November 28, 2019

VIA EMAIL

Bob Ferguson, Attorney General
State of Washington
1125 Washington St SE
PO Box 40100
Olympia, WA 98504-0100

Re: You must file Motion for Reconsideration BEFORE appeal to Supreme Court – skipping this step solidifies your deliberate sabotage

Dear Attorney General Ferguson:

Q13's Brandi Kruse reported on Twitter: NEW from AG Bob Ferguson: "I've decided to file an emergency appeal of the court's decision to block I-976 directly to the State Supreme Court. My team will be working over the Thanksgiving weekend to get this done. Our objective is to get the issue before the Supreme Court in time for the initiative to go into effect on December 5th as intended by voters."

I'm working on Thanksgiving Day because I-976 is too important and I can't stand the idea of letting you get away with sabotaging it any further.

Garbage in, garbage out. Your defense of I-976 was so rife with errors and omissions that if appealed to the Supreme Court now, the High Court will only be reviewing the incompetent job presented to Marshall Ferguson by your team. Any first-year law student knows that a motion for reconsideration allows the opportunity to present further arguments so the judge can reconsider their decision in light of that new information. And then and only then, if the judge does not reconsider, then you appeal to the Supreme Court. That way, the Supreme Court will review not only the judge's original decision but the court record will include the additional arguments, reconsidered them, and stuck with his original opinion. But there's also the possibility that Marshall Ferguson, when presented with a competent defense of I-976, will in fact change his mind, reconsider, and not grant the Permanent Injunction.

Let me list all the deficiencies in your defense of I-976. I am notifying you now that I have already hired an attorney who is working this weekend on a motion to disqualify you and your office from further defense of I-976 and to order you to hire outside counsel to clean up the mess you've made – failure to file this motion to reconsideration – after being notified of all your deficiencies – will cause irreparable harm to the legal defense of I-976 and prove that it was purposeful sabotage – and not just incompetence. A bar complaint will follow that.

Here are the deficiencies in your defense of I-976:

The motion for Permanent Injunction was filed on Mon, Nov 18. The Notice of Appearance sent to the parties showed that the assigned judge was Marshall Ferguson. A quick google search revealed that he was appointed by Jay Inslee, the highest ranking official who actively campaigned against I-976. A Facebook search revealed that the judge is Facebook friends with Pete Holmes, Seattle's city attorney. On the GOP data rolls, he's listed: "Observed Party: Soft Democrat." And it was already known that King County was a plaintiff and so any King County judge would be conflicted because they are being paid by one of the plaintiffs. In 2003, I-18 to shrink the size of the King County Council was rejected by King County judge William Downing but the state supreme court unanimously reversed that decision due, in part, to the fact that the judge had his salary decided by the King County Council and was therefore conflicted. You cannot plead ignorance on this point – you ran on your supposed support for I-18 and commented on it frequently. So you knew about this case and yet:

EXHIBIT 1: On Tues, Nov 19, 5:53am, I sent email to Noah Purcell asking questions, including:
4. I have heard there is an argument for change of venue – something about the "preeminence" of Thurston county when it comes to initiative litigation. Also, how can a judge be unbiased if one of the plaintiffs is his employer? Do you plan on including a change of venue motion and/or affidavit of prejudice on the judge?

EXHIBIT 2: Same day at 12:16 PM, Noah Purcell responded:
Challenges to initiatives can generally be litigated in the county where the Plaintiff files suit, unless there is something specific to the type of challenge or initiative that limits the appropriate venue. For example, we defended Initiatives 1240 and 1366 in King County Superior Court, Initiatives 1351 and 1433 in Kittitas County Superior Court, and Initiative 1183 in Cowlitz County Superior Court. I'm not sure if I understand your question about the judge. Our Supreme Court has held that superior court judges are both state and county officers, and the cost of their salaries is "is divided between the state and the counties." *Parker v. Wyman*, 176 Wash. 2d 212, 222, 289 P.3d 628 (2012). So if your point is that the judge works for King County, that isn't quite accurate; he is also a state officer, so you could just as well argue that he works for the State—the Defendant in the case. In any event, we trust that he can be impartial in this matter and we have no current plans to move to change venue or to file an affidavit of prejudice (which would keep the case in King County but simply switch it to a different judge).

