

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'  
ANSWER TO AMICUS-RELATED MOTIONS OF  
WASHINGTON'S PARAMOUNT DUTY &  
WASHINGTON'S ATTORNEY GENERAL**

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Attorneys for Plaintiffs/Respondents

Washington's Paramount Duty filed a Motion To Set Briefing Schedule dated July 13, 2017 ("WPD's Motion"). Washington's Attorney General filed a Response To Motion To Set Briefing Schedule And Motion To Combine State's Answer To Amicus Briefs With A Reply On The Merits And Notice Of Unavailability dated July 14, 2017 ("State's Motion"). This Court's July 14 letter directed that Plaintiff/Respondents' answer to those two motions (if any) must be filed by July 18, 2017.

This is Plaintiff/Respondents' Answer. Plaintiff/Respondents do not object to either motion. Plaintiff/Respondents rely on the Court's discretion in setting a comprehensive briefing schedule (including page limits).

RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of July, 2017.

Foster Pepper PLLC

*s/ Thomas F. Ahearne*

Thomas F. Ahearne, WSBA No. 14844  
Christopher G. Emch, WSBA No. 26457  
Adrian Urquhart Winder, WSBA No. 38071  
Attorneys for Plaintiffs McCleary Family,  
Venema Family, and Network for Excellence in  
Washington Schools (NEWS)

**DECLARATION OF SERVICE**

Christopher G. Emch 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, July 18, 2017, I caused PLAINTIFF/RESPONDENTS' ANSWER TO AMICUS-RELATED MOTIONS OF WASHINGTON'S PARAMOUNT DUTY & WASHINGTON'S ATTORNEY GENERAL to be served as follows:

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David A. Stolier, Sr.  
Alan D. Copsey  
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1125 Washington Street SE  
Olympia, WA 98504-0100  
daves@atg.wa.gov  
alanc@atg.wa.gov

Via Electronic Mail  
 Via U.S. First Class Mail

*Defendant State of Washington*

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Summer Stinson  
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*Amicus Curiae Washington's Paramount Duty*

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I further declare that I caused to be transmitted via this Court's web portal upload services a true and correct copy of PLAINTIFF/RESPONDENTS' ANSWER TO AMICUS-RELATED MOTIONS OF WASHINGTON'S PARAMOUNT DUTY & WASHINGTON'S ATTORNEY GENERAL to the counsel of record registered through the Court's portal in this matter.

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 18<sup>th</sup> day of July, 2017.

*s/ Christopher G. Emch*  
Christopher G. Emch