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The Honorable G. Helen Whitener

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR PIERCE COUNTY

ARTHUR C. BANKS, an individual, TONEY
MONTGOMERY, an individual, WHITNEY
BRADY an individual,

Plaintiffs,

v.

CITY OF TACOMA, a municipal corporation,

Defendant.

No. 16-2-05416-7

**NOTICE OF CROSS APPEAL TO COURT
OF APPEALS, DIVISION II**

Plaintiffs Arthur Banks, Toney Montgomery, and Whitney Brady seek review by the Court of Appeals, Division II, of the Superior Court of Washington’s Court Decision, entered in this matter on June 25, 2018, as it pertains to the partial granting of Defendant’s Motion for Summary Judgment. Plaintiffs also seek review of the trial court’s failure to order an additional public records search as requested by Plaintiffs, and the court’s Order on Plaintiffs’ Motion for Reconsideration/Clarification, entered in this matter on July 19, 2018.

Copies of both the court’s Decision and its Order are attached herein.

1 Counsel are as follows:

2 **Attorney for Defendant:**

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8 **Attorneys for Plaintiffs**

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15 Respectfully submitted this 24th day of July, 2018.

16 By:

17 /s/John Midgley
18 John Midgley, WSBA #6511
19 Lisa Nowlin, WSBA #51512
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22 901 Fifth Avenue, Suite 630
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Attorneys for Plaintiffs

The Honorable G. Helen Whitener

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CERTIFICATE OF SERVICE

I, Kaya McRuer, am a legal assistant for the American Civil Liberties Union of Washington Foundation, 901 Fifth Avenue, Suite 630, Seattle, WA 98164. I hereby certify that on the date indicated below, I caused to be served via the LINX e-service system and e-mail a true and correct copy of the *Notice of Cross Appeal to Court of Appeals, Division II* and attached *Exhibits A and B* on the following:

Margaret A. Elofson
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1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.

3 DATED this 24th day of July, 2018 at Seattle, Washington.
4

5 /s/Kaya McRuer

6 Kaya McRuer
7 Legal Assistant
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