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The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

Brian P. Carr,

Plaintiff,

v.

Sam Reed, in his official capacity as Secretary of the State of Washington, and Rob McKenna, in his official capacity as Attorney General of the State of Washington and, separately, as private individuals the Honorable Robert L. Harris, John F. Nichols, Barbara D. Johnson, Kenneth Eisland, Rich Melnick, John Hagensen, Kelli E. Osler, Joel Penoyar, (J.)C.C. Bridgewater, J. Robin Hunt, Gerry L. Alexander, Barbara Madsen, Mary E. Fairhurst, Susan Owens and James M. Johnson as well as other currently unnamed parties as determined by the Court,

Defendants.

NO. C07-5260RJB

FRCP 26(a)(1) INITIAL DISCLOSURES OF DEFENDANTS REED, McKENNA, ALEXANDER, MADSEN, FAIRHURST, OWENS, JOHNSON (JAMES), PENOYAR, BRIDGEWATER AND HUNT

Counsel for defendants above-named provide the following initial disclosures pursuant to FRCP 26(a)(1):

1 A. Each of the above defendants may have knowledge and information  
2 pertinent to their defense, including without limitation the fact that, at all times  
3 material to this case, all but two of them were State Judges involved in the cases and  
4 proceedings mentioned in the Complaint, that the cases and matters were within their  
5 respective court's jurisdictions, that the plaintiff herein invoked the court's  
6 jurisdiction and that all rulings and decisions were made properly and adversely to  
7 plaintiff.

8 The non-judicial defendants may have knowledge and information about the  
9 qualifications for judicial office in Washington.

10 In addition to the above, plaintiff is expected to confirm the testimony of the  
11 above-named defendants and to have knowledge and information about the matters in  
12 his Complaint. Plaintiff's ex-wife may have similar knowledge and information.

13 Finally, the other defendants are expected to have knowledge and information  
14 about matters asserted in the Complaint and Answers on file.

15 B. The documents expected to support the defense are public files relating  
16 to the cases mentioned in the Complaint. They are located at the primary business  
17 offices of the State courts in Clark County, Tacoma and Olympia. The Judicial  
18 Information System mentioned by plaintiff in his Complaint itself has only publicly  
19 available material in it and does not include arrest information. Additional public  
20 documents from the files of the Secretary of State or other state offices are expected  
21 to relate to the reasons for the qualifications and eligibility for running for and holding  
22 state judicial offices.

23 C. Damages are not appropriate, as a matter of law, for the claims pleaded  
24 in the Complaint. Without waiver of that position, the defendants making these initial  
disclosures have no damages information or documents to disclose at this time.

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D. Not applicable.

Dated this 15<sup>th</sup> day of August, 2007.

ROB MCKENNA  
Attorney General

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