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SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN THE COUNTY OF SNOHOMISH

CHRISTOPHER J. HUPY, an individual, and THOMAS
BRET HAGGERTY, an individual

Plaintiffs,

v.

The Actors of KING COUNTY SUPERIOR COURT; The
FOLOWING King County Superior Court Judges in their
professional capacity; SUSAN CRAIGHEAD, PALMER
ROBINSON, MARIANE SPEARMAN, JIM RODGES, J.
WESLEY SAINT CLAIR, PATRICK H. OISHI, RICHARD
MCDERMOTT, MICHAEL TRICKEY, SUSAN AMINI,
BETH ANDRUS, MONICA BENTON, ELIZABETH
BERNS, BILL BOWMAN, TIMOTHY BRADSHAW,
REGINA CAHAN, GREG CANOVA, CHERYL CAREY,
JAMES CAYCE, JOHN H. CHUN, ANDREA DARVAS,
WILLIAM DOWNING, THERESA DOYLE, JOAN
DUBUQUE, RICHARD D. EADIE, BRIAN GAIN, JULIA
GARRATT, HELEN HALPERT, BRUCE HELLER,
HOLLIS HILL, LAURA INVEEN, RONALD KESSLER,
BARBARA LINDE, DEAN LUM, BARBARA MACK,
LEROY MCCULLOUGH, LAURA GENE MIDDAUGH,
DOUGLASS NORTH, SEAN O'DONNELL, SUZANNE
PARISIEN, KIMBERLY PROCHNAU, JEFFREY
RAMSDELL, JUDITH RAMSEYER, JEAN RIETCHEL,
MARY E. ROBERTS, ROGER ROGOFF, JOHN R. RUHL,
CAROL SHAPIRA, KEN SCHUBERT, CHATHERINE
SHAFFER, LORI-KAY SMITH, JULIE SPECTOR, MARY
YU and up to 30 additional JOHN AND/OR JANE DOE(S).
HEREAFTER COLLECTIVELY REFERRED TO AS
"JUDICIAL ACTORS"

Defendant(s).

NO. 14-2-03819-2

MANDATORY
JUDICIAL NOTICE-
DECLINATION
FROM THE
WASHINGTON
STATE ATTORNEY
GENERAL

1 Comes now the Plaintiff's, Christopher J. Hupy and T. Bret Haggerty, without malice or
2 contempt for the Court, this court shall take Mandatory Judicial Notice of the following:

3
4 **I. JUDICIAL NOTICE AUTHORITY**

Washington State Supreme Court Rules of Evidence-

5 **ER201(b) Kinds of Facts.** A Judicially noticed fact must be one not subject to
6 reasonable dispute in that it is either (1) generally known within the territorial
7 jurisdiction of the trial court or (2) capable of accurate and ready determination by
8 resort to sources whose accuracy cannot be reasonably be questioned.”

9 **ER201(d) When Mandatory.** A court shall take notice if requested by a party and
10 supplied with the necessary information.

11 **II. JUDICIAL NOTICE SUBJECT MATTER**

12 Declination by the Attorney General of the State of Washington to bring action
13 against the defendants and additional previous communication between co-plaintiff
14 Hupy and the Office of Attorney General.

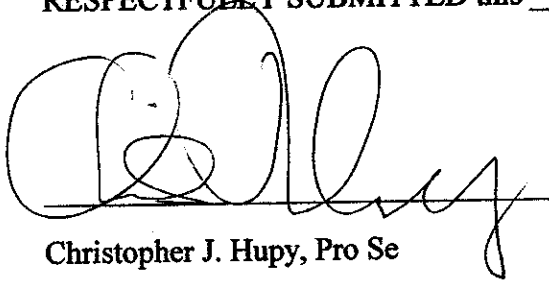
15 **III. SUPPORTING DOCUMENTATION**

16 A. Communications from Washington State Attorney General dated 5-16-2014, and
17 previous communications between co-plaintiff Hupy and AG Deputy Solicitor
18 General Jeffrey T. Even.

19 B. Washington State Supreme Court Rule ER201

20 C. Declaration of authenticity by Co-plaintiff Christopher J. Hupy
21

1 RESPECTFULLY SUBMITTED this 16TH day of May, 2014.

2
3
4 

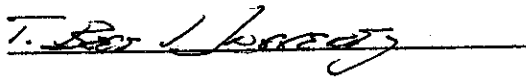
5 Christopher J. Hupy, Pro Se

6 13222 29th Avenue SE

7 Mill Creek, WA 98012

8 amakirkland@hotmail.com

9 (503) 931-4991

10
11 

12 Thomas Bret Haggerty, Pro Se

13 13222 29th Avenue SE

14 Mill Creek, WA 98012

15 bhaggerty85@gmail.com

16 (425) 385-3459

1 **Declaration of Filing and Service**

2 I hereby certify that on May 16th, 2014 I personally filed the foregoing document with
3 the clerk of Snohomish County Superior Court.