You didn't file a motion for change of venue – this is irreparable harm to the defense of I-976. It's legal malpractice. An outside law firm would have filed that motion without hesitation. No way this should be decided by a judge employed by one of the plaintiffs. You didn't file an affidavit of prejudice despite all the conflicts a simple google search and Facebook search revealed. You later put out a statement "There's a downside in asking a judge to recuse …". An affidavit of prejudice is not a request – when filed, the judge is rejected. Your statement continues to perpetual the lie that it is a request: "If unsuccessful, you risk offending a qualified and capable judge." And again, Marshall Ferguson, if affidavit'd would be offended but it wouldn't matter because he'd be gone. "Consequently, my office is cautious about asking judges to recuse themselves." Again, it's not asking, it's ordering. "Contrary to Mr. Eyman, we have every confidence that the Judge can be impartial in this case."

How'd that work out for ya? He could not be impartial for the same reason Downing couldn't be impartial in 2003: because King County Council pays him. And he had conflicts by being appointed by Jay Inslee, Facebook friends with Pete Holmes, and listed as Soft Democrat on the voter rolls.

Intervenor Clint Didier represented by attorney Stephen Pidgeon tried to fill in this gap by filing a motion to intervene and change venue on Fri, Nov 22, at 12:10pm (EXHIBIT 13). But Plaintiff King County objected to the intervention (did you object too?) and so the motion to change venue was not argued on Tuesday at all. If your office had filed a motion to change venue, we wouldn't be stuck in King County nor stuck with this judge (who ruled against you). And now that the judge has made a substantive ruling on I-976 due to the explicit decision by Noah Purcell to not file one, we are stuck with this judge. It's permanent, unchangeable, unfixable. Because of your decision to NOT file for change of venue. This is legal malpractice and the voters are irreparably harmed by it.

EXHIBIT 3: I received email from Noah Purcell identifying the attorneys assigned to the case.

EXHIBIT 4: I sent an email to Alan Copsey that read: Noah said you're part of the team gonna defend 976. May I share some thoughts with you on it?"

So Alan Copsey was sent the information about I-976 that included arguments and facts – so it wasn't just the handwritten note (EXHIBIT 20) given to Alan in the courtroom during short intermission, but he had advance notice and information well in advance of writing their response brief and his (incompetent, befuddled) oral argument.

EXHIBIT 5: I sent an email at 12:58 pm, that read: Alan & Noah, plz read the attached and the email thread below.

In it, included an email from an attorney friend who laid out a specific, fact-based, with legal precedents included, about how to stop the Preliminary Injunction. It read, in part:

King County, Seattle and the other public entities seeking an injunction to block I-976 from taking effect may be violating the provision in the Fair Campaign Practices Act preventing public officials/employees from opposing a ballot proposition. If successful, this argument would mean that the public entities seeking the injunction have no standing and are, in fact, barred from challenging the initiative at this stage. That would take the harms they allege off the table for a judge considering whether to issue an injunction. RCW 42.17A.555 would not prevent private parties who otherwise have standing from challenging I-976. Some private parties are already part of the existing suit. And it wouldn't prevent local governments from challenging I-976 after it takes effect. However, in order to issue a preliminary injunction, a judge is going to have to find that the parties will be seriously harmed without an injunction and that the parties are likely to succeed in proving that I-976 is illegal. If a judge can't consider legal arguments made by/potential harm alleged by government entities, it is less likely they will enjoin I-976 pending the ultimate outcome of the lawsuit. Seattle and King County are the heavy hitters here. If successful, the argument would invalidate their litigation to-date and take them out of commission until I-976 takes effect.

King County, the City of Seattle, the Port of Seattle, and the Garfield County Transportation Authority violated RCW 42.17A.555 by using public employees to prepare a legal challenge to I-976 before Nov. 5 and by filing such challenge before the end of the election and the effective date of the initiative.

Accordingly, all of their legal filings, claims of standing, and requests for a preliminary injunction preventing I-976 from taking effect are illegal and inappropriate. Government plaintiffs may not file legal challenges to I-976 before the initiative's effective date.

None of these arguments were included in the AG's defense of I-976. Despite being alerted to the fact that there was a way to prevent the Preliminary Injunction, you purposely did not include it in your response brief or oral argument.

EXHIBIT 6: I sent email on Tues, Nov 19 at 1:21pm to Alan Copsey and Noah Purcell explaining the provisions in I-976, including section 12. The judge focused much of his attention on Section 12.

As reported by MyNorthwest: Another interesting item came when the judge wanted to know, essentially, whether Sound Transit was correct in its belief that I-976 does not set a deadline for it – or even require it – to stop collecting the MVET approved with ST3. The attorney for the state (Alan Copsey) – tasked with defending the initiative – said he could not answer at the moment. That was one of several things that led initiative sponsor Tim Eyman to stand up in court to have say – which the judge shut down – and then turn his ire to attorney for the state who he said botched the job of defending the initiative.

