

101895

FOSTER, PEPPER & RIVIERA

PAUL F. ASHLEY
1896 1979

ON LEAVE
LOUIS H. PEPPER P.S.

BELLEVUE OFFICE
110 110TH AVENUE N.E. SUITE 500
BELLEVUE WASHINGTON 98004
(206) 455 5900

1111 THIRD AVENUE
SEATTLE WASHINGTON 98101
(206) 447 4400

TELECOPIER (206) 447 9700
TELEX 32 8024
ANSER FOSTER LAA SEA

OF COUNSEL
FRANK P. HAYES
WILLIAM C. ERPLEBEN

JAMES D. SOURANT
DOUGLAS P. STRANDBERG
PETER A. GALBRAITH

425 G STREET
ANCHORAGE ALASKA 99501
(907) 276 2201

*ADMITTED ALASKA BAR ONLY

DAVID UTEVSKY

September 16, 1986

Gary M. Olson
County Auditor
Skamania County Courthouse
Second Street
Stevenson, Washington 98648

Dear Mr. Olson:

Union Pacific Railroad Co. v. Department of
Revenue, et al.

This firm has been retained to represent Union Pacific in the above-referenced action. In addition, Eugene A. Ritti and Richard G. Smith of Hawley Troxell Ennis & Hawley, Boise, Idaho have been retained by Union Pacific. The complaint alleges overvaluation by the Washington Department of Revenue of Union Pacific's operating property for the tax year 1984.

Although the Rules of Civil Procedure provide that an answer or other responsive pleading should be filed by you, please be advised that until the jurisdictional issue of whether this type of lawsuit can be brought in federal court has been fully resolved, Union Pacific will take no further action to prosecute this lawsuit at this particular time. Therefore, if you so desire, you need not file an answer or other responsive pleading until you hear further from me.

If you have any questions, please feel free to call Gene Ritti, Rick Smith or me at your convenience. Mr. Ritti and Mr. Smith may be reached at (208) 344-6000.

Very truly yours,

FOSTER, PEPPER & RIVIERA

David Utevsky
David Utevsky

FILED IN RECORD
JANUARY 1988
BY FOSTER, PEPPER &
RIVIERA

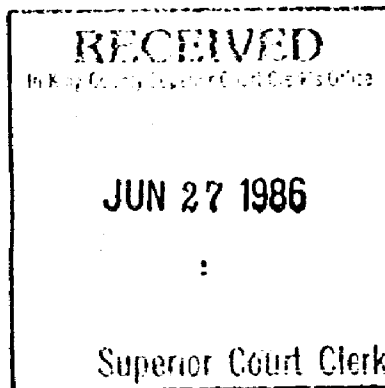
SEP 22 10 41 AM '86

A. M. Olson
GARY M. OLSON

5957D



FILED	1	S
INDEXED	1	S
FILED	1	S
FILED	1	S
FILED	1	S



(COPY RECEIPT)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

UNION PACIFIC RAILROAD COMPANY;)
OREGON-WASHINGTON RAILROAD AND)
NAVIGATION COMPANY; and CAMAS)
PRAIRIE RAILROAD COMPANY,)

Plaintiffs,)

vs.)

DEPARTMENT OF REVENUE OF THE)
STATE OF WASHINGTON; THE BOARD)
OF TAX APPEALS OF THE STATE)
OF WASHINGTON; ADAMS COUNTY;)
BENTON COUNTY; CLARK COUNTY;)
COLUMBIA COUNTY; COWLITZ)
COUNTY; FRANKLIN COUNTY;)
GARFIELD COUNTY; GRAYS HARBOR)
COUNTY; KING COUNTY; KLUCKITAT)
COUNTY; LEWIS COUNTY; LINCOLN)
COUNTY; PIERCE COUNTY; SKAMANIA)
COUNTY; SPOKANE COUNTY; THURSTON)
COUNTY; WALLA WALLA COUNTY;)
WHITMAN COUNTY; and YAKIMA)
COUNTY,)

Defendants.)

NO. 86-2-11802-1
SUMMONS

TO: Defendants above named.

A lawsuit has been started against you in the above entitled court by plaintiffs, Union Pacific Railroad Company; Oregon-Washington Railroad and Navigation Company; and Camas Prairie Railroad Company. Plaintiffs' claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorneys for the plaintiffs within

Summons - 1

FOSTER, PEPPER & RIVIERA
1111 THIRD AVENUE BUILDING
SEATTLE, WASHINGTON 98101
(206) 447-4400

1 20 days after the service of this summons, excluding the date
2 of service, or a default judgment may be entered against you
3 without notice. A default judgment is one where plaintiff is
4 entitled to what he asks for because you have not responded.
5 If you serve a notice of appearance on the undersigned attorney,
6 you are entitled to notice before a default judgment may be
7 entered.

