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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROGELIO MONTES and MATEO
ARTEAGA,

Plaintiff,

v.

CITY OF YAKIMA; MICAH
CAWLEY, in his capacity as Mayor
of Yakima; & MAUREEN
ADKISON, SARA BRISTOL,
KATHY COFFEY, RICK ENSEY,
DAVE ETTL, & BILL LOVER, in
their capacity as members of the
Yakima City Counsel,

Defendant.

No. CV-12-3108-TOR

DECLARATION OF ABHA
KHANNA IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

I, Abha Khanna, hereby declare:

I am a counsel with the law firm of Perkins Coie LLP and one of the
attorneys for Plaintiffs in the above-captioned matter. I am over the age of 18
and am competent to testify.

DECLARATION OF A. KHANNA IN
SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT – 1

68142-0004/LEGAL122556661.1

Perkins Coie LLP
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Phone: 206.359.8000
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1 1. Attached hereto as Exhibit 1 is a true and correct copy of
2
3 Amendment Number 11 to the Charter of the City of Yakima, Washington,
4
5 which was provided by Defendants in the course of discovery and which is
6
7 Bates numbered COY 000060-76.

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9 2. Attached hereto as Exhibit 2 is a true and correct copy of the
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11 Report of Richard L. Engstrom, Ph.D., dated February 1, 2013.

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13 3. Attached hereto as Exhibit 3 is a true and correct copy of excerpts
14
15 from the deposition transcript of John Alford, dated February 19, 2014.

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17 4. Attached hereto as Exhibit 4 is a true and correct copy of the
18
19 Declaration of William S. Cooper, dated February 1, 2013.

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21 5. Attached hereto as Exhibit 5 is a true and correct copy of the
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23 Second Supplemental Declaration of William S. Cooper, including exhibits,
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25 dated April 25, 2014.

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27 6. Attached hereto as Exhibit 6 is a true and correct copy of the
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29 Supplemental Declaration of William S. Cooper, dated April 19, 2013.

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31 7. Attached hereto as Exhibit 7 is a true and correct copy of excerpts
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33 from the deposition transcript of Peter Morrison, dated May 9, 2013.

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35 8. Attached hereto as Exhibit 8 is a true and correct copy of excerpts
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37 from the deposition transcript of William S. Cooper, dated May 8, 2013.

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39 9. Attached hereto as Exhibit 9 is a true and correct copy of the
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41 Report of John Alford, Ph.D., dated March 22, 2013.

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43 10. Attached hereto as Exhibit 10 is a true and correct copy of the
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45 Supplemental Report of Richard L. Engstrom, Ph.D., dated December 17, 2013.
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1 11. Attached hereto as Exhibit 11 is a true and correct copy of the
2 Supplemental Report of John Alford, Ph.D., dated January 17, 2014.
3

4 12. Attached hereto as Exhibit 12 is a true and correct copy of
5 Defendants' Answers and Objections to Plaintiffs' First Requests for
6 Admission to Defendants, dated December 17, 2012.
7
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9 13. Attached hereto as Exhibit 13 is a true and correct copy of an
10 Opinion of the Washington Attorney General dated June 15, 1967 (AGO 1967
11 No. 21).
12

13 14. Attached hereto as Exhibit 14 is a true and correct copy of the
14 Complaint filed in *Mexican-American Federation v. Naff*, No. 68-cv-2457, in
15 the U.S. District Court for the Eastern District of Washington, dated September
16 11, 1968, as obtained from the National Archives at Seattle.
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18 15. Attached hereto as Exhibit 15 is a true and correct copy of the
19 Opinion of the court filed in *Mexican-American Federation v. Naff*, No. 68-cv-
20 2457, in the U.S. District Court for the Eastern District of Washington, dated
21 May 2, 1969, as obtained from the National Archives at Seattle.
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23 16. Attached hereto as Exhibit 16 is a true and correct copy of the
24 Order Vacating Judgment filed in *Mexican-American Federation v. Naff*, No.
25 68-cv-2457, in the U.S. District Court for the Eastern District of Washington,
26 dated September 27, 1971, as obtained from the National Archives at Seattle.
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28 17. Attached hereto as Exhibit 17 is a true and correct copy of the
29 Complaint filed in *United States v. Yakima County*, No. 04-cv-3072, in the U.S.
30 District Court for the Eastern District of Washington, dated July 6, 2004.
31
32

1 18. Attached hereto as Exhibit 18 is a true and correct copy of the
2 Consent Decree filed in *United States v. Yakima County*, No. 04-cv-3072, in
3 the U.S. District Court for the Eastern District of Washington, dated September
4 3, 2004.
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8 19. Attached hereto as Exhibit 19 is a true and correct copy of EEO-4
9 data for the City of Yakima from 2005, 2007, and 2009, as produced by
10 Defendants in the course of discovery, Bates numbered COY 004151-004215
11 and COY 006834-006873.
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14 20. Attached hereto as Exhibit 20 is a true and correct copy of an
15 article from the Yakima Herald-Republic entitled "Rodriguez - Yakima council
16 candidate," dated August 5, 2009.
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19 21. Attached hereto as Exhibit 21 is true and correct copy of an article
20 from the Yakima Herald-Republic entitled "Yakima council race raises
21 question of whether candidate was too liberal or too Latino," dated November
22 6, 2009, which was exhibit 1 to the deposition of Yakima City Councilmember
23 Dave Ettl.
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EXECUTED at Seattle, Washington this 1st day of July, 2014.

s/ Abha Khanna
Abha Khanna, WSBA No. 42612
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CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

DATED: July 1, 2014

PERKINS COIE LLP

s/Abha Khanna
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DECLARATION OF A. KHANNA IN
SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT – 5

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