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HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANIEL MITCHELL, ROBIN BALL, LUKE  
RETTMER, ARMEN TOOLOEE, NATHANIEL  
CASEY, MATTHEW WALD, SECOND  
AMENDMENT FOUNDATION, and NATIONAL  
RIFLE ASSOCIATION,

Plaintiffs,

vs.

CHUCK ATKINS, in his official capacity as the  
Sheriff of Clark County, Washington; CRAIG  
MEIDL, in his official capacity as the Chief of  
Police of Spokane, Washington; and TERESA  
BERNSTEN, in her official capacity as the  
Director of the Washington State Department  
of Licensing,

Defendants.

NO. 3:19-CV-05106-RLB

DEFENDANT CRAIG MEIDL'S  
ANSWER TO PLAINTIFFS' FIRST  
AMENDED COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF

Comes now the defendant, Craig Meidl, by and through his undersigned attorney, and  
answers the plaintiffs' First Amended Complaint for Declaration and Injunctive Relief.

**I. INTRODUCTION.**

1. Answering paragraph 1, this defendant asserts that the allegations contained  
therein constitute characterizations of the relief sought and are legal conclusions or legal





1           19. Answering paragraph 19, this defendant is without knowledge or information  
2 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

3           20. Answering paragraph 20, this defendant is without knowledge or information  
4 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
5

6           21. Answering paragraph 21, this defendant asserts there are no factual allegations  
7 contained therein, therefore no response is required. To the extent a response is required,  
8 the allegations are denied.

9           22. Answering paragraph 22, this defendant is without knowledge or information  
10 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
11

12           23. Answering paragraph 23, this defendant is without knowledge or information  
13 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

14           24. Answering paragraph 24, this defendant is without knowledge or information  
15 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
16

17           25. Answering paragraph 25, this defendant is without knowledge or information  
18 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

19           26. Answering paragraph 26, this defendant asserts that the allegations contained  
20 therein are legal conclusions or legal argument to which no response is required. To the  
21 extent a response is required, the allegations are denied.

22           27. Answering paragraph 27, this defendant is without knowledge or information  
23 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
24

25           28. Answering paragraph 28, this defendant is without knowledge or information  
26 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
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1           29.    Answering paragraph 29, this defendant is without knowledge or information  
2 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

3           30.    Answering paragraph 30, this defendant is without knowledge or information  
4 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
5

6           31.    Answering paragraph 31, this defendant is without knowledge or information  
7 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

8           32.    Answering paragraph 32, this defendant is without knowledge or information  
9 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
10

11           33.    Answering paragraph 33, this defendant asserts that the allegations contained  
12 therein are legal conclusions or legal argument to which no response is required. To the  
13 extent a response is required, the allegations are denied.

14           34.    Answering paragraph 34, this defendant asserts there are no factual allegations  
15 contained therein, therefore no response is required. To the extent a response is required,  
16 the allegations are denied.  
17

18           35.    Answering paragraph 35, this defendant admits that the Complaint names  
19 Chuck Atkins, in his official capacity as the Sheriff of Clark County, Washington, as a  
20 Defendant. The remaining allegations contained therein not specifically admitted are legal  
21 argument or legal conclusions that require no response. To the extent a response is required,  
22 this defendant is without knowledge or information sufficient to form a belief as to the truth of  
23 the allegations and, therefore, denies the same.  
24

25           36.    Answering paragraph 36, this defendant admits that the Complaint names Craig  
26 Meidl, in his official capacity as the Chief of Police of Spokane, Washington, as a Defendant.  
27 The remaining allegations contained therein not specifically admitted are legal argument or  
28

1 legal conclusions that require no response. To the extent a response is required, the  
2 remaining allegations are denied.

3 37. Answering paragraph 37, this defendant admits that the Complaint names  
4 Teresa Bernsten, in her official capacity as the Director of the Washington State Department  
5 of Licensing, as a Defendant. The remaining allegations contained therein not specifically  
6 admitted are legal argument or legal conclusions that require no response. To the extent a  
7 response is required, this defendant is without knowledge or information sufficient to form a  
8 belief as to the truth of the allegations and, therefore, denies the same.  
9

10 **IV. FACT ALLEGATIONS.**

11 **A. I-1639 Bans Certain Sales of Self Loading Rifles.**

12 38. Answering paragraph 38, this defendant admits that I-1639 amended RCW  
13 9.41.240 to add, in part, the quoted language.  
14

15 39. Answering paragraph 39, this defendant is without sufficient knowledge or  
16 information to form a belief as to the truth of the allegations and, therefore, denies the same.  
17

18 40. Answering paragraph 40, this defendant is without knowledge or information  
19 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

20 41. Answering paragraph 41, this defendant admits that I-1639 amended RCW  
21 9.41.240 to add, in part, the quoted language. The remaining allegations contained in said  
22 paragraph, together with any and all inferences taken therefrom, are denied.

