

Seattle City Attorney
Washington Public Records Act Office
PO BOX 94769
Seattle, WA 98124-4769

December 22, 2022

This is a follow up to request number C115279-122122:

SEATTLE CITY ATTORNEY – Request for a complete electronic copy (.PDF) of all public documents filed with the Clerk of the Court in case # 21-2-11739-9 SEA - IRWIN ET ANO VS CITY OF SEATTLE.

December 22, 2022

Via email to: thomas.kuffel@seattle.gov

To Whom It May Concern:

On July 9, 2021 the Columbian reported:

“SEATTLE (AP) – Two now-former public records officers who blew the whistle about Seattle Mayor Jenny Durkan’s missing text messages have each filed \$5 million claims against the city, saying they faced retaliation and felt compelled to resign.

Records officer Stacy Irwin, with support from colleague Kimberly Ferreiro, reported to the Seattle Ethics and Elections Commission that the mayor’s office had broken the Public Records Act in responding to requests from journalists and others for Durkan’s communications. The requests focused on decisions Durkan and other city officials made amid racial justice protests and unrest in the city’s Capitol Hill neighborhood last year.

The claims allege Irwin and Ferreiro were required to “perform illegal acts” and “subjected to scorn, ridicule, abuse and hostility” in retaliation for trying to comply with the law, The Seattle Times reported.”

Pursuant to the Washington Public Records Act [RCW 42.56] I hereby request the following records in the care custody or control of the SEATTLE CITY ATTORNEY or in the alternative the CITY OF SEATTLE:

1. I request a complete electronic .pdf copy of all public documents filed with the King County Superior Clerk of the Court in case # 21-2-11739-9 SEA - IRWIN ET ANO VS CITY OF SEATTLE. The documents requested should be exact .pdf copies of the attached screenshot from the King County Superior Court Clerk’s office (attached).

Documents requested include all court filings of all participants both plaintiff and defendant.

PRODUCTION AND DELIVERY OF ELECTRONIC RECORDS

The use of 3rd party “portals” (Such as GOVQA or NEXTREQUEST) for communication and production of records in response to a public records

request is optional for the requestor in the State of Washington. Respectfully we decline to use any 3rd party "portal" system, specifically GOVQA and NEXTREQUEST.

Please provide all records electronically via direct email attachment, or via no password, no registration internet cloud-based download link.

Please do not direct or invite us to use, register for, or communicate with your agency via any 3rd party portal including but not limited to FOIAOnline, GovQA, NextRequest, FOIAExpress, JustFOIA FOIADirect, WebForm, or any other commercial 3rd party records portal service.

RCW 42.56.080 - Identifiable records—Facilities for copying—Availability of public records.

"...Agencies shall honor requests received in person during an agency's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter.

No official format is required for making a records request; however, agencies may recommend that requestors submit requests using an agency provided form or web page."

This public records request is being made via email. This public records request will be honored and fulfilled by your agency via email as requested or relief will be sought per statute.

NATIVE ELECTRONIC FORMAT

Please provide all identified public records in their NATIVE electronic format. Unless the records exist IN PAPER FORM ONLY, DO NOT instead create new records by printing native stored electronic files, then scanning and re-printing these newly scanned prints only to reproduce them in again in electronic production.

FEES

In the event that there are fees, please inform us of the total charges in advance of fulfilling the request in strict compliance with all provisions of the Washington State Public Records Act.

EXEMPTION LOGS

Please ensure all redactions or exemptions claimed by your agency in the production of responsive records are accompanied by a complete and detailed exemption log noting the valid legal reason for each exemption at each redaction location in the record produced, as well as the specific number of pages if any that your agency redacts or withholds in their entirety. Each redaction should be noted by footnote or by a clear reference to the specific justification for that redaction, and only the minimal exempt portion of any record may be withheld.

The requested documents will be made available to the general public.

Thank you in advance for your anticipated cooperation in this matter. We look

forward to receiving your response to this request within 5 business days, as the statute requires.

View request history, see one related attachment, upload responsive documents, and report problems here:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fcity-attorney-2546%252Fseattle-city-attorney-request-for-a-complete-electronic-copy-pdf-of-all-public-documents-filed-with-the-clerk-of-the-court-in-case-21-2-11739-9-sea-irwin-et-ano-vs-city-of-seattle-138189%252F%253Femail%253Dthomas.kuffel%252540seattle.gov&url_auth_token=AAAS6SsxI79b-95396WoxyK_Avc%3A1p8PE6%3Ala-mbB6Cg10Pd4VW12US9P3kfauk1kJ8rW0In1IPwa0

If prompted for a passcode, please enter:
HWGKG AFC

Attachments:

- All_Filings_21-2-11739-9_SEA.pdf

Filed via MuckRock.com

E-mail (Preferred): 138189-14879682@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

MuckRock News
DEPT MR 138189
263 Huntington Ave
Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Dec. 21, 2022:

Subject: Washington Public Records Act Request: SEATTLE CITY ATTORNEY - Request for a complete electronic copy (.PDF) of all public documents filed with the Clerk of the Court in case # 21-2-11739-9 SEA - IRWIN ET ANO VS CITY OF SEATTLE.

