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1-12-2009

Objection of Clover Park School District to CR 45 Subpoena 07-2-02323-2-74

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FILED

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KING COUNTY SUPERIOR COURT CLERK E-FILED CASE NUMBER: 07-2-02323-2 SEA

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

MATHEW & STEPHANIE McCLEARY, et al.,

Petitioners,

STATE OF WASHINGTON,

v.

Respondent.

No. 07 2 02323 2 SEA

OBJECTION OF CLOVER PARK 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 Vandeberg Johnson & Gandara, LLP, on behalf of Clover Park School District, and files the following objections to the subpoena issued by the respondent dated December 19, 2008, for the following reasons:

1. Clover Park 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.

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OBJECTION OF CLOVER PARK SCHOOL DISTRICT TO CR 45 SUBPOENA - 1

VANDEBERG JOHNSON & GANDARA, LLP ATTORNEYS AT LAW 1201 PACIFIC AVENUE, SUITE 1900 P.O. BOX 1315 TACOMA, WASHINGTON 98401-1315 (253) 383-3791 (TACOMA) FACSIMILE (253) 383-6377

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The subpoena is vague. It is difficult to determine what documents are required. 3. Many of the documents seemingly requested are routinely filed with the State and should be available to the respondent. The subpoena is overly broad and burdensome. It would take a substantial 4. 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. For the reasons set forth herein and by the petitioners, Clover Park School District objects

to the subpoena.

DATED this 12th day of January, 2009.

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VANDEBERG JOHNSON & GANDARA, LLP

Βv

William A. Coats, WSBA # 4608 Attorneys for Clover Park School District

OBJECTION OF CLOVER PARK SCHOOL DISTRICT TO CR 45 SUBPOENA - 2

VANDEBERG JOHNSON & GANDARA, LLP 1201 PACIFIC AVENUE, SUITE 1900 P.O. BOX 1315 TACOMA, WASHINGTON 98401-1315 (253) 383-3791 (TACOMA) FACSIMILE (253) 383-6377

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

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