Honorable Laura Gene Middaugh

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

CITY OF SEATTLE, A Washington municipal corporation, Plaintiff, vs. PROTECT SEATTLE NOW; ANDREW PAXTON, in his capacity as Protect Seattle Now's Committee Chair and a principal referendum petitioner; SCOT BRANNON, in his capacity as Protect Seattle Now's Treasurer and a principal referendum petitioner; LET'S MOVE FORWARD; PHIL LLOYD, in his capacity as Let's Move Forward's Secretary/Treasurer; WASHINGTON STATE DEPARTMENT OF TRANSPORTATION. Defendants.	No. 11-2-11719-7 SEA ***CORRECTED*** [PROPOSED] ORDER GRANTING MOTION FOR LEAVE TO FILE SUMMARY JUDGMENT MOTION AND FOR EXPEDITED BRIEFING SCHEDULE Noted for: **Friday, April 15, 2011** Without Oral Argument

THIS COURT, having considered Plaintiff's Motion for Leave to File Summary Judgment Motion and for Expedited Briefing Schedule and its accompanying supporting documents, any responses thereto their accompanying supporting documents, any replies in support thereof, and the other pleadings and documents on file with this Court, hereby ORDERS as follows:

PETER S. HOLMES
Seattle City Attorney
600 Fourth Avenue, 4th Floor
P.O. Box 94769
Seattle, WA 98124-4769
(206) 684-8200

1. Notwithstanding CR 56(a), Plaintiff the City of Seattle (the "City") is granted leave to file a motion for summary judgment on April 15, 2011.

2. This Court will hear oral argument and consider cross-motions for summary judgment in this matter on May 13, 2011, provided they are filed and served as follows:

a. The City and any defendants or intervenors who have appeared by April 15, 2011 request substantially the same relief as the City (collectively with the City, the "Moving Parties") shall file and serve their motions for summary judgment and all supporting documents by Friday, April 15, 2011;

b. All parties opposing the Moving Parties' motions and seeking different relief (the "Cross-Moving Parties") shall file and serve their responses to the Moving Parties' motions by Monday, April 25, 2011 and shall also file any cross-motions for summary judgment by that date;

c. The Moving Parties shall file and serve their replies in support of their motions and responses to the Cross-Moving Parties' motions by Thursday, May 5, 2011; and

d. The Cross-Moving Parties shall file and serve their replies in support of their motions by Tuesday, May 10, 2011.

3. This briefing schedule shall supersede the schedule in CR 56(c).

4. This Order and the briefing schedule contained herein shall in no way impact the parties' rights to file further motions pursuant to the Civil Rules, including without limitation summary judgment motions, if this matter is not fully resolved on the expedited cross-motions for summary judgment provided for in this Order.

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Seattle City Attorney
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SO ORDERED this _____ day of _____, 2011.

By: _____
Honorable Laura Gene Middaugh
Superior Court Judge

Presented by:

PETER S. HOLMES
Seattle City Attorney

Jeff Slayton, WSBA No. 14215
John B. Schochet, WSBA No. 35869
Gary E. Keese, WSBA No. 19265
Assistant City Attorneys
Attorneys for Plaintiff City of Seattle

PETER S. HOLMES
Seattle City Attorney
600 Fourth Avenue, 4th Floor
P.O. Box 94769
Seattle, WA 98124-4769
(206) 684-8200