

No. 84362-7

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**SUPREME COURT OF THE STATE OF WASHINGTON**

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STATE OF WASHINGTON,

Defendant/Appellant,

v.

MATHEW & STEPHANIE McCLEARY, on their own behalf and on behalf of Kelsey & Carter McCleary, their two children in Washington's public schools;

ROBERT & PATTY VENEMA, on their own behalf and on behalf of Halie & Robbie Venema, their two children in Washington's public schools; and

NETWORK FOR EXCELLENCE IN WASHINGTON SCHOOLS ("NEWS"), a state-wide coalition of community groups, public school districts, and education organizations,

Plaintiffs/Respondents.

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**PLAINTIFF/RESPONDENTS'  
RAP 10.6 SUBMISSION CONCERNING  
WASHINGTON PARAMOUNT DUTY'S  
MOTION FOR CLARIFICATION**

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Washington's Paramount Duty ("WPD") filed a Motion For Clarification Of Ruling on Monday, November 7. Page one of that motion references RAP 17, 1.2, 18.8, and 10.6.

To the extent that RAP 10.6 applies, plaintiffs file this submission pursuant to RAP 10.6(d) to inform this Court that plaintiffs do not object to WPD's motion being filed.

Plaintiffs note, however, that they do not fully agree with everything said in WPD's motion. Plaintiffs therefore plan to file an Answer to WPD's motion on the November 17 Answer date provided by RAP 17.4(e).

RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of November, 2016.

Foster Pepper PLLC

*s/ Thomas F. Ahearne*

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Attorneys for Plaintiffs McCleary Family,  
Venema Family, and Network for Excellence in  
Washington Schools (NEWS)

**DECLARATION OF SERVICE**

Adrian Urquhart Winder declares:

I am a citizen of the United States of America and a resident of the State of Washington. I am over the age of twenty-one years. I am not a party to this action, and I am competent to be a witness herein. On Tuesday, November 15, 2016, I caused PLAINTIFF/RESPONDENTS' RAP 10.6 SUBMISSION CONCERNING WASHINGTON PARAMOUNT DUTY'S MOTION FOR CLARIFICATION to be served as follows:

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David A. Stolier, Sr.  
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alanc@atg.wa.gov

Via Electronic Mail (cc of the same email sent to the Supreme Court for the filing)  
 Via U.S. First Class Mail

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*Defendant State of Washington*

William B. Collins  
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 Via U.S. First Class Mail

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*Amicus Curiae Superintendent of Public Instruction Randy Dorn*

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Via Electronic Mail (cc of the same email sent to the Supreme Court for the filing) [*note: counsel agreed to accept email service*]

*Amici Curiae The Arc Of Washington State, The Arc Of King County, TeamChild, Washington Autism Alliance & Advocacy, Open Doors For Multicultural Families, Seattle Special Education PTSA, Bellevue Special Needs PTA, Highline Special Needs PTA, Gary Stobbe, M.D., James Mancini, and Conan Thornhill*

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*Amici Curiae Columbia Legal Services, Equity In Education Coalition, The Children's Alliance, and The Washington Low Income Housing Alliance*

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Via Electronic Mail (cc of the  
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agreed to accept email service*]

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*Amicus Curiae Washington's Paramount Duty*

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I declare under penalty of perjury under the laws of the State of  
Washington that the foregoing is true and correct.

EXECUTED in Seattle, Washington, this 15<sup>th</sup> day of  
November, 2016.

s/ Adrian Urquhart Winder  
Adrian Urquhart Winder