

FILED

Ex Parte Presentation Requested

2017 MAY 11 PM 2: 25

CHARLEEN GROOMES
OKANOGAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR OKANOGAN COUNTY

The Methow Valley News,

PETITIONER.

No. 17-2-00006-1

ORDER GRANTING THE
METHOW VALLEY NEWS
LEGAL NEWSPAPER STATUS
IN OKANOGAN COUNTY

~~[Proposed]~~

[Clerk's Action Required]

This matter came before the Court on Methow Valley News' Petition to Become Legal Newspaper. The Court has reviewed the files and records herein, including:

1. Petition to Become Legal Newspaper; and
2. Declaration of Donald Nelson.

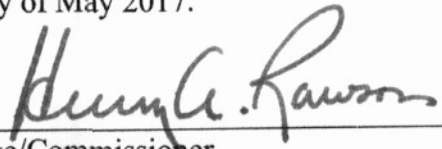
THE COURT HEREBY FINDS that the Methow Valley News has presented satisfactory evidence that it meets the requirements of a legal newspaper as set forth in RCW 65.16.020; and

THE COURT HEREBY GRANTS the Methow Valley News' Petition to Become Legal Newspaper, and the Methow Valley News is hereby declared to be a legal newspaper in Okanogan County. The Clerk is hereby instructed to add the Methow Valley News to any list of the legal newspapers in Okanogan County maintained by the Court for the benefit of the public, parties, attorneys, or Court personnel.

ORDER GRANTING LEGAL
NEWSPAPER STATUS IN OKANOGAN
COUNTY - 1

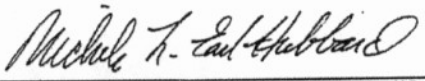
ALLIED
LAW GROUP
P.O. Box 33744
Seattle, WA 98133
(206) 443-0200 (Phone)
(206) 428-7169 (Fax)

1
2 DONE IN OPEN COURT this 11th day of May 2017.

3
4 
Judge/Commissioner

5 Presented by:

6 ALLIED LAW GROUP LLC
7 Attorneys for Petitioner

8 
9 Michele Earl-Hubbard, WSBA #26454
10 P.O. Box 33744
11 Seattle, WA 98133
12 (206) 443-0200 (phone)
13 (206) 428-7169 (facsimile)
14 michele@alliedlawgroup.com
15
16
17
18
19
20
21
22
23
24

FILED

2017 MAY 10 PM 1:21

CHARLEEN GROOVES
OKANOGAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR OKANOGAN COUNTY

The Methow Valley News,

PETITIONER

No.

PETITION TO BECOME LEGAL
NEWSPAPER

I. RELIEF REQUESTED

Petitioner respectfully requests that this Court approve the status of the Methow Valley News as a legal newspaper in Okanogan County pursuant to RCW Ch. 65.16.

II. STATEMENT OF FACTS

The Methow Valley News is a weekly newspaper serving Okanogan County. See Declaration of Donald R. Nelson ("Nelson Decl.") at ¶3. The Methow Valley News began in 1903 and has operated continuously under the same name. Today, the Methow Valley News publishes every Wednesday, covering the Okanogan County incorporated towns of Winthrop and Twisp and the unincorporated areas that make up the Methow Valley region and greater Okanogan County. Id. at ¶3. The Methow Valley News is printed in English, is a newspaper of general circulation, and publishes local and regional news stories that are not focused on any

1
2 particular interest group or type of news. Id. at ¶4. The Methow Valley News is published in
3 Twisp, Washington, in Okanogan County, and has been published in Okanogan County since
4 1903. Id. at ¶5. The Methow Valley News has a periodical class mailing permit, USPS – 34-
5 3480. Id. at ¶6. The Methow Valley News has a policy to publish any properly submitted
6 legal notice. Id. at ¶7.

7 III. ISSUES

8 Whether the Methow Valley News should be granted the status of legal newspaper in
9 Okanogan County?

10 IV. EVIDENCE RELIED UPON

11 Petitioner relies on this Petition and the Declaration of Donald Nelson.

12 V. ARGUMENT AND AUTHORITY

13 RCW 65.16.040 allows a newspaper that meets the qualifications of a “legal newspaper”
14 to petition for approval to become a legal newspaper in the superior court of the county for
15 which the newspaper seeks such status:

16 a legal newspaper for the publication of any advertisement, notice, summons,
17 report, proceeding, or other official document now or hereafter required by law to
18 be published, shall be a newspaper which has been approved as a legal newspaper
19 by order of the superior court of the county in which such newspaper is published.
Such order may be entered without notice upon presentation of a petition by or on
20 behalf of the publisher, setting forth the qualifications of the newspaper as required
21 by this act, and upon evidence satisfactory to the court that such newspaper is so
22 qualified.