Here is what Alan Copsey was sent in that Tuesday email:

EYMAN COMMENT: I-976 takes effect on December 5, 2019. So on that day, state and local governments are obligated to follow the laws in I-976. Among those laws, there is section 12 which requires Sound Transit to retire, defease, or refinance its car-tab-taxed bonds. It reads "In order to effectuate the policies, purposes, and intent of this act and to ensure that the motor vehicle excise taxes repealed by this act are no longer imposed or collected, an authority that imposes a motor vehicle excise tax under RCW 81.104.160 must fully retire, defease, or refinance any outstanding bonds issued under this chapter …".

That law, that mandate -- must fully retire, defease, or refinance -- takes effect on December 5. They have from now until then to prepare for that law.

The Department of Licensing told KING 5 and other news outlets that Sound Transit's taxes will continue to be imposed after December 5 and won't go away until March 31, 2020. That is not what I-976 requires. The language is unambiguous "must fully retire, defease, or refinance …". Section 16 simply says that Sound Transit's vehicle taxes and the dishonest valuation schedule (sections 10 & 11) are repealed after Sound Transit complies with section 12 (retiring or refinancing the bonds on December 5). Knowing that Sound Transit is such a lawless and unaccountable government, I-976 includes a contingency: if Sound Transit goes rogue and doesn't follow this mandate, this law, this requirement by March 31, 2020,

then the 0.8% rate is reduced to 0.2%. But that reduction in the rate is not "instead of" getting rid of the dishonest tax and the dishonest valuation schedule the voters voted to repeal with I-976. The lowering of the rate does not obviate the statutory requirement that they retire or refinance the bonds to get the taxes and valuation schedule to go away. They still have to do that … on December 5. That's what the voters just voted for; they just told state and local governments to stop imposing those taxes and fees.

Can Sound Transit retire them early? Yes. Their lawyer said so in that same Seattle PI news story in 2003: *"Brown, the Sound Transit lawyer, said it could retire them early, but it would be costly."*

So Alan Copsey knew about this but didn't bring it up when asked.

During an intermission after completely blowing it with the judge, I wrote a note to him that re-explained it to him. (EXHIBIT 20). I said to Alan Copsey, "I need to talk to you." No response. I returned later and specifically walked up to Noah and Alan and said "Promise me you'll read this and do this and I'll leave you alone." He said OK.

When he went back up to the lecturn after the break, Alan Copsey could have brought up explanation of Section 12. He did not. He was confused, meandering, and befuddled throughout.

EXHIBIT 6.5: I sent email on Wed, Nov 20, at 1:58pm that read:

From a supporter: Defense of I-976. The Washington State Constitution, Art. 1, sect.1, political power. "All political power is inherent in the People, and derive their just power from the consent of the governed, and are established to maintain and protect individual rights."
It is an *individuals right to CAST a ballot with the expectation that It will be counted and respected! The very idea that the government we elect to govern and pay for will turn on us and try to dismiss our democratically passed Peoples Initiative. Don't you agree?*

Totally valid argument and it appears no where in the AG's response brief or in oral argument.

EXHIBIT 7: I sent email on Wed, Nov 20, at 12:04 pm that read: Got this from supporter – see attached. It read:

What about injunction bond? The party asking for an injunction is REQUIRED by STATE LAW to put up money to cover losses in case they lose the lawsuit. In this situation, Seattle, King County, et al, need to put up injunction bond money equivalent to the dollar amount of taxes the people repealed: Here's how they lose the injunction: They are suing the people & State for an injunction and the injunction bond would have to be paid using the people's money. They (King County, City of Seattle, etc) cannot sue us for repealing the taxes and expect us to use OUR TAX MONEY to pay the Injunction bond to cover their losses when they lose the actual lawsuit … It's a Catch-22 …

No injunction or restraining order shall be granted until the party asking it shall enter into a bond, in such a sum as shall be fixed by the court or judge granting the order, with surety to the satisfaction of the clerk of the superior court …

The AG did not have this sound legal argument included in its response brief or oral argument. Absolutely insane to skip this.

EXHIBIT 8: I sent email top Alan Copsey on Wed, Nov 20 at 7:06pm that said: Alan, plz see attached:
The thing is though, I-976 doesn't eliminate the state's authority to provide grants for transit. That motion is a frantic clutching-at-pearls mess.

