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

7 SEATTLE CITIZENS AGAINST THE  
8 TUNNEL and ELIZABETH CAMPBELL,

9 Plaintiffs/Petitioners,

10 vs.

11 WASHINGTON STATE DEPARTMENT  
12 OF TRANSPORTATION; PAULA  
13 HAMMOND, IN HER OFFICIAL  
14 CAPACITY AS SECRETARY OF THE  
15 WASHINGTON STATE DEPARTMENT  
16 OF TRANSPORTATION,

17 Defendants/Respondents.

18 ELIZABETH CAMPBELL,

19 Plaintiff,

20 vs.

21 CITY OF SEATTLE, a municipal  
22 corporation,

23 Defendant.

NO. 09-2-36276-9 SEA  
(CONSOLIDATED)  
NO. 09-2-40939-1 SEA

**MOTION FOR CONTINUANCE**

24 COMES NOW NATURAL RESOURCE LAW GROUP, P.L.L.C., and Jill J. Smith, attorney of  
25 record for Plaintiffs/Petitioners in the above-captioned action and respectfully requests a continuance

1 for the hearing on Defendants' Motion to Dismiss and on Plaintiffs' Motion for Order to Show  
2 Cause, and as grounds therefore states:

3 1. Plaintiffs hired Jill J. Smith and Natural Resource Law Group, P.L.L.C. on April 12, 2010 to  
4 represent them in the above captioned matters, as well as in a parallel case brought on similar  
5 grounds in U.S. District Court.

6 2. This case involves a voluminous amount of documents, and numerous pleadings and court  
7 filings that have been submitted over the course of this litigation since its inception in the Fall of  
8 2009.

9 3. Defendants' Motion to Dismiss is a dispositive motion, which, if the court rules in their favor,  
10 would dismiss part or all of Plaintiffs' causes of action.

11 4. Defendants' attorneys have had many months in which to sift through documents, file and  
12 respond to pleadings, and potentially develop a theory of their case.

13 5. Requiring Plaintiffs' attorney to respond to a dispositive motion in such a short time frame,  
14 and be able to provide an informed and adequate defense to Defendants' Motion to Dismiss would  
15 create an unreasonable and prejudicial burden on Plaintiffs and Plaintiffs' attorney.

16 6. The prejudice to Defendants of having to wait an additional amount of time to have their  
17 Motion to Dismiss heard is *de minimis* compared to the prejudice and burden that not allowing  
18 additional time would have on Plaintiffs and their attorney. Defendants only just filed their Reply  
19 brief on the Motion to Dismiss on April 2, 2010, and only filed their Response to Plaintiffs' Motion  
20 for Order to Show Cause on April 13, 2010.

21 7. A Motion to Shorten Time pursuant to KCLR 7(b)(~~5~~<sup>18</sup>) and supporting declaration from Jill J.  
22 Smith is being filed contemporaneously with this motion.

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RELIEF REQUESTED

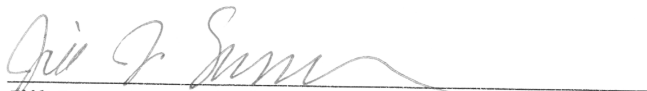
Plaintiffs hereby request a continuance of the hearing date for Defendants' Motion to Dismiss and Plaintiffs' Motion for Order to Show Cause and requests that both aforementioned motions be heard on May 14, 2010.

DATED this 26<sup>th</sup> day of April, 2010.

Respectfully submitted,

NATURAL RESOURCE LAW GROUP, PLLC

Jill J. Smith



Jill J. Smith, #41162

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