

SUPERIOR COURT OF  
WASHINGTON  
FOR KING COUNTY

MARTIN RINGHOFER  
(PETITIONER)  
VS.  
LINDA RIDGE  
(RESPONDENT)

CAUSE NO.: 10-2-41119-4  
JUDGE: RONALD L. CASTLEBERRY  
REPORTER: MICHAEL JAY  
CLERK: BARB MACDOUGALL  
DATE: 5-10-11 @ 2:00 P.M.

THIS MATTER CAME ON FOR: ORAL DECISION

HEARING STRICKEN/CODE:

PETITIONER APPEARED: YES

COUNSEL: RICHARD STEPHENS

RESPONDENT APPEARED: YES

COUNSEL: THOMAS KUFFEL

DOCUMENTS FILED:

ORDERS ENTERED: ORDER DENYING PETITIONER'S MOTION FOR SUMMARY JUDGMENT AND GRANTING RESPONDENT'S MOTION FOR SUMMARY JUDGMENT DISMISSAL PURSUANT TO CR 56

PROCEEDINGS/COURT'S FINDINGS: BOTH PARTIES SEEK SUMMARY JUDGMENT FROM THIS COURT. THERE ARE NO DISPUTED FACTS AND BOTH PARTIES AGREE THIS ISSUE CAN BE DECIDED AS A MATTER OF LAW.

BOTH RCW 2.36.072(4) AND COURT RULE GR18(D) LIMIT THE USE OF THE INFORMATION OBTAINED FROM PROSPECTIVE JURORS.

THE PETITIONER ASSERTS THAT TO THE EXTENT THE COURT RULE OR THE STATUTE PRECLUDE THE DISCOVERY OF THE REQUESTED MATERIAL, THE COURT RULE AND THE STATUTE ARE IN CONFLICT WITH ARTICLE 1 SECTION 10 OF THE WASHINGTON CONSTITUTION. THE RESPONDENT ASSERTS THAT THE INFORMATION BEING SOUGHT IS UNCONNECTED TO ANY JUDICIAL PROCEEDING OR RECORD AND THEREFOR IS NOT WITHIN ANY CONSTITUTIONAL PROVISION REQUIRING DISCLOSURE.

THE REQUESTED DATA IS NOT A COURT RECORD NOR A COURT DOCUMENT, AND IS NOT INFORMATION THAT PERTAINS TO ANY PENDING LITIGATION, TO A PARTICULAR CASE, OR TO A PARTICULAR JUDICIAL MATTER. THE STATUTE AND THE APPLICABLE COURT RULE CLEARLY PROHIBIT THE DISCLOSURE OF THE REQUESTED INFORMATION. EVEN IF THE COURT COULD ALLOW DISCOVERY OF THE INFORMATION, THE COURT

STILL HAS THE AUTHORITY TO EXERCISE DISCRETION. THE COURT DETERMINES THE STATUTE IN THIS CASE IS NOT IN CONFLICT WITH THE WASHINGTON CONSTITUTION, DENIES THE PETITION, AND GRANTS SUMMARY JUDGMENT TO RESPONDENT.