

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

WASHINGTON ELECTION INTEGRITY)
COALITION UNITED, a Washington State) No.
Nonprofit Corporation; TAMBORINE)
BORRELLI; MARY ROSE WIEDRICH;) NOTICE OF REMOVAL
TIFFANY NEVILS; BOBBIE LELAND;)
SHARON HUSTER; AMY BRITSAS; KEYRA) (Thurston County Superior Court
PEREZ; TAMMIE CORBIN; ALLEN CORBIN;) Cause No. 21-2-01641-34)

Plaintiffs,
Auditor, and
Defendants.

COME NOW Defendants, Mary Hall, Thurston County Auditor, and Thurston County, by and through their undersigned attorneys, and hereby request that this matter be removed to Federal District Court and state as follows:

1. On September 21, 2021, the Summons and Verified Complaint for Equal Protection; Violation of Civil Rights; Equitable Relief; Injunctive Relief; Declaratory Relief; and Public Records

NOTICE OF REMOVAL - 1

JON TUNHEIM
Thurston County Prosecuting Attorney
Civil Division - Building No. 5
2000 Lakeridge Dr SW
Olympia, WA 98502
360/786-5574

1 Action to Compel Ballot Production in this matter were filed in Thurston County Superior Court under
2 Thurston County Superior Court Cause No. 21-2-01641-34. On September 22, 2021, a copy of the
3 Summons and Verified Complaint were served upon the Thurston County Auditor's Office. A true and
4 correct copy of the Summons and Verified Complaint are attached to this Notice of Removal, and
5 copies of all records and proceedings filed in the Thurston County Superior Court are listed and
6 attached to the Attorney Verification of State Court Record filed contemporaneously with this Notice
7 of Removal. Less than 30 days have elapsed since the service of the summons and complaint.
8

9 2. The Plaintiffs allege that Thurston County and the Thurston County Auditor violated federal
10 law, 52 U.S.C. § 20971, violated their rights under the United States Constitution, and seek recovery
11 pursuant to 42 U.S.C. §§ 1983 and 1988. This Court has federal question jurisdiction over such claims
12 pursuant to 28 U.S.C. § 1331. Plaintiffs also allege state law claims. Under 28 U.S.C. § 1337(a) this
13 Court has supplemental jurisdiction over all other claims that are so related to claims in the action
14 within the court's original jurisdiction that they form part of the same case or controversy. Plaintiffs'
15 state law claims are "so related" to their federal claims as to "form part of the same case or controversy."
16 Accordingly, this action may be removed to this Court pursuant to 28 U.S.C. § 1441 and 28 U.S.C. §
17 1337(a).

18 3. All Defendants in this matter reside and/or have their principal place of business in Thurston
19 County. Moreover, the alleged events or omissions, or a substantial part thereof, giving rise to
20 Plaintiffs' claims occurred in Thurston County.
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22 ///
23 ///
24 ///
25 ///

NOTICE OF REMOVAL - 2

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1 WHEREFORE, all Defendants consent to the removal of this action and respectfully request
2 that the above-entitled action be removed from the Superior Court of the State of Washington for
3 Thurston County to United States District Court for the Western District of Washington at Tacoma.
4

5 DATED this 22nd day of October 2021.
6

7 JON TUNHEIM
8 PROSECUTING ATTORNEY
9

10 11 12 *s/ Jane Futterman*
13
14

15 JANE FUTTERMAN, WSBA #24319
16 Senior Deputy Prosecuting Attorney
17 Civil Division - Building No. 5
18 2000 Lakeridge Drive SW
19 Olympia, WA 98502
20 Phone: (360)786-5574
21 *jane.futterman@co.thurston.wa.us*
22 Attorneys for Defendants
23

24 **CERTIFICATE OF SERVICE**

25 I hereby certify that on the date listed below, I electronically filed the foregoing with the Clerk of the Court using
the CM/ECF system which provides service to the attorneys and individuals listed below and served the foregoing as
follows:

<p>17 <u>Attorneys for Proposed Intervenor Washington State</u> 18 <u>Democratic Party</u> 19 Kevin J. Hamilton Amanda J. Beane Reina A. Almon-Griffin Nitika Arora 20 <u>Perkins Coie LLP</u> 21 1201 Third Ave., Ste 4900 Seattle, WA 98101-3099 22 23 KHamilton@perkinscoie.com ABeane@perkinscoie.com RALmon-Griffin@perkinscoie.com NArora@perkinscoie.com</p>	<p>24 <input checked="" type="checkbox"/> US Mail, Postage Prepaid <input type="checkbox"/> Certified Mail, Return Receipt Requested <input type="checkbox"/> Overnight Mail <input checked="" type="checkbox"/> Email</p>
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24 The following Pro-Se parties were provided the foregoing document via U.S. Mail, postage prepaid on the date listed
25 below:

NOTICE OF REMOVAL - 3

26 JON TUNHEIM
27 Thurston County Prosecuting Attorney
28 Civil Division - Building No. 5
29 2000 Lakeridge Dr SW
30 Olympia, WA 98502
31 360/786-5574

1	Washington Election Integrity Coalition United Tamborine Borrelli, Pro Se Plaintiff 13402 125 th Ave NW Gig Harbor, WA 98329-4215	Tamborine Borrelli, Pro Se Plaintiff 14511 George Rd. SE Yelm, WA 98597
2	Mary Rose Wiedrich, Pro Se Plaintiff 2741 Gull Harbor Road NE Olympia, WA 98506	Tiffany Nevils, Pro Se Plaintiff 14607 148 th Ave SE Yelm, WA 98597
3	Bobbie Leland, Pro Se Plaintiff 4319 Frontier Dr SE Olympia, WA 98501	Sharon Huster, Pro Se Plaintiff 11404 Cemetery Rd SE Yelm, WA 98597
4	Amy Britsas, Pro Se Plaintiff 4720 Palermo Rosa Lane SW Olympia, WA 98512	Keyra Perez, Pro Se Plaintiff 19723 147 th Ave SE Yelm, WA 98597
5	Tammie and Allen Corbin, Pro Se Plaintiffs 16217 Bald Hill Rd SE Yelm, WA 98597	Sherie Suter, Pro Se Plaintiff 12140 Koeppen Rd SE Rainier, WA 98576
6	Peggy Normet, Pro Se Plaintiff 11821 Blue Glacier Ln SE Yelm, WA 98597	Diane Schmidt, Pro Se Plaintiff 8908 Pepperidge Ln SE Yelm, WA 98597
7	Jorge Delgado, Pro Se Plaintiff 14224 148 th Ave SE Yelm, WA 98597	Eugene DeLozier, Pro Se Plaintiff 20044 Otoole Rd SE Yelm, WA 98597
8	Flora Hernandez, Pro Se Plaintiff 14224 148 th Ave SE Yelm, WA 98597	Taiz Cepeda, Pro Se Plaintiff 19723 147 th Ave SE Yelm, WA 98597
9	Joe Keeslar, Pro Se Plaintiff 19723 147 th Ave SE Yelm, WA 98597	

I certify (or declare) under penalty of perjury under the laws of the State of Washington and 28 U.S.C. § 1746 that the foregoing is true and correct. Olympia, Washington.

Date: October 22, 2021

Signature: s/ Nancy Jones-Hegg

NOTICE OF REMOVAL - 4

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