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NOV 10 2016

JOAN P. WHITE  
SAN JUAN COUNTY, WASHINGTON

SUPERIOR COURT OF WASHINGTON, COUNTY OF SAN JUAN

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

Plaintiffs,

v.

MOUNT DALLAS ASSOCIATION, a  
Washington non-profit corporation; et  
al.,

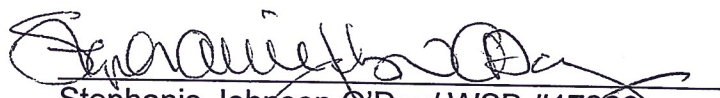
Defendants.

NO. 15-2-05069-0

NOTICE OF LIMITED  
APPEARANCE

PLEASE TAKE NOTICE that attorney Stephanie Johnson O'Day enters a limited appearance on behalf of defendant Mount Dallas Association. Said Appearance is solely for the purpose of bringing and arguing a Motion for Summary Judgment to be heard on February 3, 2017.

DATED this 9<sup>th</sup> day of November, 2016

  
Stephanie Johnson O'Day/ WSB #17266  
Attorney for Defendant Mt. Dallas Association

NOTICE OF LIMITED APPEARANCE - 1

Law Offices of  
Stephanie Johnson O'Day  
Post Office Box 2112  
Friday Harbor, WA 98250  
Phone (360) 378-6278

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Defendants.

NO. 15-2-05069-0

NOTE FOR MOTION

**TO:** The Clerk of the Court

**AND TO:** Christopher I. Brain, Attorney for Plaintiff  
Kathryn C. Loring, Attorney for San Juan Preservation Trust  
Lawrence S. Kartiganer, Attorney for Moss Trust  
Stephen Brandli, Attorney for Rikki Swin  
Mary L. Stone, Attorney for Mount Dallas Association  
Derek L. Mann, Attorney for Mount Dallas Association

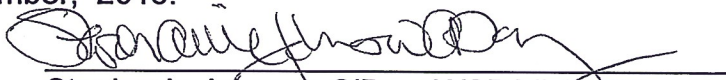
**PLEASE TAKE NOTICE** that an issue of law in this case will be heard on the  
at the time and date below:

**Calendar Date:** Friday, February 3, 2017

**Time:** 1:30 p.m.

**Nature of  
Hearing:** Motion for Partial Summary Judgment

DATED THIS 9th day of November, 2016.

  
Stephanie Johnson O'Day, WSBA# 17266  
Attorney for Defendant Mount Dallas Association

NOTE FOR MOTION - 1

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SUPERIOR COURT OF WASHINGTON, COUNTY OF SAN JUAN

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

NO. 15-2-05069-0

MOTION FOR PARTIAL  
SUMMARY JUDGMENT

v.

MOUNT DALLAS ASSOCIATION, a  
Washington non-profit corporation; et  
al.,

Defendants.

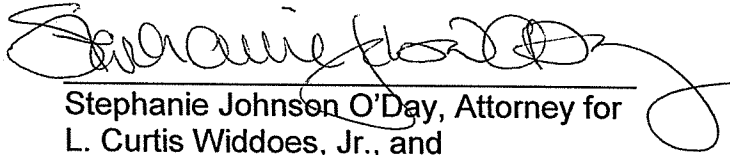
I. MOTION

COMES NOW L. Curtis Widdoes, Jr. and the Mount Dallas Association, by and through attorney Stephanie Johnson O'Day, and join together to bring this motion for partial summary judgment, asking the court to rule as a matter of law on the following issues:

1. Whether a Road Maintenance Agreement which designates the Mount Dallas Association (MDA) as the managing entity for Mount Dallas Road (the Main-Road RMA) is legally binding on those property owners who benefit from access easements over Mount Dallas Road and who have properly and legally executed Joinders to the Main-Road RMA.
2. Whether the MDA has the legal authority to manage, maintain and improve the paved portion of Mount Dallas Road on behalf of those property owners who benefit from access easements over Mount Dallas road and who have properly and legally executed Joinders to the Main-Road RMA.

- 1 3. Whether Road Maintenance Agreements which designate the MDA as the  
2 managing entity for Lower No-Name Road, Kiya Way, Tumac Road, Rascal  
3 Road and Stormridge Road (the Side-Road RMAs) are legally binding on those  
4 property owners who benefit from access easements over said roads and who  
5 have properly and legally executed Joinders to the appropriate Side-Road RMAs.  
6  
7 4. Whether the MDA has the legal authority to manage, maintain and improve  
8 Lower No-Name Road, Kiya Way, Tumac Road, Rascal Road and Stormridge  
9 Road on behalf of those property owners who benefit from access easements  
10 over said roads and who have properly and legally executed Joinders to the  
11 appropriate Side-Road RMAs.  
12

13 Dated this 10<sup>th</sup> day of November, 2016.

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16 Stephanie Johnson O'Day, Attorney for  
17 L. Curtis Widdoes, Jr., and  
18 the Mount Dallas Association.  
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