23 42. Answering paragraph 42, this defendant admits that I-1639 amended RCW  
24 9.41.240 to add, in part, the quoted language.  
25

26 43. Answering paragraph 43, this defendant admits the same.  
27

1 **B. Defendants Intend to Enforce I-1639.**

2 44. Answering paragraph 44, this defendant asserts that the allegations in said  
3 paragraph do not relate to this answering defendant, as such no response is required. To the  
4 extent a response is required, this defendant is without knowledge or information sufficient to  
5 form a belief as to the truth of the allegations and, therefore, denies the same.

6  
7 45. Answering paragraph 45, this defendant admits that firearm dealers must be  
8 licensed to legally sell firearms. The remaining allegations in said paragraph not specifically  
9 admitted, together with all inferences taken therefrom, this defendant is without knowledge or  
10 information sufficient to form a belief as to the truth of the allegations and, therefore, denies  
11 the same.

12  
13 46. Answering paragraph 46, this defendant admits that licensed firearm dealers  
14 must comply with all applicable state and federal laws. The remaining allegations in said  
15 paragraph not specifically admitted are legal conclusions or legal argument to which no  
16 response is required. To the extent a response is required, this defendant is without  
17 knowledge or information sufficient to form a belief as to the truth of the allegations and,  
18 therefore, denies the same.

19  
20 47. Answering paragraph 47, this defendant asserts that the allegations contained  
21 therein are legal conclusions or legal argument to which no response is required. To the  
22 extent a response is required, the allegations are denied.

23  
24 48. Answering paragraph 48, this defendant asserts that the allegations in said  
25 paragraph do not relate to this answering defendant, as such no response is required. To the  
26 extent a response is required, this defendant is without knowledge or information sufficient to  
27 form a belief as to the truth of the allegations and, therefore, denies the same.

1           49.     Answering paragraph 49, this defendant admits he is being sued in his official  
2 capacity as the Chief of Police of Spokane, Washington. The remaining allegations in said  
3 paragraph not specifically admitted are legal conclusions or legal argument to which no  
4 response is required. To the extent a response is required, the allegations, together with any  
5 and all inferences taken therefrom, are denied.  
6

7           50.     Answering paragraph 50, this defendant admits that firearm dealers must be  
8 licensed to legally sell firearms. The remaining allegations in said paragraph not specifically  
9 admitted, together with any and all inferences taken therefrom, are legal conclusions or legal  
10 argument to which no response is required. To the extent a response is required, this  
11 defendant is without knowledge or information sufficient to form a belief as to the truth of the  
12 allegations and, therefore, denies the same.  
13

14           51.     Answering paragraph 51, this defendant admits that licensed firearm dealers  
15 must comply with all relevant state and federal laws. The remaining allegations in said  
16 paragraph not specifically admitted, together with any and all inferences taken therefrom, are  
17 legal conclusions or legal argument to which no response is required. To the extent a  
18 response is required, this defendant is without knowledge or information sufficient to form a  
19 belief as to the truth of the allegations and, therefore, denies the same.  
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21           52.     Answering paragraph 52, this defendant asserts that the allegations contained  
22 therein are legal conclusions or legal argument to which no response is required. To the  
23 extent a response is required, the allegations are denied.  
24

25           53.     Answering paragraph 53, this defendant admits he is obligated to act within the  
26 scope of Washington law. The remaining allegations in said paragraph, together with any and  
27 all inferences taken therefrom, this defendant asserts are speculative in nature and/or legal  
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1 conclusions or legal argument to which no response is required. To the extent a response is  
2 required, the allegations are denied.

3           54. Answering paragraph 54, this defendant admits he is obligated to act within the  
4 scope of Washington law. The remaining allegations in said paragraph, and all inferences  
5 taken therefrom, this defendant asserts are speculative in nature and/or legal conclusions or  
6 legal argument to which no response is required. To the extent a response is required, the  
7 allegations are denied.

