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KITSAP COUNTY CLERK

2022 JUL 22 PM 3:07

DAVID T. LEWIS III



**SUPERIOR COURT OF WASHINGTON  
COUNTY OF KITSAP**

22-2-00581-18  
NTMTDK 5  
Note for Motion Docket  
12769197



JEFFREY DAILY

NO.: 22-2-00581-18

Plaintiff/Petitioner

SARAH LIPPEK / BRANDT KREIZBERG

NOTE FOR MOTION DOCKET  
(NTMTDK)

Attorney for Plaintiff/Petitioner

**CLERK'S ACTION REQUIRED**

vs.

SOUTH KITSAP SCHOOL BOARD

Defendant/Respondent

DUNCAN K. FOBES / LAUREN A. JOHNSTON

Attorney for Defendant/Respondent.

TO THE CLERK OF COURT AND ALL PARTIES:

Please take notice that the undersigned will bring on for hearing:

NATURE OF MOTION: STIPULATED MOTION REQUESTING JUDGE ASSIGNMENT

The hearing is to be held: DATE: FRIDAY, AUGUST 5TH, 2022 TIME: 9:00 a.m. p.m.

AT: Superior Court of Kitsap County, 614 Division Street, Port Orchard, WA 98366

**9:00 A.M. FRIDAY CIVIL MOTIONS CALENDAR**

(List Calendar/Docket/Judge's Departmental/Special Set)

**ALL PARTIES AND COUNSEL ARE EXPECTED TO APPEAR VIA ZOOM UNLESS IMPOSSIBLE TO DO SO.**

ZOOM MEETING ID: \_\_\_\_\_ MEETING PASSCODE: \_\_\_\_\_

You can confirm this Zoom Meeting information the day prior to the hearing by clicking the "Today's Calendar" link at the Superior Court website: [www.kitsapgov.com/sc](http://www.kitsapgov.com/sc). Information will be posted no later than 4:30 p.m. the day prior.

For more information regarding remote appearances, please visit:

[www.kitsapgov.com/sc/Pages/remoteppearance.aspx](http://www.kitsapgov.com/sc/Pages/remoteppearance.aspx)

COURT COMMISSIONER MAY HEAR THIS MOTION:  YES  NO

Dated: JULY 21, 2022

Signed: /s/Lauren A. Johnston

Lawyer for: DEFENDANT S. KITSAP SCHOOL BOARD

Address: 1000 2nd AVE, 30th FLOOR  
SEATTLE, WA 98104

Phone: (206) 462-6700

Email: laj@pattersonbuchanan.com

Note for Motion Docket  
Kitsap County Superior Court Local Rules – Exhibit E  
Available for use October 2020 pending formal adoption

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DAVID T. LEWIS III

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Hearing Date/Time: August 5, 2022 at 9:00AM

SUPERIOR COURT OF WASHINGTON  
FOR KITSAP COUNTY

JEFFREY DAILY,  
  
Petitioner,  
  
v.  
  
SOUTH KITSAP SCHOOL BOARD,  
  
Respondent.

No. 22-2-00581-18

STIPULATED MOTION  
REQUESTING JUDGE ASSIGNMENT

**I. RELIEF REQUESTED**

The Petitioner Jeffrey Daily and the Respondent South Kitsap School Board respectfully request this Court to assign a judge to the instant matter.

**II. RELEVANT FACTS**

On August 18, 2021, Petitioner timely filed an appeal of the Respondent's July 21, 2021 decision pursuant to Chapter 28A.645 RCW. On April 12, 2022, the Court entered an Order Setting Trial Date / Administrative Hearing and Case Event Schedule (the "Order"). The Order scheduled the appeal for October 11, 2022, with Petitioner's brief due by September 27, 2022 and Respondent's brief due by October 4, 2022. As the date of this Stipulated Motion, a judge has not been assigned to this matter.

**III. ARGUMENT**

The parties request this Court to assign a judge to the instant matter so the parties may schedule a conference with the judge to discuss the appeal procedure prior to September 27,

STIPULATED MOTION REQUESTING JUDGE  
ASSIGNMENT - 1  
935296.docx

PATTERSON BUCH 22-2-00581-18  
FOBES & LEITCH, II MT 4  
Motion  
1000 Second Ave., 30<sup>th</sup> Floor, S 12783256  
Tel. 206.462.6700 Fax 20

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1 2022. Good cause exists for a judge to be assigned because a conference with the judge will  
2 allow this matter to proceed more efficiently and provide clarity on the judge's preferences for  
3 a Chapter 28A.645 RCW appeal. This will allow the parties to better prepare for the brief  
4 submissions and appeal hearing so that this matter proceeds as efficiently as possible.

5 **IV. CONCLUSION**

6 The Petitioner and the Respondent respectfully request this Court to assign a judge to  
7 the instant matter.

8 Respectfully submitted this July 21, 2022 by counsel for both parties.

9  
10 *Attorneys for Petitioner*

11 */s/Sarah Lippek*

12 */s/Brandt Kreitzberg*

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14 Brandt Kreitzberg, WSBA 49629  
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17 Seattle WA, 98108  
18 Phone: 206.931.5767

19 *Attorneys for Respondent*

20 */s/Duncan K. Fobes*

21 */s/Lauren A. Johnston*

22 Duncan K. Fobes, WSBA 14964  
23 Lauren A. Johnston, WSBA 55510  
24 Patterson Buchanan Fobes & Leitch, Inc., PS.  
25 1000 Second Ave., 30th Floor  
Seattle, WA 98104  
Phone: 206.462.6700

[PROPOSED] ORDER

HAVING reviewed the parties' STIPULATED MOTION REQUESTING JUDGE ASSIGNMENT in this matter and having found good cause to assign a judge to the instant matter, the Court hereby GRANTS the parties' Stipulated Motion. Judge \_\_\_\_\_ will be assigned to this matter.

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
The Honorable

Presented by:

*Attorneys for Petitioner*

*/s/Sarah Lippek*

*/s/Brandt Kreitzberg*

\_\_\_\_\_  
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*Attorneys for Respondent*

*/s/Duncan K. Fobes*

*/s/Lauren A. Johnston*

\_\_\_\_\_  
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