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Case Number: 20-2-18442-0
Case Title: PETA vs UNIVERSITY OF WASHINGTON
Firm ID: Allied Law Group L
Association: Attorney for Petitioner/Plaintiff
Date: 12/30/2020
Name: Michele Earl-Hubbard

King County Superior Court Clerk's Office E Filing Confirmation Receipt

Case Number: 20-2-18442-0 SEA
Case Title: PETA vs UNIVERSITY OF WASHINGTON
Submitted By: Michele Earl-Hubbard
Bar Number: 26454
User ID: EARLMALG
Submitted Date/Time: 12/30/2020 11:19:06 AM
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Payment Reference: 86464011
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DOCUMENTS

Document Type: PUBLIC RECORDS ACT COMPLAINT
File Name: 2020-12-30 FINAL COMPLAINT WO ATTACHMENTS.pdf
Attachment(s): Exhibit A. PRR 00970 (00363356xB39F9).pdf
Exhibit B. PRR 00409 Org Charts_ Dave Anderson (00363311xB39F9).pdf
Exhibit C. PRR 00558 Buffalo Videos (00363312xB39F9).pdf
Exhibit D. PRR 00607 Progress Reports (00363313xB39F9).pdf
Exhibit E. PRR 00621 IACUC members (00363314xB39F9).pdf
Exhibit F. PRR 00641 Fetz videos (00363315xB39F9).pdf
Exhibit G. PRR 00660 Animal records (00363317xB39F9).pdf
Cost: \$0.00

Document Type: CASE INFORMATION COVER SHEET
File Name: cics.pdf
Cost: \$0.00

Document Type: ORDER SETTING CASE SCHEDULE
File Name: schedule.pdf
Cost: \$0.00

Printed On:

12/30/2020 11:26:41 AM

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**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN ANDFOR KING COUNTY**

PEOPLE FOR THE ETHICAL TREATMENT
OF ANIMALS,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON,

Defendant

Case No.

COMPLAINT - FOR PUBLIC RECORDS
ACT VIOLATIONS

COMES NOW Plaintiff, People for the Ethical Treatment of Animals (“PETA”), and
for its cause of action against Defendant, The University of Washington (“UW”), alleges as
follows:

I. INTRODUCTION

1. UW has a long history of violating laws intended to protect the welfare of animals
used for research at its Washington National Primate Center (“WaNPRC”). Violations of the
federal Animal Welfare Act include monkeys who have died from strangulation, dehydration,
starvation, injuries by psychologically-impaired monkeys, and substandard veterinary care.
Recent video also documents monkeys, who are highly social animals, housed alone in small,
barren metal cages, and exhibiting stereotypical behaviors indicative of extreme stress. Many of
these monkeys have been confined in such conditions for years and subjected to painful

1 **III. JURISDICTION AND VENUE**

2 9. This Court has jurisdiction over this action and power to grant the requested relief
3 pursuant to RCW 42.56.550.

4 10. Venue is proper in King County pursuant to RCW 42.56.550(2).

5 **IV. STATEMENT OF FACTS**

6 **A. First Request: December 19, 2019.**

7 11. On December 19, 2019, PETA submitted a request for four categories of public
8 records pertaining to internal communications about the WaNPRC’s Arizona breeding colony,
9 census data, specified breeding grant applications, and the National Institutes of Health (NIH)
10 base grant awarded to WaNPRC. (“First Request,” UW reference number PR-2019-00970,
11 Exhibit A hereto).

12 12. On or about July 20, 2020 and December 7, 2020, UW provided records it
13 characterized as “partially responsive” to the First Request.

14 13. To date, UW has not provided a complete response to the First Request nor a
15 reasonable estimate of when such response will be completed, in violation of the PRA. Although
16 UW has provided estimated response dates, the estimates were not reasonable and UW has
17 repeatedly extended and failed to comply with its own estimates. Further, UW has not identified
18 any exemption that it contends applies to any records responsive to the First Request.

