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

GRAY

No. 25-2-13920-4 SEA

VS

ORDER SETTING CIVIL CASE SCHEDULE

CITY OF SEATTLE

ASSIGNED JUDGE: LeRoy McCullough, Dept. 32
FILED DATE: 05/07/2025
TRIAL DATE: 05/11/2026

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF:

The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this **Schedule**. In order to comply with the **Schedule**, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

You are required to give a copy of these documents to all parties in this case.

I. NOTICES (continued)

CROSSCLAIMS, COUNTERCLAIMS AND THIRD-PARTY COMPLAINTS:

A filing fee of **\$240** must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule **if the case is subject to mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and crossclaims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$250 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$400 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

*	CASE EVENT	EVENT DATE
	Case Filed and Schedule Issued.	05/07/2025
*	Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See <i>KCLMAR 2.1(a) and Notices on Page 2</i>]. \$250 arbitration fee must be paid	10/15/2025
*	DEADLINE to file Confirmation of Joinder if not subject to Arbitration [See <i>KCLCR 4.2(a) and Notices on Page 2</i>].	10/15/2025
	DEADLINE for Hearing Motions to Change Case Assignment Area [KCLCR 82(e)].	10/29/2025
	DEADLINE for Disclosure of Possible Primary Witnesses [See <i>KCLCR 26(k)</i>].	12/08/2025
	DEADLINE for Disclosure of Possible Additional Witnesses [See <i>KCLCR 26(k)</i>].	01/20/2026
	DEADLINE for Jury Demand [See <i>KCLCR 38(b)(2)</i>].	02/02/2026
	DEADLINE for a Change in Trial Date [See <i>KCLCR 40(e)(2)</i>].	02/02/2026
	DEADLINE for Discovery Cutoff [See <i>KCLCR 37(g)</i>].	03/23/2026
	DEADLINE for Engaging in Alternative Dispute Resolution [See <i>KCLCR 16(b)</i>].	04/13/2026
	DEADLINE: Exchange Witness & Exhibit Lists & Documentary Exhibits [KCLCR 4(j)].	04/20/2026
*	DEADLINE to file Joint Confirmation of Trial Readiness [See <i>KCLCR 16(a)(1)</i>]	04/20/2026
	DEADLINE for Hearing Dispositive Pretrial Motions [See <i>KCLCR 56; CR 56</i>].	04/27/2026
*	Joint Statement of Evidence [See <i>KCLCR 4 (k)</i>]	05/04/2026
	DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusions of Law with the Clerk)	05/04/2026
	Trial Date [See <i>KCLCR 40</i>].	05/11/2026

*The * indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.*

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action **must** serve this *Order Setting Civil Case Schedule* and attachment on all other parties.

DATED: 05/07/2025



PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g., interpreters, equipment).

The Joint Confirmation Regarding Trial Readiness form is available at www.kingcounty.gov/courts/scforms. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding the report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial

Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the court's civil standby calendar on the King County Superior Court website www.kingcounty.gov/courts/superiorcourt to confirm the trial judge assignment.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements.

Rather than noting a time of day, the Note for Motion should state “Without Oral Argument.” Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

Emergency Motions: Under the court’s local civil rules, emergency motions will usually be allowed only upon entry of an Order Shortening Time. However, some emergency motions may be brought in the Ex Parte and Probate Department as expressly authorized by local rule. In addition, discovery disputes may be addressed by telephone call and without written motion, if the judge approves in advance.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk’s Office. Please see information on the Clerk’s Office website at www.kingcounty.gov/courts/clerk regarding the requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk’s Office website. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge’s working copies must be delivered to his/her courtroom or the Judges’ mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. Working copies can be submitted through the Clerk’s office E-Filing application at www.kingcounty.gov/courts/clerk/documents/eWC.

Service of documents: Pursuant to Local General Rule 30(b)(4)(B), e-filed documents shall be electronically served through the e-Service feature within the Clerk’s eFiling application. Pre-registration to accept e-service is required. E-Service generates a record of service document that can be e-filed. Please see the Clerk’s office website at www.kingcounty.gov/courts/clerk/documents/efiling regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. **Do not file the original of the proposed order with the Clerk of the Court.** Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order. The court may distribute orders electronically. Review the judge’s website for information: www.kingcounty.gov/courts/SuperiorCourt/judges.

