DISTRICT COURT OF THE STATE OF WASHINGTON
THURSTON COUNTY

Shawna Hawk,	)	No. UHS 18-254
	)	OBJECTION IN LIMINE TO
Petitioner,	)	JURISDICTION;
v.	)	RESPONSE & OPPOSITION TO
	)	PETITION FOR AN ORDER FOR
	)	PROTECTION;
	)	MOTION TO STRIKE & SUPPRESS
	)	TAMPERED EVIDENCE;
Dana E. Walker,		Reserve Continuing Objection to Jurisdiction (RCW 10.40)
Respondent.		

I. Parties and Jurisdiction

COMES NOW Dana Walker, the respondent in the above cause, pro se, without counsel of necessity as I am homeless and indigent. I herein make the following objections, motions, declaration(s), do seek the following relief, and arguments based on the evidence as well as points & authorities while reserving at all stages my objection to jurisdiction:

Preliminary Objection (1) – Jurisdiction

I object to the in personam jurisdiction of the court based on the fact I was not properly served with original process, while at the same time conceding subject matter jurisdiction.

I was given an array of court papers by a friend of Shawna's acting as a process server. The papers consisted of a 63 page petition signed by Shawna Hawk along with

numerous pages of documents that have been tampered with and are not true copies of the originals. I know this for a fact as I composed them before someone, possibly Ms. Hawk, altered them, which is undeniable upon examination.

I also received a notice of hearing signed by a Thurston County District Court Clerk. Upon investigation, it came to light that Ms. Hawk's request for a temporary ex parte restraining order under the provisions of RCW 10.40 had been refused by judge Wilcox, who had found Ms. Hawk's allegations and declaration unpersuasive.

Judge Wilcox instructed the clerk to set a hearing on the docket for November 30, 2018 @ 9:00 a.m. She neither signed nor entered any order, including a show cause order often issued pursuant to ex parte motion calendars such as unlawful detainer actions. Judge Wilcox did not find there was an emergency or imminent threat of harm that would have justified a 2-week ex parte restraining order circumscribing the respondent's (a homeless destitute community journalist of long standing) liberty.

Washington's State legislature crafted RCW 10.40 with the intention of preventing conflicts like the murder of a young Evergreen State college coed who was shot in a campus cafeteria in the early 1980's by an ex boyfriend who couldn't take no for an answer. As he had yet to actually assault her or make a true threat, she had no legal remedy at that time for protection. Our legislature passed such a law almost immediately in the wake of her tragic death.

The statute provides for an ex parte hearing requesting a temporary protection order no longer than 14 days before a hearing must be set to determine whether the temporary protection order should be extended. The order must be served on the respondent at least 5 days before the hearing. A 2-week ex parte restraining order can be issued a 2nd time only. The ex parte temporary restraining order must be accompanied by notice of the time, date, location and address of the hearing. No requirement for a summons in such an emergency is mentioned in RCW 10.40…at least not for the **emergency ex parte 2-week protection order.**

HOWEVER, even for an emergency ex parte order of this type, RCW mandates a SUMMONS be included if the respondent is to be served (with the court's permission) by publication. Additionally, the hearing date must be set for 24 days (not 14) from the time the ex parte protection order is entered into the record. i.e. The summons is not a trivial mandate and it is strictly construed.

RCW 10.40 is silent regarding a summons where no order has been entered as in the instant case. Nevertheless, the interpretation of State's statutes and court rules must be harmonized to provide for their optimal/maximum effect so far as is practical.

A summons and its language are not discretionary. If both the petition and the summons are not properly and timely filed unless expressly otherwise provided for in law (including an RTS declaring what documents were served) the court has no in personam jurisdiction over the respondent, making any and all orders or rulings by the court not simply void, but void ab initio.

In this instance, and at this time, the court is without jurisdiction. Proper original process has not occurred. No explicit provision in RCW 10.40 allows for a notice of hearing to be substituted for a summons, and while the chapter may be silent on the matter where no emergency order has been entered, it is not silent where original process service is rendered by publication. A summons is required by law. And there are other Washington statutes that have not been mooted by RCW 10.40's provisions in instances such as this mandating a summons.

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Ergo, the hearing date set at judge Wilcox's oral request made to the clerk is null and void with respect to compelling the respondent to attend said hearing at this time, or the threat of a default judgment. Under such circumstances, a notice of appearance can only be used after original process (including a summons) has been properly executed in a non-emergency case such as the instant one, despite the relative convenience were it otherwise for the court and petitioner. If we are to be free men, we must obey the law, even the President and the courts—perhaps especially the courts. Our U.S. Constitutions 14th amendment makes much the same point.