8 If you wish to seek the advice of an attorney in this
9 matter, you should do so promptly so that your written response,
10 if any, may be served on time.

11 THIS SUMMONS is issued pursuant to Rule 4 of the Superior
12 Court Civil Rules of the State of Washington.

13 DATED this 27th day of June, 1986.

14 FOSTER, PEPPER & RIVIERA

15  for

16 David Uteovsky
17 Attorneys for Plaintiffs

RECEIVED
in King County
JUN 27 1986
(CLERK'S DATE STAMP)
Superior Court Clerk

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

(COPY RECEIPT)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

UNION PACIFIC RAILROAD COMPANY;
OREGON-WASHINGTON RAILROAD AND
NAVIGATION COMPANY; and CAMAS
PRAIRIE RAILROAD COMPANY,

Plaintiffs,

vs.

DEPARTMENT OF REVENUE OF THE
STATE OF WASHINGTON; THE BOARD
OF TAX APPEALS OF THE STATE
OF WASHINGTON; ADAMS COUNTY;
BENTON COUNTY; CLARK COUNTY;
COLUMBIA COUNTY; COWLITZ
COUNTY; FRANKLIN COUNTY;
GARFIELD COUNTY; GRAYS HARBOR
COUNTY; KING COUNTY; KLIKITAT
COUNTY; LEWIS COUNTY; LINCOLN
COUNTY; PIERCE COUNTY; SKAMANIA
COUNTY; SPOKANE COUNTY; THURSTON
COUNTY; WALLA WALLA COUNTY;
WHITMAN COUNTY; and YAKIMA
COUNTY,

Defendants.

NO. 86-2-11802-1
COMPLAINT

Plaintiffs Union Pacific Railroad Company, Oregon-Washington
Railroad and Navigation Company and Camas Prairie Railroad Com-
pany (collectively "UPRR"), for their claim against the Defen-
dants, allege as follows:

I.

Plaintiff Union Pacific Railroad Company is a Utah corporation with its principal place of business in the State of Nebraska. Plaintiff Oregon-Washington Railroad and Navigation Company is an Oregon corporation with its principal place of business in the State of Nebraska. Plaintiff Camas Prairie Railroad Company is an Oregon corporation with its principal place of business in the State of Idaho. UPRR is duly qualified to do business in the State of Washington, operates in nineteen counties, and has paid all required fees.

II.

Defendant Department of Revenue of the State of Washington ("DOR") is a subdivision of the State of Washington. Pursuant to RCW 84.12.200, et seq., the DOR annually values the operating property of UPRR and supervises the assessment and collection of ad valorem taxes in Washington.

III.

Defendant Board of Tax Appeals of the State of Washington ("BTA") is a subdivision of the State of Washington. Pursuant to RCW 82.03.130, taxpayers such as UPRR may appeal to the BTA from operating property valuations and assessments made by the DOR.

IV.

Defendants Adams County, Benton County, Clark County, Columbia County, Cowlitz County, Franklin County, Garfield County, Grays Harbor County, King County, Klickitat County, Lewis County, Lincoln County, Pierce County, Skamania County, Spokane County, Thurston County, Walla Walla County, Whitman County and Yakima County (collectively the "County Defendants") are political subdivisions of the State of Washington.

V.

Pursuant to RCW 84.12.200, et seq., Union Pacific Railroad System is valued for assessment purposes by the DOR. Union Pacific Railroad System's operating property is to be valued for ad valorem tax purposes at one hundred percent (100%) of its correct actual cash value. A portion of this value is then allocated to the State of Washington. UPRR's Washington value is then apportioned among the counties in which UPRR's operating property is located. The DOR determines the equalized value of the property apportioned to each county and certifies the equalized value to the county assessors for placement on the tax rolls. Taxes are payable by UPRR to the counties in equal payments on April 30 and October 31 of the year following the date of assessment.

1 VI.

2 The DOR alleged the 1984 true and correct actual cash value
3 of UPRR's Washington operating property to be \$78,600,000. That
4 valuation was timely appealed by UPRR to the BTA. During the
5 hearing before the BTA, the DOR reduced what it claimed to be
6 UPRR's true and correct actual cash value to \$78,300,000, which
7 the BTA affirmed.

