

# Lee R. Marchisio

## ASSOCIATE



### SEATTLE

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### SERVICES

Municipal Government

Constitutional Law &  
Statutory Rights

Litigation & Dispute  
Resolution

Ports

Public Finance

School Districts

### PRACTICE OVERVIEW

Lee's practice focuses on general municipal law and public finance. He serves as bond counsel to school districts, fire protection districts, water-sewer districts, cities, towns and other local governments throughout Washington. Lee also provides general representation on public law issues, including entity formation, governance, state and local taxes and fees, municipal-owned utilities, elections and open government. He has represented local governments in bond validation actions, local improvement district assessment appeals, Public Disclosure Commission proceedings and open government lawsuits.

### RECOGNITION

– Order of the Coif

### ACTIVITIES

– International Community Health Services, Board Member, 2017-Present

### QUOTED

– [“Unpacking Government: What Are the Limits of Executive Power?”](#) KNKX, March 2017

### PUBLICATIONS

– Lee Marchisio is a contributor to Foster Pepper's Local Open Government Blog. Check out the latest news in this fast-changing area at:

<http://www.localopengovernment.com>.

+ [“No Right of Access to Security Video Footage Revealing Security Capacity for Surveillance System,”](#) December 2016

+ [“Sunshine Committee 2016 Recommendations to Washington Legislature,”](#) November 2016

+ [“In a 5-4 decision, the Washington Supreme Court unscrews the hinges from the already open door on PRA penalties,”](#) March 2016

- + ["Open Meetings Laws Not Applicable To Informal Discussion Groups,"](#) October 2015
  - + ["No Privacy Interest In Employee's Identity Connected To Existence Of Investigation When Allegations Are Not Described,"](#) April 2015
  - + ["Recent PRA Litigation Missteps: Abandoned Claims, False Starts,"](#) October 2014
  - + ["Case Law Update: "fullest assistance," redactions for effective law enforcement, disclosure of non-agency phone logs,"](#) September 2014
  - + ["Anti-SLAPP Statute Held Inapplicable to PRA Injunction Actions that Do Not Primarily Seek to Limit Protected Activities,"](#) February 2014
  - + ["Constitutional Separation of Powers Protects Gubernatorial Decision Making,"](#) October 2013 ["The Record Counts: Properly Asserting and Explaining PRA Exemptions Before and During Litigation,"](#) August 2013
  - + ["Under the PRA, Non-Physicians are Peers of Physicians,"](#) April 2013
  - + ["Production on a "Partial or Installment Basis" Also Means Just One Production,"](#) February 2013
  - + ["Pace of PRA Legislation Mirrors PRA Requests,"](#) February 2013
  - + ["Washington's Constitution Guarantees Public Access to Court Documents When Relevant to a Motion Actually Decided,"](#) January 2013
  - + ["Arkansas FOIA: Soliciting Individual Board Approval Constitutes a Meeting, Providing Background Information Does Not,"](#) January 2013
  - + ["Metadata: You \[Only\] Get What You Ask For,"](#) November 2012
  - ["Washington Supreme Court Levels the Playing Field in Real Estate and Land Use Litigation,"](#) Co-author, Foster Pepper News Alert, June 2015
  - ["Executive Privilege Under Washington's Separation of Powers Doctrine,"](#) Author, 87 Wash. L. Rev. 813, October 2012
- \* This article was cited by Washington State Supreme Court Justice Jim Johnson, dissenting, in *Freedom Foundation v. Gregoire* (2013).

## PRESENTATIONS

- "Bond Basics," Speaker, Washington Fire Commissioners Association Legal Committee, October 2018
- ["What You Need to Know...About What You Can and Cannot Do During a Ballot Measure Election,"](#) Speaker, Tri-Cities Municipal Government & Public Finance Seminar, July 2018
- "District Resolution Writing," Speaker, Washington Association of School Business Officials Annual Conference, May 2018
- ["Public Records Act Update on Personnel Records,"](#) Speaker, 36<sup>th</sup> Annual Civil Service Conference, September 2017
- "Public Records Act Training," Co-presenter, Association of Washington Housing Authorities webinar, November 2014
- "Open Public Meetings Act Training," Co-presenter, Association of Washington Housing Authorities webinar, August 2014
- "Public Records Requests: Disclosure with a Positive Attitude," Speaker, Association of Washington Housing Authorities (AWHA) Meeting, April 2013
- "Executive Privilege and Washington's Separation of Powers Doctrine," Speaker, The Legislative Process: Insights Into How it Really Works and Tools to Help You Navigate the Process, September 2012

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## EXPERIENCE

- Foster Pepper PLLC
  - + Associate, 2012-Present
  - + Summer Associate, 2011
- T-Mobile USA, Legal Extern, 2010
- Office of Governor Christine Gregoire
  - + Outreach Director, 2008-2009
  - + Public Liaison Officer, 2005-2007

## BAR ADMISSIONS

- Washington, 2012

## EDUCATION

- J.D., University of Washington School of Law (with high honors), 2012
  - + Washington Law Review, Associate Editor-in-Chief
  - + Puget Sound Area Minority Clerkship Program Recipient, 2010
- B.A., University of Washington (*cum laude*), 2003