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7 **SUPERIOR COURT OF WASHINGTON, COUNTY OF SAN JUAN**

8 CLARE LINN WELKER and ABIGAIL  
9 METZGER WELKER, Trustees of the Big  
10 Sky Trust UDT 11-14-2002,  
11 Plaintiffs,

12 v.

13 MOUNT DALLAS ASSOCIATION, a  
14 Washington non-profit corporation; et al.,  
15 Defendants.

**NO. 15-2-05069-0**

**DECLARATION OF SUSAN D.  
ALLEN IN OPPOSITION TO  
PLAINTIFFS' MOTION TO  
STRIKE**

16 I, Susan D. Allen, declare as follows:

17 I am over the age of 18 and I am competent to be a witness in this lawsuit. I make the  
18 following statements based upon my personal knowledge.

19 1. I am the President of Mount Dallas Association, and have been on the Board of  
20 Directors since August 2012.

21 2. I make this Declaration in opposition to the Plaintiffs' motion to strike the  
22 Association's motion for partial summary judgment.

23 3. I testify herein as to the Association's records and communications, my  
24 knowledge of which is based upon my personal involvement and careful review of the  
25 Association's records.

26 4. In their motion to strike, the Plaintiffs acknowledge the adequacy of the  
27 Association's service upon themselves, upon the San Juan Preservation Trust, and upon Rikki  
28 Swin.

1           5.       However, they raise the issue of the adequacy of the Association's service of  
2 process upon two remaining classes of defendants: those who have appeared and / answered,  
3 and those who have not appeared or answered.

4           6.       When the Plaintiffs commenced this lawsuit and named as Defendants and served  
5 all 84 property-owners and the Association, there arose the issue of the best way to serve all  
6 parties with the Association's legal documents, as required by law.

7           7.       With respect to those remaining named parties who appeared and / or answered,  
8 the Association reached agreements with them to the effect that the Association may serve them  
9 by posting the relevant documents on the Association's website or via email.

10          8.       Attached as Exhibit A hereto is a series of emails confirming the existence of such  
11 agreements.

12 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is  
13 true and correct.

14  
15                   DATED THIS 11<sup>th</sup> day of April 2016.

16                   Signed at Friday Harbor, Washington

17  
18                   

19                   \_\_\_\_\_  
20 Susan D. Allen, President  
21 Mount Dallas Association



Susan Allen <mountdallasassociation@gmail.com>

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## Authorization

1 message

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**Susie Allen** <timandsusanallen@mac.com>

Sun, Apr 10, 2016 at 6:14 PM

To: Mount Dallas Association <mountdallasassociation@gmail.com>

Dear Mount Dallas Association,

We authorize you to serve any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to us via email. We waive any objections to timeliness as to any such posting to date.

James Timothy Allen  
Susan D. Allen

Exhibit A P1



Susan Allen <mountdallasassociation@gmail.com>

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## email authorization

1 message

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**Jim Guard** <guard@rockisland.com>

Fri, Apr 8, 2016 at 12:49 PM

To: Mount Dallas Association <mountdallasassociation@gmail.com>

To: Mt. Dallas Association

We authorize you to send any paperwork regarding the Welker Lawsuit to us by email (guard@rockisland.com) or by posting it on the Mount Dallas Association website. In addition, we have no objection with regard to the timelines of any such postings to date.

