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**SUPERIOR COURT OF WASHINGTON
COUNTY OF KING**

Washington Election Integrity Coalition United, et. al,)	Case No. 21-2-12603-7 KNT
Plaintiffs,)	REPLY OF WASHINGTON ELECTION INTEGRITY COALITION UNITED TO COUNTERCLAIMS OF JULIE WISE AND KING COUNTY
v.)	
Julie Wise, et al.,)	
Defendants.)	

Pursuant to CR 12(a), Plaintiff Washington Election Integrity Coalition United (“WEiCU”) hereby replies to the Counterclaims of Julie Wise and King County, and asserts its Affirmative Defenses to same.

I. PARTIES

1. WEiCU admits.
2. WEiCU admits.
3. WEiCU is a Washington State nonprofit corporation with its principal office in Thurston County, Washington.

II. JURISDICTION AND VENUE

4. WEiCU denies as inapplicable to this Superior Court action.
5. WEiCU denies as inapplicable and without relevance to the instant proceeding.

III. FACTUAL ALLEGATIONS

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6. WEiCU neither admits nor denies because the assertion contains legal conclusions.

7. WEiCU neither admits nor denies because the assertion contains legal conclusions.

8. WEiCU neither admits nor denies because the assertion contains legal conclusions.

9. WEiCU admits.

10. WEiCU neither admits nor denies because the assertion contains legal conclusions.

11. WEiCU admits the application of certain RCW statutes. WEiCU denies the remainder of the assertions.

12. WEiCU denies this assertion in its entirety.

13. WEiCU denies this assertion in its entirety.

14. WEiCU neither admits nor denies because the assertion contains legal conclusions.

15. WEiCU admits.

16. WEiCU denies this assertion in its entirety.

17. WEiCU denies this assertion in its entirety.

18. WEiCU denies this assertion in its entirety.

19. WEiCU denies this assertion in its entirety.

IV. COUNTERCLAIM – DECLARATORY RELIEF

20. WEiCU restates its answers to paragraphs 1 through 19.

21. WEiCU admits that a justiciable controversy exists. WEiCU denies that Director Wise and King County will suffer a concrete and imminent injury that is causally connected to this action.

WEiCU cannot properly admit or deny that any such injury can be redressed with a favorable decision. WEiCU denies that a determination of rights and interests will resolve the dispute. WEiCU lacks sufficient information to either admit or deny that the issues between the parties are genuinely adversarial in character and therefore denies this assertion.

22. WEiCU denies this assertion in its entirety.

1 **V. COUNTERCLAIM – INJUNCTIVE RELIEF UNDER RCW 42.56.540**

2 23. WEiCU restates its answers to paragraphs 1 through 19.

3 24. WEiCU denies these assertions in their entirety.

4 25. WEiCU denies these assertions in their entirety.

5 26. WEiCU denies this assertion in its entirety.

6 27. WEiCU denies this assertion in its entirety.

7 **VI. RELIEF SOUGHT**

8 1. WEiCU denies that Director Wise and King County is entitled to an order that declares that
9 ballots, ballot images, or voter signatures on ballot envelopes cannot be released to be copied nor are
10 they entitled to an order that declares that ballots or ballot images cannot be released for public in-
11 spection.

12 2. WEiCU denies that a permanent injunction should issue that precludes WEiCU from obtain-
13 ing ballots, ballot images, and voter signatures on ballot envelopes.

14 3. WEiCU denies that Director Wise and King County are entitled to any relief of any nature or
15 type.

16 WEiCU denies this un-numbered paragraph seeking relief in its entirety.

17
18 By way of further reply and as affirmative defenses to each of the counterclaims, WEiCU alleges
19 as follows:

20 **FIRST AFFIRMATIVE DEFENSE**

21 WEiCU is informed and believes, and upon such information and belief alleges, that Julie Wise
22 and King County have engaged in conduct and activity by which they are estopped from recovery
23 against WEiCU on their counterclaims.

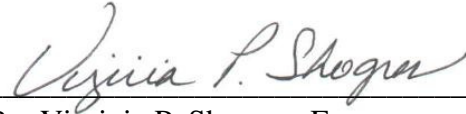
24 **SECOND AFFIRMATIVE DEFENSE**

25 WEiCU presently has insufficient knowledge or information upon which to form a belief as to
26 whether they may have additional affirmative defenses available. WEiCU reserves the right to assert
27

1 additional affirmative defenses in the event discovery or further analysis indicates that additional un-
2 known or unstated affirmative defenses would be applicable.

3 Respectfully submitted,

4 VIRGINIA P. SHOGREN, P.C.

5 

6 Dated: January 25, 2023

7 By: Virginia P. Shogren, Esq.

8 WSBA No. 33939

9 961 W. Oak Court

10 Sequim, WA 98382

11 360-461-5551

12 vshogren@gmail.com

13 Attorney for Plaintiff WEiCU

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2023, I electronically filed the foregoing document with the Clerk of the Court using the King County Superior Court E-Filing System and caused a copy to be served upon the parties listed below via the method indicated:

REPLY OF WASHINGTON ELECTION INTEGRITY COALITION UNITED TO COUNTERCLAIMS OF JULIE WISE AND KING COUNTY

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The foregoing document was also served via email provided by the following *pro se* plaintiffs:

Doug Basler
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Catherine Dodson

Dated: January 25, 2023

s/ Virginia P. Shogren
Virginia P. Shogren
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