Preliminary Objection (2) – Tampered Document Suppression

The petitioner (Ms. Hawk) has attached a plethora of published document that have been altered and are not true copies…virtually every page of the Thunderbolt (a 'zine' the currently homeless journalist Dana Walker has been regularly publishing weekly covering local area news in Olympia for many years) in her complaint, bears obvious evidence of tampering.

Nor has she labeled any as exhibits at all, but has included them as part of her petitions language. This makes responding to the petition burdensome to respond to and violates the court's rules of evidence. Said evidence must be a true and accurate copy of the original and bear no indication of alteration or tampering. Since Ms. Hawk's submissions obviously do, and her written notes therein effectively constitute testimony not subject to cross examination, nor has she supported their introduction with a sworn affidavit/declaration they are true unaltered copies of the originals. The Respondent objects and moves they be stricken from the record as well as the court refuse to take notice of them—even though they make a prima facie case the dispute in the instant case is essentially a SLAPP suit now in an inappropriate forum/venue and a violation of RCW 4.24.525. (Washington's right to public participation law w/$10,000 statutory penalty)

DENIAL

The respondent rejects and denies all and each of Petitioner's assertions alleging wrong doing, harassment, or violating Ms. Hawk's rights in any manner whatsoever.

Respondent further argues as a journalist of long standing he was publishing articles of public interest per his investigation of the misappropriation of public property (the Media Island house at 816 Adams St, SE Olympia, WA 98501 directly across the street from the public library) and the parties who orchestrated that theft and the defrauding of Washington State's Dept. of Revenue.

II. RELIEF SOUGHT

1) [ ] Dismiss the instant case for failure to establish in personam jurisdiction per the facts outlined above and no RTS filed in this cause contradicting such failure.
2) [ ] Strike/dismiss Ms. Hawk's petition for an anti-harassment protection order with prejudice.
3) [ ] Find Petitioner in violation of RCW 4.24.525 (public participation), Defendant's 1st Amendment rights, abuse of process, and RCW 10.40's own provisions prohibiting its use to interfere with 1st amendment principles/guarantees. Impose sanctions of at least RCW 4.24.525's $10,000 statutory amount plus expenses, punitive damages, and such other penalties as the court may find in its discretion are just.
4) [.] Substitute Respondent's name for that of Petitioner in this cause, and Ms. Hawk's as the Respondent—and enter a protection order against Ms. Hawk protecting Dana Walker

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as allowed in Washington State law including a strict prohibition against Ms. Hawk contacting Dana Walker's employer or business associates or himself, to include any similar contact by 3rd parties acting on behalf of Ms. Hawk or as her agents.

Respondent Dana E. Walker requests the Court deny Petitioner Shawna Hawk's Petition for an Order for Protection-Harassment, as it seeks to restrain Mr. Dana Walker's free speech rights under the First Amendment to the U.S. Constitution and article 1, section 5 of the Washington Constitution without explicitly saying so, but having the same net effect in all but name only. Mr. Walker is is a well known non-violent currently destitute homeless regularly published journalist in the local Olympia community of long standing.

Mr. Walker publishes a zine titled 'The Thunderbolt' on a weekly basis, sometimes more. He often excoriates public officials/figures within its pages. Shawna Hawk is such a figure of vital public interest and no exception to Mr. Walker's journalistic predilection.
(Dana's Thunderbolt):
https://www.dropbox.com/sh/i6rno6ovkrdd9vf/AAA5A90fin4L42QYorv0e4Kla?dl=0 archives)
(Dana's prior Thunderbolt URL: https://dana98501.wordpress.com/)

Dana has written numerous articles about the politicization and misappropriation of the commons, specifically the aforementioned public Media Island house in Olympia in an effort to alert the public.

