

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **PUBLIC RECORDS - WASHINGTON**

### **O'Neill v. City of Shoreline**

**Court of Appeals of Washington, Division 1 - August 18, 2014 - P.3d - 2014 WL 4066219**

Citizens brought Public Records Act (PRA) action against city for disclosure of e-mail sent to city's deputy mayor alleging improprieties in city zoning decisions, metadata associated with the e-mail, and other records. After a show cause hearing, the Superior Court dismissed the action. Citizens appealed. On remand, the Superior Court granted partial summary judgment in favor of citizens, and then, following entry of a stipulated judgment, entered an order awarding citizens \$428,966.18 for fees and \$9,588.79 for costs. City appealed.

The Court of Appeals held that:

- Citizens' failure to file a motion to enlarge time within ten days after entry of judgment against city on citizens' Public Records Act (PRA) action did not result in a waiver of their right to recover attorney fees and costs;
- Citizens' reference to "unpublished authority" in their appellate brief did not warrant sanctions; and
- City's appeal of attorney fee award in favor of citizens on their Public Records Act (PRA) action was not frivolous or brought for purposes of delay, and therefore, sanctions were not warranted.