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King County Superior Court Clerk's Office

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21-2-11739-9 SEA

IRWIN ET ANO VS SEATTLE CITY OF

Miscellaneous, Civil (2) - Active

[Request Access to Sealed Documents](#) [Request Fee Waiver](#) [Purchase/View Court records](#)

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Participants

Participants

Type	Name	Represented By
 - filed on 09/03/2021		
Plaintiff	IRWIN, STACY	Mindenbergs, Susan B. Needle, Jeffrey Lowell
Plaintiff	FERREIRO, KIMBERLY	Mindenbergs, Susan B. Needle, Jeffrey Lowell
Defendant	SEATTLE CITY OF	Savitt, James P. Bruce, David Nelson Gohmann Bigelow, Sarah Balanda, Brandi Buehn

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King County Superior Court Clerk's Office

Welcome to the Records Access Portal

21-2-11739-9 SEA
IRWIN ET ANO VS SEATTLE CITY OF
Miscellaneous, Civil (2) - Active

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Documents

Documents List

Sub Number	Date Filed	Document Name	Additional Information	Page #	Seal
1	09/03/2021	MCCMP - Miscellaneous Civil Complaint/Petition		7	
3	09/03/2021	CICS - Case Information Cover Sheet		1	
2	09/03/2021	ORSCS-CV - Order Setting Case Schedule - Civil		6	
4	09/03/2021	SM - Summons		2	
5	10/07/2021	ANAFDF - Answer and Affirmative Defense		9	
6	10/07/2021	AFSRS - Affidavit / Declaration / Certificate Of Service - Served		1	
7	02/08/2022	NTHG - Notice of Hearing	NON JUDICIAL DATE	2	
8	02/09/2022	NTHG - Notice of Hearing		2	
9	02/11/2022	PORD - Protective Order	STIPULATED PROTECTIVE ORDER	13	
10	02/11/2022	CJ - Confirmation of Joinder		3	
11	02/23/2022	DMJY12 - Demand for Jury - 12 Person		3	
12	03/16/2022	ORCTD - Order for Continuance of Trial Date		5	
13	07/01/2022	MT - Motion	FOR RETURN OF DOCUMENTS SUBJECT TO PRIVILEGE CLAIMS	24	
14	07/01/2022	DCLR - Declaration	OF BRANDI BALANDA	183	
15	07/01/2022	DCLR - Declaration	JOSEPH GROSHONG IN SUPPORT OF CITY OF SEATTLE'S MOTION FOR RETURN OF DOCUMENTS SUBJECT TO PRIVILEGE CLAIMS	3	
16	07/01/2022	NTHG - Notice of Hearing		2	
17	07/01/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
18	07/01/2022	MT - Motion	FOR PRIVILEGE DETERMINATION	24	
19	07/01/2022	DCLR - Declaration	BRANDI BALANDA IN SUPPORT OF CITY OF SEATTLE'S MOTION FOR PRIVILEGE DETERMINATION	26	
20	07/01/2022	DCLR - Declaration	OF JOSEPH GROSHONG	3	
21	07/01/2022	NTHG - Notice of Hearing		2	
22	07/01/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
23	07/08/2022	NTHG - Notice of Hearing		2	
24	07/08/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
25	07/08/2022	NTHG - Notice of Hearing		2	
26	07/08/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
27	07/18/2022	DCLR - Declaration	OF SUSAN MINDENBERGS	66	
28	07/18/2022	RSP - Response	PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR RETURN OF DOCUMENTS SUBJECT TO PRIVILEGE CLAIMS	11	
29	07/18/2022	RSP - Response	PLAINTIFFS' RESPONSE TO MOTION FOR DETERMINATION OF PRIVILEGE	17	
30	07/18/2022	DCLR - Declaration	OF JEFFREY NEEDLE	118	
31	07/18/2022	ORASR - Order on Assignment / Reassignment	ASSIGNED TO JUDGE MICHAEL SCOTT	2	
32	07/19/2022	NTHG - Notice of Hearing		2	
33	07/19/2022	NTHG - Notice of Hearing		2	
34	07/19/2022	NTWSUB - Notice of Withdrawal and Substitution Of Counsel		3	
35	07/19/2022	REC - Recusal of Judge	JUDGE CHUNG	1	
36	07/22/2022	NTDO - Notice of Disqualification	JUDGE MICHAEL SCOTT	2	
