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FEB 02 2012

Office of Secretary of State

NO. 12-2-00179-8

CIVIL NOTICE OF ISSUE (NTIS)  
Clerk's Action Required

**SUPERIOR COURT OF WASHINGTON  
FOR THURSTON COUNTY**

In re A CHALLENGE TO THE BALLOT TITLE  
Plaintiff/Petitioner,

vs.

OF INITIATIVE No. 1192  
Defendant/Respondent.

**TO: THURSTON COUNTY CLERK** and to all other parties listed herein:

**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 calendar checked below.

**Calendar Date:** Feb. 10, 2012 **Day of Week:** Friday, 3:00 p.m.

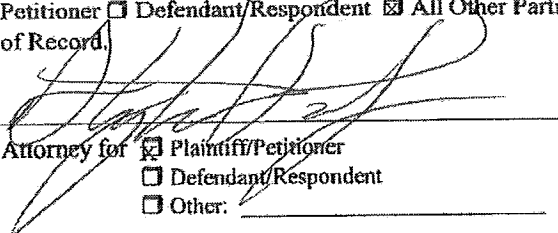
**WARNING:** Notice of Issue must be correct. If the Notice of Issue is filed late, contains a wrong date, is set on a full or canceled calendar, the hearing will not be scheduled and you will not be notified. Check the following website for unavailable hearing dates and to view the calendar to ensure your hearing is scheduled: <http://www.co.thurston.wa.us/clerk/CourtCals.html>

Bench/Judge Copies: Deliver to Superior Court, Building 2, Rm. 150  
Filing Deadlines: By 12:00 noon, 5 court days preceding the scheduled hearing date [LCR 5]  
Confirmation: Confirm at [www.co.thurston.wa.us/clerk](http://www.co.thurston.wa.us/clerk) by clicking on Hearing Confirmation by 12:00 noon three court days prior to the hearing date [LCR 7].  
Court Address: 2000 Lakeridge Drive SW, Building 2, Olympia WA 98502.

<input type="checkbox"/> <b>CIVIL MOTIONS</b> (Friday - 9:00 am) <i>CONFIRMATION REQUIRED</i>	<b>Type of Motion:</b>
<b>ASSIGNED JUDGE:</b>	<input type="checkbox"/> Default
<input checked="" type="checkbox"/> Judge Thomas McPhee	<input type="checkbox"/> Discovery
<input type="checkbox"/> Judge Christine Pomeroy	<input type="checkbox"/> Summary Judgment/Dismissal
<input type="checkbox"/> Judge Chris Wickham	<input type="checkbox"/> Change Venue
<input type="checkbox"/> Judge Lisa Sutton	<input type="checkbox"/> Continue Trial
<input type="checkbox"/> <b>UNLAWFUL DETAINERS</b> (Friday - 10:00 am) <i>CONFIRMATION REQUIRED</i>	<input type="checkbox"/> Show Cause
<input type="checkbox"/> <b>CIVIL MISCELLANEOUS</b> (Friday-9:00 am) <b>(DOL REVOCATIONS / RALJ / FIREARM RESTORATION)</b> <i>CONFIRMATION REQUIRED</i>	<input type="checkbox"/> Present Order
<input type="checkbox"/> <b>SUPPLEMENTAL PROCEEDINGS</b> (Friday-9:00 am) <i>CONFIRMATION REQUIRED</i>	<input type="checkbox"/> TRO/Preliminary Injunction
	<input checked="" type="checkbox"/> Other: <u>Ballot title Chlng</u>

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2 **Certificate of Service**

3 I certify that on Feb 2, 2012, I  deposited  
4 in the United States mail,  delivered through a legal  
5 messenger service,  personally delivered, a copy of this  
6 document to the attorney(s) of record for  Plaintiff/  
7 Petitioner  Defendant/Respondent  All Other Parties  
8 of Record.