Thank you, James & Mary Guard

Exhibit A P.2



Susan Allen <mountdallasassociation@gmail.com>

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## Authorization

1 message

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**Sandra J Hawley** <sanj@centurytel.net>  
To: Susie Allen - MDA <mountdallasassociation@gmail.com>

Wed, Apr 6, 2016 at 2:55 PM

Dear Mount Dallas Association,

I authorize you to serve me any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Sandra Hawley

EXHIBIT A P3



Susan Allen <mountdallasassociation@gtmail.com>

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**email communication**

1 message

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**Florence McAlary** <mcmcmc@rockisland.com>  
To: Mount Dallas Association <mountdallasassociation@gmail.com>

Wed, Apr 6, 2016 at 5:06 PM

Dear Mount Dallas Association,

I authorize you to serve me any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Florence McAlary

Your Name

Exhibit A P. 4





Susan Allen <mountdallasassociation@gmail.com>

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**Service**

1 message

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**JoAnn Ballenger** <patrickballenger@centurytel.net>  
To: mountdallasassociation@gmail.com

Thu, Apr 7, 2016 at 7:04 AM

Dear Mount Dallas Association,

I authorize you to serve me any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Pat Ballenger

EXHIBIT A P. 5

Dear Mount Dallas Association,

We authorize you to serve us any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting it on the Mount Dallas website or by sending it to us by email. We waive any objection to timeliness as to any such posting to date.

Kindly,

Glenn and Diane Kaufman

Exhibit A P6(a)



From: dgkaufman@rockisland.com   
Subject: Emailing: Posting to ddateNew Document  
Date: April 10, 2016 at 8:47 PM  
To: Susie Allen timandsusanallen@me.com

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Your message is ready to be sent with the following file or link attachments:  
Posting to ddateNew Document

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check

your e-mail security settings to determine how attachments are handled.



Exhibit A P 6(b)



Susan Allen <mountdallasassociation@gmail.com>

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## Authorization

1 message

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**John Boyd** <john.boyd@centurytel.net>  
To: Mount Dallas Association <mountdallasassociation@gmail.com>

Wed, Apr 6, 2016 at 4:58 PM

Dear Mount Dallas Association,

We authorize you to serve us any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to us via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

John and Sharon Boyd

Exhibit A P. 7

April 7, 2016

Dear Mount Dallas Association:

I authorize you to serve any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date

Kindly,

A handwritten signature in cursive script, appearing to read "R. Eichler", with a long horizontal flourish extending to the right.

Robert M. Eichler

Exhibit A P 8



Susan Allen <mountdallasassociation@gmail.com>

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**permission**

1 message

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**royce meyerott** <rmeyerott@gmail.com>  
To: Mount Dallas Association <mountdallasassociation@gmail.com>

Wed, Apr 6, 2016 at 2:58 PM

Dear Mount Dallas Association,

I authorize you to serve us any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Royce Meyerott

Lee M Bryant

Exhibit A P. 9



Susan Allen <mountdallasassociation@gmail.com>

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**Bob's revised authorization.**

1 message

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**Sandra J Hawley** <sanj@centurytel.net>  
To: Susie Allen - MDA <mountdallasassociation@gmail.com>

Mon, Apr 11, 2016 at 10:54 AM

Dear Mount Dallas Association,

I authorize you to serve me any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Robert Tauscher

EXHIBIT A P.10



Susan Allen <mountdallasassociation@gmail.com>

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**FW: Authorization to post docs on website or to email**

1 message

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M. Liebman <liebman@centurylink.net>

Mon, Apr 11, 2016 at 11:09 AM

To: Mount Dallas Association <mountdallasassociation@gmail.com>

Dear Mount Dallas Association,

I authorize you to serve me any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. I waive any objections to timeliness as to any such postings to date.

Kindly,

Maurice and Molly Liebman

EXHIBIT A P. 11



Susan Allen <n-mountdallasassociation@gmail.com>

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## Auth

1 message

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**micajah bienvenu** <micajahb@gmail.com>  
To: mountdallasassociation@gmail.com

Mon, Apr 11, 2016 at 11:45 AM

Dear Mount Dallas Association,

We authorize you to serve us any paperwork in the lawsuit brought against us by Clare and Abby Welker by posting them on the Mount Dallas Association website or by sending them to me via email. We waive any objections to timeliness as to any such postings to date.

Kindly,

Micajah Bienvenu and Amy Anderson  
Micajah

Exhibit A P. 12