19 **B. Second Request: June 3, 2020.**

20 14. On June 3, 2020, PETA submitted a public records request for two organizational
21 charts, a single record that provides the name and title of the UW official responsible for the
22 proper functioning of the institution’s Program of Animal Care and Use required by the NIH,
23 and communications pertaining to the removal of an experimenter as the Principal Investigator
24

1 for a particular WaNPRC grant. (“Second Request,” UW reference number PR-2020-00409,
2 Exhibit B hereto).

3 15. On or about October 9, 2020, UW provided records it characterized as “partially
4 responsive” to the Second Request. On or about December 8, 2020, UW provided records it
5 characterized as a final response to the Second Request. UW has advised that the Second
6 Request is “closed”.

7 16. Upon information and belief, to date, UW failed to conduct an adequate search
8 and failed to provide all records responsive to the Second Request, in violation of the PRA, and
9 UW has not identified any exemption that it contends applies to any records responsive to the
10 Second Request.

11 **C. Third Request: August 11, 2020.**

12 17. On August 11, 2020, PETA submitted a public records request for photographs
13 and videos generated pursuant to three identified NIH grants (“Third Request,” UW reference
14 number PR-2020-00558, Exhibit C hereto).

15 18. On or about December 22, 2020, UW provided some videos responsive to the
16 Third Request. UW has advised that the Third Request is “closed”.

17 19. Upon information and belief, to date, UW failed to conduct an adequate search
18 and failed to provide all records responsive to the Third Request in violation of the PRA, and
19 UW has not identified any exemption that it contends applies to any records responsive to the
20 Third Request.

21 **D. Fourth Request: September 2, 2020.**

22 20. On September 2, 2020, PETA submitted a public records request for progress
23 reports and quarterly reports submitted by the WaNPRC to the NIH, a single document prepared
24 by the NIH in response to the removal of restrictions on a Notice of Award to WaNPRC, and an

1 email and letter sent by the NIH in which concerns were expressed about institutional support
2 for the WaNPRC. (“Fourth Request,” UW reference number PR-2020-00607, Exhibit D hereto).

3 21. On or about December 22, 2020, UW provided some documents responsive to
4 the Fourth Request. UW has advised that the Fourth Request is “closed”.

5 22. Upon information and belief, to date, UW failed to conduct an adequate search
6 and failed to provide all records responsive to the Fourth Request in violation of the PRA, and
7 UW has not identified any exemption that it contends applies to any records responsive to the
8 Fourth Request.

9 **E. Fifth Request: September 3, 2020.**

10 23. On September 3, 2020, PETA submitted a public records request for a single
11 document that identifies by name each of the UW’s Institutional Animal Care and Use
12 Committee members each month during a 4-year period, their position, title, and NIH Public
13 Health Service Policy membership role. (“Fifth Request,” UW reference number PR-2020-
14 00621, Exhibit E hereto).

15 24. On September 9, 2020, UW provided one document purportedly responsive to
16 the Fifth Request. The document UW provided, however, was not responsive. On or about
17 December 17, 2020, UW provided a second document that also was not responsive. UW has
18 advised that the Fifth Request is “closed.”

19 25. Upon information and belief, to date, UW failed to conduct an adequate search
20 and failed to provide all records responsive to the Fifth Request, in violation of the PRA, and
21 UW has not identified any exemption that it contends applies to any records responsive to the
22 Fifth Request.

1 **F. Sixth Request: September 10, 2020.**

2 26. On September 10, 2020, PETA submitted a public records request for
3 photographs and videos generated pursuant to two identified NIH grants. (“Sixth Request,” UW
4 reference number PR-2020-00641, Exhibit F hereto).

5 27. To date, UW has not provided any records to PETA responsive to the Sixth
6 Request nor a reasonable estimate of when such response will be completed, in violation of the
7 PRA. Although UW has provided estimated response dates, the estimates were not reasonable
8 and UW has repeatedly extended and failed to comply with its own estimates. Further, UW has
9 not identified any exemption that it contends applies to any records responsive to the Sixth
10 Request.