37	07/25/2022	RPY - Reply	MOTION FOR RETURN OF DOCUMENTS SUBJECT TO PRIVILEGE CLAIMS	9	
38	07/25/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
39	07/25/2022	RPY - Reply	IN SUPPORT OF MOTION FOR PRIVILEGE DETERMINATION	9	
40	07/25/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
41	07/26/2022	ORDO - Order of Disqualification of Judge		2	
42	08/03/2022	ORASR - Order on Assignment / Reassignment	JUDGE SUZANNE PARISIEN	2	
43	08/03/2022	NTHG - Notice of Hearing		2	
44	08/03/2022	NTHG - Notice of Hearing		2	
45	08/31/2022	MINS - Minutes Motion hearing		1	
46	11/02/2022	ORGMT - Order Granting Motion / Petition	FOR PRIVILEGE DETERMINATION /PRELIMINARY	16	
47	11/02/2022	ORGMT - Order Granting Motion / Petition	RETURN OF DOCUMENTS SUBJECT TO PRIVILEGE CLAIMS	3	
48	11/04/2022	MTCM - Motion to Compel		28	
49	11/04/2022	NTHG - Notice of Hearing		2	
50	11/04/2022	DCLR - Declaration		1	
51	11/04/2022	DCLR - Declaration		1	
52	11/04/2022	DCLR - Declaration	OF JEFFREY NEEDLE	166	
53	11/04/2022	DCLR - Declaration	JEFFREY NEEDLE	14	
54	11/07/2022	DCLR - Declaration	JEFFREY NEEDLE	1038	
58	11/08/2022	MTRC - Motion for Reconsideration	ORDER GRANTING RETURN OF DOCUMENTS	3	
59	11/08/2022	DCLR - Declaration	JEFFREY NEEDLE	10	
60	11/08/2022	NTHG - Notice of Hearing		2	
62	11/10/2022	FAULTY - Faulty Document Notice		1	
63	11/10/2022	FAULTY - Faulty Document Notice		1	
64	11/10/2022	FAULTY - Faulty Document Notice		1	
65	11/17/2022	FAULTY - Faulty Document Notice		1	
66	11/17/2022	ORGMT - Order Granting Motion / Petition	FOR PRIVILEGE DETERMINATION	7	
67	11/18/2022	MTCM - Motion to Compel	DISCOVERY AND FOR IN CAMERA REVIEW AND THE APPOINTMENT OF A SPECIAL MASTER	28	
68	11/18/2022	DCLR - Declaration	STACY IRWIN	1	
69	11/18/2022	DCLR - Declaration		1	
70	11/18/2022	DCLR - Declaration	IN SUPPORT OF MOTION TO COMPEL DISCOVERY REVISED	748	
71	11/18/2022	NTHG - Notice of Hearing		2	
72	11/18/2022	MTCM - Motion to Compel	DEPOSITION OF PLAINTIFF KIMBERLY FERREIRO	9	
73	11/18/2022	AF - Affidavit	SARAH GOHMANN BEGELOW	48	
74	11/18/2022	NTHG - Notice of Hearing		2	
75	11/18/2022	AFSRES - Affidavit / Declaration / Certificate of eService		2	
76	11/28/2022	MTRC - Motion for Reconsideration		12	
77	11/28/2022	NTHG - Notice of Hearing		2	
78	11/28/2022	DCLR - Declaration	JEFFREY NEEDLE	31	
79	11/29/2022	DCLR - Declaration	SUSAN MINDENBERGS	24	
80	11/29/2022	RSP - Response	IN OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DEPOSITION OF PLAINTIFF KIMBERLY FERREIRO	9	
81	11/29/2022	OB - Objection / Opposition	TO REVISED MOTION TO COMPEL DISCOVERY	18	
82	11/29/2022	AF - Affidavit	OF SARAH BIGELOW	113	
83	11/29/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
84	11/29/2022	ORMRC - Order on Motion for Reconsideration	DENIED	2	
85	12/01/2022	RPY - Reply	IN SUPPORT OF IN CAMERA REVIEW	7	
86	12/01/2022	RPY - Reply	IN SUPPORT OF MOTION TO COMPEL DEPOSITION	10	
87	12/01/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	
88	12/02/2022	ORMRC - Order on Motion for Reconsideration	DENIED	2	
89	12/06/2022	ORDYMT - Order Denying Motion / Petition	TO STRIKE AND REMOVE DOCUMENTS FROM THE COURT FILE	2	
90	12/19/2022	MTCTD - Motion to Change Trial Date		6	
91	12/19/2022	NTMTDK - Note for Motion Docket		2	
92	12/19/2022	AFSRES - Affidavit / Declaration / Certificate of eService		1	

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