

FILED

February 16, 2022
KITSAP COUNTY CLERK
DAVID T. LEWIS III

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP**

JEFFREY DAILY,

Petitioner,

vs.
SOUTH KITSAP SCHOOL BOARD,

Respondent.

Case No.: 21-2-01233-18

**AGREED JOINT MOTION TO
RECOGNIZE APPEAL OF
SCHOOL BOARD DECISION
PURSUANT TO RCW 28A.645**

CLERK'S ACTION REQUESTED

The Petitioner/Appellant Jeffrey Daily and the Respondent South Kitsap School Board respectfully request that the Court expeditiously assign a judge to the instant matter, and that the assigned judge schedule a status conference to address case scheduling and other immediate case-management issues in this matter.

1. The parties jointly acknowledge and recognize that the present case is an appeal from the decision and inaction of a school board pursuant to Chapter

1 28A.645 RCW and should be tracked and captioned accordingly. The Parties
2 respectfully request that the Court recognize the same.

3
4 2. The parties jointly acknowledge and recognize that the original appeal of
5 the Board's July 21,2021 decision was timely filed with Kitsap County
6 Superior Court on August 18, 2021.

7 3. The parties jointly request expeditious assignment of this matter to a judge.

8
9 4. The parties jointly request that the assigned judge order a status
10 conference to be scheduled expeditiously.

11 5. The parties jointly request that the assigned judge order the case schedule
12 be amended to account for delays in case processing.

13
14 6. The parties jointly request that Appellant be granted leave only to amend
15 the 'Summons and Complaint'/ Notice of Appeal for correct captioning and
16 formatting as an appeal, because the case was not accepted for filing by the
17 court clerk as an appeal from decisions/inaction of the school board, and the
18 court clerk refused acceptance until the caption was modified and a
19 summons/complaint was attached.

20
21 7. The parties jointly request that the Court provide a means for electronic
22 submission of case filings, and correct the technical issue that appears to be
23 resulting in emails from counsel for the Appellant being blocked by the
24 Kitsap Superior Court email system.
25
26
27

1 The parties respectfully request that the Court assign a judge, issue a case
2 schedule, and schedule a status conference as soon as possible.
3

4
5 Respectfully submitted this February 16, 2022 by counsel for both parties.
6

7
8 /s/ Sarah Lippek
9 Sarah Lippek, WSBA No. 46452
10 Attorney for the Plaintiff

11 Law Offices of Sarah Lippek PLLC
12 650 South Orcas Street, Suite 207
13 Seattle WA, 98108
14 Phone: 206.931.5767
15 Email: Lippek@protonmail.com

16
17 /s/ Duncan K. Fobes
18 /s/ Lauren Johnston
19 Duncan K. Fobes, WSBA No. 14964
20 Lauren Johnston, WSBA No. 55510
21 Attorneys for the Defendants

22
23 Patterson Buchanan Fobes & Leitch, Inc., PS.
24 1000 Second Ave., 30th Floor
25 Seattle, WA 98104
26 Phone: 206.462.6700
27 Fax: 206.462.6701
28 Emails: dkf@pattersonbuchanan.com
laj@pattersonbuchanan.com