



1 failed to produce all the records requested therein. Some of the documents produced contain  
2 redactions. Respondents have not confirmed that all responsive documents have been provided to  
3 the State for any of the requests made in the Civil Order.

## 4 II. CONCLUSIONS OF LAW

5 2.1 RCW 42.17A.765(3) and RCW 34.05.588 authorize the Attorney General to seek  
6 enforcement of a civil order by filing a petition for enforcement in superior court.

7 2.2 The Civil Order was properly issued.

8 2.3 The State has broad statutory authority under RCW 42.17A.765(3) to compel the  
9 production of documents.

10 2.4 The investigation is being conducted for a lawfully authorized purpose.

11 2.5 The documents requested are adequately identified and relevant to the  
12 investigation.

13 2.6 The State has met the standards for judicial enforcement of an agency subpoena as  
14 set forth in RCW 34.05.588 and *Steele v. State*, 85 Wn.2d 585 (1975).

15 2.7 In any action brought under RCW 42.17A.765, the court may award to the state  
16 all costs of investigation and trial, including reasonable attorneys' fees to be fixed by the court.

## 17 III. ORDER

18 IT IS ORDERED, ADJUDGED AND DECREED as follows:

19 3.1 The Petition Pursuant to RCW 34.05.588(2) for Order Compelling Compliance  
20 With Agency Civil Order is granted and that Respondents shall comply with the Civil Order  
21 issued by the State according to its terms.

22 3.2 On or before July 13, 2016, Respondents shall deliver to the Attorney General's  
23 Office, 800 Fifth Avenue, Suite 2000, Seattle, WA 98104, or via electronic mail, all records  
24 described in the Civil Order.

25 3.3 In the event no records are responsive to any of the requests contained in Civil  
26 Order, Respondents shall provide an affidavit or declaration to the Attorney General's Office by

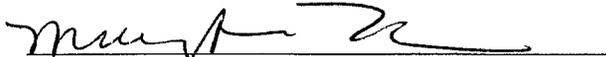
1 July 13, 2016 attesting to that fact. When all records responsive to all requests contained in Civil  
2 Order have been delivered to the State, Respondents shall likewise provide a declaration or  
3 affidavit attesting to that fact. In the event that Respondents redact any information from  
4 responsive records, they shall provide a detailed log of the basis for each redaction subject to the  
5 State's review and potential objection.

6 3.4 Respondents shall pay to the State all costs associated with this action,  
7 including reasonable attorneys' fees, in an amount to be fixed by this Court at the conclusion of  
8 this matter.

9 3.5 The State shall provide Respondents notice for any public records request for  
10 records pertaining to this investigation pursuant to RCW 42.56.

11 3.6 In the event Respondents fail to produce the records specified in the Civil Order,  
12 they shall be deemed in contempt of this Court's Order and subject to the further direction of this  
13 Court.

14 DONE IN OPEN COURT this 1<sup>st</sup> day of July, 2016.

15   
16 The Honorable MARY SUE WILSON

17 PRESENTED BY:  
18 ROBERT W. FERGUSON  
19 Attorney General

20   
21 CHAD C. STANDIFER, WSBA No. 29724  
22 Assistant Attorney General  
23 LINDA A. DALTON, WSBA No. 15467  
24 Senior Assistant Attorney General  
25 Attorneys for State of Washington

26 APPROVED AS TO FORM, NOTICE OF  
PRESENTATION WAIVED:

27   
28 MARK LAMB, WSBA No. 30134  
29 The North Creek Law Firm  
30 Attorney for Respondents