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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2019 SEP -4 PM 07

Linda Myhre Enlow  
Thurston County Clerk

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IN THE SUPERIOR COURT OF WASHINGTON  
IN AND FOR THURSTON COUNTY

Case No. 19-2-04414-34

“Approve I-1000 Campaign Committee,”  
Nathaniel Jackson, Lora-Ellen McKinney, and  
Larry Dugger,

Plaintiffs,

v.

Thomas G. Jarrard, Kan Qiu, John Carlson,  
Judy Warnick, Mary A. Radcliffe, and Yvonne  
Kinoshita Ward,

Defendants,

Kim Wyman, Secretary of State

Nominal Party.

MOTION FOR PRELIMINARY  
INJUNCTION

1. **PLAINTIFF'S EMERGENCY MOTION FOR A  
PRELIMINARY INJUNCTION**

2. Plaintiffs, pursuant to Washington Superior Court Civil Rule 65 and RCW.7.040.010, which states: “~~Refraining~~<sup>3</sup> orders and injunctions may be granted by the superior court or by any judge thereof.”, moves the Court for issuance of a Preliminary Injunction enjoining the Washington Secretary of State (SOS) and all persons acting on its behalf, from printing or distributing the Washington State 2019 General Election Voters Pamphlet or online Voters’ Guide, pending issuance by the Court of a final judgment in this action.
3. This motion is based on the following grounds:

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- 1 4. On September 3, 2019, Plaintiffs filed a Complaint ("complaint") alleging that on August 21,  
2 2019 Defendants submitted to the Secretary of State a false and defamatory Rebuttal  
3 Statement in violation of RCW 29A.32.060; RCW 29A.32.090 and RCW 7.96,  
4 Washington's Uniform Correction and Clarification Defamation Act (UCCDA).
- 5 5. On September 3, 2019, Plaintiffs scheduled a Friday, September 6, 2019 9AM motion  
6 hearing on Plaintiffs' Complaint before Judge Carol Murphy;
- 7 6. On September 3, 2019, the Secretary of State's Office informed Plaintiffs that printing of the  
8 2019 Washington State Voters Pamphlet would not begin until Thursday, September 5, 2019.
- 9 7. Therefore, Plaintiffs are only requesting a one (1) day injunction to allow time for the Court  
10 to conduct a motion hearing on Friday, September 6, 2019.
- 11 8. The Washington Attorney General will argue on behalf of the Secretary of State that an  
12 injunction will be an imposition on the printing of the Voters Pamphlet due to Thurston  
13 County being 1 of 39 Counties which has begun printing its' local county edition.
- 14 9. However, according to the Thurston County Elections Office, only 7,374 voters pamphlets  
15 are scheduled to ship to overseas voters, but not until September 21, 2019.
- 16 10. Unless enjoined by this Court, the Washington Secretary of State may print and disseminate  
17 Defendants' false and defamatory information to an estimated 7,374 Washington voters,  
18 causing these voters to be misinformed on Initiative 1000, a statewide measure on the  
19 November 2019 ballot.
- 20 11. There is a substantial likelihood that Plaintiff will establish at the trial that Defendants  
21 submitted to the Secretary of State a false and defamatory Rebuttal Statement in violation of  
22 RCW 29A.32.060; RCW 29A.32.090 and RCW 7.96, Washington's Uniform Correction and  
23 Clarification Defamation Act (UCCDA).
- 24 12. A Temporary Restraining Order is necessary to preserve the status quo, to prevent the  
25 irreparable injury to the public that would result from the dissemination of false and  
26 defamatory information to Washington state voters and to allow the Court to render effective

1 relief if the Plaintiff prevails at trial. Plaintiff would have no adequate remedy at law, and  
2 this Court's ability to fashion effective relief would be significantly impaired, if the Secretary  
3 of State proceeds to print and distribute erroneous information which a Court subsequently  
4 finds unlawful.

5 13. Granting the requested preliminary relief will serve the public interest.

6 DATED this 4<sup>th</sup> day of September, 2019.

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13 Presented by Floyd Chapman, WSBA# 49357  
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