

Hearing Date: March 24, 2006

Judge Mary Roberts

FILED
JAN 27 2006
Thomas Edmunds
Eder PLLC

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

PAUL LEHTO, et al.,

Plaintiffs,

v.

SEQUOIA VOTING SYSTEMS, INC. and
SNOHOMISH COUNTY,

Defendants.

No. 05-2-11769-9 SEA

**MOTION AND DECLARATION FOR
AUTHORITY FROM THE COURT TO
EXTEND LENGTH OF MOTION TO
DISMISS UNDER CR 12(b)(6)**

COMES NOW the Defendant Sequoia Voting Systems, Inc. ("Sequoia") and moves the Court for an Order to grant the extension of the length of Defendant's Motion to Dismiss pursuant to CR 12(b)(6) from the 12 page limit to 27 pages. This Motion is based on King County Local Rules 7(b)(4), the records and files herein and the subjoined declaration of counsel.

1 Dated this 27th day of January, 2006

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3 PIERCE & SHEARER LLP

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5 By: Andrew Pierce, by pro
6 Andrew F. Pierce, Esq.
7 (Cal. State Bar No. 101889)

8 HARRIS MERICLE & WAKAYAMA

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10 By: Malcolm S. Harris
11 Malcolm S. Harris, WSBA #4710

12 Attorneys for Defendant
13 Sequoia Voting Systems, Inc.

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27 MOTION AND DECLARATION FOR AUTHORITY
28 FROM THE COURT TO EXTEND LENGTH OF MOTION
TO DISMISS UNDER CR 12(b)(6) - 2

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DECLARATION

I, Malcolm S. Harris, declare as follows:

1. That I am one of the attorneys for Sequoia Voting Systems, Inc., and make this affidavit in support of this Motion for Authority from the Court to extend the length of Defendant's CR 12(b)(6) Motion to Dismiss.

2. That Plaintiffs' Complaint raised a multitude of issues that cannot be sufficiently addressed within the authorized 12 page maximum page limit.

3. That in order to address all of these issues, Sequoia required 27 pages in their Motion to Dismiss. This was due to the complexity of the case and the multitude of issues which require this additional space to provide an adequate explanation to the Court.

4. That Defendant respectfully requests that the court authorize and accept the additional pages submitted for the Motion to Dismiss as permitted under King County LR 7(b)(4).

I declare the foregoing to be true and correct under penalty of perjury of the laws of the State of Washington.

Signed at Seattle, Washington this 27th day of January, 2006.