4 I also caused a copy of the foregoing document on the following individual(s) via
5 previously agreed upon service method of electronic delivery (email)-

6 **Counsel for the Defendants-**

7 King County Prosecuting Attorney Daniel Satterberg in and through his Senior

8 Deputy Thomas Kuffel WSBA #20118

9 500 4th Avenue, Suite 900

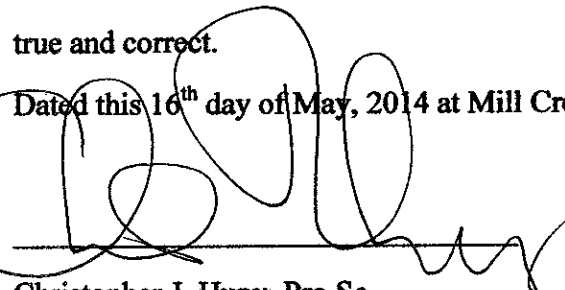
10 Seattle, WA 98104

11 Phone (206) 296-0430

12 Thomas.Kuffel@kingcounty.gov

13 I swear under penalty of perjury under the laws of the State of Washington the foregoing is
14 true and correct.

15 Dated this 16th day of May, 2014 at Mill Creek Washington.

16 
17 Christopher J. Hupy, Pro Se

18 13222 29th Avenue SE

19 Mill Creek, WA 98012

20 amakirkland@hotmail.com

21 (503) 931-4991

EXHIBIT

A.

Electronic Communications
between Co-plaintiff
Christopher Hupy and
Washington Attorney General

[Print](#)**RE: Superior Court Judges Association and our conversation today**

From: **Even, Jeff (ATG)** (JeffE@ATG.WA.GOV)
Sent: Fri 5/16/14 11:19 AM
To: 'Christopher Hupy' (amakirkland@hotmail.com)
Cc: 'thomas.kuffel@kingcounty.gov' (thomas.kuffel@kingcounty.gov)

Mr. Hupy, no, we do not intend to intervene in this matter.

Jeffrey T. Even

Deputy Solicitor General

Office of the Attorney General

PO Box 40100

Olympia, WA 98504-0100

jeff.even@atg.wa.gov

From: Christopher Hupy [mailto:amakirkland@hotmail.com]
Sent: Friday, May 09, 2014 3:45 PM
To: Even, Jeff (ATG)
Subject: RE: Superior Court Judges Association and our conversation today

Mr. Even,

I suspect you have already seen these but just in case, here is a copy of the filings so far in SCSC

Cause number 14-2-03819-2.

Take special note to the Motion of Administrative Preassignment of Judicial Officer declaration.

Do you care to get involved in this matter?

Christopher J. Hupy

This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify me by reply email, delete the communication and destroy all copies.

> Subject: RE: Superior Court Judges Association and our conversation today

> Date: Wed, 10 Apr 2013 17:38:33 -0700

> From: JeffE@ATG.WA.GOV

> To: amakirkland@hotmail.com

>

> Demand as often as you like. I've responded already and will respond no further.

>

> -----Original Message-----

> From: Christopher Hupy [<mailto:amakirkland@hotmail.com>]

> Sent: Wednesday, April 10, 2013 5:29 PM

> To: Even, Jeff (ATG)

> Subject: Re: Superior Court Judges Association and our conversation today

>

> Jeff,

>

> You have made a decision which effects me by even representing the non state agency claiming to be judges. I will wait to jump down your throat on this until ESB5680 is signed, once signed I will respond with a vexatious-like vigor

>
> I again demand a administrative hearing.
>
>
> Chris
> Sent via BlackBerry by AT&T
>
> -----Original Message-----
> From: "Even Jeff (ATG)" <JeffE@ATG.WA.GOV>
> Date: Wed, 10 Apr 2013 22:09:53
> To: <amakirkland@hotmail.com>
> Subject: RE: Superior Court Judges Association and our conversation today
>
>
>
> Mr. Hupy:
>
> It may be helpful for me to provide you with a more expansive response as to why I do not believe that any administrative hearing is necessary or appropriate. By statute, an administrative hearing is required only when a right to one is established by law or constitutional right. RCW 34.05.413(2). Neither circumstance applies here.
>
> All that has happened is that I have written you a letter explaining a legal position. No administrative action by any state agency has taken place. Your claims regarding the name "Superior Court Judges Association" have not been the subject of any administrative order or other agency action. I have simply explained to you, through my letter of March 1, 2013, why the views you have communicated regarding your claim to the name are incorrect. There is no statute providing you a right to an administrative hearing on the basis that you disagree with a letter from the Office of the Attorney General, nor does that letter give rise to any constitutional right to due process. It is just a letter stating a legal position. There has, accordingly, been no administrative action that could form the subject of any administrative hearing.
>
> I trust that this information will help you better understand the position I previously expressed, both below and in my letter of March 1.
> Jeff Even
> Deputy Solicitor General
> Office of the Attorney General
> PO Box 40100
> Olympia, WA 98504-0100
> voice: (360) 586-0728
> fax: (360) 664-2963
> jeff.even@atg.wa.gov
> To save paper, please do not print this message unless necessary.
>
>

