

1 SENT ON DECEMBER 30, 2013 FOR FILING IN ISLAND COUNTY SUPERIOR COURT  
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5 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
6 IN AND FOR THE COUNTY OF ISLAND

7 ROBERT WILBUR and DUSTIN  
8 FREDERICK,

9 Plaintiffs,

10 v.

11 ADMIRAL'S COVE BEACH CLUB, a  
12 Washington non-profit corporation; and JEAN  
13 SALLS, MARIA CHAMBERLAIN, KAREN  
14 SHAAK, ROBERT PEETZ, ELSA PALMER,  
15 ED DELAHANTY AND DAN JONES,  
16 individuals,

17 Defendants.

NO. 13-2-00741-4

DECLARATION OF VASUDEV N.  
ADDANKI RE: LEGAL  
MEMORANDUM IN SUPPORT OF  
PROPOSED ORDER SUBMITTED BY  
DEFENDANTS

18 I, Vasudev N. Addanki, hereby certify under penalty of perjury, that the following is true  
19 and correct and within my personal knowledge:

20 1. I am over the age of 18, have personal knowledge of all facts contained in this  
21 declaration and am competent to testify as a witness to those facts.

22 2. I am an attorney with Betts, Patterson & Mines, P.S., the attorneys of record for  
23 defendants Admiral's Cove Beach Club, Jean Salls, Maria Chamberlain, Karen Shaak, Robert  
24 Peetz, and Dan Jones in this matter.

25 ADDANKI DECLARATION RE: LEGAL  
MEMORANDUM IN SUPPORT OF PROPOSED  
ORDER SUBMITTED BY DEFENDANTS

665035.1/122913 2124/77180073

- 1 -

Betts  
Patterson  
Mines  
One Convention Place  
Suite 1400  
701 Pike Street  
Seattle, Washington 98101-3927  
(206) 292-9988

1           3.       Attached as **Exhibit A** is a true and correct copy of a December 20, 2013 e-mail  
2 from plaintiffs' counsel to the undersigned.  
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4           DATED this 29th day of December, 2013, at \_\_\_\_\_, Washington.  
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7 Vasudev N. Addanki  
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ADDANKI DECLARATION RE: LEGAL  
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- 2 -

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1 **CERTIFICATE OF SERVICE**

2 I, Valerie D. Marsh, declare as follows:

3 1) I am a citizen of the United States and a resident of the State of Washington. I am  
4 over the age of 18 years and not a party to the within entitled cause. I am employed by the law  
5 firm of Betts, Patterson & Mines, P.S., whose address is One Convention Place, Suite 1400,  
6 701 Pike Street, Seattle, Washington 98101-3927.

7 2) By the end of the business day on December 30, 2013, I caused to be served upon  
8 counsel of record at the addresses and in the manner described below, the following documents:

- 9 • **Declaration Of Vasudev N. Addanki Re: Legal Memorandum In Support Of**
- 10 **Proposed Order Submitted By Defendants; and**
- 11 • **Certificate of Service.**

12 ***Counsel for Plaintiffs:***

13 Christon C. Skinner  
14 Law Offices of Christon C. Skinner, P.S.  
15 791 SE Barrington Drive  
16 Oak Harbor, WA 98277-3278

- U.S. Mail
- Hand Delivery
- Telefax
- UPS
- E-mail


17 ***Counsel for Defendants Palmer and Delahanty:***

18 Christopher J. Nye  
19 Reed McClure  
20 Two Union Square  
21 601 Union Street, Suite 4901  
22 Seattle, WA 98101-3920

- U.S. Mail
- Hand Delivery
- Telefax
- UPS
- E-mail

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

25 DATED this 30th day of December, 2013.



Valerie D. Marsh

ADDANKI DECLARATION RE: LEGAL  
MEMORANDUM IN SUPPORT OF PROPOSED  
ORDER SUBMITTED BY DEFENDANTS

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(206) 292-9988

**EXHIBIT A**

## Vasu Addanki

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**Subject:** FW: Wilbur vs. ACBC

**From:** Chris Skinner [mailto:Chris@skinnerlaw.net]

**Sent:** Friday, December 20, 2013 3:47 PM

**To:** Vasu Addanki; [cnye@rmlaw.com](mailto:cnye@rmlaw.com)

**Cc:** Diane Marsh; Linda Williams

**Subject:** Wilbur vs. ACBC

Vasu,

Attached to this email you will find a copy of the notice of presentation and proposed order we have filed court today. The link below allows you to retrieve the document from a Dropbox folder.

