

SUPREME COURT OF THE STATE OF WASHINGTON

Spokane County,

Petitioner,

v.

Jilma Meneses, Secretary of
the Washington State
Department of Social and
Health Services,

Respondent.

NOTICE OF
SUPPLEMENTAL
AUTHORITY IN
SUPPORT OF
ANSWER TO
PETITION FOR WRIT
OF MANDAMUS

Respondent, Jilma Meneses, Secretary of the Department of Social and Health Services, submits this supplemental authority pursuant to RAP 10.8.

Spokane County Prosecutor Larry Haskell filed a Petition for Writ of Mandamus with this court on December 6, 2022. To prevail, Mr. Haskell must prove, among other things, that there exists no plain, speedy, or adequate remedy in the ordinary course of law. RCW 7.16.170. As part of his argument that he lacks a viable remedy, Mr. Haskell argues that the permanent

injunction entered in a federal class action *Trueblood v. Washington State Department of Social & Health Services*, No. C14-1178 (W.D. Wash.), which remains subject to court oversight, is “insufficient to prevent to prevent the ongoing delays.” Petition ¶ 35. In his reply, Mr. Haskell goes on to state, “...the Department’s response indicates no opportunity for a nonparty to the settlement agreement to seek relief in the *Trueblood* Settlement Agreement.” Reply at 4-5. However, on January 18, 2023, Judge Pechman entered an order in the *Trueblood* case permitting King, Pierce, and Snohomish Counties to participate as amici to raise their concerns about certain relief sought by the plaintiffs. *See Trueblood*, Dkt. #955 (text order granting the counties’ motion for leave to participate as amicus) (attached hereto as Attachment A).¹ Counties’ abilities to participate as amicus in *Trueblood*, as Judge Pechman’s order permits, is an additional example that

¹ The Counties’ motion for leave to submit the amicus brief and the amicus brief are filed at Dkt. ## 950 and 950-1.

Mr. Haskell has a plain, speedy, and adequate remedy in the ordinary course of law. *See also* Answer 19 -26.

This document contains 270 words, excluding the parts of the document exempted from the word count by RAP 18.17.

RESPECTFULLY SUBMITTED this 20th day of January, 2023.

ROBERT W. FERGUSON
Attorney General


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CERTIFICATE OF SERVICE

I, *Milli Cunningham*, state and declare as follows:

I am over the age of 18 years and I am competent to testify to the matters set forth herein. I certify that on January 20, 2023, I served a true and correct copy of this **NOTICE OF SUPPLEMENTAL AUTHORITY** and this **CERTIFICATE OF SERVICE** on the following parties to this action, as indicated below:

Counsel For Petitioner

Lawrence H. Haskell, Prosecuting Attorney
Nathan S. McKorkle, Deputy Prosecuting Attorney

Via COA E-filing at:

lhaskell@spokanecounty.org;
nmckorkle@spokanecounty.org;
scpaappeals@spokanecounty.org.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 20th day of January 2023, at Olympia,
Washington.


MILLI CUNNINGHAM
Legal Assistant

FILED
SUPREME COURT
STATE OF WASHINGTON
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Notice of Supplemental Authority
In Support Of Answer To
Petition For Writ
Attachment A

From: ECF@wawd.uscourts.gov
To: ECF@wawd.uscourts.gov
Subject: Activity in Case 2:14-cv-01178-MJP Trueblood, et al v. Washington State Department of Health and Human Services et al Status Conference
Date: Thursday, January 19, 2023 7:28:59 PM

[EXTERNAL]

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U.S. District Court

United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered on 1/19/2023 at 7:27 PM PST and filed on 1/18/2023

Case Name: Trueblood, et al v. Washington State Department of Health and Human Services et al

Case Number: [2:14-cv-01178-MJP](#)

Filer:

Document Number: 955(No document attached)

Docket Text:

MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman- Dep Clerk: *Grant Cogswell*; Pla Counsel: *Christopher Carney, Kimberly Mosolf, Beth Leonard*; Def Counsel: *Nicholas Williamson, Marko Pavela, Anthony Vaupel*; CR: *Sheri Schelbert*; Time of Hearing: *1:00PM*; Courtroom: *Zoom*; Status Conference held on 1/18/2023. Also present are Court Monitors Dr. Danna Mauch, Andrew Phillips, Kathy Crane and Amnon Shoenfeld. The Court discusses procedural issues and how to move forward. Also discussed is the MOTION for Leave to File Amicus Brief by King, Pierce and Snohomish Counties (Dkt. No. [950]), the interview with King 5, SCORE Jail, and how beds are decided. The parties are to file simultaneous briefs on Friday January 27th, 2023 with replies due February 3, 2023. Parties are to meet and confer and inform the Court as soon as possible as to dates that the evidentiary hearing can be heard. (GC)

2:14-cv-01178-MJP Notice has been electronically mailed to:

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SOCIAL AND HEALTH SERVICES DIVISION, ATTORNEY GENERALS OFFICE

January 20, 2023 - 3:09 PM

Transmittal Information

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Appellate Court Case Number: 101,520-8
Appellate Court Case Title: Spokane County v. Jilma Meneses

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