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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY**

)	No. 12-2-28163-7
In re:)	
)	[PROPOSED] ORDER GRANTING
King County General Election Ballot)	PETITION FOR PREVENTION OF
and Party Preference of Kshama Sawant)	ELECTION ERROR (RCW
)	29A.68.011)
)	
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This matter came before the Court on Kshama Sawant’s First Amended Petition for Prevention of Election Error. Respondents were King County and the Secretary of State. All parties were represented by counsel.

Having considered the First Amended Petition with exhibits attached thereto; the Response of King County with declarations of Janice Case and the exhibits attached thereto; the Response of the Secretary of State with the Declarations of Catherine Blinn with exhibits attached thereto; and the Reply of Sawant with attachments thereto; the Court FINDS:

1. Kshama Sawant submitted a declaration of candidacy to run for Representative, 43rd District (Position 1), identifying her party preference as “Socialist Altern.”

1 2. She was drafted into the race for Representative, 43rd District (Position 2), through a
2 write-in campaign that commenced after the deadline for withdrawing from the Position 1 race.

3 3. Being already a declared candidate, there was no way for Ms. Sawant to file a
4 declaration of candidacy for Position 2.

5 4. After qualifying for the general election in Position 1 and Position 2, WAC 434-230-
6 085 allowed Ms. Sawant to change races from Position 1 to Position 2. Ms. Sawant informed the
7 County that she would run in Position 2, and this caused the County to withdraw her name from the
8 race for Position 1.

9 5. WAC 434-230-085 thus constitutes authorization to amend the declaration of
10 candidacy and an exception to the general practice that different races be treated separately.

11 6. Pursuant to RCW 29A.52.112, WAC 434-215-130, and WAC 434-230-055(2), the
12 general election ballot and voters' pamphlet must reflect Ms. Sawant's party preference as stated in
13 her declaration of candidacy and her letter transferring races pursuant to WAC 434-230-085.

14 It is ORDERED

15 1. The First Amended Petition is granted;

16 2. The 2012 General Election ballot and the 2012 General Election Voters' Pamphlet
17 shall state Ms. Sawant's party preference as indicated in her declaration of candidacy.

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THE HONORABLE MICHAEL J. TRICKEY

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Submitted by:

SMITH & LOWNEY PLLC

By 

Knoll Lowney, WSBA 23457

Approved as to form
Rebecca Glasgow, NO 32886

Janine Joly # 27314
Deputy Pros. Atty
King County