8           55. Answering paragraph 55, this defendant asserts that the allegations in said  
9 paragraph do not relate to this answering defendant and/or are legal conclusions or legal  
10 argument, to which no response is required. To the extent a response is required, this  
11 defendant is without knowledge or information sufficient to form a belief as to the truth of the  
12 allegations and, therefore, denies the same.

13           56. Answering paragraph 56, this defendant asserts that the allegations in said  
14 paragraph do not relate to this answering defendant; are speculative in nature; and/or are  
15 legal conclusions or legal argument, to which no response is required. To the extent a  
16 response is required, this defendant is without knowledge or information sufficient to form a  
17 belief as to the truth of the allegations and, therefore, denies the same.

18           57. Answering paragraph 57, this defendant asserts that the allegations in said  
19 paragraph do not relate to this answering defendant; are speculative in nature; and/or are  
20 legal conclusions or legal argument, to which no response is required. To the extent a  
21 response is required, this defendant is without knowledge or information sufficient to form a  
22 belief as to the truth of the allegations and, therefore, denies the same.

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**C. Harm From the Ban on Selling Self Loading Rifles to Young Adults.**

58. Answering paragraph 58, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

59. Answering paragraph 59, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

60. Answering paragraph 60, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

61. Answering paragraph 61, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

62. Answering paragraph 62, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

63. Answering paragraph 63, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

64. Answering paragraph 64, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

65. Answering paragraph 65, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the same.

1           66.     Answering paragraph 66, this defendant asserts that the allegations contained  
2 therein are legal conclusions or legal argument to which no response is required. To the  
3 extent a response is required, the allegations are denied.

4           67.     Answering paragraph 67, this defendant asserts that the allegations contained  
5 therein are legal conclusions or legal argument to which no response is required. To the  
6 extent a response is required, the allegations are denied.

7           68.     Answering paragraph 68, this defendant asserts that the allegations contained  
8 therein are legal conclusions or legal argument to which no response is required. To the  
9 extent a response is required, the allegations are denied.  
10

11           69.     Answering paragraph 69, this defendant asserts that the allegations contained  
12 therein are legal conclusions or legal argument to which no response is required. To the  
13 extent a response is required, this defendant is without knowledge or information sufficient to  
14 form a belief as to the truth of the allegations and, therefore, denies the same.  
15

16           70.     Answering paragraph 70, this defendant asserts that the allegations contained  
17 therein are legal conclusions or legal argument to which no response is required. To the  
18 extent a response is required, this defendant is without knowledge or information sufficient to  
19 form a belief as to the truth of the allegations and, therefore, denies the same.  
20

21           71.     Answering paragraph 71, this defendant asserts that the allegations contained  
22 therein are legal conclusions or legal argument to which no response is required. To the  
23 extent a response is required, this defendant is without knowledge or information sufficient to  
24 form a belief as to the truth of the allegations, and therefore denies the same.  
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26           72.     Answering paragraph 72, this defendant is without knowledge or information  
27 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
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73. Answering paragraph 73, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

74. Answering paragraph 74, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

75. Answering paragraph 75, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

76. Answering paragraph 76, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

77. Answering paragraph 77, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

78. Answering paragraph 78, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the same.

79. Answering paragraph 79, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied.

80. Answering paragraph 80, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied.

1           81.     Answering paragraph 81, this defendant asserts that the allegations contained  
2 therein are legal conclusions or legal argument to which no response is required. To the  
3 extent a response is required, the allegations are denied.

4           82.     Answering paragraph 82, this defendant asserts that the allegations contained  
5 therein are legal conclusions or legal argument to which no response is required. To the  
6 extent a response is required, this defendant is without knowledge or information sufficient to  
7 form a belief as to the truth of the allegations, and therefore denies the same.

8           83.     Answering paragraph 83, this defendant asserts that the allegations contained  
9 therein are legal conclusions or legal argument to which no response is required. To the  
10 extent a response is required, this defendant is without knowledge or information sufficient to  
11 form a belief as to the truth of the allegations and, therefore, denies the same.

