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STATE OF WASHINGTON



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August 17, 2020

LETTER SENT BY E-MAIL

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Re: Supreme Court No. 98897-8 - In Re the Matter of the Recall Charges Against City of
Seattle Mayor, Jenny Durkan
King County Superior Court No. 20-2-10455-8 SEA

Counsel and Parties:

On August 13, 2020, the Court received the "PETITIONER'S EMERGENCY MOTION TO SET A BRIEFING SCHEDULE THAT COMPLIES WITH RCW 29A.56.270." On August 14, 2020, the Court received the "RESPONSE TO EMERGENCY MOTION TO SET

BRIEFING SCHEDULED” and the “PETITIONER’S REPLY TO MAYOR DURKAN’S RESPONSE.”

The following ruling is entered on the motion:

At the direction of the assignment justice, the motion is granted in part. The following expedited schedule for briefing and perfecting the record is set:

Statement of Arrangements and Designation of Clerk’s Papers: Due 8/20
Clerk’s Papers and Verbatim Report of Proceedings: Due 8/25
Appellant’s Opening Brief: Due 8/31
Respondent/Cross-Appellant’s Opening and Response Brief: Due 9/14
Appellant’s Response and Reply Brief: Due 9/17
Respondent/Cross-Appellant’s Reply Brief: Due 9/22

The parties are advised that this case has been tentatively set for consideration by the October 8, 2020, en banc conference. The case will be considered without oral argument. In light of this schedule, it is unlikely that extensions of time to file briefs will be granted.

Based on the schedule as indicated above, the parties are provided the following additional information in regard to the perfection of the record and briefing:

1. DESIGNATION OF CLERK’S PAPERS:
By August 20, 2020, the Appellant must serve on all other parties and file with the trial court clerk and with the Clerk of this Court a designation of those Clerk’s papers and exhibits the party wants the trial court clerk to transmit to this Court. Any party may supplement the designation of clerk’s papers and exhibits prior to or with the filing of the party’s last brief. (*See* RAP 9.6)
2. STATEMENT OF ARRANGEMENTS FOR VERBATIM REPORT OF PROCEEDINGS:
If the Appellant intends to provide a verbatim report of the proceedings, then by August 20, 2020 the Appellant must serve and file with the Clerk of this Court a statement that arrangements have been made for the transcription of the report. The Appellant must indicate the date the transcription was ordered and the financial arrangements which have been made for payment of transcription costs. (RAP 9.2). If the Appellant arranges for only a partial report of proceedings, then the Appellant must comply with the additional requirements of RAP 9.2(c). If the Appellant does not intend to provide a verbatim report of proceedings, a statement to that effect should be served and filed in lieu of a statement of arrangements by August 20, 2020. RAP 9.2(a).
3. FILING OF REPORT OF PROCEEDINGS:

Any report of proceedings must be filed with the clerk of the appellate court by August 25, 2020 (RAP 9.5(a)). As to when, where and how a party may serve and file objection to, and proposed amendments to, a narrative report of proceedings or a verbatim report of proceeding. RAP 9.5(c).

4. APPELLANT'S BRIEF (if a report of proceedings is filed):
By August 31, 2020, the Appellant shall file an opening brief with the Clerk of this Court. At the same time the Appellant shall serve one copy of the brief on every other party and on any amicus curiae, and file with this Court proof of such service. RAP 10.2.
5. RESPONDENTS/CROSS-APPELLANTS' OPENING AND RESPONSE BRIEF:
By September 14, 2020, the Respondents/Cross-Appellants shall file their opening and response brief with the Clerk of this Court. At the same time the Respondents/Cross-Appellants shall serve one copy of the brief on every other party and on any amicus curiae, and file with this Court proof of such service. RAP 10.2.
6. APPELLANT'S RESPONSE AND REPLY BRIEF:
By September 17, 2020, the Appellant shall file their response and reply brief with the Clerk of this Court. At the same time the Appellant shall serve one copy of the brief on every other party and on any amicus curiae, and file with the Clerk of this Court proof of such service. RAP 10.2.
7. RESPONDENTS/CROSS-APPELLANTS' REPLY BRIEF
By September 22, 2020, the Respondents/Cross-Appellants shall file their reply brief with the Clerk of this Court. At the same time the Respondents/Cross-Appellants shall serve one copy of the brief on every other party and on any amicus curiae, and file with the Clerk of this Court proof of such service. RAP 10.2.

Sincerely,



Erin L. Lennon
Supreme Court Deputy Clerk