>
>
>
> From: Even, Jeff (ATG)
> Sent: Wednesday, April 10, 2013 12:07 PM
> To: 'Christopher Hupy'
> Subject: RE: Superior Court Judges Association and our conversation today

>
> No matter how many times you ask, your request will remain inappropriate. There will be no administrative hearing, because none is called for under the law.

>
>
>
> From: Christopher Hupy [<mailto:amakirkland@hotmail.com>]
> Sent: Wednesday, April 10, 2013 12:05 PM
> To: Even, Jeff (ATG)
> Subject: RE: Superior Court Judges Association and our conversation today

>
>
> Mr. Even,

>
>
>
> You have made the decision to represent this group, you have made the decision informing me to cease and desist using my lawful business name. These are decisions, they are administrative decisions and as you know due process begins at the administrative level, your decision to deny my lawful request under RCW 34.05 is in fact a denial of my right to procedural due process, and act not covered by attorney client nor condoned by your job description.

>
>
>
> Interesting scenario you have created here, you as a lawyer serve your clients and your actions are expressions of your clients wishes, in this case your clients are Superior Court Judges (all Washington State Superior Court Judges no less) so your clients are denying my rights and if I am correct on my presumption it would seem that "privilege takes flight" upon attorney client conspiracy.

>
>
>
> Again I request/demand a administrative hearing, based on my standing, in this matter and your decisions affecting my rights.

>
>
>
>
>
>

>
 >
 >
 > Christopher J. Hupy, Principal
 >
 > Superior Court Judges Association
 >
 > PO Box 12655
 > Everett, WA 98206
 >
 > 503-931-4991

>
 >
 > This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify me by reply email, delete the communication and destroy all copies.

>
 >
 >
 >
 > -----
 >
 > Subject: RE: Superior Court Judges Association and our conversation today
 > Date: Mon, 8 Apr 2013 15:47:01 -0700
 > From: JeffE@ATG.WA.GOV <<mailto:JeffE@ATG.WA.GOV>>
 > To: amakirkland@hotmail.com <<mailto:amakirkland@hotmail.com>>

>
 > Once again, there are no administrative hearings on this topic.

>
 >
 >
 > From: Christopher Hupy [<mailto:amakirkland@hotmail.com>]
 > Sent: Monday, April 08, 2013 3:20 PM
 > To: Even, Jeff (ATG)
 > Cc: Chief Justice Barbara Madsen / Washington Supreme Court
 > Subject: RE: Superior Court Judges Association and our conversation today

>
 >
 > Mr. Even,
 >
 >
 >

> Consider this a formal demand and/or request for a Administrative Hearing on your decision below-
 >
 >
 >

> 1. Your and/or the Washington Attorney General's decision to refuse a administrative hearing to me as outlined below

>
 >
 >
 >
 >
 >
 >
 >

> With all respect due,

>

> Christopher J. Hupy, Principal

>

> Superior Court Judges Association

>

> PO Box 12655

> Everett, WA 98206

> 503-931-4991

>

> This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify me by reply email, delete the communication and destroy all copies.

>

>

> -----

>

> Subject: RE: Superior Court Judges Association and our conversation today

> Date: Mon, 8 Apr 2013 15:05:09 -0700

> From: JeffE@ATG.WA.GOV <<mailto:JeffE@ATG.WA.GOV>>

> To: amakirkland@hotmail.com <<mailto:amakirkland@hotmail.com>>

>

> There is no provision for an administrative hearing for such claims. Aside from the fact that I have made no "decisions," in your term, this is not a subject on which an administrative hearing can be claimed.

>

>

>

> From: Christopher Hupy [<mailto:amakirkland@hotmail.com>]

> Sent: Monday, April 08, 2013 3:02 PM
 > To: Even, Jeff (ATG)
 > Subject: RE: Superior Court Judges Association and our conversation today
 > Importance: High

>
 >

> Mr. Even,

>
 >
 >

> Consider this a formal request and/or demand for a administrative hearing under RCW 34.05 over several of your decisions-

>
 >
 >

> 1. The Washington State Attorney General's and or your Decision to represent "The Association of the Superior Court Judges of the State of Washington" (herein referred to as TASCJSW) using public funds

>
 >
 >

> 2. Your decision to demand I cease and desist using my legal business name

>
 >
 >

> 3. Your Claim of "Non Profit" status of "TASCJSW"

>
 >
 >

> 4. Your decision that a group of "State of Washington Officers" is in law identical to a Individual "State of Washington Officer"

>
 >
 >

> 5. Your decision that the TASCJSW has a "common law" right to the use of a name unique from that which the clear and unambiguous language contained in the enacting legislation provided to them.

