



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

Complex Litigation Division

800 Fifth Avenue • Suite 2000 • MS TB 14 • Seattle, WA 98104-3188 • (206) 464-7744

January 23, 2024

Ms. Molly C. Dwyer  
Clerk of Court, Office of the Clerk  
U.S. Court of Appeals for the Ninth Circuit  
P.O. Box 193939  
San Francisco, CA 94119-3939

**RE: *Susan Soto Palmer, et al. v. Steven Hobbs, et al.*, No. 23-35595  
Fed. R. App. P. 28(j) Letter**

Dear Ms. Dwyer:

Defendant–Appellee State of Washington writes to notify the Court of a recent order issued by the district court in this matter. In its Opposition to Intervenor–Defendants–Appellees’ Motion to Hold Briefing in Abeyance, the State objected to Intervenor’s Motion “unless and until the district court denies Intervenor’s request to add Senator [Nikki] Torres as a Defendant.” DktEntry: 51 at 7. On January 22, 2024 the district court denied Senator Torres’ request as untimely. *See Soto Palmer v. Hobbs*, No. 3:22-cv-05035-RSL, 2024 WL 230251 (W.D. Wash. Jan. 22, 2024). Accordingly, the State no longer takes any position on Intervenor’s pending request for an abeyance (DktEntry: 48).

Respectfully submitted,

*/s/ Andrew R.W. Hughes*  
ANDREW R.W. HUGHES, WSBA #49515  
Assistant Attorney General  
CRISTINA SEPE, WSBA #53609  
Deputy Solicitor General  
*Counsel for Defendant–Appellee State of Washington*