

The Honorable Robert S. Lasnik

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

SUSAN SOTO PALMER, et al.,  
 Plaintiffs,  
 v.  
 STEVEN HOBBS, et al.,  
 Defendants,  
 and  
 JOSE TREVINO, et al.  
 Intervenor-Defendants.

NO. 3:22-cv-05035-RSL

DEFENDANT STEVE HOBBS'S  
RESPONSE TO PLAINTIFFS'  
MOTION FOR CLARIFICATION  
REGARDING TRIAL SCHEDULE

BENANCIO GARCIA III,  
 Plaintiffs,  
 v.  
 STEVE HOBBS, et. al.  
 Defendants.

No. 3:22-cv-05152-RSL-DGE-LJCV

Secretary Hobbs takes no position on Plaintiffs' Motion for Clarification Regarding Trial Schedule, *Soto Palmer v. Hobbs*, Dkt. 174.

At the same time, the Secretary desires to make clear the potential impact of Plaintiffs' proposal to schedule "additional trial dates this summer." *Id.* at 4. The Secretary accordingly makes this filing in response to this Court's order entered in both *Soto Palmer* and *Garcia*. *Soto*

1 *Palmer v. Hobbs*, Dkt. 177; *Garcia v. Hobbs*, Dkt. 57. If scheduling additional dates delays  
2 rulings on the merits in either *Soto Palmer* or *Garcia* and any ensuing appellate review, it will  
3 affect the likelihood of implementing any relief in time for the 2024 election cycle.

4 In order to implement any new state legislative maps from the 2024 election cycle  
5 without disrupting Washington's elections, new maps must be finalized no later than March 25,  
6 2024. Declaration of Stuart Holmes in Support of Defendant Steve Hobbs's Response (Holmes  
7 Decl.) ¶ 8. While the 2024 primary election day is August 6, *see* Wash. Rev. Code § 29A.04.311,  
8 there are critical intervening deadlines, and any delay could have cascading effects. After  
9 receiving updated legislative district maps, county elections staff, with technical assistance from  
10 the Office of the Secretary of State as needed, must redraw precinct lines within the new districts.  
11 Holmes Decl. ¶¶ 10-13. Precinct boundaries must be approved by a county commissioner or  
12 council, a process that often requires a public comment period. *Id.* ¶ 14. Counties in Washington  
13 must revise precinct boundaries by April 29, 2024. Wash. Rev. Code § 29A.16.040(1). Counties  
14 transmit those boundaries to the Office of the Secretary of State, which must consolidate and  
15 validate the boundaries, a process that can take up to several days per county. Holmes Decl.  
16 ¶¶ 15-17. Once finalized, these boundaries determine which districts voters will vote in and also  
17 in which districts they are eligible to run for office. *Id.* ¶ 21. As a result, the process must be  
18 completed before the beginning of the candidate filing period. *Id.* ¶ 21-22.

19 Barring a veto of recent legislation, candidate filing for the 2024 state legislative  
20 elections will take place between May 6 and May 10. Wash. Rev. Code § 29A.24.050; Substitute  
21 S.B. 5182, § 1, 68th Leg., Reg. Sess. (Wash. 2023). The Secretary of State will certify state  
22 legislative candidates to county auditors on May 21, 2024. Wash. Rev. Code § 29A.36.010.  
23 Counties can then begin the process of designing and testing the multiple ballot style designs  
24 necessary to accommodate the different races and measures that appear in different precincts.  
25 This process requires substantial time. Holmes Decl. ¶ 30. Additional time is required to translate  
26 ballots. *Id.* And the printing process itself requires additional time. *Id.* ¶ 31.

1 Ballots must be mailed to Uniformed and Overseas Citizens Absentee Voting Act voters  
2 by June 22, 2024. 52 U.S.C. § 20302(a)(8); Wash. Rev. Code § 29A.40.070. For all other voters,  
3 ballots must be mailed by July 19, 2024. Wash. Rev. Code § 29A.40.070(1).

4 If either the *Soto Palmer* or *Garcia* plaintiffs prevail, new state legislative maps will have  
5 to be created and finalized by March 25, 2024. Developing and finalizing new maps will require  
6 a reasonable amount of time. Any delay in obtaining a final ruling decreases the likelihood (but  
7 does not foreclose the possibility) that any relief could be accomplished in time for the 2024  
8 elections. At the same time, the Secretary recognizes that there are countervailing considerations.  
9 The *Soto Palmer* plaintiffs, for example, are also concerned that the current case schedule will  
10 prejudice their “ability to adequately present their case.” *Soto Palmer v. Hobbs*, Dkt. 174 at 5.  
11 The Secretary takes no position on the appropriate manner of balancing the parties’ interests  
12 with the possibility of postponing the availability of relief.

13 RESPECTFULLY SUBMITTED this 9th day of May, 2023.

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**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 9th day of May 2023, at Olympia, Washington.

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