11 **G. Seventh Request: September 16, 2020.**

12 28. On September 16, 2020, PETA submitted a public records request for veterinary
13 records pertaining to four macaques and a single identified PowerPoint presentation (“Seventh
14 Request,” UW reference number PR-2020-00660, Exhibit G hereto).

15 29. To date, UW has not provided any records to PETA responsive to the Seventh
16 Request nor a reasonable estimate of when such response will be completed, in violation of the
17 PRA. Although UW has provided estimated response dates, the estimates were not reasonable
18 and UW has repeatedly extended and failed to comply with its own estimates. Further, UW has
19 not identified any exemption that it contends applies to any records responsive to the Seventh
20 Request.

21 **V. CLAIMS**

22 **A. COUNT ONE**

23 30. PETA repeats the allegations of the preceding paragraphs as if fully set forth
24 herein.

1 31. UW violated the PRA by failing to promptly identify and provide all records
2 responsive to the First Request.

3 32. UW's pattern and course of conduct, particularly when considered in its totality
4 and in the context of its ongoing further disregard of PETA's other six Requests, indicates that
5 UW deliberately stifled PETA's prompt and complete access to information and was in bad faith.

6 33. PETA seeks a declaratory judgment in favor of PETA and against UW,
7 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
8 PETA all records responsive to the First Request; award PETA all costs, including reasonable
9 attorney's fees, incurred in connection with its efforts to obtain the records responsive to the
10 First Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties pursuant
11 to RCW 42.56.550(4) of \$100 per page per day from the date of the request until the date UW
12 provides all the records responsive to the First Request.

13 **B. COUNT TWO**

14 34. PETA repeats the allegations of the preceding paragraphs as if fully set forth
15 herein.

16 35. UW violated the PRA by failing to promptly identify and provide all records
17 responsive to the Second Request. UW's pattern and course of conduct, particularly when
18 considered in its totality and in the context of its ongoing further disregard of PETA's other six
19 Requests, indicates that UW deliberately stifled PETA's prompt and complete access to
20 information and was in bad faith.

21 36. PETA seeks a declaratory judgment in favor of PETA and against UW,
22 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
23 PETA all records responsive to the Second Request; award PETA all costs, including reasonable
24 attorney's fees, incurred in connection with its efforts to obtain the records responsive to the

1 Second Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties
2 pursuant to RCW 42.56.550(4) of \$100 per page per day from the date of the request until the
3 date UW provides all records responsive to the Second Request.

4 **C. COUNT THREE**

5 37. PETA repeats the allegations of the preceding paragraphs as if fully set forth
6 herein.

7 38. UW violated the PRA by failing to promptly identify and provide all records
8 responsive to the Third Request.

9 39. UW's pattern and course of conduct, particularly when considered in its totality
10 and in the context of its ongoing further disregard of PETA's other six Requests, indicates that
11 UW deliberately stifled PETA's prompt and complete access to information and was in bad faith.

12 40. PETA seeks a declaratory judgment in favor of PETA and against UW,
13 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
14 PETA all records responsive to the Third Request; award PETA all costs, including reasonable
15 attorney's fees, incurred in connection with its efforts to obtain the records responsive to the
16 Third Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties pursuant
17 to RCW 42.56.550(4) of \$100 per page or image per day from the date of the request until the
18 date UW provides all records responsive to the Third Request.

19 **D. COUNT FOUR**

20 41. PETA repeats the allegations of the preceding paragraphs as if fully set forth
21 herein.

22 42. UW violated the PRA by failing to promptly identify and provide all records
23 responsive to the Fourth Request.

1 43. UW’s pattern and course of conduct, particularly when considered in its totality
2 and in the context of its ongoing further disregard of PETA’s other six Requests, indicates that
3 UW deliberately stifled PETA’s prompt and complete access to information and was in bad faith.

4 44. PETA seeks a declaratory judgment in favor of PETA and against UW,
5 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
6 PETA all records responsive to the Fourth Request; award PETA all costs, including reasonable
7 attorney’s fees, incurred in connection with its efforts to obtain the records responsive to the
8 Fourth Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties
9 pursuant to RCW 42.56.550(4) of \$100 per page per day from the date of the request until the
10 date UW provides all the records responsive to the Fourth Request.

