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April 7, 2016

**VIA EMAIL:** [brandia@snocoreporter.com](mailto:brandia@snocoreporter.com)

Brandia Investigative Journalist  
Snohomish County Reporter

Re: Public Records Request Received by SERS on March 31, 2016

Greetings:

By way of introduction, I am the attorney for the Snohomish County Emergency Radio System ("SERS"). Please accept this as a follow up to the communication that you have recently had with Jon Wiswell, the Director of SERS concerning your March 31, 2016 Public Records Request. I would initially like to make two points that I would hope you would consider. First, SERS does take Public Records requests seriously and your request is no exception. Second, SERS issue in providing you with the requested email in the PST format is only related to system security and has nothing to do with inconvenience to you or withholding information from you.

Having said that, we understand that you are reluctant to receive the email in a format other than that which you have requested. We have had further discussions and believe that SERS can provide you with the majority of the emails you have requested in PST format. Candidly, a significant problem with the PST format is that it does not allow for redactions to be made if any are required. While we may get in disagreements, there will be emails that SERS legitimately believes have information that cannot be released for valid reasons that we would describe in an exemption log (e.g., attorney-client privilege, system security, personnel information, etc.). The Public Records Act specifically recites this procedure and if SERS cannot redact those particular emails in PST format, SERS will have to provide them in another format with the redactions. SERS may, however, be able to provide metadata on some of those emails without compromising the critical information if it is the metadata that is your interest.

When Jon Wiswell indicated that SERS is prepared to go to court, it is not meant as a threat. Rather, it is meant as a necessity to get the answer to the question of what is the format in which the emails with redactions will be provided. If the Public Records Act expressly authorizes SERS to redact where appropriate and your selected format won't allow redactions, a judge will have to decide if we cannot resolve the issue. SERS would like to reach an agreement on what is useful to you that does not compromise SERS system or require its limited staff to drop everything to do nothing but work on public records requests.

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At this point, SERS will begin reviewing requested emails for disclosure and preparing to provide those to you in PST format with the exception of the email that will require redaction. Because of the substantial amount of email you have requested, it will likely take a considerable amount of time to review and then provide you the broad scope of email within that request. As Mr. Wiswell has suggested, if you have any interest, at least initially, in identifying some search terms to narrow the scope of the requested emails, it would likely shorten the time it will take to respond to your Public Records request. That would not preclude you from later seeking additional email by utilizing additional search terms.

Very truly yours,

ANDERSON HUNTER LAW FIRM, P.S.

Bradford N. Cattle

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