9   
Attorney for  Plaintiff/Petitioner  
 Defendant/Respondent  
 Other: \_\_\_\_\_

**PRESENTING PARTY:**

Sign: \_\_\_\_\_  
Print/Type Name: Stephen Pidgeon  
WSBA # 25265 (if attorney)  
Address: 3002 Colby Ave, Ste 306  
City/State/Zip: Everett, WA 98201  
Attorney for: Sponsor  
Telephone: 425-605-4774  
Date: Feb 1, 2012

10  
11 **LIST NAMES, ADDRESSES & TELEPHONE NUMBERS  
OF ALL PARTIES REQUIRING NOTICE**

12 Name: <u>Jeff Even</u>	Name: _____
13 Attorney for: <u>Atty General</u>	Attorney for: _____
14 WSBA #: _____	WSBA #: _____
15 Address: <u>1125 Washington St SE</u>	Address: <u>801 Capitol Way S.</u>
16 <u>Olympia, WA 98504</u>	<u>Olympia, WA 98504</u>
17 Telephone: _____	Telephone: _____
18 Name: _____	Name: _____
19 Attorney for: _____	Attorney for: _____
20 WSBA #: _____	WSBA #: _____
21 Address: _____	Address: _____
22 Telephone: _____	Telephone: _____
23 Name: _____	Name: _____
24 Attorney for: _____	Attorney for: _____
25 WSBA #: _____	WSBA #: _____
26 Address: _____	Address: _____
27 Telephone: _____	Telephone: _____

SUPERIOR COURT OF WASHINGTON  
FOR THURSTON COUNTY

Plaintiff/Petitioner,

vs.

Defendant/Respondent

NO. 12-2-00179-8

NOTICE OF ASSIGNMENT/ (NTAS)  
NOTICE OF SCHEDULING CONFERENCE

TO: THURSTON COUNTY CLERK  
ATTORNEYS/LITIGANTS

PLEASE TAKE NOTICE:

1. That the above-noted case is assigned to:

**The Honorable Thomas McPhee**

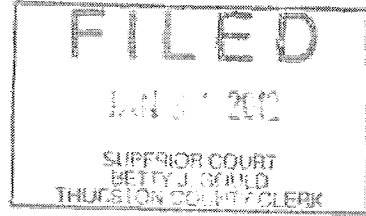
2. That the Scheduling Conference is scheduled for 9:00 a.m May 04, 2012.

Dated this 31st day of January, 2012.

*All parties should be familiar with Local Civil Rule 3(f) which requires in part that parties or lead counsel attend and that the parties or counsel shall communicate with each other concerning the case schedule order before the scheduling conference.*

THURSTON COUNTY SUPERIOR COURT  
2000 LAKERIDGE DRIVE SW  
OLYMPIA WA 98502  
(360) 786 - 5560

NOTICE OF ASSIGNMENT/  
NOTICE OF SCHEDULING CONFERENCE



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**IN THE SUPERIOR COURT OF WASHINGTON  
FOR THURSTON COUNTY**

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In re the matter of:	)	Case No. 12 2 00179 8
A CHALLENGE TO THE BALLOT	)	PETITION
TITLE OF INITIATIVE No. 1192,	)	
AN INITIATIVE TO THE PEOPLE	)	ORAL ARGUMENT REQUESTED
	)	
	)	

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Pursuant to RCW 29A.72.080 petitioner Stephen Pidgeon ("Sponsor"), hereby  
appeals the Ballot Title issued by the Attorney General of Washington for Initiative Measure  
No. 1192, An Initiative to the People.

**I. PARTIES**

1.1 Sponsor is a citizen and voter in the State of Washington.

1.2 Pursuant to RCW 29A.72.080, notice of this Petition is served upon the  
Secretary of State of the State of Washington and the Attorney General of the State of  
Washington.