Petitioner now seeks an order from this Court to prevent Mr. Walker from posting items on his website or in his Thunderbolt publication and from communicating with the public about matters related to her or Media Island, a necessary and indispensable unnamed party in this cause. (CR 19). If granted, such an order would unquestionably be a prior restraint against Mr. Walker, and would carry a heavy presumption of unconstitutionality. Moreover, Mr. Walker's communications, such as his blog entries, Thunderbolt publications' statements to others concerning Shawna Hawk's involvement in the misappropriation of the Media Island house as well as her discriminatory exclusion of white male 'patriarchs' from it, **are protected by RCW 4.24.525.**

Accordingly, the Court should deny Petitioner's request to issue a restraining/protection order as it's retaliatory and effectively seeks to restrain Mr. Walker's right to communicate about, publish and excoriate those he and many others believe responsible for the blatant sexist racism now rampant at the Media Island house which Shawna Hawk now oversees and where she resides, and require Petitioner to pay a $10,000+ penalty and Mr. Walker's legal expenses, as RCW 4.24.525 (right to participate in public affairs) requires.

III. MATERIAL FACTS & DECLARATION

I, Dana Walker, am over the age of 18, am a U.S. citizen and a resident of Washington State. I am currently homeless without any fixed address as I am living out of my vehicle on the streets and am destitute. I am also a well known local activist and journalist. I publish THE THUNDERBOLT on a weekly basis, sometimes more. I know all the following facts because I have direct knowledge of and witnessed them.

Despite my socio-economic disadvantages and conviction 17 years ago of marijuana trafficking before it was legal. I love my place and participation in the local Olympia community and the Pacific Northwest. I am passionate about social justice, have no record of violence at all, and abhor the very thought of violence, especially on ethnic minorities and women.

Yet, I have publicly excoriated Shawna Hawk more than once through my digital regularly published magazine for what I am convinced is misappropriation of public property, the politicization and misappropriation of the commons, plus the blatant discrimination against

white men by excluding them from the Media Island house donated by its previous owner to the public—ALL of the public. It has become a private exclusive enclave in all but name only.

I have pursued my journalistic calling in good faith as best my own lights could lead me without any purpose to frighten Shawna Hawk. I have never threatened her or violated her rights in any way.

I know for a fact Shawna made my private phone number available to the public and encouraged them to call me in mass to harass me,

Shawna Hawk also called my employer in Seattle (Real Change, a newspaper) in a failed effort to have me fired. The Real Change newspaper had absolutely nothing to do with Shawna or Media Island, and had never heard of her before her agent, Ms. DeAngelo, called.

Shawna did succeed in having the Eastside Coop ban me from its premises where I regularly hawked Real Change. This contributed to my homelessness as without my income from selling the Real Change newspapers there, I could no longer pay my rent when the landlord raised it. I am far below the official poverty line. Shawna has a master's degree and orchestrated my being forced out of my caretaker function at Media Island in exchange for housing. She also terminated my position as the effective programmer of KOWA, the low wattage FM radio station on Media Island's premises.

I have not seen or spoken to or communicated with Shawna Hawk in almost a year and a half.

I have a difficult time finding work as I am 60 and a convicted felon (*1) (Marijuana trafficking).

I must stand in line for 2 hours at the Providence Center across the street from Olympias bus terminal downtown to get a shower.

I have good reason to belief Shawna is manipulating others and the court system by posing as a drama queen in her pleadings and demeanor behind closed doors. We worked together at Media island together for over a year before she began to feign fear when she was in the midst of forcing me from Media Island's premises. Even a cursory glance at the materials I', submitting to support my response to her petition reveals a clash of personalities and power struggle, but no 'harassment.

I, Dana Walker, swear under the penalty of perjury pursuant to GR 13 and RCW 9A.72.085 that the above is true as best I know and believe.

→ **X**_____, _____ ←
Dana Walker **Date**

IV. STATEMENT OF ISSUES

1) If the Court grants Petitioner's proposed Petition for an Order for Protection - Harassment, would such an order violate Mr. Walker's free speech rights, protected by the First Amendment to the U.S. Constitution and article 1, section 5 of the Washington Constitution? Answer: Yes.

2) Are Mr. Walker's communications, such as his blog and Thunderbolt publications protected by RCW 4.24.525? Answer: Yes.

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V. EVIDENCE RELIED ON

Declaration Dana Walker, et ux, and attached exhibits, and any other pleadings or testimony in this matter

*1 The Court may take judicial notice of filings in other court proceedings. State v. Duran-Davila, 77 Wn.
App. 701, 705, 892 P.2d 1125 (1995).

VI. ARGUMENTS, POINTS & AUTHORITIES

1) Petitioner's Requested Relief is an Unconstitutional Prior Restraint.