I noted presentation for December 30. Please let me know if that date presents an issue for you. Obviously, we would like to get this order entered sooner than later.

There is another issue that I think needs to be addressed fairly soon. Last Saturday your board member clients, without notice to the other two board members, (Ms. Erickson's clients) sent out the proposed budget, a notice of the annual meeting to be January 11, and a ballot that is unsigned and unverifiable. My clients are concerned about the fact that any board member with access to the club seal could send in any number of ballots from fictitious voters. My clients are not suggesting that anyone on the board is dishonest or has done anything wrong. But that process, while used in the past, is not compatible with the ACBC bylaws, which specifically require that the board follow Roberts Rules of Order when a particular procedural issue is not specifically addressed by the bylaws. In this situation, Roberts Rules require a voter to either sign the ballot or an outer envelope containing a blank inner envelope in order to validate the ballot. If you are concerned about maintaining anonymity, the latter procedure works for that purpose. This issue was raised in my clients' previously filed declarations and I believe mentioned in the hearing.

Before we have to appear in court again, I suggest that you ask your clients to schedule the annual meeting for a time that allows slate of directors to be elected before the annual meeting occurs. January 18 is a date that my clients believe will work for that purpose. Since the balloting is flawed, there will be a challenge to the election for that reason. We think it makes sense for the board to start over again and use ballots that can be verified, ensuring the integrity of the process and following the requirements of the bylaws and Roberts rules of order.

Thank you.

Christon C. Skinner  
Law Offices of Christon C. Skinner, P.S.  
791 SE Barrington  
Oak Harbor, Wa 98277  
360-679-1240

[https://www.dropbox.com/s/5wd722vd96m1d5k/2013\\_12\\_20\\_13\\_08\\_39.pdf](https://www.dropbox.com/s/5wd722vd96m1d5k/2013_12_20_13_08_39.pdf)

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 0501  
RECIPIENT ADDRESS 13602405530  
DESTINATION ID  
ST. TIME 12/30 08:24  
TIME USE 01'33  
PAGES SENT 6  
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FAX COVER SHEET  
FOR FILING IN THE ISLAND COUNTY SUPERIOR COURT  
OF THE STATE OF WASHINGTON (per OR 17)

**ONLY FOR DOCUMENTS TO BE FILED IN THE COURT FILE-FEE REQUIRED**  
ISLAND COUNTY CLERK (360) 679-7359

Fax Number (360) 240-5530

Date: 12/30/13 For filing in the Cause Number: 13-2-00741-4

Case Caption Wilbur, et al. vs Admiral's Cove Beach Club, et al.

Firm Name (if any): Betts Patterson & Mines Fax Contact: Diane Marsh

Phone Number (206) 268-8746 Fax Number (206) 343-7053

Address: One Convention Place, Suite 1400, 701 Pike Street, Seattle WA 98101-3927

**PAGE LIMIT:** To send single transmissions exceeding ten (10) pages during regular business hours (8:00 am to 4:30 pm Monday through Friday), you must have permission from the Clerk's Office. Please call in advance. **All faxes must be limited to 40 pages unless special arrangements have been made.** We do not count the Fax Cover Sheet towards this limit. Fax filing is available 24 hours a day, 7 days a week.

I called Island County for approval on fax exceeding ten (10) pages.

**FILING FEE:** Documents requiring filing fees MAY NOT be faxed. These include, but are not limited to original petitions or complaints, jury demands, writs, notices of appeal, petition to modify child support & notices of relocation. Orders for presentation, ex-parte, may be faxed as long as the presentation fee is sent along with the filing fee.

**FAX FEE PAYMENT NOTICE:** Pay your fax fee by sending a check or money order immediately for your "fax fee," which is \$5.00 for the first page and \$1.00 for each page thereafter.

Today, I am mailing my check/money order for a total of \$ 9, payable to Island County Clerk, PO Box 5000, Coupeville, WA 98239-5000. This represents the Fax fee for 5 page(s) of the accompanying 1 document(s), along with the  \$30.00 presentation fee (if applicable).

Name of Documents sent & # of pages:

ADDANKI DECLARATION RE LEGAL MEMORANDUM