

FILED

DEC 23 2016

Superior Court  
Linda Myhre Enlow  
Thurston County Clerk

1  EXPEDITE  
2  No Hearing Set  
3  Hearing is Set:  
4 Date:  
5 Time:  
6 The Honorable Carol Murphy

7 STATE OF WASHINGTON  
8 THURSTON COUNTY SUPERIOR COURT

9 SANTIAGO RODRIGUEZ,  
10 Plaintiff,

NO. 16-2-02199-34

ORDER DENYING PLAINTIFF  
SANTIAGO RODRIGUEZ'S MOTION  
FOR PERMANENT INJUNCTION

11 v.

12 WASHINGTON STATE  
13 DEPARTMENT OF CORRECTIONS,

Defendant,

14 v.

15 DAVID PIERCY,

16 Defendant.

17  
18 THIS MATTER came before the court on Plaintiff Santiago Rodriguez's Motion for  
19 Permanent Injunction on November 18, 2016 and December 9, 2016. In reaching its  
20 decision, the court considered argument of Santiago Rodriguez through his counsel Carson  
21 Cooper and the Washington State Department of Corrections through its counsel Cassie  
22 vanRoojen. Mr. Piercy was provided notice of this hearing but did not participate. The  
23 court also considered the following pleadings:

- 24 1. Plaintiff Santiago Rodriguez's Motion for Temporary Restraining Order;  
25 2. Complaint for Temporary Restraining Order and Injunction;

- 1           3.     Declaration of Santiago Rodriguez re Motion for Temporary Restraining
- 2 Order and the attached exhibits;
- 3           4.     First Amended Complaint for Injunctive Relief;
- 4           5.     Motion for Preliminary Injunction;
- 5           6.     Declaration of Santiago Rodriguez re Motion for Preliminary Injunction and
- 6 the attached exhibits;
- 7           7.     Defendant Department of Corrections' Response to Plaintiff's Motion for
- 8 Preliminary Injunction;
- 9           8.     Declaration of Denise Vaughan and the attached exhibits;
- 10          9.     Reply Brief in Support of Plaintiff's Motion for Preliminary Injunction;
- 11          10.    Supplemental Declaration of Carson Cooper in Support of Reply to Motion
- 12 For Preliminary Injunction;
- 13          11.    Supplemental Declaration of Santiago Rodriguez in Support of Reply to
- 14 Motion for Preliminary Injunction and the attached exhibits;
- 15          12.    Order Granting Preliminary Injunction;
- 16          13.    Proof of Service of Summons;
- 17          14.    Order Setting Permanent Injunction Hearing Date;
- 18          15.    Plaintiff Santiago Rodriguez's Motion for *In Camera* Review;
- 19          16.    Declaration of Richard Lubetzky;
- 20          17.    Washington State Department of Corrections' Response to Motion for In
- 21 Camera Review;
- 22          18.    Order Denying *In Camera* Review;
- 23          19.    Plaintiff Santiago Rodriguez's Motion to Allow Testimony by Telephonic
- 24 Appearance or by Video Appearance;
- 25          20.    Defendant Department of Corrections' Response to Plaintiff's Motion to
- 26 Allow Testimony by Telephonic Appearance or by Video Conference;







1 CERTIFICATE OF SERVICE

2 I hereby certify that the date below, I caused the ORDER DENYING PLAINTIFF  
3 SANTIAGO RODRIGUEZ'S MOTION FOR PERMANENT INJUNCTION to be filed with  
4 the Clerk of the Court and I further certify that I served a copy of the foregoing document on  
5 all parties or their counsel of record as follows:

6  U.S. Mail and courtesy copy via e-mail:


7 CARSON COOPER  
8 JANE E. BROWN  
9 LANE POWELL PC  
10 1420 FIFTH AVENUE, SUITE 4200  
11 PO BOX 91302  
12 SEATTLE WA 98111-9402  
13 cooper@lanepowell.com  
14 brownje@lanepowell.com

12  U.S. Mail and courtesy copy via e-mail:

13 DAVID PIERCY  
14 PO BOX 3513  
15 CLOVIS, CA 93613  
16 dnpiercy@gmail.com

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

18 EXECUTED this 23rd day of December, 2016, at Olympia, Washington.

19  
20   
21 AMY JONES  
22 Legal Assistant  
23 AmyJ@atg.wa.gov  
24  
25  
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