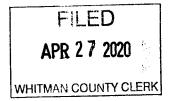
20 – 2 – 00070 – 38 CMP 2 Complaint 8102815



## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR WHITMAN COUNTY

ERIC HOOD,

Plaintiff,

VS.

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CITY OF TEKOA,

Defendant.

NO. 20 2 00070 38

COMPLAINT FOR VIOLATIONS OF THE PUBLIC RECORDS ACT

COMES NOW, the Plaintiff, herein and for claims. against the Defendant complains and alleges as follows:

## I. JURISDICTION AND VENUE

- 1.1 Jurisdiction in this Court is proper under RCW 2.08.010, because jurisdiction has not been exclusively vested in another court by law, and because RCW 42.56.550(1) authorizes "[j]udicial review of all agency actions taken or challenged under RCW42.56.030 through RCW 42.56.520."
- 1.2 Venue in this Court is proper pursuant to RCW 42.56.550(1) because, on information and belief, at least one of the requested records is maintained in Whitman County.

COMPLAINT FOR VIOLATIONS OF THE PUBLIC RECORDS ACT - 1 Eric Hood 5256 Foxglove Rd., PO Box 1547 Langley, WA 98260 360.632.9134 ericfence@yahoo.com received the request and providing a reasonable estimate of the time the agency...will require to respond to the request; (d) Acknowledging that the agency [...] has received the request and asking the requestor to provide clarification for a request that is unclear [...]; or (e) [d]enying the public record request.

RCW 42.56.520(1).

- 4.6 For any record it withholds, the City has a statutory duty to provide "a statement of the specific exemption authorizing the withholding of the record...and a brief explanation of how the exemption applies to the record withheld." RCW 42.56.210(3).
  - 4.6 The City has a duty to conduct an adequate search for responsive records.
- 4.7 The City has a statutory duty to "adopt and enforce reasonable rules and regulations ... consonant with the intent of this chapter to provide full public access to public records [and] to protect public records from damage or disorganization [...]. Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information." RCW 42.56.100.
- 4.8 The City has a statutory duty to adequately train its employees pursuant to RCW 42.56.150.
- 4.9 Upon information and belief, the City, at a minimum, breached its duties referenced in paragraphs 4.4 through 4.8.

## V. RESERVATION OF RIGHTS

5.1 Mr. Hood reserves the right to amend this complaint regarding the factual allegations contained herein, and to add any and all other claims. that have or may arise from the facts underlying this lawsuit.

## VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff Eric Hood asks the Court for the following relief:

- 6.1 That this Court order the City to promptly and properly respond to Mr. Hood's public records request, including producing all non-exempt records, and disclosing all exempt records and providing a brief explanation for any withholding.
- 6.2 That this Court award all costs, including reasonable attorney fees incurred in connection with this legal action, to Mr. Hood pursuant to RCW 42.56.550(4);
- 6.4 That this Court award a monetary penalty for each day that Mr. Hood was denied the right to inspect and copy each record requested pursuant to RCW 42.56.550(4); and
- 6.5 Any such other relief as this Court may deem just, equitable, and proper under the circumstances.

DATED this 9th day of April, 2020, by

Eric Hood