8 VII.

9 The valuation set by the DOR and BTA on UPRR's Washington
10 operating property is substantially in excess of the true and
11 correct actual cash value of UPRR's Washington operating prop-
12 erty. The true and correct actual cash value of UPRR's Wash-
13 ington operating property for 1984 is not in excess of
14 \$60,000,000.

15 VIII.

16 The methods of the DOR and BTA in valuing UPRR's operating
17 property were based upon numerous errors, inconsistencies and
18 distortions in the development and arbitrary manipulation of
19 three indicators of value referred to as the "income approach,"
20 the "stock and debt approach" and the "cost approach," and were
21 based upon an improper weighting of these approaches.

22 The errors, inconsistencies and distortions in the "income
23 approach" utilized by the Defendants, include, but are not lim-
24 ited to, the following:
25

1 (1) The Defendants improperly used depreciation accounting
2 rather than replacement-retirement-betterment accounting;

3 (2) The Defendants improperly increased the income stream to
4 be capitalized while simultaneously making inadequate additions
5 to the capitalization rate;

6 (3) The Defendants improperly added to the income stream
7 depreciation and improperly treated current and deferred federal
8 income taxes in order to arrive at net income to capitalize;

9 (4) The Defendants improperly utilized a limited life model
10 to value UPRR; and

11 (5) The Defendants improperly added a value for land rever-
12 sion to value UPRR.

13 The errors, inconsistencies and distortions in the "stock and
14 debt approach" utilized by the Defendants include, but are not
15 limited to, the following:

16 (1) The Defendants improperly used an income influence
17 method and a property influence method to value UPRR; and

18 (2) The Defendants undervalued the non-rail properties of
19 Union Pacific Corporation, and thereby overvalued the operating
20 property of UPRR.

21 The Defendants assigned an inordinate weight to the cost
22 approach to value and improperly failed to recognize obsolescence.

23
24
25

IX.

Based upon the erroneous and unlawful valuation established by the DOR and BTA for UPRR's operating property and the resulting erroneous and unlawful assessment determined by the DOR and BTA, an erroneous and unlawful assessment has been transmitted to the County Defendants in which UPRR's operating property is located, and has been entered on said counties' tax rolls. The total taxes based upon said erroneous and unlawful values were collected by said County Defendants.

WHEREFORE, plaintiffs pray for judgment against the defendants, and each of them, as follows:

1. Reversing and setting aside the decisions of the DOR and BTA;
2. Finding UPRR's 1984 Washington value to be no more than \$60,000,000;
3. Requiring the defendants to refund to UPRR any taxes unlawfully collected from UPRR based upon the excessive valuation by the DOR and BTA, together with interest from the date of collection until the date of judgment;
4. Awarding plaintiffs their lawful costs and disbursements herein, including but not limited to their reasonable attorneys' fees, as provided by the laws of the State of Washington; and

1 5. Awarding plaintiffs such other and further relief as the
2 Court may deem just and equitable.

3 DATED this 26th day of June, 1986.

4 FOSTER, PEPPER & RIVIERA

5
6 David Utevsky
7 David Utevsky

8 1111 Third Avenue
9 Suite 3400
Seattle, Washington 98101
(206) 447-4400

10 HAWLEY TROXELL ENNIS & HAWLEY

11
12 Eugene A. Ritti by D.U.
13 Eugene A. Ritti
Richard G. Smith

14 Seventh Floor
15 One Capital Center
16 P.O. Box 1617
Boise, Idaho 83701
(208) 344-6000

17 Attorneys for Plaintiffs
18
19
20
21
22
23
24
25

4949J

Complaint - 7

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

(COPY RECEIPT)

(CLERK'S DATE STAMP)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

UNION PACIFIC RAILROAD COMPANY;
OREGON-WASHINGTON RAILROAD AND
NAVIGATION COMPANY; and CAMAS
PRAIRIE RAILROAD COMPANY,

Plaintiffs,

vs.

DEPARTMENT OF REVENUE OF THE
STATE OF WASHINGTON; THE BOARD
OF TAX APPEALS OF THE STATE OF
WASHINGTON; ADAMS COUNTY; BENTON
COUNTY; CLARK COUNTY; COLUMBIA
COUNTY; COWLITZ COUNTY; FRANKLIN
COUNTY; GARFIELD COUNTY; GRAYS
HARBOR COUNTY; KING COUNTY;
KLICKITAT COUNTY; LEWIS COUNTY;
LINCOLN COUNTY; PIERCE COUNTY;
SKAMANIA COUNTY; SPOKANE COUNTY;
THURSTON COUNTY; WALLA WALLA
COUNTY; WHITMAN COUNTY; and
YAKIMA COUNTY,

Defendants.