12           84.     Answering paragraph 84, this defendant asserts that the allegations contained  
13 therein are legal conclusions or legal argument to which no response is required. To the  
14 extent a response is required, this defendant is without knowledge or information sufficient to  
15 form a belief as to the truth of the allegations, and therefore denies the same.

16           85.     Answering paragraph 85, this defendant is without knowledge or information  
17 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

18           86.     Answering paragraph 86, this defendant is without knowledge or information  
19 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

20           87.     Answering paragraph 87, this defendant is without knowledge or information  
21 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

22           88.     Answering paragraph 88, this defendant is without knowledge or information  
23 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

1           89.     Answering paragraph 89, this defendant is without knowledge or information  
2 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

3           90.     Answering paragraph 90, this defendant asserts that the allegations contained  
4 therein are legal conclusions or legal argument to which no response is required. To the  
5 extent a response is required, this defendant is without knowledge or information sufficient to  
6 form a belief as to the truth of the allegations and, therefore, denies the same.

7           91.     Answering paragraph 91, this defendant asserts that the allegations contained  
8 therein are legal conclusions or legal argument to which no response is required. To the  
9 extent a response is required, this defendant is without knowledge or information sufficient to  
10 form a belief as to the truth of the allegations and, therefore, denies the same.

11           92.     Answering paragraph 92, this defendant asserts that the allegations contained  
12 therein are legal conclusions or legal argument to which no response is required. To the  
13 extent a response is required, the allegations are denied.

14           93.     Answering paragraph 93, this defendant asserts that the allegations contained  
15 therein are legal conclusions or legal argument to which no response is required. To the  
16 extent a response is required, the allegations are denied.

17           94.     Answering paragraph 94, this defendant asserts that the allegations contained  
18 therein are legal conclusions or legal argument to which no response is required. To the  
19 extent a response is required, the allegations are denied.

20           95.     Answering paragraph 95, this defendant asserts that the allegations contained  
21 therein are legal conclusions or legal argument to which no response is required. To the  
22 extent a response is required, this defendant is without knowledge or information sufficient to  
23 form a belief as to the truth of the allegations, and therefore denies the same.

1           96.     Answering paragraph 96, this defendant asserts that the allegations contained  
2 therein are legal conclusions or legal argument to which no response is required. To the  
3 extent a response is required, this defendant is without knowledge or information sufficient to  
4 form a belief as to the truth of the allegations and, therefore, denies the same.  
5

6           97.     Answering paragraph 97, this defendant asserts that the allegations contained  
7 therein are legal conclusions or legal argument to which no response is required. To the  
8 extent a response is required, this defendant is without knowledge or information sufficient to  
9 form a belief as to the truth of the allegations and, therefore, denies the same.  
10

11           98.     Answering paragraph 98, this defendant is without knowledge or information  
12 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

13           99.     Answering paragraph 99, this defendant is without knowledge or information  
14 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

15           100.    Answering paragraph 100, this defendant is without knowledge or information  
16 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
17

18           101.    Answering paragraph 101, this defendant is without knowledge or information  
19 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

20           102.    Answering paragraph 102, this defendant is without knowledge or information  
21 sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.  
22

23           103.    Answering paragraph 103, this defendant asserts that the allegations contained  
24 therein are legal conclusions or legal argument to which no response is required. To the  
25 extent a response is required, this defendant is without knowledge or information sufficient to  
26 form a belief as to the truth of the allegations and, therefore, denies the same.  
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104. Answering paragraph 104, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

105. Answering paragraph 105, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied.

106. Answering paragraph 106, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied.

107. Answering paragraph 107, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied.

108. Answering paragraph 108, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the same.

109. Answering paragraph 109, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.



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**D. Harm from the Ban on Sales of Self-Loading Rifles to Non-Residents.**

110. Answering paragraph 110, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

111. Answering paragraph 111, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

112. Answering paragraph 112, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

113. Answering paragraph 113, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

114. Answering paragraph 114, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

115. Answering paragraph 115, this defendant asserts that the allegations contained therein are legal conclusions or legal argument to which no response is required. To the extent a response is required, the allegations are denied. To the extent this paragraph makes factual allegations, this defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, therefore, denies the same.

**V. CAUSES OF ACTION**

116. Answering paragraph 116, this defendant incorporates the responses to Paragraphs 1-115.

**A. Count I: Declaratory Relief that the Ban on Sales of Self Loading Rifles to Young Adults Impermissibly Impairs Rights Guaranteed by the Second Amendment.**

117. Answering paragraph 117, this defendant asserts that the allegations contained therein constitute characterizations of the relief sought and are legal conclusions or legal

1 argument to which no response is required. To the extent a response is required, the  
2 allegations are denied.