11 **E. COUNT FIVE**

12 45. PETA repeats the allegations of the preceding paragraphs as if fully set forth
13 herein.

14 46. UW violated the PRA by failing to promptly identify and provide all records
15 responsive to the Fifth Request.

16 47. UW’s pattern and course of conduct, particularly when considered in its totality
17 and in the context of its ongoing further disregard of PETA’s other six Requests, indicates that
18 UW deliberately stifled PETA’s prompt and complete access to information and was in bad faith.

19 48. PETA seeks a declaratory judgment in favor of PETA and against UW,
20 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
21 PETA all records responsive to the Fifth Request; award PETA all costs, including reasonable
22 attorney’s fees, incurred in connection with its efforts to obtain the records responsive to the
23 Fifth Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties pursuant
24

1 to RCW 42.56.550(4) of \$100 per page per day from the date of the request until the date UW
2 provides all the records responsive to the Fifth Request.

3 **F. COUNT SIX**

4 49. PETA repeats the allegations of the preceding paragraphs above as if fully set
5 forth herein.

6 50. UW violated the PRA by failing to promptly identify and provide all records
7 responsive to the Sixth Request.

8 51. UW's pattern and course of conduct, particularly when considered in its totality
9 and in the context of its ongoing further disregard of PETA's other six Requests, indicates that
10 UW deliberately stifled PETA's prompt and complete access to information and was in bad faith.

11 52. PETA seeks a declaratory judgment in favor of PETA and against UW,
12 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
13 PETA all records responsive to the Sixth Request; award PETA all costs, including reasonable
14 attorney's fees, incurred in connection with its efforts to obtain the records responsive to the
15 Sixth Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties pursuant
16 to RCW 42.56.550(4) of \$100 per page or image per day from the date of the request until the
17 date UW provides all the records responsive to the Sixth Request.

18 **G. COUNT SEVEN**

19 53. PETA repeats the allegations of the preceding paragraphs as if fully set forth
20 herein.

21 54. UW violated the PRA by failing to promptly identify and provide all records
22 responsive to the Seventh Request.

1 55. UW's pattern and course of conduct, particularly when considered in its totality
2 and in the context of its ongoing further disregard of PETA's other six Requests, indicates that
3 UW deliberately stifled PETA's prompt and complete access to information and was in bad faith.

4 56. PETA seeks a declaratory judgment in favor of PETA and against UW,
5 determining and declaring that UW has violated the PRA; ordering UW to promptly provide
6 PETA all records responsive to the Seventh Request; award PETA all costs, including reasonable
7 attorney's fees, incurred in connection with its efforts to obtain the records responsive to the
8 Seventh Request, as provided in RCW 42.56.550(4); and award PETA monetary penalties
9 pursuant to RCW 42.56.550(4) of \$100 per page per day from the date of the request until the
10 date UW provides all the records responsive to the Seventh Request.

11 **VI. PRAYER FOR RELIEF**

12 WHEREFORE, the Plaintiff People for the Ethical Treatment of Animals prays for
13 judgment against Defendant as follows:

14 A. Enter a declaratory judgment in favor of PETA and against UW, determining
15 and declaring that UW has violated the PRA by wrongfully failing to respond to the Requests,
16 and/or performing an inadequate search, and/or providing an inadequate and delayed response,
17 and/or withholding public records in response to the Requests;

18 B. Order the Defendant to promptly provide Plaintiff the records requested in each
19 of its seven PRA requests discussed herein.

20 C. Award Plaintiff all costs, including reasonable attorney's fees, incurred in
21 connection with this action and efforts to obtain the records, as provided in RCW 42.56.550(4).

1 D. Award Plaintiff monetary penalties pursuant to RCW 42.56.550(4) of \$100 per
2 page per day from the date of the request until the date Defendant provides all the records
3 responsive to the Requests.

