



Bob Ferguson

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Members of the House Republican Caucus
Washington State Legislature
Legislative Building
Olympia, WA 98504-0482

Re: **Request for Attorney General Intervention**
***Kunath v. Seattle*, King County Superior Court No. 17-2-18848-4 SEA**

Dear Honorable Representatives:

Thank you for your letter of September 26, requesting that my office intervene in a superior court case in which plaintiffs challenge a City of Seattle ordinance. The basis for your request is that a party has intervened in that lawsuit and seeks invalidation of a state statute.

As you know, our office defends the constitutionality of statutes when the state or a state agency is sued. That is not the situation here. Intervening requires the state to become a party and incur the expense of litigation. Consequently, where the challenge to a statute arises in a lawsuit to which the state is not a party, the Attorney General's Office rarely intervenes.

My office is analyzing this issue. When a decision is made, we will let you know.

Sincerely,


BOB FERGUSON
Attorney General

RWF/jlg