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HONORABLE RICHARD EADIE
(Hearing Date: April 30, 2010 1:30 p.m.)

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

SEATTLE CITIZENS AGAINST THE TUNNEL and ELIZABETH CAMPBELL)	NO. 9-2-36276-9 SEA (CONSOLIDATED WITH NO. 09-2-40939-1 SEA)
Plaintiffs / Petitioners,)	
v.)	PLAINTIFF’S REPLY TO DEFENDANTS’ RESPONSE TO PLAINTIFFS’ MOTION FOR CONTINUANCE
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION; PAULA HAMMOND, IN HER OFFICIAL CAPACITY AS SECRETARY OF THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION,)	
Defendants.)	
ELIZABETH A. CAMPBELL,)	
Plaintiff/Petitioner,)	
v.)	
CITY OF SEATTLE, a municipal corporation,)	
Defendant/Respondent)	

Plaintiffs hereby submit this reply to Defendants’ Response to Plaintiffs’ Motion for Continuance.

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I. ARGUMENT

PLAINTIFF HAD THE DIFFICULT TASK OF SECURING NEW LEGAL COUNSEL AFTER WITHDRAWAL OF PREVIOUS COUNSEL REQUIRED HER PRO SE APPEARANCE

Plaintiff was unreasonably burdened by being put in the position of needing to secure new counsel of record in this matter when the previous counsel was taken off the case. In her vigorous attempt to find representation, she searched for several months, finally hiring Jill Smith and Natural Resource Law Group, PLLC to represent her when she is facing dispositive motions. See Declaration of Elizabeth Campbell.

Although counsel for defendants cites Jankelson v. Cisel, 3 Wn.App. 139 (1970) as authority that hiring of a new attorney does not give the client of that attorney an absolute right to a continuance, neither does it prohibit the court from granting one in a situation where good cause is shown. And responding to a dispositive motion in a case involving a multi-million dollar project against the state should certainly be viewed as good cause.

On these grounds, the court should GRANT Plaintiffs' Motion for Continuance and allow Plaintiffs the reasonable opportunity to respond to a dispositive motion.

DATED this 28th Day of April, 2010

NATURAL RESOURCE LAW GROUP, PLLC

By: /s/ Jill J. Smith
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DECLARATION OF SERVICE

I declare that a true and correct copy of the following document:

1. PLAINTIFFS' REPLY TO DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION
FOR CONTINUANCE

2. DECLARATION OF ELIZABETH CAMPBELL

was served on the following as indicated below:

Amanda Phily, Attorney General's Office
Deborah Cade, Attorney General's Office
State of Washington
7141 Clearwater Drive SW
Tumwater, WA 98501

Via e-mail delivery.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 28th day of April, 2010 in Seattle, Washington.

/s/ Jill J. Smith

Jill J. Smith
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