

The case filed to invalidate the three amendments to the Home Rule Charter, by three citizens, Jerrold Gonce from Lopez Island, Mike Carlson from San Juan Island and Jeffrey Bossler from Orcas Island, will be heard by Skagit County Superior Court Judge Meyer in San Juan County Superior Court beginning at 10:30 a.m. Tuesday, February 19.

After a motion by San Juan County Prosecutor Randall Gaylord, the sitting Council members and current candidates for county council were added as necessary parties in the case. Some chose later to be voluntary plaintiffs, some involuntary plaintiffs. The plaintiffs are the ones suing the county - they oppose the charter amendments. Some chose to be defendants.

After they were served, Gaylord informed the council members he couldn't represent them and suggested they hire counsel. He had previously announced he would be seeking reimbursement for all legal expenses incurred by the county from the plaintiffs.

Attorney Stephanie O'Day will argue seven points against the three amendments to the Charter which were approved by voters in the November 6 general election. They center on the lack of following the violation of "one person one vote", dilution of votes, inclusion of more than one subject in a proposition. and violation of both the State and U.S. Constitutions.

Gaylord has filed several motions to dismiss the case including one citing a more than 240 day delay in filing. He believed the case should have been filed when the amendments were first proposed not after they were approved by voters.

The lawsuit was filed by the three plaintiffs represented by O'Day shortly after the November 6 general election was certified.

PDFs

[PLANTIFF's CASE](#) (749 KB)

[DEFENDANTs RESPONSE](#) (657 KB)