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

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

8 Plaintiffs,

9 v.

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

Defendants.

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

**Note for Motion**

(Clerk's action required)

13  
14 **To:** The Clerk of the Court

15 **And to:** Christopher I. Brain, Attorney for Plaintiff  
16 Mary L. Stone, Attorney for Mount Dallas Association  
17 Derek L. Mann, Attorney for Mount Dallas Association  
18 Kathryn C. Loring, Attorney for San Juan Preservation Trust  
19 Stephen Brandli, Attorney for Rikki Swin  
20 Lawrence S. Kartiganer, Attorney for Moss Trust

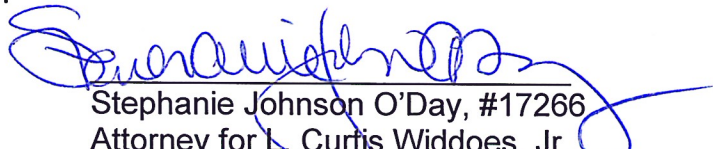
21 **And to:** other parties of record who have appeared.

22 **Calendar Dates and Times:** Thursday, July 27, 2017 3pm (Issues A, B and C)

23 Friday, July 28, 2017 1:30pm (Issues D, E, F & G)

24 **Nature of Hearing:** Defendants Widdoes/MDA Motion for Summary Judgment

25 Dated this 13<sup>th</sup> day of June, 2017.

26   
27 Stephanie Johnson O'Day, #17266  
28 Attorney for L. Curtis Widdoes, Jr.  
and Mount Dallas Association

Note for Motion-1

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

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

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

**WIDDOES/MDA THIRD  
MOTION FOR SUMMARY  
JUDGMENT**

15 L. Curtis Widdoes, Jr., and the Mount Dallas Association ("MDA") have joined  
16 together to bring this Motion for Summary Judgment, asking the Court to declare, as a  
17 matter of law and equity as follows:  
18

- 19 A. ALL BENEFITTED PROPERTY OWNERS SHOULD BE ENTITLED TO VOTE  
20 ON AN ANNUAL BUDGET. MAJORITY RULES.
- 21 B. THE MOUNT DALLAS ASSOCIATION SHOULD BE AFFIRMED AS  
22 MANAGING ENTITY FOR ALL UNTIL OWNERS OF TWO-THIRDS OF ALL  
23 PARCELS VOTE OTHERWISE.
- 24 C. THE MANAGING ENTITY SHOULD HAVE ENFORCEMENT RIGHTS.
- 25 D. THE MDA FORMULA FOR ALLOCATION OF COSTS FOR ROUTINE  
26 GENERAL MAINTENANCE AND PERIODIC RESURFACING SHOULD BE  
27 AFFIRMED AND SHOULD BIND ALL OWNERS.
- 28 E. OWNERS OF UNDEVELOPED PARCELS SHOULD BE ASSESSED AT 25%

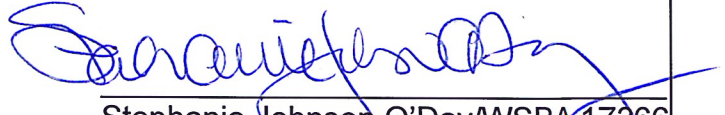
WIDDOES/MDA THIRD MOTION FOR  
SUMMARY JUDGMENT-1

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Phone (360) 378-6278

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2 F. ALL OWNERS SHOULD EQUALLY SHARE OPERATING EXPENSES OF  
3 THE MANAGING ENTITY.

4 G. ALL OWNERS SHOULD BE REQUIRED TO PAY DEPOSITS TO A RESERVE  
5 FUND EARMARKED FOR PERIODIC RESURFACING (INCLUDING  
6 PREPARATION FOR RESURFACING).

7 Dated this 5 day of June, 2017.

8   
9 Stephanie Johnson O'Day/WSBA 17266  
10 Attorney for L. Curtis Widdoes, Jr. and  
11 Mount Dallas Association  
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JUN 12 2017

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  
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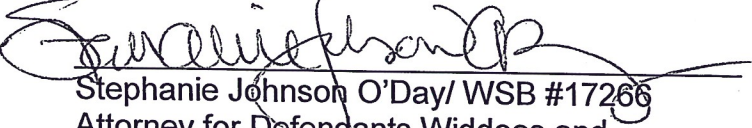
Defendants.

NO. 15-2-05069-0

Notice of Appearance

PLEASE TAKE NOTICE that attorney Stephanie Johnson O'Day enters a full  
appearance on behalf of defendant Mount Dallas Association.

DATED this 9<sup>th</sup> day of June, 2017

  
Stephanie Johnson O'Day/ WSB #17266  
Attorney for Defendants Widdoes and  
Mount Dallas Association

NOTICE OF APPEARANCE - 1

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