

CASE NUMBER
2520071032
SN:38.0 PC:3

FILED
7/14/2025
Timothy W Fitzgerald
Spokane County Clerk

SUPERIOR COURT OF WASHINGTON IN AND FOR SPOKANE COUNTY

CITY OF SPOKANE VALLEY, a municipal
corporation,

Plaintiff,

v.

ALBERT W. MERKEL, an individual,

Defendant.

NO. 25-2-00710-32

PLAINTIFF'S MOTION TO SHORTEN
TIME TO HEAR MOTION TO STRIKE

Plaintiff City of Spokane Valley ("the City") hereby moves this Court for entry of an order to have Plaintiff's Motion to Strike heard on shortened time. As set forth in the Memorandum in support of Plaintiff's Motion to Strike, filed contemporaneously herewith, the Declaration of Albert W. Merkel in Support of Motion for Protective Order, filed on July 7, 2025 (the "Merkel Declaration"), which is riddled with false assertions, inadmissible hearsay, legal conclusions, speculative testimony, and a host of other evidentiary violations. In short, the Merkel Declaration is nothing more than Defendant's self-serving interpretations of unrelated and uncorroborated incidents that distract from the issues presented on the Motion for Protective Order. For that reason, the City filed its Motion to Strike on July 14, 2025. Because the City's Motion to Strike will critically impact the Motion for Protective Order, they must be heard together. Therefore, good cause exists to have the City's Motion to Strike heard on shortened time.

PLAINTIFF'S MOTION TO SHORTEN TIME TO HEAR
MOTION TO STRIKE: 1

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1 DATED this 14th day of July, 2025.

2 LUKINS & ANNIS, P.S.

3
4 By 

5 MICHAEL J. HINES, WSBA #19929

6 REID G. JOHNSON, WSBA #44338

7 ZAINE M. YZAGUIRRE, WSBA #58265

8 *Attorneys for Plaintiff City of Spokane Valley*

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PLAINTIFF'S MOTION TO SHORTEN TIME TO HEAR
MOTION TO STRIKE: 2

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of July, 2025, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to all entities as follows:

Patrick J. Kirby
Patrick J. Kirby Law Office, PLLC
4353 S. Greystone Lane
Spokane, WA 99223
pkirby@pkirbylaw.com

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Via E-Filing
☒ Via Email

Attorney for Defendant

LUKINS & ANNIS, P.S.


KIRSTEN PRICE, Legal Assistant

PLAINTIFF'S MOTION TO SHORTEN TIME TO HEAR
MOTION TO STRIKE: 3

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