NO. 86-2-11802-1

AFFIDAVIT OF RICHARD G.
SMITH

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

RICHARD G. SMITH, being first duly sworn upon oath, deposes
and says:

1. I am an attorney licensed to practice law in the State
of Idaho and I am a member in good standing of the bars of the
Idaho Supreme Court and the U.S. District Court for the District

Affidavit of of Richard G. Smith - 1

FOSTER, PEPPER & RIVIERA
1111 THIRD AVENUE BUILDING
SEATTLE, WASHINGTON 98101
(206) 447-4400

1 of Idaho. I make this Affidavit in support of my Application for
2 admission pursuant to APR 8(b), for the purpose of appearing and
3 participating in the above-entitled action.


4 2. I am a member of the firm of Hawley Troxell Ennis &
5 Hawley, which has been retained by Plaintiffs to represent them
6 in this action, now pending before the Superior Court of Wash-
7 ington for King County.

8 3. I am not a resident of the State of Washington and my
9 law firm does not maintain an office in the State of Washington.

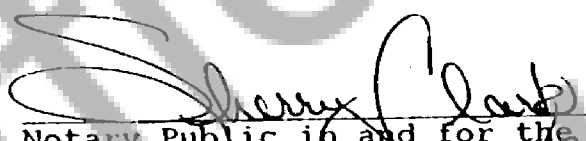
10 4. Plaintiffs have retained the law firm of Foster,
11 Pepper & Riviera, which maintains offices in the State of
12 Washington, and David Utevsky of that firm, an active member of
13 the Washington State Bar Association, to act as their lawyers of
14 record herein. Pursuant to APR 8(b)(ii), if my application for
15 admission is granted, I will appear in association with that
16 firm; and one or more attorneys in that firm will be responsible
17 for the conduct of the action, and will be present at all
18 proceedings.

19 5. I am familiar with the pleadings filed with the Superior
20 Court in the above-entitled action. I am also familiar with the
21 work papers of the Department of Revenue in connection with the
22 underlying dispute, as well as Plaintiffs' positions on the
23 issues raised by the Complaint.

1 6. In view of the foregoing, I respectfully request that
2 this Honorable Court permit me to appear and participate in the
3 above-entitled action.
4

5 
6 Richard G. Smith
7 HAWLEY TROXELL ENNIS & HAWLEY
8 One Capital Center
9 Suite 701
10 Boise, Idaho 83701
11 (206) 344-6000

12 SUBSCRIBED AND SWORN to before me this 22nd day of
13 July, 1986.
14 

15 
16 Notary Public in and for the State of
17 Idaho, residing at Boise
18 My appointment expires 9/13/91
19
20
21
22
23
24
25

5057J

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

(COPY RECEIPT)

(CLERK'S DATE STAMP)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

UNION PACIFIC RAILROAD COMPANY;
OREGON-WASHINGTON RAILROAD AND
NAVIGATION COMPANY; and CAMAS
PRAIRIE RAILROAD COMPANY,

Plaintiffs,

vs.

DEPARTMENT OF REVENUE OF THE
STATE OF WASHINGTON; THE BOARD
OF TAX APPEALS OF THE STATE OF
WASHINGTON; ADAMS COUNTY; BENTON
COUNTY; CLARK COUNTY; COLUMBIA
COUNTY; COWLITZ COUNTY; FRANKLIN
COUNTY; GARFIELD COUNTY; GRAYS
HARBOR COUNTY; KING COUNTY;
Klickitat County; LEWIS COUNTY;
LINCOLN COUNTY; PIERCE COUNTY;
SKAMANIA COUNTY; SPOKANE COUNTY;
THURSTON COUNTY; WALLA WALLA
COUNTY; WHITMAN COUNTY; and
YAKIMA COUNTY,

Defendants.

NO. 86-2-11802-1

AFFIDAVIT OF EUGENE A.
RITTI

STATE OF IDAHO)
COUNTY OF ADA) ss.