4 E. For such other relief as the Court deems just.

5 Dated: December 30, 2020

6 ALLIED LAW GROUP LLC

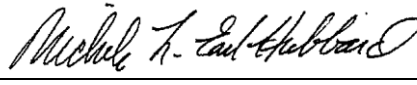
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8 By 
9 Michele Earl-Hubbard, WSBA No. 26454
10 Attorneys for Plaintiff People for the Ethical
11 Treatment of Animals
12 P.O. Box 33744
13 Seattle, WA 98133
14 (206) 443-0200 – Telephone
15 (206) 428-7169 – Facsimile
16 michele@alliedlawgroup.com
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EXHIBIT A

Dr. Lisa Jones-Engel

From: Dr. Alka Chandna
Sent: Thursday, December 19, 2019 12:38 PM
To: PUBLIC RECORDS OFFICE
Subject: Public records request from PETA re WaNPRC:

December 19, 2019

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

I hope this correspondence finds you well. This request is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

For the period from January 1, 2009 through December 31, 2012 we are requesting copies of the following items:

1. Any and all communications, including but not limited to letters, memoranda, notes of conversations, reports, lease agreements, business plans, site inspections, spreadsheets, emails and text messages between Dr. David M. Anderson, Director of the Washington National Primate Research Center (WaNPRC), Dr. D. Rick Lee, Associate Director of Primate Resources, WaNPRC, Gail Ellingson, Assistant Director, Facilities and Planning, WaNPRC, Peggy Smith, Assistant Director, Center Programs, WaNPRC, Joseph Delaney Associate Director Finance & Administration, WaNPRC and Dr. James Ha, WaNPRC that pertain to the acquisition, leasing and/or management of the WaNPRC's Arizona Breeding Colony (ABC), located in Mesa, Arizona. This facility was formally known as the Primate Foundation of Arizona.

Also, for the period from January 1, 2009, to the date of fulfillment, we are requesting copies of the following items:

1. Monthly primate colony census data including demographic data (e.g. age class, sex), number of pregnancies, live births and deaths for each of the WaNPRC *Macaca nemestrina* breeding colonies including:
 - a. the colony maintained at the Tulane National Primate Research Center (TNPRC) in Covington, LA
 - b. the colony maintained at the New Iberia Research Center (NIRC) in New Iberia, LA
 - c. the colony maintained at SNBL USA Scientific Research Center (SRC), now known as Orient BioResource Center in Alice, Texas
 - d. the colony maintained at the Arizona Breeding Colony (ABC) in Mesa, AZ

Additionally, we are requesting copies of the most recent 5-year renewal application, summary statement and responses for WaNPRC's P51 base grant:

1. A copy of the complete 2016 P51OD010425-56 renewal application, entitled "WASHINGTON NATIONAL PRIMATE RESEARCH CENTER" Principal Investigator David M. Anderson
2. A copy of the complete P51OD010425-56 Summary Statement prepared by the ZRG1 Special Emphasis Panel and provided to WaNPRC
3. A copy of the complete WaNPRC response to the Summary Statement prepared for P51OD010425-56

And finally, for the period 2002 to present, we are requesting copies of the following items:

1. Complete copies of U42RR018114 "WANPRC MACACA NEMESTRINA SPF BREEDING COLONY" applications, including all supplemental applications, for the years 2002-2011
2. Complete copies of U42OD011123 "WANPRC MACACA NEMESTRINA SPF BREEDING COLONY" applications including all supplemental applications for the years 2012 to present.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (757-803-6447) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Sincerely,

Alka Chandna, Ph.D.
Vice President
Laboratory Investigations Cases
People for the Ethical Treatment of Animals
1536 16th Street NW, Washington, DC 20036
(757) 803-6447 | AlkaC@peta.org

EXHIBIT B

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Wednesday, June 3, 2020 1:23 PM
To: pubrec@uw.edu
Subject: PRR PETA
Attachments: PRR UW HSA 20200602.pdf

June 2, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

I hope this correspondence finds you well. This request is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

