Sometime in the coming week or so, Secretary Reed will sign a separate document certifying all three initiative measures to the ballot. As of Friday morning I do not have a firm date for when this will occur. I will inform you of a date as soon as I have one.

Attached for your reference is the document Secretary Reed will sign early next regarding sufficiency of signatures for I-1029.

To help you get an idea of what the document looks like that we use to certify measures to the ballot, I also

8/1/2008

attached the a PDF of what Secretary Reed signed certifying several measures to the 2007 general election ballot.

Thank you –

Shane Hamlin

Assistant Director of Elections

Phone: 360-725-5781

Cell: 360-480-5921