

1-9-2009

Objection of Bethel School District to CR 45 Subpoena 07-2-02323-2-73

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SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

MATHEW & STEPHANIE McCLEARY, et al.,

Petitioners,

v.

STATE OF WASHINGTON,

Respondent.

No. 07 2 02323 2 SEA

OBJECTION OF BETHEL SCHOOL DISTRICT TO CR 45 SUBPOENA

Hon. Paris K. Kallas (until 1/11/09)
Hon. John Erlick (effective 1/12/09)

Comes now William A. Coats of Vandenberg Johnson & Gandara, LLP, on behalf of Bethel School District, and files the following objections to the subpoena issued by the respondent dated December 19, 2008, for the following reasons:

1. Bethel School District joins in the objections filed by the petitioners in the above-referenced case dated January 9, 2009.
2. The subpoena does not allow a reasonable period of time for compliance with the subpoena. The subpoena purports to have been served on December 19, 2008. School was closed because of the weather conditions on that date and then the District was on winter break. The subpoena was not actually forwarded to the District's legal counsel until on or about January 5, 2009. The documents requested are extremely voluminous and it will take a substantial period of time to comply with the subpoena.

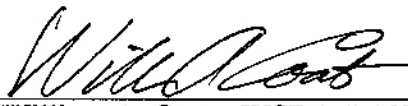
1 3. The subpoena is vague. It is difficult to determine what documents are required.
2 Many of the documents seemingly requested are routinely filed with the State and should be
3 available to the respondent.

4 4. The subpoena is overly broad and burdensome. It would take a substantial
5 amount of District time and effort to produce the documents requested in the subpoena and there
6 would be significant cost to the District which should be paid by the respondent.

7 For the reasons set forth herein and by the petitioners, Bethel School District objects to
8 the subpoena.

9 DATED this 12th day of January, 2009.

10 VANDEBERG JOHNSON & GANDARA, LLP

11
12 By 
13 William A. Coats, WSBA # 4608
14 Attorneys for Bethel School District

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Case Number: 07-2-02323-2  
Case Title: MCCLEARY ET AL VS WASHINGTON STATE OF  
Document Title: OTHER RE OBJECTION OF BETHEL SCHOOL DISTRICT TO CR 45  
BPOENA  
User's Name: William Coats  
Filed Date: 1/12/2009 3:04:37 PM

User Signed

Signed By: William Coats  
WSBA #: 4608  
Date: 1/12/2009 3:01:12 PM