- 1) Please provide us with an up to date copy of the:
 - a. Health Sciences and Medical Affairs Organizational Chart
 - b. Health Sciences Administration Organizational Charteach of which includes the names and titles of personnel and divisions/departments.
- 2) Please provide a single record that indicates the name and title of the Institutional Official who as of May 26, 2020 has the authority to speak for and legally commit the institution to compliance with the requirements of the federal regulations regarding the involvement of animal subjects in research. This Institutional Official is responsible for the proper functioning of the University's animal care and use program.
- 3) Please provide us any and all communications, including but not limited to letters, memoranda, notes of conversations, reports, emails and text messages associated with the removal of David M. Anderson as the Principal Investigator for the Washington National Primate Research Center grant P51OD010425

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (757-803-6447) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Sincerely,

Lisa Jones-Engel, PhD

Senior Science Advisor, Primate Experimentation

Laboratory Investigations Department

People for the Ethical Treatment of Animals

LisaJE@peta.org

206.372.6190

EXHIBIT E

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Tuesday, August 11, 2020 5:12 PM
To: PUBLIC RECORDS OFFICE
Subject: 20200811 PRR Elizabeth Buffalo Videographic and Photographic Records

August 11, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

I hope this correspondence finds you well. This request for public records is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

For the period from Jan 1, 2013, to the present, I am requesting copies of all videographic and photographic records of nonhuman primates generated as part of research projects,

- a. **R01MH080007** NEURONAL SYNCHRONIZATION IN THE MEDIAL TEMPORAL LOBE AND MEMORY FORMATION
- b. **R01MH093807** THE NEURAL BASIS OF RELATIONAL MEMORY
- c. **P51OD010425** WASHINGTON NATIONAL PRIMATE RESEARCH CENTER

conducted by Elizabeth A Buffalo. Dr. Buffalo is Professor of Physiology and Biophysics at the University of Washington School of Medicine and Chief of the Neuroscience Division at the Washington National Primate Research Center.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (206-372-6190) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Sincerely,



Lisa Jones-Engel, PhD
Senior Science Advisor, Primate Experimentation
Laboratory Investigations Department
People for the Ethical Treatment of Animals
1536 16th Street NW, Washington, DC 20036
(206) 372-6190 | LisaJE@peta.org

EXHIBIT F

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Wednesday, September 2, 2020 9:56 AM
To: pubrec@uw.edu
Cc: Dr. Lisa Jones-Engel
Subject: PRR WaNPRC Reports to and from ORIP

September 2, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

This request for public records is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

For the period from Jan 1, 2018, to the present, I am requesting copies of the following:

- a. Progress reports from the University of Washington, Washington National Primate Research Center (WaNPRC) submitted to the Office of Research Infrastructure Programs (ORIP), National Institutes of Health (NIH);
- b. The Development Action Plan prepared by ORIP and sent to WaNPRC in response to the removal of restrictions on WaNPRC's Notice of Award issued on 07/25/2018;
- c. Quarterly reports prepared by WaNPRC and delivered to the National Scientific Advisory Board, or the Principal Investigator for the WaNPRC P51 base grant or ORIP;
- d. Copy of the email and letter from Sheri Hild (NIH/OD) sent to David M. Anderson, on Tuesday May 29, 2018 in which she expressed the concerns that the Office of Research Infrastructure Programs (ORIP), NIH has regarding the institutional support for the Washington National Primate Research Center (WaNPRC).

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (757-803-6447) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Sincerely,

Lisa Jones-Engel, PhD

Senior Science Advisor, Primate Experimentation

Laboratory Investigations Department

People for the Ethical Treatment of Animals

LisajE@peta.org

206.372.6190

EXHIBIT G

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Thursday, September 3, 2020 1:21 PM
To: pubrec@uw.edu
Subject: PRR UW IACUC Composition
Attachments: Example UW IACUC monthly composition.pdf

September 3, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

This request for public records is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

For the period from January 1, 2017 to the present, please provide a single document that indicates, for each month, the name of each of the University of Washington's Institutional Animal Care and Use Committee members, their position title and Public Health Service (PHS) Policy Membership Role.

