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The Honorable LeRoy McCullough

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

WASHINGTON ELECTION INTEGRITY)
COALITION UNITED, a Washington State)
Nonprofit Corporation; DOUG BASLER;)
HOWARD FERGUSON; DIANA BASS;)
TIMOFEY SAMOYLENKO; MARY)
HALLOWELL; SAMANTHA BUCARI;)
RONALD STEWART; LYDIA ZIBIN;)
CATHERIN DODSON,)

No. 21-2-12603-7 KNT

DEFENDANT KING COUNTY'S
RESPONSES TO PLAINTIFF
WEICU'S REQUESTS FOR
ADMISSION

Plaintiffs,

v.

SET NO. 1

JULIE WISE, Directory of King County)
Elections; KING COUNTY, and DOES)
1-30, inclusive,)

Defendants,

and

JULIE WISE, Directory of King County)
Elections; KING COUNTY,)

Counterclaimants,

v.

WASHINGTON ELECTION INTEGRITY)
COALITION UNITED, a Washington State)
Nonprofit Corporation,)

Counterclaim Defendant.)

1 Defendant King County responds to Plaintiff WEICU's Requests for Admission to
2 Defendant King County as follows:

3 RESPONSE TO REQUEST FOR ADMISSION NO. 1: King County admits.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 2: King County objects to Request
5 for Admission No. 2 as the term "public affirmation" is vague. Defendants admit that votes are
6 counted through the tabulation process.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 3: King County objects to Request
8 for Admission No. 3 as it impermissibly asks for a conclusion of law, not a statement or opinion
9 of fact or of the application of law to fact as required by CR 36(a). King County also objects as
10 the term "broad mandate" is vague.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 4: King County objects to Request
12 for Admission No. 4 as it impermissibly asks for a conclusion of law, not a statement or opinion
13 of fact or of the application of law to fact as required by CR 36(a).

14 RESPONSE TO REQUEST FOR ADMISSION NO. 5: King County objects to Request
15 for Admission No. 5 as it impermissibly asks for a conclusion of law, not a statement or opinion
16 of fact or of the application of law to fact as required by CR 36(a).

17 RESPONSE TO REQUEST FOR ADMISSION NO. 6: King County admits.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 7: King County admits.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 8: King County objects to Request
20 for Admission No. 8 as "cast ballot" and "anonymous" are vague terms. Notwithstanding these
21 objections, King County admits that once returned ballots have been separated from the ballot
22 envelopes the voter cannot be identified.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 9: King County denies that the
2 maintenance of a record of all voters issued a ballot and all voters who returned a ballot as required
3 by RCW 29A.40.130 violates the Washington State Constitution.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 10: King County denies pursuant to
5 *White v. Clark County*, 188 Wn. App. 622, 627, 354 P.3d 38 (2015), *review denied*, 185 Wn.2d 1009
6 (2016) (*White I*), *White v. Skagit County*, 188 Wn. App. 886, 890, 355 P.3d 1178 (2015), *review*
7 *denied*, 185 Wn.2d 1009 (2016) (*White II*), and *White v. Clark County*, 199 Wn. App. 929, 931, 401
8 P.3d 375, 378 (2017), *review denied*, 189 Wn.2d 1031 (2018) (*White III*). In addition, Senate Bill
9 5459 enacted in 2023 exempts voted ballots, voted ballot images, copies of voted ballots,
10 photographs of voted ballots, facsimile images of voted ballots or cast vote records of voted ballots
11 from public disclosure.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 11: King County objects to Request
13 for Admission No. 11 as it impermissibly asks for a conclusion of law, not a statement or opinion
14 of fact or of the application of law to fact as required by CR 36(a), and as “absolute secrecy” is
15 vague.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 12: King County objects to Request
17 for Admission No. 12 as it impermissibly asks for a conclusion of law, not a statement or opinion
18 of fact or of the application of law to fact as required by CR 36(a), and as “absolute secrecy” is
19 vague.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 13: King County objects to Request
21 for Admission No. 13 as it impermissibly asks for a conclusion of law, not a statement or opinion
22 of fact or of the application of law to fact as required by CR 36(a), and as “absolute secrecy” is
23 vague.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 14: King County objects to Request
2 for Admission No. 14 as it impermissibly asks for a conclusion of law, not a statement or opinion
3 of fact or of the application of law to fact as required by CR 36(a), and as “absolute secrecy” is
4 vague.

5 RESPONSE TO REQUEST FOR ADMISSION NO. 15: King County denies, pursuant to
6 RCW 29A.40.110, which requires the canvassing board’s designated representatives to examine
7 the postmark on ballot return envelopes and verify the voter’s signature on the ballot declaration.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 16: King County admits that Title
9 29A serves as a comprehensive scheme that governs elections and that pursuant to RCW
10 29A.04.205, “It is the policy of the state of Washington to encourage every eligible person to
11 register to vote and to participate fully in all elections, and to protect the integrity of the electoral
12 process by providing equal access to the process while guarding against discrimination and fraud.
13 The election registration laws and the voting laws of the state of Washington must be administered
14 without discrimination based upon race, creed, color, national origin, sex, or political affiliation.”

15 RESPONSE TO REQUEST FOR ADMISSION NO. 17: King County admits.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 18: King County denies. Public
17 inspection of voted ballots is prohibited by Washington law.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 19: King County denies. Public
19 inspection of voted ballots is prohibited by Washington law.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 20: King County denies. Public
21 inspection of voted ballots is prohibited by Washington law.

22 RESPONSE TO RESPONSE TO REQUEST FOR ADMISSION NO. 21: King County
23 denies. Public inspection of voted ballots is prohibited by Washington law.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 5, 2023, I served a true and correct copy of the foregoing
3 document to the following via email:

4 Virginia Pearson Shogren
5 VIRGINIA SHOGREN PC
6 961 W Oak Court
7 Sequim, WA 98382
8 vshogren@gmail.com
9 *Attorney for Washington Election Integrity Coalition United*

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19 *Attorneys for Intervenor Washington State Democratic Central Committee*

20 I further served a true and correct copy by USPS First Class Mail to the following:

21 Doug Basler
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Plaintiff, Pro Se

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freshtrend13@gmail.com
Plaintiff, Pro Se

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 5th day of May, 2023.

s/Kris Bridgman
KRIS BRIDGMAN
Paralegal II – Litigation Section
King County Prosecuting Attorney's Office