EUGENE A. RITTI, being first duly sworn upon oath, deposes
and says:

1. I am an attorney licensed to practice law in the State
of Idaho and I am a member in good standing of the bars of the
Idaho Supreme Court and the U.S. District Court for the District

Affidavit of Eugene A. Ritti - 1

FOSTER, PEPPER & RIVIERA
1111 THIRD AVENUE BUILDING
SEATTLE, WASHINGTON 98101
(206) 447-4400

1 of Idaho. I make this Affidavit in support of my Application for
2 admission pursuant to APR 8(b), for the purpose of appearing and
3 participating in the above-entitled action.


4 2. I am a member of the firm of Hawley Troxell Ennis &
5 Hawley, which has been retained by Plaintiffs to represent them
6 in this action, now pending before the Superior Court of Wash-
7 ington for King County.

8 3. I am not a resident of the State of Washington and my
9 law firm does not maintain an office in the State of Washington.

10 4. Plaintiffs have retained the law firm of Foster,
11 Pepper & Riviera, which maintains offices in the State of
12 Washington, and David Utevsy of that firm, an active member of
13 the Washington State Bar Association, to act as their lawyers of
14 record herein. Pursuant to APR 8(b)(ii), if my application for
15 admission is granted, I will appear in association with that
16 firm; and one or more attorneys in that firm will be responsible
17 for the conduct of the action, and will be present at all
18 proceedings.

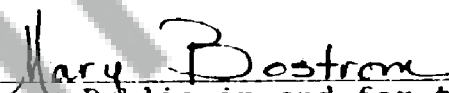
19 5. I am familiar with the pleadings filed with the Superior
20 Court in the above-entitled action. I am also familiar with the
21 work papers of the Department of Revenue in connection with the
22 underlying dispute, as well as Plaintiffs' positions on the
23 issues raised by the Complaint.

1 6. In view of the foregoing, I respectfully request that
2 this Honorable Court permit me to appear and participate in the
3 above-entitled action.

4
5 
6 Eugene A. Ritti
7 HAWLEY TROXELL ENNIS & HAWLEY
8 One Capital Center
Suite 701
Boise, Idaho 83701
(208) 344-6000

9 SUBSCRIBED AND SWORN to before me this 22nd day of

10 July, 1986.

11
12 
13 Notary Public in and for the State of
14 Idaho, residing at Boise, ID
15 My appointment expires July 17, 1990

16
17
18
19
20
21
22
23
24
25 5055J

Affidavit of Eugene A. Ritti - 3



SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

UNION PACIFIC RAILROAD COMPANY,
et al.,

Plaintiffs,

v.

DEPARTMENT OF REVENUE OF THE
STATE OF WASHINGTON, et al.,

Defendants.

NO. 86-2-11802-1

NOTE FOR CIVIL MOTION CALENDAR
(Clerk's Action Required)

TO: THE CLERK OF THE COURT; and to all parties named below:

PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the Clerk is directed to note this issue on the Civil Motion Calendar.

DATE OF HEARING: Wednesday / October 15, 1986
(Day of Week) (Calendar Date)

TIME OF HEARING: ☒ 9:30 a.m. ☐ 1:30 p.m.

☐ Summary Judgments ☐ Supplemental Proceedings
☒ Civil Motions

PLACE OF HEARING: King County Courthouse - Civil Motions Judge

NATURE OF MOTION: Application for Admission Pro Hac Vice

DATED: September 17, 1986

David Utevsky
Typed Name: David Utevsky

OF: Foster, Pepper & Riviera

Attorney For: plaintiffs

Phone: 447-4400

OTHER PARTIES REQUIRING NOTICE:

Fill In & Check Box If Backside Is Used ☐

Name: See Attached Sheet

Name:

Address:

Address:

Phone:

Phone:

Attorney For:

Attorney For:

FOSTER, PEPPER & RIVIERA
1111 THIRD AVENUE BUILDING
SEATTLE, WASHINGTON 98101
(206) 447-4400

AEES
12/84

NOTE FOR CIVIL MOTION CALENDAR

Attorney General of the State of Washington

Kenneth Eikenberry
Temple of Justice
M/S AV-21
Olympia, Wa. 98504

753-2550

Adams County:

County Auditor: Jon Kim Yerza
210 W. Broadway
Ritzville, Wa. 99169

659-0090

Benton County:

County Auditor: Verner Miller
Benton County Courthouse
Dudley Avenue (P.O. Box 470)
Prosser, Wa. 99350

786-2262

Clark County:

County Auditor: David Michener
Clark County Courthouse
1200 Franklin (P.O. Box 5000)
Vancouver, Wa. 98668

