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KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA

## SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

JOHN DOE A, a minor by and through his legal guardians Richard Roe and Jane Roe; and JOHN DOE B, a married man; as individuals and on behalf of others similarly situated;

Plaintiffs.

v.

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WASHINGTON STATE PATROL, an agency of the State of Washington; and DONNA ZINK, a married woman

Defendants.

No. 13-2-41107-5 SEA

ORDER GRANTING PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER

Toposed

THIS MATTER came for hearing before this Court on the motion of John Doe A, a minor by and through his legal guardians Richard Roe and Jane Roe; and John Doe B, a married man; as individuals and on behalf of others similarly situated (collectively "Plaintiffs") for a temporary restraining order.

Having considered Plaintiffs' motion and all pleadings submitted in support of and in opposition to the motion, the requirements of CR 65, as well as the arguments of counsel for the parties, the Court FINDS:

[proposed] ORDER GRANTING PLANTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER-1 AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION 901 FIFTH AVENUE, STE 630 SEATTLE, WA 98164 (206) 624-2184

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- 1) Plaintiffs have a clear legal and equitable right to enjoin the release of exempt records to the general public, as the disclosure would cause immediate and irreparable harm and would not be in the public interest. Plaintiffs have shown a likelihood of prevailing on the merits of their claims.
- 2) Plaintiffs have a well-grounded fear of immediate invasion of their rights.
  Plaintiffs' ability to seek injunctive relief would be meaningless if the registration records of Plaintiffs and other members of the proposed Class were released prior to a determination on the merits.
- Plaintiffs have shown that the WSP's anticipated release would result in substantial and irreparable injury.

The Court therefore ORDERS that Plaintiffs' Motion for a Temporary Restraining Order is GRANTED; the WSP shall not disclose or disseminate any records or information pertaining to level I sex offenders, except as permitted by RCW 4.24.550, in response to Ms. Donna Zink's Public Records Act request received by the WSP on November 28, 2013. This temporary restraining order remains effective until the Court rules on Plaintiffs' Motion to Modify the Preliminary Injunction.

Dated this 21st day of February, 2014

The Honorable Marianne Spearman,
Chief Civil Judge

Presented by:

AMERICAN CIVIL LIBERTIES UNION

[proposed] ORDER GRANTING PLANTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER-2 AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION 901 FIFTH AVENUE, STE 630 SEATTLE, WA 98164 (206) 624-2184

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[proposed] ORDER GRANTING PLANTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER-3

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