

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

<p>A.B.; et al.</p> <p>Plaintiffs,</p> <p>vs.</p> <p>Washington State Department of Social and Health Services; et al.,</p> <p>Defendants.</p>	<p>No. 14-cv-01178-MJP</p> <p>DECLARATION OF CHRISTOPHER CARNEY</p>
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Pursuant to 28 U.S.C. § 1746, I, CHRISTOPHER CARNEY declare and state as follows:

1. I am at least 18 years old and competent to make this declaration.
2. I am one of three partners in the firm Carney Gillespie Isitt PLLP, which was formed in January, 2010.
3. I have been a member of the Washington State Bar Association since October, 2000, having graduated from law school in June of that year.
4. Between October 2000 and 2005 I worked at The Defender Association (“TDA”) as a public defender. During that period of my career, I handled thousands of criminal cases, frequently involving defendants whose competency was in question. For much of that time, I conducted trials on a near-continuous basis, and the experience I gained in that time has been invaluable for the rest

1 of my career. During 2004 and 2005 I worked in the Sexually Violent Predator division of TDA,
2 which is a civil practice relating to indefinite mental health commitment orders. The work in that
3 practice area involved extensive use of psychological literature and expert testimony on both sides,
4 areas in which I built considerable skill. Including the civil trials I conducted in that division, I tried
5 to jury verdict approximately 75 cases during this phase of my career.
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7 5. During my time as a public defense attorney, I represented at least dozens of clients whose
8 competency was in question, and who were subsequently evaluated and treated by Defendants, as
9 well as by other psychologists and psychiatrists.
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11 6. Following my time with TDA, I accepted a position at the Seattle firm Carney Badley
12 Spellman, where I worked in 2005 and 2006. I am not related to the Carney who founded that firm.
13 While at Carney Badley Spellman, I worked on complex interstate litigation of toxic exposure cases.
14 I was involved in investigation, case analysis, and preparation of summary judgment motions,
15 oppositions and/or reply briefs in at least 100 such cases.
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17 7. In 2006, I left Carney Badley Spellman to start my own practice. Since 2006, civil rights and
18 personal injury litigation have been a focus of my practice. My colleagues, now partners, and/or I
19 have successfully litigated many personal injury and civil rights lawsuits, typically resulting in
20 settlements favorable to our clients.
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22 8. My firm has represented a wide array of tort plaintiffs, ranging from victims of animal attacks
23 and car accidents to legal malpractice claimants. Our consumer protection cases have been at the
24 forefront of nationwide class actions against Groupon, Inc., and the Living Social daily deal program,
25 on which our suit was the first filed nationwide, and for which I was a member of the nation-wide
26 litigation Plaintiff's steering committee.
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1 9. In January-February, 2012, I co-trying a federal civil rights case in the Western District of
2 Washington against the King County Jail: Pope v. McComas, et al, No. C07-1191-RSM. Following
3 five years of litigation, the jury in that case returned a substantial verdict in Plaintiff's favor.

4 10. In February, 2014, I co-trying a federal civil rights case in the Western District of Washington:
5 White v. Tacoma, et al, No 12-CV-05987-RBL. The jury in that case returned a verdict in Plaintiff's
6 favor, finding that she had been arrested without probable cause.

7 11. Co-counsel with me on this case are Sean Gillespie and Kenan Isitt, my law partners.

8 12. Kenan Isitt is a managing partner with the firm of Carney Gillespie Isitt PLLP.

9 13. Mr. Isitt is a member in good standing of the Bar of Washington and has never been the
10 subject of any type of disciplinary proceeding. Mr. Isitt is admitted to practice before the U.S.
11 District Court for the Western District of Washington.

12 14. Mr. Isitt is a 2004 graduate cum laude of the Seattle University School of Law, where he
13 received my Juris Doctor degree. Mr. Isitt was admitted to the Washington State Bar in 2004. Mr.
14 Isitt was admitted to the Federal Bar for the Western District of Washington in 2009.