699-2241

Columbia County:

County Auditor: Lois M. Becken
341 E. Main Street
Dayton, Wa. 99328

382-4541

Cowlitz County:

County Auditor: Helen Waddle
207 - 4th Ave. N.
Kelso, Wa. 98626

577-3002

Franklin County:

County Auditor: Neva Corkrum
1016 N. 4th Ave.
Pasco, Wa. 98301

545-3536

Garfield County:

County Auditor: John Carlson
Garfield County Courthouse
Pomeroy, Wa. 99347

843-1411

Grays Harbor County:

County Auditor: Phyllis E. Piercey
Grays Harbor County Courthouse
100 W. Broadway (P.O. Box 751)
Montesano, Wa. 98563

249-4232

King County

County Auditor: Roland M. Malan
Room 402 King County Courthouse
Seattle, Wa. 98104

344-3451

Klickitat County:

County Auditor: Nancy J. Evans
Klickitat County Courthouse
205 S. Columbus Avenue
Goldendale, Wa. 98620

773-4001

Lewis County:

County Auditor: Gary E. Zandell
Lewis County Courthouse
351 N.W. North Street (P.O. Box 29)
Chehalis, Wa. 98532

748-9121

Lincoln County:

County Auditor: Larry Lindbloom
Lincoln County Courthouse
450 Logan Street (P.O. Box 366)
Davenport, Wa. 99122

725-4971

Pierce County:

County Auditor: Richard A. Greco
2401 South 35th
Tacoma, Wa. 98409

591-7427

Skamania County

County Auditor: Gary M. Olson (427-5141)
Skamania County Courthouse
Second Street
Stevenson, Wa. 98648

Spokane County

County Auditor: William E. Donahue 456-2262
West 1116 Broadway
Spokane, Wa. 99260

Thurston County

County Auditor: Sam S. Reed 786-5400
2000 Lakeridge Drive S.W.
Olympia, Wa. 98502

Walla Walla County

County Auditor: C. Lynn Smith 527-3204
County Courthouse
315 W. Main Street
Walla Walla, Wa. 99362

Whitman County

County Auditor: James Repp 397-4601
County Courthouse
404 N. Main Street
Colfax, Wa. 99111

Yakima County

County Auditor: Bettie Ingham 575-4078
116 County Courthouse
North 2nd & East B. Streets
Yakima, Wa. 98901

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

(COPY RECEIPT)

(CLERK'S DATE STAMP)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

UNION PACIFIC RAILROAD COMPANY;
OREGON-WASHINGTON RAILROAD AND
NAVIGATION COMPANY; and CAMAS
PRAIRIE RAILROAD COMPANY,

Plaintiffs,

vs.

DEPARTMENT OF REVENUE OF THE
STATE OF WASHINGTON; THE BOARD
OF TAX APPEALS OF THE STATE OF
WASHINGTON; ADAMS COUNTY;
BENTON COUNTY; CLARK COUNTY;
COLUMBIA COUNTY; COWLITZ
COUNTY; FRANKLIN COUNTY;
GARFIELD COUNTY; GRAYS HARBOR
COUNTY; KING COUNTY; KLIKITAT
COUNTY; LEWIS COUNTY; LINCOLN
COUNTY; PIERCE COUNTY; SKAMANIA
COUNTY; SPOKANE COUNTY; THURSTON
COUNTY; WALLA WALLA COUNTY;
WHITMAN COUNTY; and YAKIMA
COUNTY,

Defendants.

NO. 86-2-11802-1
APPLICATION FOR ADMISSION
PRO HAC VICE

EUGENE A. RITTI and RICHARD G. SMITH, attorneys for Plain-
tiffs herein, pursuant to APR 8(b), hereby apply to the Court for
an Order permitting them to appear as lawyers for the Plaintiffs
in the above-entitled action, in association with the law firm of
Foster, Pepper & Riviera of Seattle, Washington.

Application for Admission
Pro Hac Vice - 1

HAWLEY TROXELL ENNIS & HAWLEY
ONE CAPITAL CENTER
BOISE, IDAHO 83701
(208) 344-6000

[illegible]

HAWLEY TROXELL ENNIS & HAWLEY

Eugene A. Ritti

Richard G. Smith
Attorneys for Plaintiffs

HAWLEY TROXELL ENNIS & HAWLEY
ONE CAPITAL CENTER
BOISE, IDAHO 83701
(208) 344-6000