

HONORABLE DAVID G. ESTUDILLO

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GABRIELLA SULLIVAN; RAINIER
ARMS, LLC; DANIEL MARTIN, SECOND
AMENDMENT FOUNDATION; and
FIREARMS POLICY COALITION, INC.,

Plaintiffs,

v.

BOB FERGUSON, in his official capacity as
Washington State Attorney General; JOHN
R. BATISTE, in his official capacity as Chief
of the Washington State Patrol; PATTI
COLE-TINDALL, in her official capacity as
Interim Sheriff for King County,
Washington; JOHN GESE, in his official
capacity as Sheriff for Kitsap County,
Washington; RICK SCOTT, in his official
capacity as Sheriff for Grays Harbor County,
Washington; DAN SATTERBERG, in his
official capacity as County Prosecutor for
King County, Washington; CHAD M.
ENRIGHT, in his official capacity as County
Prosecutor for Kitsap County, Washington;
and NORMA TILLOTSON, in her official
capacity as County Prosecutor for Grays
Harbor County, Washington,

Defendants.

Case No. 3:22-cv-05403-DGE

**DEFENDANTS RICK SCOTT AND
NORMA TILLOTSON'S REPLY IN
SUPPORT OF SUMMARY JUDGMENT**

NOTE ON MOTION CALENDAR:
October 16, 2023

Defendants Rick Scott and Norma Tillotson (collectively, "Grays Harbor County Defendants") moved for summary judgment on Plaintiffs' 42 U.S.C. § 1983 claim against them because they are not liable to Plaintiffs' in their official capacity or personal capacity as a matter

1 of law. Dkt. 124. Plaintiffs nominally oppose the motion but acknowledge that, under the law of
2 the case, the Section 1983 claim against must be dismissed against the Grays Harbor County
3 Defendants. *See* Dkt. 133 at 9. Because the Grays Harbor County Defendants established in their
4 opening brief why dismissal of the Section 1983 claims is warranted as a matter of law and of the
5 case, and Plaintiffs provided this Court with no valid argument otherwise, summary judgment
6 should be granted to the Grays Harbor County Defendants. Plaintiffs' Section 1983 claim must be
7 dismissed.

8 *I certify that this motion contains 135 words in compliance with the Local Civil Rules.*

9
10 DATED: October 16, 2023

11 LANE POWELL PC

12
13 By: s/Callie A. Castillo

14 Callie A. Castillo, WSBA No. 38214
15 1420 Fifth Avenue, Suite 4200
16 P.O. Box 91302
17 Seattle, Washington 98111-9402
18 Telephone: 206.223.7000
19 castilloc@lanepowell.com

20 *Attorneys for Attorneys for Defendants Rick Scott and*
21 *Norma Tillotson*

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2023, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

By s/Callie A. Castillo
Callie A. Castillo, WSBA No. 38214