Presentation of Orders for Signature: All orders must be presented to the assigned judge or to the Ex Parte and Probate Department, in accordance with Local Civil Rules 40 and 40.1. Such orders, if presented to the Ex Parte and Probate Department, shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). If the assigned judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the Ex Parte and Probate Department. Such orders shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. **If final order and/or formal proof are entered in the Ex Parte and Probate Department, counsel is responsible for providing the assigned judge with a copy.**

C. Form

Pursuant to Local Civil Rule 7(b)(5)(B), the initial motion and opposing memorandum shall not exceed 4,200 words and reply memoranda shall not exceed 1,750 words without authorization of the court. The word count includes all portions of the document, including headings and footnotes, except 1) the caption; 2) table of contents and/or authorities, if any; and 3) the signature block. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.

A handwritten signature in blue ink, reading "Peta Shah", is positioned above a horizontal line.

PRESIDING JUDGE

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12 IN THE SUPERIOR COURT OF WASHINGTON
13 IN AND FOR THE COUNTY OF KING
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17 LACEY GRAY,

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19 Plaintiff,

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21 v.

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23 CITY OF SEATTLE,

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26 Defendant.
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No.

COMPLAINT

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32 COMES NOW the Plaintiff, LACEY GRAY, by and through her attorneys, and alleges
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37 **I. PARTIES**
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39 1. Plaintiff Lacey Gray (“Ms. Gray” or “Plaintiff”) was, at all relevant times, a
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41 resident of Washington state and performed her job duties for Defendant in Seattle, Washington.
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43 2. Defendant City of Seattle is a municipal corporation duly organized under the
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45 laws of the State of Washington.
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III. FACTUAL ALLEGATIONS

These factual allegations are not intended to be exhaustive in nature and are written solely to provide notice to the Defendant of the general nature of Plaintiff's claims.

3. Ms. Gray was hired by Defendant as a Public Disclosure Officer in 2022. She had excellent performance in that position as evidenced by written feedback and the fact that she was asked to perform a higher-level job, Data and Records Manager. That "out-of-class" assignment began in July 2023.

4. The Inspector General for the City, Lisa Judge, was Ms. Gray's manager starting in July 2023. About two months later, Ms. Judge assigned the Deputy Inspector General (Bessie Scott) to manage Ms. Gray.

5. Later, unbeknownst to Ms. Gray, the Director of Operations (Tiffany Preston) became her new manager. Ms. Gray learned of this fact in August 2024 and was told that Ms. Preston had been her manager for some time.

6. In October 2024, Ms. Gray went through proper procedure and complied with the Washington State Public Records Act, when she released staff meeting notes in response to a request from an on-line publication, *The Urbanist*. Those notes were referenced in an article published on October 15, 2024. The new Deputy Inspector General, Alyssa Morris, asked Ms. Gray about it. She explained that these were released in compliance with the law. Ms. Morris looked displeased and said: "I don't like it. I'm going to have to think about this."

7. About 10 days after this conversation, Ms. Gray learned that Ms. Morris had released certain investigation records to multiple media members without going through the proper public disclosure process. Ms. Gray raised her concerns that the release did not comport