Petitioner seeks an order barring publication of Mr. Walker's blog and comments on the Internet and to others.(*3) As such, Petitioner requests an improper prior restraint.(*4) See *Soundgarden v. Eikenberry*, 123 Wn.2d 750, 764, 871 P.2d 105 (1994) ("A prior restraint is an administrative or judicial order forbidding communications prior to their occurrence."); In the Marriage of *Suggs,* 152 Wn.2d 74, 81, 93 P.3d 161 (2004) (same); *State v. Coe*, 101 Wn. 2d at 373 (finding a "classic prior restraint" where the court sought to restrain publication of tapes already published by the defendant). Both the Washington Supreme Court and the U.S. Supreme Court repeatedly have recognized that government censorship in the form of a prior restraint is the most serious and least tolerable infringement on an individual's free speech rights. *Coe*, 101 Wn.2d at 375; *Nebraska Press Ass 'n v. Stuart*, 427 U.S. 539, 559 (1976). Prior restraints are "presumptively unconstitutional," *Suggs*, 152 Wn.2d at 81, *Nebraska Press*, 427 U.S. at 559, under both article 1, section 5 of the Washington Constitution, (*5) *Coe*, 101 Wn.2d at 378 and the First Amendment, *Suggs*, 152 Wn.2d at 80-81; *Nebraska Press*, 427 U.S. at 570. That is because a prior restraint has an immediate, chilling effect on an individual's freedom of speech. *Nebraska Press*, 427 U.S. at 559; *Suggs,* 152 Wn.2d at 84; *Soundgarden*, 123 Wn.2d at 764.

Accordingly, a court cannot restrain the publication of allegedly defamatory statements. *Suggs*, 152 Wn.2d at 82; *Near v. Minnesota*, 283 U.S. 697 (1931). Nor can a court restrain the publication of "personal" information when the information is lawfully obtained and publicly available. See *Florida Star v. B.J.F.*, 491 U.S. 524, 540 (1989); *Org. for a Better Austin v. Keefe*, 402 U.S. 415, 419-20 (1971) (rejecting a claim that a privacy interest against public criticism can warrant injunctions against otherwise free speech); *Coe*, 101 Wn.2d at 378 (the state constitution "guarantees an absolute right to publish and broadcast accurate, lawfully obtained information that is a matter of public record by virtue of having been admitted into evidence and presented in open court"); *Sheehan v. Gregoire*, 272 F. Supp. 2d 1135, 1142 (W.D. Wash. 2003) **("Defendants cite no authority for the proposition that truthful, lawfully-obtained, publicly-available personal identifying information constitutes ... constitutionally proscribable speech. Rather, disclosing and publishing information obtained elsewhere is precisely the kind of speech that the First Amendment protects."**).

(*3)
The same free speech rights exist for speech on the Internet as oral speech or speech in paper form. See *Reno v. ACLU*, 521 U.S. 844, 870 (1997) ("Through the use of chat rooms, any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox. Through the use of Web pages, mail exploders, and newsgroups, the same individual can become a pamphleteer."); *Sheehan v. Gregoire*, 272 F. Supp. 2d 1135, 1139 fn. 2 (2003).
(*4)
Petitioner's requested relief is directly aimed at the contents of Mr. Walker's communications,

rather than the location or time of the speech, or the loudness of his speech, and therefore is not a "time, place and manner restriction." *State v. Coe*, 101 Wn. 2d 364, 373, 679 P.2d 353 (1984) (*5)
"Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right." Ergo, the instant action and forum being used against Mr. Walker is forbidden in law for all of the above cited reasons.

B. Petitioner's Requested Relief Is Not Warranted under Chapter 10.14.

Chapter 10.14 prohibits unlawful harassment, which is defined as "a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and which serves no legitimate or lawful purpose." RCW 10.14.020(1). A respondent acts lawfully where the acts "are reasonably necessary to[] Protect property (Media Island house!) or liberty interests." RCW 10.14.030. Conduct is evaluated both subjectively and objectively and must be "such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner." RCW 10.14.020(1). To obtain an anti-harassment order, the petitioner must file a petition and affidavit under oath "stating the specific facts and circumstances from which relief is sought." RCW 10.14.040(1).