Attached is a sample document from February 2020 although we believe that the format has changed over the years. If you have any questions about exactly what information is responsive to the request please contact me at the number below.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (206-372-6190/907-855-1767) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Lisa Jones-Engel, PhD
Senior Science Advisor, Primate Experimentation
Laboratory Investigations Department
People for the Ethical Treatment of Animals
LisaJE@peta.org
206.372.6190

EXHIBIT H

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Thursday, September 10, 2020 3:15 PM
To: PUBLIC RECORDS OFFICE
Subject: PRR Eberhard Fetz videographic/photographic images

September 10, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

This request for public records is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

For the period from Jan 1, 2007, to the present, I am requesting copies of all videographic and photographic records, excluding neural recordings, electrophysiological or brain imaging data, of nonhuman primates generated as part of research projects,

- a. P51 RR000166 BRAIN COMPUTER INTERFACE FOR PRIMATES
- b. R01 NS012542 NEURAL CONTROL OF MUSCLE ACTIVITY

conducted by Eberhard E Fetz. Dr. Fetz is Professor of Physiology and Biophysics at the University of Washington (UW) School of Medicine and an Adjunct Professor, Department of Bioengineering in the UW College of Engineering and UW Medicine and a Core Staff Scientist in the Washington National Primate Research Center.

To be precise, I am interested in photos or videos that show the nonhuman primates *themselves*, and not photos or videos of neurons or other cellular, electrophysiological, or brain imaging data. I would be interested in a photo or a video *of* a nonhuman primate that was taken *during* such recordings, but not the recordings themselves. I am happy to discuss the matter via phone if the request is unclear.

Prior to the collection and copying of these videographic and photographic records please contact and advise me on how many videos/photos would be generated as part of this public records request.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees

are expected to exceed \$50.00, please notify me to this effect by phone (206-372-6190/907-855-1767) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Sincerely,

Lisa Jones-Engel, PhD

Senior Science Advisor, Primate Experimentation

Laboratory Investigations Department

People for the Ethical Treatment of Animals

LisaJE@peta.org

206.372.6190

EXHIBIT I

Dr. Lisa Jones-Engel

From: Dr. Lisa Jones-Engel
Sent: Wednesday, September 16, 2020 4:49 PM
To: PUBLIC RECORDS OFFICE
Subject: PRR for veterinary clinical records and PP presentations

September 16, 2020

Eliza A. Saunders, Director
Public Records and Open Meetings
University of Washington
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

Via email: pubrec@uw.edu

Dear Ms. Saunders,

I hope this correspondence finds you well. This request for public records is made on behalf of People for the Ethical Treatment of Animal (PETA), pursuant to Washington's Public Records Act, Wash. Rev. Code Secs. 42.56.001 to 42.56.904.

I am requesting copies of the following:

1. The complete veterinary clinical record and pathology and/or necropsy record/report from the University of Washington, Washington National Primate Research Center (WaNPRC) for the following macaques:
 - a. Z07023
 - b. Z16358
 - c. Z14141
 - d. Z13022
2. PowerPoint presentations given by WaNPRC personnel at the Breeding Colony Management Consortium in 2019 and/or 2020. Note that I am specifically requesting that you provide the PowerPoint presentations, not PDF copies of the presentations.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

PETA is prepared to pay a reasonable search and duplication fee for the fulfillment of this request up to the amount of \$50.00, but kindly asks that such fees be waived in light of our non-profit status and the fact that the records in question are of considerable public interest. If the aforementioned request for a waiver or reduction of fees is denied and fees are expected to exceed \$50.00, please notify me to this effect by phone (907-855-1767/ 206-372-6190) or via email before this request is processed.

Thank you for your attention. I look forward to your response.

Lisa Jones-Engel, PhD

Senior Science Advisor, Primate Experimentation

Laboratory Investigations Department

People for the Ethical Treatment of Animals

LisaJE@peta.org

206.372.6190