1 with the law for at least two reasons: (1) notice was not given to City employees who were
2 mentioned in the records; and (2) the time spent on reviewing the records was not tracked. She
3 raised these concerns orally and in writing the week of October 28, 2024. She also wrote our
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5 some of her concerns in a Teams message on November 5, 2024. Her concerns were not
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7 addressed. Instead, her employment was terminated on November 8, 2024.
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12 8. Ms. Gray's concerns about the potential violations of law were (together or
13 individually) a substantial factor in the decision to end her employment.
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16 9. The Washington State Supreme Court explained the parameters of wrongful
17 discharge in violation of public policy in three seminal cases: *Rose v. Anderson Hay and Grain*
18 *Co.*, 184 Wn.2d 268 (2015); *Becker v. Cmty. Health Sys., Inc.*, 184 Wn.2d 252 (2015); and
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20 *Rickman v. Premera Blue Cross*, 184 Wn.2d 300 (2015). This claim arises in four ways: "(1)
21 where employees are fired for refusing to commit an illegal act; (2) where employees are fired
22 for performing a public duty or obligation, such as serving jury duty; (3) where employees are
23 fired for exercising a legal right or privilege; and (4) where employees are fired in retaliation for
24 reporting employer misconduct, i.e., whistleblowing." *Rose*, at 276 (citing *Gardner v. Loomis*
25 *Armored Inc.*, 128 Wn.2d 931, 936 (1996)).
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36 10. An employee need not establish an actual violation of law by the employer, only
37 that she had a reasonable, good faith belief that the law was violated. *Rickman*, at 312. Once
38 the employee has demonstrated that his discharge may have been motivated by reasons that
39 contravene a clear mandate of public policy, the burden shifts to the employer to prove that the
40 dismissal was for reasons other than those alleged by the employee. *Rose*, at 275. However, the
41 employee's conduct protecting a public policy need only be a substantial factor motivating his
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1 discharge, not the sole factor. *Rickman*, 184 Wn.2d. at 314. *Washington Pattern Jury*
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3 *Instruction*, 330.01.01 (“Substantial factor’ does not mean the only factor or the main factor in
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5 the challenged act or decision.”). Thus, even if the City had a non-retaliatory reason to end Ms.
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7 Gray’s employment, that is not a complete defense because there is evidence that her protected
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9 activities were also a factor.
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12 11. In addition to liability under the tort of wrongful discharge in violation of public
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14 policy, the City faces liability under the Silenced No More Act, which prohibits retaliation
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16 against an employee for attempting to protect or advance a public policy. RCW 49.44.211. The
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18 law requires that the employee have a “reasonable belief” that public policy was being advanced
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20 or protected by her actions.
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23 12. As for the basis for her “reasonable belief,” there are numerous sources of the
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25 relevant public policy, including but not limited to the Public Records Act and and the following
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27 Legislative mandate: [https://www.leg.wa.gov/studies-audits-and-reports/performance-](https://www.leg.wa.gov/studies-audits-and-reports/performance-audits/public-records/)
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29 [audits/public-records/](https://www.leg.wa.gov/studies-audits-and-reports/performance-audits/public-records/)
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32 13. Notably, the reasonableness of an employee’s belief should be evaluated from
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34 “the perspective of a reasonable similarly situated person”—a lay person. *Kelly v. Howard I.*
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36 *Shapiro & Assocs.*, 716 F.3d 10, 17 (2d Cir. 2013). The Washington Supreme Court has
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38 specifically explained that an employee “is not required to prove an actual [legal] violation.”
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40 *Ellis v. City of Seattle*, 142 Wn.2d 450, 461, 13 P.3d 1065 (2000), *as amended* (Jan. 8, 2001).
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IV. CAUSES OF ACTION

FIRST CAUSE OF ACTION:

WRONGFUL DISCHARGE IN VIOLATION OF PUBLIC POLICY

14. Plaintiff re-alleges the above allegations as if fully set forth herein.

15. Ms. Gray attempted to comply with the public policies identified above and she objected to non-compliance with such public policies. This constitutes protected activities under the tort of wrongful termination in violation of public policy.

16. Her protected activities were a substantial factor in Defendant's decision to terminate her employment.

17. As a direct and proximate result of Defendants' wrongful termination, Plaintiff has suffered and continues to suffer general damages and special damages in an amount to be proved at trial.

SECOND CAUSE OF ACTION:

WASHINGTON SILENCED NO MORE ACT

18. Plaintiff realleges and incorporates all previous allegations and assertions.

19. Defendant also violated the SNMA by terminating Plaintiff based in whole or in part on what she reasonably believed was a violation of law or public policy. At a minimum, her actions to support her reasonable belief in a violation of public policy was a substantial factor in Defendant's decision to terminate her employment.

20. As a direct and proximate result of Defendant's wrongful termination in violation of the SNMA, Plaintiff has suffered and continues to suffer general damages and special damages in an amount to be proved at trial.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

1. A judgment in favor of Plaintiff and against Defendants on all of Plaintiff's causes of action.
2. An award of all damages suffered by Plaintiff due to Defendants' actions as alleged above and/or as proven at trial.
3. Plaintiff seeks general and special damages in amounts to be proven at trial as provided by the Silenced No More Act, RCW 49.44.211.
4. Injunctive relief as may be appropriate, including but not limited to reinstatement of his commission structure or front pay in lieu of reinstatement.
5. Pre-judgment interest;
6. All attorney fees and costs pursuant to Chapter 49.48 RCW and Chapter 49.52 RCW, Chapter 49.60 RCW and any other applicable rule of law.
7. For such other and further relief as the court deems just and reasonable.

V. RESERVATION OF RIGHTS

Plaintiff reserves the right to amend this Complaint as to the factual allegations contained herein, and to add any and all other claims or parties that may arise out of or become known in this lawsuit.

1 DATED: this 7th day of May, 2025.
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5 LAW OFFICES OF ALEX J. HIGGINS
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Alex J. Higgins, WSBA No. 20868
11 *Attorney for Plaintiff Lacey Gray*
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