

HONORABLE DEAN LUM

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

BELLEVUE SCHOOL DISTRICT, NO. 405, a
municipal corporation and a subdivision of the
State of Washington,

Plaintiff,

v.

BELLEVUE EDUCATION ASSOCIATION, a
Washington nonprofit corporation; and
ALLISON SNOW, its President; AND ALL
OTHER PERSONS IN ACTIVE CONCERT
OR PARTICIPATION WITH OR
REPRESENTED BY ANY OR ALL OF THE
ABOVE-NAMED DEFENDANTS,

Defendant.

CASE NO. 21-2-00922-7 SEA

DECRYING
ORDER ~~GRANTING~~ PLAINTIFF'S
MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE *Ben*

CLERK'S ACTION

THIS MATTER came before the Court upon Plaintiff Bellevue School District No. 405's (the "District") Motion for Temporary Restraining Order and Order to Show Cause (the "Motion") against the Defendants Bellevue Education Association, Allison Snow, its President, and all other persons in active concert or participation with or represented by any or all of the Defendants, (collectively the "Association").

Having reviewed the motion, the opposition, if any, of the Association, the supporting declarations filed by the parties, and having heard the argument of counsel, the Court makes the following findings of fact:

ORDER GRANTING PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE - I
[CASE NO. 21-2-00922-7 SEA]

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1. Plaintiff has alleged facts which, if proven, establish that it has a clear legal and equitable right to be immune from a strike or work slowdown by public employees.
 2. The Association represents the educators employed by the District, the Association's individual members are public employees and Plaintiff is a public employer.
 3. ~~Plaintiff has a well-grounded fear of an immediate invasion of its rights based on the public statements made by the Association's authorized representatives on January 15 and 19, 2021, stating that employees of the Plaintiff intend to strike or conduct a work slowdown beginning January 21, 2021, and the refusal of Association's educators to report to work at their physical classrooms or conduct live remote classrooms on January 21-22, 2021.~~
 4. ~~If the Association is allowed to engage in a strike action or work slowdown, Plaintiff will suffer actual and substantial injury.~~

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Based on the facts set forth above, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

- for an immediate restraining order*
issued
1. Plaintiff's Motion is **Granted**;
 2. ~~Defendants Bellevue Education Association and Allison Snow, and all persons acting in active concert or participation with them, are restrained and enjoined from:~~
 - ~~a. Engaging in, encouraging, or lending support or assistance of any nature to any strike action or slowdown against the District, or otherwise interfering with the opening of in-person learning or the orderly operation of the District's live remote classrooms, its schools, and its programs;~~
 - ~~b. Soliciting others, including students, their parents or guardians, District employees, and other Unions, to engage in or participate in any strike action or slowdown against the District;~~
 - ~~c. Threatening or coercing any person from discharging normal or substitute duties for the District;~~

- 1 d. Interfering by picketing or otherwise inhibiting both the free ingress and egress
2 of the District's employees, agents, students, and other authorized persons to and
3 from the schools and facilities operated by the District;
4 e. Taking unjustified sick, personal, or other leave in concert with or in aid of any
5 strike action or slowdown.

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7 3. Defendants Bellevue Education Association and Allison Snow shall immediately
8 notify all employees represented by the Association and acting in concert with it that
9 the strike or related activities described in paragraph 2 above have been restrained
10 and enjoined.

11 4. Defendants Bellevue Education Association and Allison Snow shall appear before
12 the Honorable Judge Dean Lum on January 28, 2021 at 9:30 am (pending date from Judge Lum) at (pending time
13 from Judge Lum) am/pm and to show cause, if any, why they should not be enjoined
14 during the pendency of this action from engaging in any striking actions or work
15 slowdowns;

16 5. ~~This Temporary Restraining Order shall remain in full force and effect for 14 days
17 from the date of entry, unless superseded by a subsequent order of the Court.~~

18 DATED this 21 day of January, 2021.

19 
20 JUDGE DEAN LUM
21 SUPERIOR COURT JUDGE

22 **Presented By:**

23 SUMMIT LAW GROUP PLLC
24 Attorneys for Plaintiff

25 Brad Moore
26 Commissioner

27 By _____
28 Jessica L. Goldman, WSBA #21856
29 315 Fifth Ave. S., Suite 1000
30 Seattle, WA 98104
31 Tel: (206) 676-7000
32 Email: jessicag@summitlaw.com

33 ORDER GRANTING PLAINTIFF'S MOTION FOR
34 TEMPORARY RESTRAINING ORDER AND ORDER TO
35 SHOW CAUSE - 3
36 [CASE NO. 21-2-00922-7 SEA]

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On the record at the 1/21/2021 hearing, the Court finds that there is insufficient proof that the complained-of activity of the defendants is a strike or work stoppage or otherwise in violation of state law, the CBA, or the Memoranda of Understanding between the parties. The defendants' members

The proof does not show that defendant's members are refusing to work, ~~only~~ as defendant's members continue to be ready + willing to provide remote and other learning/teaching which has been acceptable to plaintiff + is acceptable to state educational authorities.