

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ECHOTA C. WOLFCLAN, *et al.*,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, *et al.*,

Defendants.

Case No. C23-5399-TSZ-SKV

ORDER APPOINTING COUNSEL

This is a prisoner civil rights action proceeding under 42 U.S.C. § 1983. On May 2, 2023, Plaintiff Echota Wolfclan submitted to the Court for filing a proposed civil rights complaint alleging constitutional violations related to plumbing and sewer issues at the Pierce County Jail (“the Jail”). *See* Dkt. 1-1. Mr. Wolfclan included in the complaint a request for certification as a class action, and he identified several fellow Jail inmates as class members.¹ *See id.* Mr. Wolfclan submitted with the complaint a request for appointment of counsel. Dkt. 1-3.

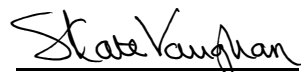
¹ The Court subsequently received submissions from a number of other Jail inmates who sought to be added as Plaintiffs. *See* Dkts. 30, 33, 34, 35, 37, 38.

1 On September 1, 2023, the Court issued an order granting Mr. Wolfclan's request for
2 appointment of counsel, contingent upon identification of counsel willing to represent Plaintiffs
3 in this proposed class action, and directing the Western District of Washington's pro bono
4 coordinator to identify counsel to represent Plaintiffs in accordance with the Court's General
5 Order 16-20. Dkt. 61. On November 20, 2023, the Court was notified that counsel has been
6 located. Accordingly, the Court hereby GRANTS the request for appointment of counsel and
7 appoints Mark P. Walters of Lowe Graham Jones PLLC, 1325 Fourth Ave, Ste 1130, Seattle,
8 WA 98101, and Lisa Roybal Elliott, 11120 NE 2nd St Ste 100, Bellevue, WA 98004-5848, as
9 counsel for Plaintiffs, pursuant to the "Plan and Rules of the United States District Court for the
10 Western District of Washington at Seattle for the Representation of *Pro Se* Litigants in Civil
11 Rights Actions" ("the Rules"). See General Order No. 16-20 (Dec. 8, 2020).

12 Counsel is directed to file a Notice of Appearance within seven (7) days. If counsel is
13 unable for a reason set forth in the Rules to assume this representation, a motion for relief from
14 appointment should immediately be filed with the assigned judge. In the event Plaintiffs prevail,
15 appointed counsel may move for an award of attorney's fees under any applicable authority. The
16 Court is unable to assure counsel of compensation from any other source, however.

17 The Clerk is directed to send a copy of this Order to Mr. Wolfclan, to appointed counsel,
18 and to the Honorable Thomas S. Zilly.

19 DATED this 21st day of November, 2023.

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22 S. KATE VAUGHAN
23 United States Magistrate Judge