15 15. Mr. Isitt has extensive civil and criminal litigation experience, having litigated more than
16 three hundred civil and criminal cases, and tried to jury more than ten felony criminal cases,
17 including multiple class A felonies.

18 16. A substantial portion of Mr. Isitt's practice, and overall career to date, has focused on service
19 to the underprivileged. Because of his work in criminal defense, Mr. Isitt is particularly experienced
20 with police and jail procedures and constitutional standards. Mr. Isitt is also thoroughly familiar with
21 the experiences of criminal suspects and pretrial detainees in jail.

1 17. Mr. Isitt has represented a wide array of tort plaintiffs, ranging from victims of animal attacks
2 and vehicle accidents to legal malpractice claimants. Our consumer protection cases have been at the
3 forefront of nationwide class actions. We also have litigated a consumer protection action against a
4 local company based on violations of state and federal law.

6 18. In 2010-2012, Mr. Isitt litigated with his law partners a federal civil rights case in the Western
7 District of Washington against the King County Jail and several of its employees: *Pope v. McComas*,
8 et al, No. C07-1191-RSM. In addition, he has litigated to pretrial settlement two other federal civil
9 rights cases, and is in the process of litigating several more.

11 19. Sean Gillespie is one of the partners in Carney Gillespie Isitt PLLP.

12 20. Mr. Gillespie has been a member of the Washington State Bar Association since October,
13 2004, having graduated from law school in May of that year.

15 21. Mr. Gillespie went into private practice immediately after law school, focusing on the
16 service of indigent clients in criminal public defense cases. Mr. Gillespie has litigated well over 100
17 public defense cases, taking more than 10 of them to trial. In addition to those criminal public
18 defense cases, Mr. Gillespie represented two people against whom the state has brought petitions
19 for indefinite civil commitment as sexually violent predators.
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22 22. In January-February, 2012, Mr. Gillespie co-tried a substantial federal civil rights case in the
23 Western District of Washington against the King County Jail: *Pope v. McComas, et al*, No. C07-
24 1191-RSM.

26 23. Before graduating from law school, Mr. Gillespie also performed substantial services in the
27 area of public interest law through a year at the Unemployment Law Project. There, in contested
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1 administrative hearings, he represented about 50 unemployment claimants whose benefits awards
2 were being challenged by their former employers.

3 24. Therefore, a substantial portion of Mr. Gillespie's practice, and his overall career to date, has
4 focused on service to the underprivileged. As a result, he has extensive experience working with
5 clients with significant mental illness and has learned how to anticipate causes of stress common to
6 the litigation process, and that allows me to better guide these clients through their cases.
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8 25. Also, because of Mr. Gillespie's work in criminal defense, he has become familiar with the
9 experiences of criminal suspects and pretrial detainees in jail.
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11 26. As part of Mr. Gillespie's private law practice, civil litigation has been a rapidly growing
12 share in recent years. He has represented the defendants in a sophisticated derivative shareholder
13 action that involved an intense focus on a decade's worth of forensic accounting.
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15 27. Carney Gillespie Isitt PLLP has the capacity to thoroughly and vigorously litigate the claims
16 in this case and properly represent the plaintiff class, and intends to commit all necessary resources
17 to do so. If appointed class counsel, I will ensure that co-counsel and I zealously represent the interests
18 of the class to the best of our collective ability.
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20 I declare under penalty of perjury under the laws of the United States and the State of
21 Washington that the foregoing is true and correct and that this declaration was executed on October
22 2, 2014, at Seattle, Washington.
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25 /s/Christopher Carney _____
26 Christopher Carney, WSBA No. 30325
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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 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 following:

- John K McIlhenny (JohnM5@atg.wa.gov)
- Nicholas A Williamson (NicholasW1@atg.wa.gov)
- Sarah Jane Coats (sarahc@atg.wa.gov)
- Amber Lea Leaders (amberl1@atg.wa.gov)

DATED: October 3, 2014, at Seattle, Washington.

/s/Mona Rennie

 Legal Assistant
 Disability Rights Washington