>
 >
 >
 >
 >

> Please inform the OAH of my address and contact information, I wish to start the likely lengthy and exhaustive discovery and deposition process as soon as possible.

>
 >

>
> I do reserve my right to make additional request per Washington Administrative Procedure Act RCW 34.05 for additional Administrative Appeals.

>
>
>
>
>
>
>
>
> With all respect due,

>
> Christopher J. Hupy, Principal
>
> Superior Court Judges Association
> Everett, WA 98206
>
> 503-931-4991

>
>
> This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify me by reply email, delete the communication and destroy all copies.

>
>
> -----
>
> Subject: RE: Superior Court Judges Association and our conversation today
> Date: Mon, 8 Apr 2013 09:39:58 -0700
> From: JeffE@ATG.WA.GOV <<mailto:JeffE@ATG.WA.GOV>>
> To: amakirkland@hotmail.com <<mailto:amakirkland@hotmail.com>>

>
> Mr. Hupy, nothing in your message below or in our conversation should be construed as agreement with anything you have said.

>
>
>
> From: Christopher Hupy [<mailto:amakirkland@hotmail.com>]
> Sent: Friday, April 05, 2013 12:33 PM
> To: Even, Jeff (ATG)
> Subject: Superior Court Judges Association and our conversation today

>
>
> Jeff,
>
>
>
> Thank you for taking my call today, I wanted to take a couple minutes and memorialize some of our conversation today. I called your phone number at 11:52am and our call lasted 3 minutes and :45 seconds.
>
>
>
> You made the following statements-
>
>
>
> "The Judges are a non profit as established by statute and have been since the early twentieth century"
>
>
>
> when asked if you represent Judges individually or collectively you responded "Judges are State Officers and the AG has to represent them"
>
>
>
> when asked if this collection of Judges (or gaggle of Judges) constitute a agency you did not respond.
>
>
>
> When asked if you would instruct your client(s) to cease and desist the use of my lawful business name you responded "no"
>
>
>
> When I stated my intention of submitting a request via the PRA (RCW Title 42.56) for the AG records on this representation of Judges you said "fine, but they will all be withheld based on attorney-client privilege"
>
>
>
>
>
> If any of these statements or my recollection is inaccurate please respond back.
>

>

> With all respect due,

>

>

> Christopher J. Hupy

> Superior Court Judges Association

>

> PO Box 12655

>

> Everett, WA 98206

> 503-931-4991

>

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EXHIBIT

B.

Washington Supreme Court
Rule ER201

RULE ER 201
JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope of Rule. This rule governs only judicial notice of adjudicative facts.

(b) Kinds of Facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

(c) When Discretionary. A court may take judicial notice, whether requested or not.

(d) When Mandatory. A court shall take judicial notice if requested by a party and supplied with the necessary information.

(e) Opportunity To Be Heard. A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

(f) Time of Taking Notice. Judicial notice may be taken at any stage of the proceeding.

[Adopted effective April 2, 1979.]

Comment 201

[Deleted effective September 1, 2006.]

EXHIBIT

C.

Declaration of Co-plaintiff

Christopher J. Hupy

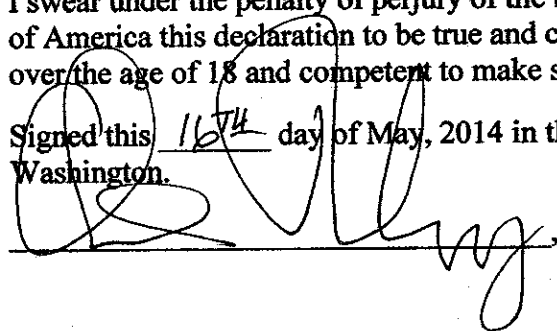
May 16th, 2014

I, Christopher J. Hupy, do swear that the following is true and correct to the best of my knowledge, I am over the age of eighteen and competent to make this declaration. I am and at all times material to this action a citizen of the State of Washington and a resident of Snohomish County. I make the following declaration without malice or contempt for this Court.

The attached 10 page printout of electronic (email) communications between myself and Washington State Attorney General Deputy Solicitor General Jeffrey T. Even are true and correct, unaltered, copies of the actual document. No modifications of any kind have been made by me.

I swear under the penalty of perjury of the State of Washington and the laws of the United States of America this declaration to be true and correct to the best of my knowledge and belief. I am over the age of 18 and competent to make such.

Signed this 16th day of May, 2014 in the city of Mill Creek, County of Snohomish State of Washington.

 Christopher J. Hupy.