

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
JOINDER IN STATE'S MOTION TO
STRIKE PLAINTIFFS' UNTIMELY
IDENTIFIED WITNESSES

LIBERTARIAN PARTY OF WASHINGTON
STATE, et al.,

Plaintiff Intervenors

v.

STATE OF WASHINGTON, et al.,

Defendant Intervenors

*Note on Motions Calendar:
Friday, October 15, 2010*

WASHINGTON STATE GRANGE,

Defendant Intervenor.

1 As noted in the State Intervenor's Motion To Strike Untimely Disclosed Witnesses (Dkt.
2 No. 287), the Washington State Republican Party plaintiffs waited until after the close of
3 discovery to identify several fact witnesses for the upcoming November trial.

4 As noted in the State's Motion, the Washington State Republican Party plaintiffs also
5 waited until after the expert discovery cutoff to identify their "expert" witness who had given
6 them his signed "expert" testimony before the expert discovery cutoff.

7 The defendant-intervenor Washington State Grange agrees with the State that those
8 untimely identified witnesses should be stricken – not only for plaintiffs' use in the upcoming
9 November trial, but also for plaintiffs' use in the pending summary judgment proceedings.

10 Rather than waste this Court's time repeating or rephrasing the points made in the
11 State's Motion, the defendant-intervenor Washington State Grange files this joinder to join in
12 the State Intervenor's Motion To Strike Untimely Disclosed Witnesses (Dkt. No. 287).

13 RESPECTFULLY SUBMITTED this 30th day of September, 2010.

14 FOSTER PEPPER PLLC

15 s/ Thomas F. Ahearne

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25 Washington State Grange

CERTIFICATE OF SERVICE

Thomas F. Ahearne states: I hereby certify that on September 30, 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 JOINDER IN STATE'S MOTION TO STRIKE UNTIMELY IDENTIFIED WITNESSES.

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Attorneys for Defendants State of Washington, Secretary of State Sam Reed and 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 30th day of September, 2010.

s/ Thomas F. Ahearne
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