///

PETITION - 1

**STEPHEN PIDGEON**  
ATTORNEY AT LAW, P.S.  
3002 Colby Avenue, Suite 306  
Everett, Washington 98201  
(425)606-4774

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**II. JURISDICTION**

2.1 This court has jurisdiction over this appeal pursuant to RCW 29A.72.080.

**III. THE INITIATIVE**

3.1 A copy of the text of Initiative Measure No. 1192 and the Attorney General's proposed ballot title and ballot summary are attached hereto as Exhibits "A" and "B," respectively.

**IV. CONCISE DESCRIPTION**

4.1 On January 30, 2012, the Attorney General assigned the following Ballot Title – Concise Description to Initiative Measure No. 1192:

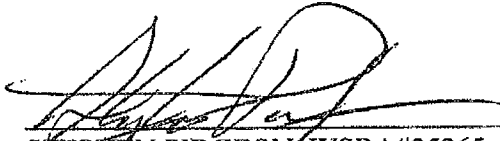
Concise Description: This measure would define marriage as a civil contract between one man and one woman and prohibit marriage when the parties are persons other than one man and one woman.

4.2 This is a very simple, straightforward initiative that modifies an existing statute which currently defines marriage as being between "a male" and "a female." Initiative 1192 simply clarifies the marriage definition to be between "one man" and "one woman." There are no other changes

4.3 There is no new prohibition set forth in the proposal. The initiative does not alter the existing status quo and does not create any new prohibition, and so the Concise Description and Ballot Summary proposed by the Attorney General is therefore misleading and presumptive.



1 Respectfully submitted this 31st day of January 2012.

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5  
6 STEPHEN PIDGEON, WSBA#25265  
7 Attorney at Law, P.S.  
8 3002 Colby Avenue, Suite 306, Everett, WA 98201  
9 (425)605-4774  
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# EXHIBIT A

Read it in its entirety here: [http://sos.wa.gov/assets/elections/initiatives/FinalText\\_195.pdf](http://sos.wa.gov/assets/elections/initiatives/FinalText_195.pdf)

AN ACT Relating to reaffirming the definition of marriage as being between one man and one woman; amending RCW 26.04.010 and 26.04.020; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** This act reaffirms the definition of marriage as being between one man and one woman.

**Sec. 2.** RCW 26.04.010 and 1998 c 1 s 3 are each amended to read as follows:

(1) Marriage is a civil contract between (~~(a male)~~) one man and (~~(a female)~~) one woman who have each attained the age of eighteen years, and who are otherwise capable.

(2) Every marriage entered into in which either the husband or the wife has not attained the age of seventeen years is void except where this section has been waived by a superior court judge of the county in which one of the parties resides on a showing of necessity.

**Sec. 3.** RCW 26.04.020 and 1998 c 1 s 4 are each amended to read as follows:

(1) Marriages in the following cases are prohibited:

(a) When either party thereto has a wife or husband living at the time of such marriage;

(b) When the husband and wife are nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law; or

(c) When the parties are persons other than (~~(a male)~~) one man and (~~(a female)~~) one woman.

(2) It is unlawful for any man to marry his father's sister, mother's sister, daughter, sister, son's daughter, daughter's daughter, brother's daughter or sister's daughter; it is unlawful for any woman to marry her father's brother, mother's brother, son, brother, son's son, daughter's son, brother's son or sister's son.

(3) A marriage between two persons that is recognized as valid in another jurisdiction is valid in this state only if the marriage is not prohibited or made unlawful under subsection (1)(a), (1)(c), or (2) of this section.

NEW SECTION. **Sec. 4.** This act shall be cited as the marriage is between one man and one woman act.

# EXHIBIT B

**Ballot Title**

Initiative Measure No. 1192 concerns the definition of marriage.

This measure would define marriage as a civil contract between one man and one woman and prohibit marriage when the parties are persons other than one man and one woman.

Should this measure be enacted into law? Yes [ ] No [ ]

**Ballot Measure Summary**

This measure would define marriage as a civil contract between one man and one woman. It would also prohibit marriage if the parties to the marriage are persons other than one man and one woman.

Read more at <http://www.sos.wa.gov/elections/initiatives/Initiatives.aspx?y=2012&t=p>