

1 ☐ No Hearing Set
2 ☒ Hearing is Set:
3 Date: August 7, 2026
4 Time: 9:00 a.m.
5 The Honorable: Christopher Lanese
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10 **STATE OF WASHINGTON**
11 **THURSTON COUNTY SUPERIOR COURT**

12 ARTHUR WEST,

13 Plaintiff,

14 v.

15 STEVE HOBBS, in his official capacity
16 as Secretary of State of the State of
17 Washington; NICHOLAS W. BROWN,
18 in his official capacity as Attorney
19 General of the State of Washington; and
20 THE STATE OF WASHINGTON,

21 Defendants.

NO. 26-2-04498-34

~~PROPOSED~~ ORDER

22 The Court, having considered Plaintiff West's motion for preliminary injunction, all
23 pleadings filed in support and opposition thereto, and all other records and pleadings filed
24 herein, and having heard the arguments presented and being fully advised, makes the following
25 ruling:

26 A party seeking a preliminary injunction must establish (1) "a clear legal or equitable
right," (2) "a well-grounded fear of immediate invasion of that right," and (3) "that the
acts complained of are either resulting in or will result in actual and substantial injury[.]"
Kucera v. Dep't of Transp., 140 Wn.2d 200, 209, 995 P.2d 63 (2000) (quoting *Tyler Pipe Indus.,
Inc. v. Dep't of Revenue*, 96 Wn.2d 785, 792, 638 P.2d 1213 (1982)). The injunction criteria

1 must also be "examined in light of equity including balancing the relative interests of the parties
2 and, if appropriate, the interests of the public." *Id.* at 209-10 (quoting *Tyler Pipe Indus.*,
3 96 Wn.2d at 792).

4 Plaintiff West has not satisfied any of the criteria for obtaining an injunction. He is
5 unlikely to succeed on the merits of his constitutional claims, and therefore cannot establish a
6 clear legal or equitable right, a well-grounded fear of invasion of the right, or actual and
7 substantial injury.

8 More specifically, West is unlikely to prevail on his article II, section 1 challenge
9 because the statute requiring a Public Investment Impact Disclosure (PIID) to appear on the
10 ballot for initiative measures that have a fiscal impact is legislation regulating and facilitating
11 the initiative process, and is therefore within the constitutional powers of the legislature.

12 West is unlikely to prevail on his article I, section 4 challenge because he fails to show
13 that the PIID statute affects the right to petition at all. Nor has he shown that an initiative
14 measure must appear on the ballot exactly as it appeared on initiative petition sheets, without
15 any other language.

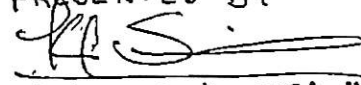
16 West is unlikely to prevail on his separation-of-powers claim because the text of the
17 constitution and precedent establish that the Legislature may regulate the initiative process.

18 West is unlikely to prevail on his statutory challenge because he has failed to show that
19 the PIID for the initiative is not neutral or otherwise noncompliant with statutory requirements.

20 Therefore, ^{for the reasons articulated on the record,} IT IS ORDERED that Plaintiff West's motion for preliminary injunction is
21 DENIED. With the consent of the parties, the Court consolidates trial on
22 the merits with this hearing under CR 65(a)(2) and dismisses Mr. West's complaint.
DATED this 7 day of August 2026.

23 The Court also finds that the PIID for IP26-645 is appropriately
24 neutral and affirms the AG's PIID under RCW 29A.72.028.

25 PRESENTED BY

26 
Karl D. Smith, WJBA 41988


HONORABLE CHRISTOPHER LANESE