

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SEATTLE MIDEAST AWARENESS  
CAMPAIGN, a Washington non-profit  
corporation,

Plaintiff,

vs.

KING COUNTY, a municipal corporation,

Defendant.

No. 2:11-cv-00094-RAJ

SUPPLEMENTAL DECLARATION  
OF SHARRON SHINBO IN SUPPORT  
OF KING COUNTY'S BRIEF IN  
OPPOSITION TO SEATTLE  
MIDEAST AWARENESS  
CAMPAIGN'S MOTION FOR  
PRELIMINARY INJUNCTION

Noted for February 11, 2011

I, Sharron Shinbo, declare that:

1. I am over the age of 18 and competent to testify and base this declaration on  
personal knowledge.

2. I am currently the Transit Advertising Program Project Manager for the Transit  
Division of the King County Department of Transportation (also known as "Metro"). I  
previously submitted a declaration in this case on February 7, 2011.

SUPPLEMENTAL DECLARATION OF SHARRON SHINBO  
IN SUPPORT OF KING COUNTY'S BRIEF IN OPPOSITION  
TO SEATTLE MIDEAST AWARENESS CAMPAIGN'S  
MOTION FOR PRELIMINARY INJUNCTION- 1 (11-00094  
RAJ)

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1           3.     Starting yesterday, on February 9, 2011, I began reviewing in detail some of my  
2 files related to creatives or proposed ads that had been rejected during the life of the current  
3 Titan Contract (please see my prior declaration, which discusses the contract). In doing so I saw  
4 a series of five creatives proposed by a group called "Citizens for Home Safety", the details of  
5 which I had forgotten about. My recollection was refreshed upon reviewing my files. True and  
6 correct copies of these creatives (proposed ads) are attached as Exhibit 1 to this supplemental  
7 declaration.

8           4.     On September 30, 2009, I directed Titan to reject all of the creatives in Exhibit 1  
9 on the grounds that they violated Sections 6.4 C & D of the Titan Contract. Section 6.4 C  
10 requires rejection of any material that is false, fraudulent, misleading, deceptive or would  
11 constitute a tort of defamation or invasion of privacy. Section 6.4 D requires rejection of any  
12 material that is so objectionable under contemporary community standards as to be reasonably  
13 foreseeable that it will result in harms to, disruption of, or interference with the transportation  
14 system. The full text of these provisions is on page 5 of Exhibit A of my first declaration, dated  
15 February 7, 2011.

16           5.     My understanding is that the creatives were actually withdrawn by the proposer  
17 before Titan could formally inform the proposer that they had been rejected, but I know we did  
18 direct Titan to reject the creatives.

19           6.     Now that I have refreshed my recollection about the rejection of the creatives in  
20 Exhibit 1, I wish to correct a mistake in paragraph 19 of my first declaration. In that paragraph, I  
21 discussed the Titan Contract Sections 6.4 D & E, and further stated that "Metro had never  
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1 previously rejected, or reversed its approval of, an advertisement under these sections but we had  
 2 also never had an advertisement that triggered this level of public response."

3 7. It is now clear to me that, prior to the SeaMAC Ads we had rejected the Citizens  
 4 for Home Safety ads (Exhibit 1), under Titan Contract Section 6.4 D, though not section 6.4 E.  
 5 The mistake in my prior declaration was made in good faith and without any intent to deceive the  
 6 Court or SeaMAC.

7 8. I have now completed reviewing my files for rejected creatives going back to  
 8 January 1, 2005 and do not believe there were any other creatives that were rejected under either  
 9 Sections 6.4 D or E during the life of the current Titan Contract, other than the Citizens for  
 10 Home Safety ads (Exhibit 1), the SeaMAC Ad and the Counter-Ads (discussed in my prior  
 11 declaration). It is possible that other creatives were rejected for similar reasons under previous  
 12 versions of the Titan Contract before 2005, but I do not recall such creatives at this time.

13 I hereby declare under penalty of perjury of the laws of the United States and the State of  
 14 Washington that, to the best of my knowledge, the foregoing is true and correct.

15 SIGNED and DATED at Seattle, WA this 10<sup>th</sup> day of February, 2011.

16 Sharron Shinbo Feb. 10, 2011  
 17 SHARRON SHINBO

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 23 SUPPLEMENTAL DECLARATION OF SHARRON SHINBO  
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