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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.

STATE OF WASHINGTON, ROB  
MCKENNA, SAM REED,

Defendant-Intervenors,

NO. C05-0927-JCC

MOTION FOR ENTRY  
OF JUDGMENT

**NOTE ON MOTION  
CALENDAR:**

**December 11, 2009**

1 and,  
2 WASHINGTON STATE GRANGE,  
3 Defendant-Intervenors.  
4

5 By Order entered on August 20, 2009, (Docket No. 184), this Court Ordered the  
6 Plaintiffs and Plaintiff-Intervenors in this action to repay to the State of Washington certain  
7 funds previously paid to them by the State as attorneys' fees and costs to which those parties  
8 are not entitled. Those amounts were:

9 Republican Party: \$55,097.25

10 Democratic Party: \$37,673.97

11 Libertarian Party: \$16,301.12

12 Order at 26 (Aug. 20, 2009).

13 After the entry of this Court's Order, counsel for the State contacted counsel for the  
14 Plaintiffs and Plaintiff-Intervenors, requesting payment of the amounts ordered by the Court  
15 and providing instructions as to how to do so. Plaintiff-Intervenor Washington State  
16 Democratic Party paid in full the amount awarded against it, in the amount of \$37,673.97. The  
17 remaining parties ordered by the Court to pay the specified amounts have paid nothing. Decl.  
18 of Counsel in Supp. of Mot. for Entry of Judgment.

19 The State now seeks to reduce this Order to pay money to a judgment against the  
20 Republican and Libertarian Parties and their associated individual officer plaintiffs. Fed. R.  
21 Civ. Pro. 58(d). A proposed judgment is provided along with this motion. The State is  
22 additionally entitled to post-judgment interest "at a rate equal to the weekly average 1-year  
23 constant maturity Treasury yield." 28 U.S.C. § 1961(a).

24 Defendant-Intervenor, State of Washington, accordingly requests entry of judgment  
25 against:  
26

- 1 1. the Washington State Republican Party, Bertabelle Hubka, Steve Neighbors, Marcy  
2 Collins, Michael Young, Diane Tebelius, and Mike Gaston, in the amount of  
3 \$55,097.25, with post-judgment interest; and  
4 2. the Libertarian Party of Washington State, Ruth Bennett, and J.S. Mills, in the amount  
5 of \$16,301.12, with post-judgment interest.

6 RESPECTFULLY SUBMITTED this 16th day of November, 2009.

7 ROBERT M. MCKENNA  
8 Attorney General

9 MAUREEN HART, WSBA #7831  
10 Solicitor General

11 s/ Jeffrey T. Even  
12 JEFFREY T. EVEN, WSBA # 20367  
13 JAMES K. PHARRIS, WSBA #5313  
14 Deputy Solicitors General  
15 P.O. Box 40100  
16 Olympia, WA 98504-0100  
17 360-586-0728

18 Counsel for Appellants State of  
19 Washington, Rob McKenna, and Sam Reed  
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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

[PROPOSED]  
ORDER DIRECTING  
ENTRY OF JUDGMENT

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

8  
 9 This Court has considered the State's Motion for Entry of Judgment, as well as all  
 10 declarations, responses, and replies related thereto, and finds that the State is entitled to the  
 11 entry of judgment pursuant to this Court's Order of August 20, 2009 (Docket No. 184).

12 The clerk is directed to enter Judgment in favor of the State of Washington as  
 13 follows:

- 14 1. Plaintiffs, Washington State Republican Party, Bertabelle Hubka, Steve  
 15 Neighbors, Marcy Collins, Michael Young, Diane Tebelius, and Mike Gaston,  
 16 owe the State of Washington the amount of \$55,097.25, with interest at the rate of  
 17 0.36%; and
- 18 2. Plaintiff-Intervenors, Libertarian Party of Washington State, Ruth Bennett, and  
 19 J.S. Mills, owe the State of Washington the amount of \$16,301.12, with interest at  
 20 the rate of 0.36%.

21 DATED this \_\_\_\_\_ day of November, 2009.

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 24 JOHN C. COUGHENOUR  
 United States District Court Judge

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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

[PROPOSED]  
JUDGMENT BY THE COURT  
WITHOUT A JURY

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

8  
 9 This matter was determined by the Honorable John C. Coughenour on motion,  
 10 without a jury, and the following decision was reached:

11 It is ORDERED that:

- 12 1. Plaintiffs, Washington State Republican Party, Bertabelle Hubka, Steve  
 13 Neighbors, Marcy Collins, Michael Young, Diane Tebelius, and Mike Gaston,  
 14 owe the State of Washington the amount of \$55,097.25, with interest at the rate of  
 15 0.36%; and  
 16 2. Plaintiff-Intervenors, Libertarian Party of Washington State, Ruth Bennett, and  
 17 J.S. Mills, owe the State of Washington the amount of \$16,301.12, with interest at  
 18 the rate of 0.36%.

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 21 Date: \_\_\_\_\_  
 22 \_\_\_\_\_  
 23 Clerk of Court  
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