As a threshold matter, Petitioner's petition is defective because she failed to file an affidavit under oath identifying specific facts and circumstances to support her claim. (*6) The petition's glaring lack of specific facts and evidence prevents Mr. Walker from fully responding to the allegations against him. Furthermore, the Court may consider the fact that Mr. Walker is acting to protect his and his publication's (The Thunderbolt) liberty interests. RCW 10.14.030. The anti-harassment chapter specifically recognizes that it may not be used to infringe on an individual's freedom of speech. RCW 10.14.190. In *re Marriage of Suggs* is directly on point. The trial court had issued an anti-harassment order permanently restraining the ex-wife from "knowingly and willfully making invalid and unsubstantiated allegations or complaints to third parties which were designed for the purpose of annoying, harassing, vexing, or otherwise harming her ex-husband for no lawful purpose." On appeal, the Washington Supreme Court struck down the order as an unconstitutional prior restraint on speech. The Court noted that:

"…the combination of the two phrases-"invalid and unsubstantiated complaints to third parties" and "designed for the purpose of annoying, harassing, vexing, or otherwise harming [the petitioner] and for no lawful purpose"-makes it appear as if the order restrains 'harassment via libel, a unique hybrid of both harassing and libelous speech.

This confusion leads us to conclude that the antiharassment order is an unconstitutional prior restraint on speech because it lacks the specificity demanded by the United States Supreme Court for prior restraint on unprotected speech. Indefinite wording is impermissible when the Court has repeatedly stated that the line between protected and unprotected speech is very fine. Such wording leaves us unable to ascertain what speech the order actually prohibits.

The order's "invalid and unsubstantiated" language is particularly problematic in this context because what may appear valid and substantiated to Suggs may ultimately be found invalid and unsubstantiated by a court. Id. Fearful of what allegations may or may not ultimately be deemed invalid and unsubstantiated, Suggs may be hesitant to assert any allegations, including those she deems truthful. Thus, Suggs is left with an order chilling all of her speech about Hamilton, including that which would be constitutionally protected, because it is unclear what she can and cannot say. Chilling is intolerable in the first amendment context and is exacerbated by the fact that many of the incidents that Hamilton based his antiharassment order to pertain to the efforts of Suggs and her husband to address what they perceive is Hamilton's harassment."

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Suggs, 152 Wn.2d at 83-84 (emphasis added, footnotes omitted).
Chilling Mr. Walker's speech is precisely what Petitioner is attempting to do--indeed, that goal has largely been accomplished because Mr. Walker is now homeless and destitute, exposed to the elements and having difficulty publishing anything new. (*Walker Declaration*.) **The anti-harassment order Petitioner seeks would further prevent Mr. Walker from publishing his digital magazine, THE THUNDERBOLT, and his facebook/social media ruminations without distinction.**

(*6)
Because the petition and original process is fundamentally defective, there is no basis for an award of fees and costs against Mr. Walker.

Mr. Walker's posts that do not rise to the legal standard of 'harassment', and those that supposedly do (None are.) are prima facie protected in law. The proposed order would effectively forbid Mr. Walker from "posting any content online regarding Petitioner and her deep involvement in a matter of intense public controversy;" "communicating by email, fax, mail or by telephone with Petitioner's current and former co-workers, former lawyers, and any former or current personal or professional associate of Petitioner;" "creating and publishing web sites or digital magazines like **The Thunderbolt** about Ms. Hawk, et ux."

Petitioner objects that such material constitutes "defamation" and is "embarrassing and humiliating." She specifically objects to Mr. Walker's publication on the basis that the postings "contain harassing, false or defaming information, written to slander and smear Petitioner's character, [and] reputation." Id. Even assuming Mr. Walker's publications/communications are false and defamatory, (*7) such material is protected speech and cannot be restrained. *Suggs*, 152 Wn.2d at 82; *Near v. Minnesota*, 283 U.S. 697 (1931). To the extent that Petitioner objects to the posting of what she claims to be a violation of her right to privacy, (*8) the information is directly related to Petitioner's claim regarding her management of the public Media Island house and was lawfully obtained through public records, et al. (see *Walker* Declaration) and publication is equally protected. (See *Florida Star*, 491 U.S. at 540; *Coe*, 101 Wn.2d at 378, *Sheehan*, 272 F. Supp. 2d at 1142.)

(*7) Because Petitioner failed to identify the statements that she objects to, Mr. Walker cannot respond to allegations that his statements were false or defamatory. The tampered documents she submitted and relies on are not true copies and are inadmissible.
(*8) Again, Petitioner does not specify what postings violated her privacy.