3 118. Answering paragraph 118, this defendant asserts that the allegations contained  
4 therein constitute characterizations of the relief sought and are legal conclusions or legal  
5 argument to which no response is required. To the extent a response is required, the  
6 allegations are denied.

7 119. Answering paragraph 119, this defendant asserts that the allegations contained  
8 therein constitute characterizations of the relief sought and are legal conclusions or legal  
9 argument to which no response is required. To the extent a response is required, the  
10 allegations are denied.

11 **B. Count II: Declaratory Relief that the Ban on Sales of Self Loading Rifles to**  
12 **Nonresident Purchasers Violates the Commerce Clause.**

13 120. Answering paragraph 120, this defendant asserts that the allegations contained  
14 therein constitute characterizations of the relief sought and are legal conclusions or legal  
15 argument to which no response is required. To the extent a response is required, the  
16 allegations are denied.

17 **C. Count III: Violation of Civil Rights (42 U.S.C. § 1983).**

18 121. Answering paragraph 121, this defendant denies the same.

19 122. Answering paragraph 122, this defendant asserts that the allegations contained  
20 therein are legal conclusions or legal argument to which no response is required. To the  
21 extent a response is required, the allegations are denied.

22 123. Answering paragraph 123, this defendant asserts that the allegations contained  
23 therein are legal conclusions or legal argument to which no response is required. To the  
24 extent a response is required, the allegations are denied.

**VI. PRAYER FOR RELIEF.**

124. Answering paragraph 124, this defendant asserts that the allegations contained therein make no factual allegation but are Plaintiffs' requests for relief and legal argument or conclusions to which no response is required. To the extent a response is required, the paragraph is denied.

125. Answering paragraph 125, this defendant asserts that the allegations contained therein make no factual allegation but are Plaintiffs' requests for relief and legal argument or conclusions to which no response is required. To the extent a response is required, the paragraph is denied.

126. Answering paragraph 126, this defendant asserts that the allegations contained therein make no factual allegation but are Plaintiffs' requests for relief and legal argument or conclusions to which no response is required. To the extent a response is required, the paragraph is denied.

127. Answering paragraph 127, this defendant asserts that the allegations contained therein make no factual allegation but are Plaintiffs' requests for relief and legal argument or conclusions to which no response is required. To the extent a response is required, the paragraph is denied.

**VII. AFFIRMATIVE DEFENSES**

FOR FURTHER ANSWER, and as AFFIRMATIVE DEFENSES, Defendant alleges as follows:

1. The Plaintiffs' complaint in whole or in part fails to state a cause of action against this Defendant.

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2. Defendant adopts and incorporates by reference any and all other defenses asserted or to be asserted by any other defendant in this matter to the extent this Defendant may share in such defense.

BY WAY OF FURTHER ANSWER AND AFFIRMATIVE DEFENSE, Defendant Craig Meidl, in his official capacity as Chief of Police for Spokane, Washington, alleges that all actions of Defendant alleged herein were performed pursuant to and accordance with state law and manifest a reasonable exercise of judgment and discretion by authorized public officials made in the exercise of governmental authority entrusted to them by law and are neither tortious nor actionable.

FURTHER, by way of reservation of rights, without waiver, Defendant, specifically reserves the right to amend its Answer by way of adding additional Affirmative Defenses, Counter Claims, Cross-Claims, or instituting third-party actions which may be appropriate after further investigation and discovery.

**VIII. PRAYER FOR RELIEF**

Wherefore, having fully answered Plaintiffs' complaint, Defendant prays as follows:

- 1. The Plaintiffs' complaint be dismissed with prejudice and that Plaintiffs take nothing thereby.
- 2. The Defendant Chief Meidl, in his official capacity, be awarded his costs, statutory attorney's fees, and disbursements in defending this action.
- 3. For other such relief as the court may deem appropriate.

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DATED this 6<sup>th</sup> day of June, 2019.

/s/ Salvatore J. Faggiano  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the 6<sup>th</sup> day of June, 2019, I caused to be electronically filed the foregoing "Defendant Craig Meidl's Answer to Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief" with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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