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The Honorable Thomas S. Zilly

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

WASHINGTON STATE REPUBLICAN
PARTY, CHRISTOPHER VANCE,
BERTABELLE HUBKA, STEVE
NEIGHBORS, BRENT BOGER,
MARCY COLLINS, AND MICHAEL
YOUNG,

Plaintiffs,

and

WASHINGTON STATE DEMOCRATIC
CENTRAL COMMITTEE, and PAUL
BERENDT, LIBERTARIAN PARTY OF
WASHINGTON STATE

Plaintiffs in Intervetion,

vs.

DEAN LOGAN, King County Records &
Elections Division Manager;, STATE
OF WASHINGTON (as Defendant
Intervenor); WASHINGTON STATE
GRANGE (as Defendant Intervenor) and
DONNA M. ELDRIDGE, Jefferson
County Auditor,

Defendants.

Case No.: C 05-0927 TSZ

**JEFFERSON COUNTY AUDITOR'S
DECLARATION OF NOMINAL
STATUS AND AGREEMENT TO BE
BOUND ---FILED IN LIEU OF A
FORMAL ANSWER TO THE
VARIOUS COMPLAINTS**

**JEFFERSON COUNTY AUDITOR'S
DECLARATION OF NOMINAL STATUS
AND AGREEMENT TO BE BOUND ---
FILED IN LIEU OF A FORMAL ANSWER
TO THE VARIOUS COMPLAINTS**

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JUELANNE DALZELL
PROSECUTING ATTORNEY
FOR JEFFERSON COUNTY
Courthouse -- P.O. Box 1220
Port Townsend, WA 98368
(360) 385-9180

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2 TO: Clerk of the Court
All counsel of record

3
4 **COMES NOW DONNA M. ELDRIDGE**, in her official capacity as elected
5 Auditor in and for Jefferson County, Washington, by and through her attorney, Chief
6 Civil Deputy Prosecuting Attorney David W. Alvarez, and declares as follows:

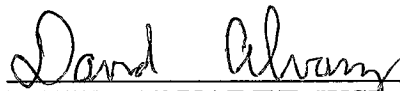
- 7 1. That she is a nominal party to this lawsuit, her nominal status as a party to this
8 lawsuit arising from the fact that a partisan office (Clerk of the Superior Court) in
9 Jefferson County will be the subject of a general election in November 2005 and
10 perhaps a primary before that.
- 11 2. That she understands that the State of Washington, specifically the Office of the
12 Secretary of the State, by and through the Attorney General's Office (Assistant
13 Attorney General Jim Pharris), will be substituted in as the proper Defendant for
14 the various Auditors named as Defendants.
- 15 3. Such a substitution is logical because the Attorney General's Officer is responsible
16 for defending the validity of voter-approved Initiatives.
- 17 4. She is confident that the Attorney General's Office, by and through its designated
18 attorney, will make an adequate presentation on all issues relevant to deciding the
19 various Complaints filed by the various political parties, i.e., the Republicans, the
20 Democrats and the Libertarians.

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22 **JEFFERSON COUNTY AUDITOR'S**
23 **DECLARATION OF NOMINAL STATUS**
24 **AND AGREEMENT TO BE BOUND ---**
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- 1 5. She and her office agree to be bound by the final decision of this Court in this
2 case.
- 3 6. This pleading is filed in lieu of a formal "Answer" to the various Complaints filed
4 by the various Plaintiffs and consolidated under Cause No. CV05-0927-TSZ.
- 5 7. Nothing in this pleading shall be construed as the consent, agreement, admission
6 of liability or affirmation by the Jefferson County Auditor that any prevailing or
7 successful party (in the legal sense and not the political organization sense) is
8 entitled to reimbursement from the Jefferson County Auditor of its or their
9 attorney's fees and/or costs pursuant to 42 U.S.C.A. Sections 1983 and 1988 or
10 any other applicable or relevant federal or state statute.
11

12 **DATED** this 15th day of June, 2005 in Port Townsend, WA.

14 

15 **DAVID ALVAREZ**, WSBA #29194
16 Chief Civil Deputy Prosecuting Attorney
17 On behalf of Defendant Donna M. Eldridge,
Jefferson County Auditor

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21 **JEFFERSON COUNTY AUDITOR'S
22 DECLARATION OF NOMINAL STATUS
23 AND AGREEMENT TO BE BOUND --
24 FILED IN LIEU OF A FORMAL ANSWER
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