

Notice of Special Motion under RCW 4.105.020: Neighbors United for Progress, et al. v. Ruffcorn, et al., No.: 23-2-000347-7

Pete Serrano <Pete@smfjb.org>

Thu 9/7/2023 10:51 AM

To:ric@ricjacobs.com <ric@ricjacobs.com>

Cc:Karen Osborne <Karen@smfjb.org>;Austin Hatcher <Austin@smfjb.org>;dale_slack@co.columbia.wa.us <dale_slack@co.columbia.wa.us>;britni_mccauley@co.columbia.wa.us <britni_mccauley@co.columbia.wa.us>

Messrs. Jacobs and Viavant,

My name is Pete Serrano, and my colleagues, Karen Osborne, Austin Hatcher, and I are appearing today on behalf of Defendant Jessican Ruffcorn in The Columbia County Superior Court matter No.: 23-2-000347-7, *Neighbors United for Progress, et al. v. Ruffcorn, et al.* I'm writing to make a formal introduction and to inform you that will intend to file a Special Motion for Expedited Relief pursuant to RCW 4.105.020(1) on behalf of Defendant Ruffcorn in no less than 14 days. As you may be aware, that 14-day period allows your clients to withdraw or amend the pleadings as necessary to cure the defect. The Special Motion will address the following issue: Mrs. Ruffcorn is improperly named as her signature gathering activity and participation in Proposition 2 was protected as an activity with her Washington Constitution Article 1, Section IV, *Right to Petition and Assemblage* and within her Right to Petition the Government pursuant to the United States Constitution's First Amendment. By naming Ms. Ruffcorn for activities protected under both the Washington and United States Constitution and with further protections afforded under Revised Code of Washington Chapter 4.105, *Uniform Public Expression Act*, the protections afforded under the Constitutions and RCW 4.105 are afforded to Mrs. Ruffcorn. Under these circumstances, we believe that Defendant Ruffcorn must be dismissed, and we're amenable to Plaintiffs so doing through an Amended Complaint. Alternatively, we will need to file a Special Motion for Expedited Relief on Ruffcorn's behalf after the 14-day statutory window has terminated. Finally, this email serves as a Notice that triggers the statutory stay afforded under RCW 4.105.020(1). We will be filing copies of this email with the Court when we file our Notices of Appearance to advise the Court of the Notice and statutory Stay.

As you can see, I've CC'd Mrs. Osborne and Mr. Hatcher in addition to Mr. Slack and Ms. McCauley of the Prosecuting Attorney's office. I do not have a separate email for Mr. Viavant; please provide if you wish.

Finally, I'd like to offer that we're amenable to an Electronic Service Agreement, on Ruffcorn's behalf if you're amenable to such an agreement on behalf of Plaintiffs.

Do not hesitate to reach out to me, Mrs. Osborne, or Mr. Hatcher; we're available to discuss.

Thank you,

Pete Serrano

Director/General Counsel

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