23 The Methow Valley News should be granted status as a legal newspaper in Okanogan
24 County because it meets all requirements of a legal newspaper. The relevant portion of RCW
65.16.020, setting forth the requirements of a legal newspaper provides:

The qualifications of a legal newspaper are that such newspaper shall have been
published regularly, at least once a week, in the English language, as a newspaper
of general circulation, in the city or town where the same is published at the time

1
2 of application for approval, for at least six months prior to the date of such
3 application; shall be compiled either in whole or in part in an office maintained at
4 the place of publication; shall contain news of general interest as contrasted with
5 news of interest primarily to an organization, group or class; shall have a policy to
6 print all statutorily required legal notices; and shall hold a periodical class mailing
7 permit[.]

8 The **Methow Valley News** has been published on a weekly basis, in the English
9 language, since 1903. See Donald Nelson Decl. at ¶¶3-5. The **Methow Valley News** is
10 published in Twisp, Washington, in Okanogan County, and has been published in Okanogan
11 County since 1903. Id. at ¶¶3-5. The **Methow Valley News** has a periodical class mailing
12 permit, USPS - 34-3480, and is in general circulation rather than distributed to a distinct group or
13 class of individuals. Id. at ¶¶4, 6.

14 The **Methow Valley News** publishes news of general interest and is not focused on one
15 specific organization, group, or class. Id. at ¶4. The content of the **Methow Valley News** is far
16 broader than that of publications that have been found to be too specific to qualify as a “legal
17 newspaper.” For example, in **Daily Journal of Commerce, Inc. v. Daily Journal Corporation**,
18 86 Wn. App. 324, 936 P.2d 1179 (1997), Division I ruled that the “Washington Journal”
19 (published by Daily Journal Corporation) did not contain news of general interest because it
20 contained primarily news that was of particular interest to lawyers. 86 Wn. App. at 329-330.
21 The Court noted that a “vast majority [of articles] are closely related to legal issues, proceedings,
22 and subjects. Its news is predominantly special interest news, and it does not contain news of
23 general interest, as opposed to news primarily of interest to a class.” Id. at 330. Even though
24 some articles could be of interest to the general community, the primary focus on legal issues
supported the Court’s finding that the “Washington Journal” was not a legal newspaper because
it did not contain “news of general interest.” Id. at 332. The Court went on to state that “In
context, the phrase ‘shall contain news of general interest as contrasted with news of interest

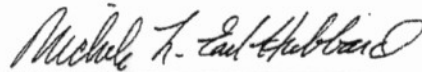
1
2 primarily to an organization, group or class,' requires the publication to dedicate itself to topics
3 in such a way as to ensnare a broad based readership." Id. The Methow Valley News does not
4 focus on any particular area of news and covers a wide variety of perspectives and thus "ensnares
5 broad based readership" as required by Daily Journal.

6
7 **VI. CONCLUSION**

8 Because the Methow Valley News meets all qualifications for a legal newspaper as
9 required by RCW 65.16.020, it respectfully requests that this Court enter an order approving the
10 status of the Methow Valley News as a legal newspaper in Okanogan County, WA, pursuant to
11 RCW 65.16.040.

12 DATED this 8th day of May, 2017.

13 ALLIED LAW GROUP LLC
14 Attorneys for Petitioner

15 

16 Michele Earl-Hubbard, WSBA #26454
17 P.O. Box 33744
18 Seattle, WA 98133
19 (206) 428-7169 (facsimile)
20 (206) 443-0200 (phone)
21 michele@alliedlawgroup.com
22
23
24

1
2
3
4
5 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
6 **IN AND FOR OKANOGAN COUNTY**
7

8 The Methow Valley News,

9 Petitioner.
10
11

No. _____

**DECLARATION PURSUANT TO
GR 17(a)(2)**

12 Donald R. Nelson, declares and states as follows:

13 1. I am over the age of eighteen and competent to testify to the matters herein.

14 2. I have examined the attached Petition to Become Legal Newspaper,
15 determined that it consists of five (5) pages, including this Declaration page, and that it is
16 complete and legible.

17 I declare under penalty of perjury under the laws of the State of Washington that the
18 foregoing is true and correct.

19 Executed this 10 day of May, 2017, at Okanogan,
20 Washington.

21
22 Sign: 

23 Print Name:

24 Donald R. Nelson

2
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

FILED

2017 MAY 10 PM 1:21

CHARLEEN GROOMES
OKANOGAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR OKANOGAN COUNTY

The Methow Valley News,

PETITIONER.

No. 17-2-00006-1

DECLARATION OF DONALD
NELSON

Donald R. Nelson declares and states as follows:

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

2. I am the Owner and Publisher of the Methow Valley News newspaper.

3. The Methow Valley News is a weekly newspaper serving Okanogan County. It has been in continuous operation since 1903. Today, the Methow Valley News publishes every Wednesday, covering the Okanogan County incorporated towns of Winthrop and Twisp and the unincorporated areas that make up the Methow Valley region and greater Okanogan County.