AG had chance to counter the claim of harm and didn't do so.

EXHIBIT 9: In email on Nov 19 at 8:43am, I wrote: If there is to be a motion for change of venue or Affidavit of prejudice on this judge – it's gotta be before he makes a substantive ruling.

You knew that to be the case – you knew that if your office did not do a motion to change venue and did not do affidavit on this judge that you'd sabotage the defense of I-976. Noah Purcell said you'd do neither of those basic things that any outside law firm would do without hesitation.

EXHIBIT 10: I sent email update on Wed, Nov 20, 7:33 pm that outlines same arguments to defend I-976 (AG's office monitors and records all communications I send out.

So again, you knew the arguments that could be made to defend I-976, specifically section 12 requiring Sound Transit to retire, defease or refinance bonds on December 5, but you purposely sabotaged I-976 through DOL.

EXHIBIT 11: I sent email to Alan and Noah on Thurs, Nov 21 at 10:13 am:

To put a hold on the initiative in its entirety would be extremely problematic for eventual refunds if later upheld - the initiative repeals numerous state taxes and fees related to vehicles - one of those is the repeal of the sales tax surcharge on vehicle sales in rcw 82.02.080. Doing a refund on that would be almost impossible. The plaintiffs I'm sure will say no prob, we just do refunds to vehicle owners. And that may be true for weight fees imposed by state, TBD vehicle fees, even Sound Transit tax. But that's state sales tax could be argued to be impossible to administer which may be an argument against a preliminary injunction on the entire initiative's policies. Plz consider this point in your Friday reply.

No where in your response brief or oral argument did educate the judge for his consideration of the balance of equities in a Permanent Injunction. This was overt sabotage not to do so.

EXHIBIT 12: same as EXHIBIT 6 explained above.

EXHIBIT 13: On Fri, Nov 22 at 12:10PM, attorney Stephen Pidgeon filed Motion to Intervene with it included arguments that the AG did not make. But Plaintiff King County objected to the intervention so these arguments were not going to be heard by the judge the following Tuesday. But they were provided to the AG at 12:10PM and the AG didn't file response until after 3 pm. The AG had the chance to adopt these necessary and critical arguments into their own brief but did not. Besides change of venue, there is a critical legal precedent relating to ballot titles that Mr. Pidgeon included in his brief and the AG left out. It turned out to be prescient because the judge based his ruling on the AG's ballot title. Here is the case cited by Mr. Pidgeon that would have shattered that contention:

C. Speculation as to Voter Understanding is Unlawful

In the case Sane Transit v. Sound Transit, 151 Wash.2d 60, 85 P.3d 346 (2004), the Court considered the principle that acts approved by the people are construed by focusing on the language of the proposal as the average informed voter would read it. See Amalgamated Transit Union Local 587 v. State, 142 Wash.2d 183, 205, 11 P.3d 762, 27 P.3d 608 (2000); State ex rel. Evergreen Freedom Found. v. Wash. Educ. Ass'n, 140 Wash.2d 615, 637, 999 P.2d 602 (2000); City of Spokane v. Taxpayers of City of Spokane, 111 Wash.2d 91, 98, 758 P.2d 480 (1988). The Court concluded as follows: In cases where voters are not provided with the full text of the measure to be voted upon, Sane Transit would have us ignore the language of the measure (emphasis added) and attempt to construe the measure based on extrinsic documents sent to the voters which the average informed voter may or may not have read. An inquiry into the voter's subjective understanding of what he or she thought he or she was enacting is a task we will not undertake. See generally Amalgamated Transit, 142 Wash.2d at 205, 11 P.3d 762 (inquiry into the voters' intent will not occur where the text of an initiative is unambiguous); City of Spokane, 111 Wash.2d at 97, 758 P.2d 480 (court will avoid entering the realm of pure speculation about what individual voters were thinking, nor will it assume voters do not read or understand the measure presented to them). Reference to the statutes governing placement of a proposal for a high-capacity transportation system on a ballot leads us to conclude that Resolution 75 was the approved proposal. RCW 29.79.035(1) requires the ballot title to contain a concise description which "must ... clearly identify the proposition to be voted on." See also RCW 29.27.066. RCW 81.104.140(7) requires reference in the ballot title to the summary pamphlet sent to voters . . . We have previously indicated that where the ballot title would lead to an inquiry into the body of the act, proper notice, as required by article II, section 19 of the Washington Constitution, has been given to the voter about what he or she is deciding. Wash. Fed'n of State Employees v. State, 127 Wash.2d 544, 555, 901 P.2d 1028 (1995) See Sane Transit v. Sound Transit, 151 Wash.2d 60, 85 P.3d 346, 351-52 (2004),

IT IS ABSOLUTELY CRITICAL THAT THIS COURT CASE BE BROUGHT TO THE ATTENTION OF JUDGE FERGUSON IN YOUR MOTION TO RECONSIDER. TO NOT DO SO, GIVEN HIS ORIGINAL RULING, IS LEGAL MALPRACTICE.