C. RCW.24.525 Further Protects Mr. Walker's Speech.

Finally, Mr. Walker's communications, such as his blog and his Thunderbolt digital online magazine are protected by **RCW 4.24.525**. The Washington legislature enacted the statute to curb "lawsuits brought primarily to chill the valid exercise of the constitutional rights of freedom of speech," (i.e., Washington Act Limiting Strategic Lawsuits Against Public Participation or **SLAPP**s).

RCW 4.24.525 (2010). Such lawsuits "are typically dismissed as groundless or unconstitutional, but often not before the **defendants are put to great expense, harassment, and interruption of their productive activities**," deterring them from "fully exercising their constitutional rights." Id. As a result, "[a] party may bring a special motion to strike any claim that is based on an action involving public participation and petition." RCW 4.24.525(4)(a). If a defendant engages in such speech or conduct, "the responding party [must] establish by clear and convincing evidence a probability of prevailing on the claim." RCW 4.24.525(4)(b). The legislature mandated that the statute "be applied and construed liberally." RCW 4.24.525(3).

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Protected activity includes "[a]ny oral statement made, or written statement or other document submitted, that is reasonably likely to encourage or to enlist public participation in an effort to effect consideration or review of an issue in a ... judicial proceeding." RCW 4.24.525(2)(c**). It also includes any statement made "in a public forum in connection with an issue of public concern**," RCW 4.24.525(2)(d) or "[a]ny other lawful conduct in furtherance of the exercise of the constitutional right of free speech in connection with an issue of public concern," RCW 4.24.525(2)(e); *Aronson v. Dog Eat Dog Films, Inc*., 738 F. Supp. 2d 1104, 1110 (W.D. Wash. 2010). California courts, interpreting that state's anti-SLAPP statute, have found that an "issue of public interest" is "any issue in which the public is interested." *Nygard, Inc. v. Uusi-Kerttula*, 159 Cal. App. 4th 1027, 1042 (Cal. App. 2008) (emphasis in original).9 "In other words, **the issue need not be 'significant' to be protected by the anti-SLAPP statute-it is enough that it is one in which the public takes an interest." Id.** (emphasis added).

Here, Mr. Walker's statements were directly related to the controversy surrounding the misappropriation of the Media Island house and the blatant sexist racism and virulent bigotry there discriminating against white men that has resulted in it devolving from a public house and community resource into a private enclave. Dana Walker's publications were intended "to encourage or enlist public participation in an effort to effect consideration or review of an issue of intense public interest." RCW 4.24.525(4)(c). In addition, Mr. Walker's statements were clearly made in a public forum (the Internet) about an issue of public concern (the politicization and misappropriation of the commons in a context of sexist racism and virulent bigotry, inter alia: the Media Island house and Shawna Hawk's mismanagement of it and promotion of discrimination, sexism, and racism). Petitioner can hardly complain now that the issue is somehow a 'private matter': KING 5 covered a similar story about the allegations against one Noah Simon, and that Petitioner fully cooperated in the story, Declaration of Sarah K. Duran, Ex. E, and that Petitioner herself discussed her claims against Noah Simon on her blog, id. Ex. F.

Because Mr. Walker has demonstrated that Petitioner's motion arises from activity protected by RCW 4.24.525, **the burden shifts to Petitioner to demonstrate by "clear and convincing evidence"** a "probability" of prevailing on her claims. RCW 4.24.525 4(b). Petitioner cannot satisfy her burden for showing harassment and that she is entitled to an unconstitutional prior restraint, for the reasons discussed above. (*10) If the Court grants Mr. Walker's motion, it should award him the statutory sum of $10,000, AND his legal expenses and costs, in an amount to be proven. See RCW 4.24.525(6)(a).

VI. CONCLUSION

For the foregoing reasons, the Court should deny Petitioner's Petition for an Order for Protection - Harassment, to the extent that Petitioner seeks to restrain Mr. Walker's free speech rights under the First Amendment to the U.S. Constitution and article 1, section 5 of the Washington Constitution and require Petitioner to pay a $10,000 penalty and Mr. Walker's attorneys' fees, pursuant to **RCW 4.24.525**. The Petitioner should not be rewarded or ignored for her multitude of bad acts and her Fagan like role encouraging her younger protégés to follow suit.

RESPECTFULLY submitted by: X_____
Dana E. Walker, pro se, respondent

DATED this →_____<-- day of NOVEMBER, 2018.

(*10)
If Petitioner identifies specific communications, Mr. Walker requests the opportunity to address and respond to the statement

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DANA E. WALKER, Homeless Olympia Journalist

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