



City of Tacoma
Human Resources Department

June 1, 2010

James V. Smith II
Staff Attorney
Teamsters Local Union 117
14675 Interurban Ave S Suite 307
Tukwila WA 98168

Carrie Blackwood
Union Representative
IFPTE Local 17
2900 Eastlake Ave E Suite 300
Seattle WA 98102

Re: City of Tacoma Public Disclosure Request 10-2201, Jesse Robert Hill

Dear Mr. Smith and Ms. Blackwood:

This letter is in response to your letters of May 28, 2010 to City Clerk Doris Sorum indicating intent to seek an injunction against the release of your members' employee photographs and personnel files as requested by Mr. Hill pursuant to the above referenced records request.

The City had informed Mr. Hill on May 18, 2010 that it anticipated a batch of photographs would be produced to him on June 4, 2010 and that a group of ten personnel files (redacted) would be produced to him on June 25, 2010.

In anticipation of the request for injunction described in your May 28 letter, the City has subsequently informed Mr. Hill of our intent to suspend the production schedule described to him on May 18, 2010. **However, if no injunction request has been filed or granted as of June 25, 2010, the City will resume processing Mr. Hill's request in the manner described in the May 27, 2010 letter from Doris Sorum to all City employees.** In event no injunction is filed or granted by June 25 and processing of the request resumes, a new schedule for production will be put in place and communicated to Mr. Hill and to you.

Please note that in the recent State Supreme Court case of *Burt v. Department of Corrections*, Supreme Court No. 80998-4 (May 13, 2010) the Court indicted that a request for injunction under RCW 42.56.540 should name the requestor, Mr. Hill in this case, as a party. Another recent appellate court case, *Kitsap County Prosecuting Attorneys' Guild v. Kitsap County*, Court of Appeals No. 39196-1-II (May 11, 2010), indicates that the City may not indefinitely postpone production of requested records in anticipation of an injunction. That is the reason the City must resume processing the pending request if no injunction has been filed or granted as of June 25.

Thank you for keeping me informed of your actions regarding this matter. Please let me know if you have any questions.

Sincerely,

Joy M. St. Germain
Human Resources Director

Cc: Doris Sorum
Chris Biencourt

Martha Lantz
Elizabeth Pauli