This judge wasn't given the facts, the arguments, or the defense of I-976 that the voters deserve. Make sure with your motion to reconsideration that you push the judge to recognize the fallacy of his reasoning in light of the above case.

Mr. Pidgeon also defends rational unity challenge that your brief completely ignored and Alan Copsey conceded during oral argument – insane!

EXHIBIT 14: This is my declaration in Mr. Pidgeon's brief. In it, I wrote:

EXHIBIT 15: During oral argument, the judge asked about voters not knowing what they were voting on. Alan Copsey talked about advertisements which everyone knows is legally irrelevant. The judge shoo'd him away.

What is legally relevant is what is in the voters pamphlet. There is enormous precedent and history showing that the courts look to the voters pamphlet and what voters had access to in order to discern and clear up any ambiguity.

In the voters pamphlet under the section called Local Revenue, it read:
This initiative repeals local authority to impose a TBD vehicle fee. … This revenue would be eliminated beginning on the effective date of this initiative.

Under the Section called "Fiscal Impact Statement by OFM", it read:

"Initiative 976 … and removing authority for transportation benefit districts to impose a vehicle fee.

Under the section called "Local Revenue", it read:

The initiative repeals local authority to impose a TBD vehicle fee. … This revenue would be eliminated beginning on the effective date of this initiative.

At no time in the AG's brief or oral argument was it pointed out to the judge that this information was in the legally relevant voters pamphlet.

EXHIBIT 16: In the voters pamphlet, in the Argument against I-976 that the opponents wrote and voters read is this:

This measure would gut voter-approved light rail expansion and eliminate hundreds of thousands of bus trips each year for commuters … it slashes transit and transportation funding by billions, harming our ability to maintain and improve our roads, bridges, ferries, buses and light rail.

This is of course grossly exaggerated but it was presented to voters as fact. And yet, even with this information being provided to them, they voted for it.

At no time did the AG's response brief or oral argument include anything about what appeared in the voters pamphlet to counter the absurd argument that voters didn't know what they were voting on.

EXHIBIT 17: In the voters pamphlet was the text of the initiative itself. The judge continually referenced section 1. As found in Pierce County 1, the intent section has no legal

effect. The court called it "policy fluff." But at no time did the AG point the judge to the legally binding section 2 which explicitly read as follows:

For the purposes of this section, "state and local motor vehicle license fees" … do not include charges approved by voters after the effective date of this section.

This clearly indicates the policy in I-976: get rid of taxes and fees and charges whether legislatively imposed or voter approved but to allow increases approved by voters in the future.

The bill title at the top is very explicit and legally relevant: AN ACT Relating to limiting state and local taxes, fees, and other charges relating to vehicles. Every provision in the initiative relates to that.

Section 6(4) specifically repeals RCW 82.80.140 (Vehicle fee—Transportation benefit district-Exemptions) etc. Any voter who read the initiative would see that taxing authority was repealed.

The judge and the plaintiffs focused on the legally irrelevant title at the top "BRING BACK OUR $30 CAR TABS", the "policy fluff" in Section 1, and Section 17, the title. None of those are legally relevant. And yet the AG never said that and never brought up that the legally relevant sections did what they did.

The ballot title was correct. The AG used the weak argument that because of word limitations, the word future was not included. It didn't have to be. The ballot title can easily be seen as: this is the policy you'll get when the initiative takes effect.

The AG did not mention, argue, or emphasize that since a legislatively passed and voter approved initiative statute must be presumed constitutional, then if it can be read two different ways, the court must choose the interpretation that is constitutional. This judge, because of the legal malpractice of the AG, did not know that.

There is no EXHIBIT 18.

EXHIBIT 19: The AG assigned a ballot title and ballot summary on March 26, 2018. It was written by Peter Gonick. That makes him a witness in the case. A law firm cannot be involved in a case where it is a witness in the case. It is for this reason alone, the AG should have recused itself.