4. The Methow Valley News is printed in English, is a newspaper of general circulation, and publishes local and regional news stories that are not focused on any particular interest group or type of news.

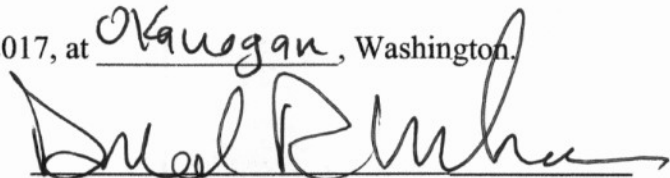
1
2 5. The Methow Valley News is published in Twisp, Washington, in Okanogan
3 County, and has been published continuously in Okanogan County since 1903.

4 6. The Methow Valley News has a periodical class mailing permit, USPS – 34-
5 3480.

6 7. The Methow Valley News has a policy to publish any properly submitted legal
7 notice.

8 I declare under penalty of perjury that the foregoing is true and correct.
9

10 Signed this 10 day of May, 2017, at Okanogan, Washington.

11 
12 DONALD R. NELSON

CASE TYPE 2
OKANOGAN COUNTY SUPERIOR COURT
CASE INFORMATION COVER SHEET

FILED

Case Number _____ **Case Title** PETITION TO BECOME LEGAL NEWSPAPER

Attorney Name Michele Earl-Hubbard **Bar Membership Number** 26454

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

OKANOGAN COUNTY CLERK

APPEAL/REVIEW

- ___ Administrative Law Review (ALR 2)
- ___ Appeal of a Department of Licensing Revocation (DOL 2)
- ___ Civil, NonTraffic (LCA 2)
- ___ Civil, Traffic (LCI 2)

CONTRACT/COMMERCIAL

- ___ Breach of Contract (COM 2)
- ___ Commercial Contract (COM 2)
- ___ Commercial NonContract (COL 2)
- ___ Third Party Collection (COL 2)

PROTECTION ORDER

- ___ Civil Harassment (HAR 2)
- ___ Domestic Violence (DVP 2)
- ___ Foreign Protection Order (FPO 2)
- ___ Sexual Assault Protection (SXP 2)
- ___ Vulnerable Adult Protection (VAP 2)

JUDGMENT

- ___ Abstract Only (ABJ 2)
- ___ Foreign Judgment (FJU 2)
- ___ Judgment, Another County (ABJ 2)
- ___ Judgment, Another State (FJU 2)
- ___ Tax Warrant (TAX 2)
- ___ Transcript of Judgment (TRJ 2)

OTHER COMPLAINT/PETITION

- ___ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
- ___ Change of Name (CHN 2)
- ___ Deposit of Surplus Funds (MSC 2)
- ___ Emancipation of Minor (EOM 2)
- ___ Injunction (INJ 2)
- ___ Interpleader (MSC 2)
- ___ Malicious Harassment (MHA 2)
- ___ Minor Settlement (No guardianship) (MST 2)
- ___ Petition for Civil Commitment (Sexual Predator)(PCC 2)
- ___ Property Damage-Gangs (PRG 2)
- ___ Public Records Act (PRA 2)
- ___ School District - Required Action Plan (SDR 2)
- ___ Seizure of Property from Commission of Crime (SPC 2)
- ___ Seizure of Property Resulting from a Crime (SPR 2)
- ___ Subpoenas (MSC 2)

☒ **Other: Petition to Become Legal Newspaper pursuant to RCW**

Ch. 65.16.

PROPERTY RIGHTS

- ___ Condemnation (CON 2)
- ___ Foreclosure (FOR 2)
- ___ Land Use Petition (LUP 2)
- ___ Property Fairness (PFA 2)
- ___ Quiet Title (QTI 2)
- ___ Unlawful Detainer (UND 2)

TORT, MEDICAL MALPRACTICE

- ___ Hospital (MED 2)
- ___ Medical Doctor (MED 2)
- ___ Other Health Care Professional (MED 2)

TORT, MOTOR VEHICLE

- ___ Death (TMV 2)
- ___ NonDeath Injuries (TMV 2)
- ___ Property Damage Only (TMV 2)
- ___ Victims of Motor Vehicle Theft (VVT 2)

TORT, NONMOTOR VEHICLE

- ___ Asbestos (PIN 2)
- ___ Other Malpractice (MAL 2)
- ___ Personal Injury (PIN 2)
- ___ Products Liability (TTO 2)
- ___ Property Damage (PRP 2)
- ___ Wrongful Death (WDE 2)

WRIT

- ___ Habeas Corpus (WHC 2)
- ___ Mandamus (WRM 2)
- ___ Restitution (WRR 2)
- ___ Review (WRV 2)
- ___ Miscellaneous Writs (WMW 2)

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.