In addition, the Ballot Measure Summary, which is very accessible to voters on the Secretary of State's website and appeared on the petitions that 352,093 voters signed reads:

This measure would repeal or remove authority to impose certain vehicle taxes and fees; limit state and local license fees to $30 for motor vehicles weighing 10,000 pounds or less, except charges approved by voters after the measure's effective date.

At no time did the AG in their response brief or oral argument alert the judge to this very clear description that an inquiring voter would easily be able to discern by reading the

Explanatory Statement in the voters pamphlet, the Pro Con Statements in the voters pamphlet, the text of the initiative itself in the voters pamphlet, and the link to the Secretary of State's office website in the voters pamphlet.

For Alan Copsey to talk about advertisements and media coverage but not talk about all the information in the voters pamphlet is inexcusable.

EXHIBIT 20: During the hearing, Alan Copsey was confused and befuddled. He meandered. It was incoherent at times. During a break, I gave him this letter and specifically told him to look at it, told him "I need to speak to you" and a few minutes later said "promise me you read this and I'll leave you alone". The letter explains several of the points above.

When the break was over, Copsey did not circle back and clean up the mess he'd made and address the points the judge had earlier said concerned him.

The judge had earlier said he would issue his ruling that afternoon or the following morning. The AG had blown it. The judge did not have all the facts and was about to rule without hearing them.

So it was for this reason – because of the incompetence, neglect, errors and omissions by the AG – that spurred me to stand up, walk forward and stand before the judge, and offered to bring up these points. I was calm, I was even keel, I did not interrupt him. I pointed out that billions of dollars were on the line and the AG had failed in their defense of the initiative. When the judge said that there were many people with strong views on it, I pointed out that I was the sponsor of I-976 and could provide the defense the AG had not. He invited me to go in the hallway to make my points. I told him he wasn't going to be able to hear the arguments out there because he had already indicated he'd decide later that afternoon or the next day. It was a Hail Mary pass, but it was warranted because the AG had so blown the case before this judge.

I confronted Noah Purcell and made it very clear was a horrible job they'd done. Over and over again, he said "You should be thanking us." With this predictable ruling due to the AG's sabotage, the voters are not thanking the AG.

EXHIBIT 22: After the hearing, I sent emails to some of the reporters present about the text of the initiative arguments and the voters pamphlet arguments that the Alan Copsey never pointed out to the judge.

Again, as reported by MyNorthwest: Another interesting item came when the judge wanted to know, essentially, whether Sound Transit was correct in its belief that I-976 does not set a deadline for it – or even require it – to stop collecting the MVET approved with ST3. The attorney for the state (Alan Copsey) – tasked with defending the initiative – said he could not answer at the moment. That was one of several things that led initiative sponsor Tim Eyman to stand up in court to have say – which the judge shut down – and then turn his ire to attorney for the state who he said botched the job of defending the initiative.

EXHIBIT 23: Provided a reporter with a copy of the pro-con statements in the voters pamphlet that make very clear that by voting for I-976 the voters were fully aware that they were rescinding/overturning voter-approved items.

EXHIBIT 24: same as EXHIBIT 20

EXHIBIT 25: Email sent to reporters that read: "Look specifically at point 6. Copsey was befuddled by judge on it and got this on Tuesday and handwritten note during break.

Sen. Steve O'Ban sent you a letter and told you to recuse you and your office because of your obvious conflicts (pro-Sound Transit, anti-Eyman). You refused. It's obvious that the reason was you wanted to sabotage the legal defense of I-976 from within. Refusing from the outset to file a motion to change venue, not doing affidavit on judge, and not including or making coherent, legally relevant arguments that were spoon-fed to your team.

This isn't just incompetence. This is corruption and malfeasance writ large.

A motion to reconsider MUST be filed before you take this botched case to the state supreme court. Because of your sabotage, this biased conflicted judge has made a significant ruling and so he cannot be bounced now. It's obvious that was your intent.

But at least you can limit the continued damage by filing a motion for reconsideration before my motion to have you disqualified can be heard by the judge in the coming days or weeks.

Bob Ferguson, you didn't just shaft Tim Eyman with your skullduggery, you undermined voters faith in government and shattered their belief that their votes count. If you were telling the truth that your team is going to working this weekend, then instruct them to first get a motion for reconsideration filed on Monday morning and include in it as much of the above as possible to clean up the mess you made and augment the court record so that an appeal to the supreme court actually has a chance as success.

Now that I've completed this and emailed this to you and your team, I'm going to leave Bellevue now and join my family in Mukilteo for Thanksgiving dinner.

Tim Eyman