

1
2
3
4
5
6
7 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
8 IN AND FOR THE COUNTY OF ISLAND

9 ROBERT WILBUR and DUSTIN
10 FREDERICK,

11 Plaintiffs,

12 v.

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

19 Defendants.

20 SUE CORLISS,

21 Intervenor,

22 v.

23 DUSTIN FREDERICK, ROBERT WILBUR,
24 ADMIRAL'S COVE BEACH CLUB, a
25 Washington non-profit corporation, and its
26 BOARD OF DIRECTORS.

27 Defendants.

28 TO: DEFENDANT ADMIRAL COVE BEACH CLUB, its BOARD OF DIRECTORS,
and the current MEMBERS OF THE BOARD OF DIRECTORS
AND TO: Christopher Nye, defendant's attorney.

Pursuant to Washington Civil Rules 26, 33, and 34, please answer the

1 following interrogatories and requests for production. All items requested for
2 production are to be provided for inspection and copying at the law offices of Carlson
3 Legal, located at 315 5th Avenue South, Suite 860, Seattle, Washington 98104,
4 within thirty (30) days of the date of service of these requests.

5 These requests are continuing in nature and must be supplemented according
6 to the Washington Civil Rules. If information is not available within the time limits
7 of the Civil Rules, you must answer each request as fully as possible within the time
8 limit and furnish additional information when it becomes available. If there are
9 any additions, deletions or changes in the answers or information provided at any
10 time prior to trial, you are specifically requested to immediately so inform the
11 Intervenor. If additional information is discovered between the time of making
12 these answers and the time of trial, these requests are directed to that information
13 and must be seasonably supplemented.

14 DEFINITIONS

15 The following terms shall have the meaning set forth unless indicated:

16 1. "Document(s)" means any recorded material in any form, including without
17 limitation, any letter, report, memorandum, message, computer print-out, e-mail
18 correspondence, text message, instant message, tweet, facebook posting, book,
19 pamphlet, periodical, telegram, notation of a telephone conference, microfilm,
20 microfiche, chart, map, graph, photograph, motion picture, videotape, invoice,
21 check, receipt, facsimile, electronic or other transcription or taping of telephone
calls or conferences, or any other recorded matter of any sort.

22 2. As used herein, "identify" or "identity" in reference to a person means to state
23 his full name, present address, telephone number, his present or last known
24 position and business affiliation, and his position and business affiliation at the
25 time in question. "Identify" or "identity" when used in reference to a document
26 means to state the date and author, type of document (e.g., letter, memorandum,
27 telegram chart, etc.) or some other means of identifying it, and its present location

1 or custodian. If any such document was but is no longer in your possession or
2 subject to your control, state what disposition was made of it.

3 **REQUESTS**

4 RFP 1: Produce all Board Executive Committee Meeting minutes, and any
5 handwritten notes of any current Board member of any such meetings, since the
6 inception of this lawsuit to the present.

7 RESPONSE:

8
9 RFP 2: Produce all documents in the possession of the Board or any current Board
10 member referring or relating in any way to the swimming pool, from five years ago
11 to the present.

12 RESPONSE:

13 RFP 3: Produce all documents showing, or referring or relating to, the full costs
14 borne by the Club for operating, maintaining, repairing, opening, or otherwise
15 facilitating the operations of the pool, over the last five years.

16 RESPONSE:

17
18 RFP 4: Produce all handwritten notes of Board member Dustin Frederick from
19 Board of Director meetings, including but not limited to all executive sessions, since
20 his election to the Board to the present.

21 RESPONSE:

22
23 RFP 5: Produce copies of the actual ballots from the vote of the Club Membership
24 in or around May 2013 regarding the pool.

25 RESPONSE:

26
27 RFP 6: Produce the daily pool log and any other documents from 2010-2014 showing
28

1 or reflecting or recording the use of the pool by members and their guests, who used
2 the pool, all amounts paid to use the pool, etc.

3 RESPONSE:

4
5 RFP 7: Produce all communication of any kind, including email, among or between
6 the Board, any current Board member, and/or any Member of the Club (whether in
7 good standing or not), referring or relating in any way to the pool. This request is
8 intended to capture all correspondence among and between all current Board
9 member(s), as well as all correspondence among and between all current Board
10 member(s) and any Member of the Club, regarding the pool.

11 RESPONSE:

12
13 RFP 8: Produce all communication of any kind between the Board and/or all
14 current members of the Board, and any employee or official of Island County, over
15 the last five years that refers or relates in any way to the pool.

16 RESPONSE:

17
18 RFP 9: Produce all reports, estimates, inspections, or any other documents from
19 any consultants, inspectors, architects, engineers, or any other professional
20 referring or relating to the pool, over the last five years.

21 RESPONSE:

22
23 RFP 10: Produce all documents referring or relating to any donations the Club has
24 received or grants the Club has received or any other source of funding the Club has
25 received for the pool, over and above the dues or assessments of Members and the
26 fees for daily use of the pool, over the last five years.

27 RESPONSE:

1 RFP 11: Produce all documents referring or relating in any way to the decision to
2 terminate associate Memberships.

3 RESPONSE:
4

5 RFP 12: Produce all minutes and Board meeting notes of any kind from the
6 inception of this lawsuit to the present.

7 RESPONSE:
8

9 RFP 13: Produce all correspondence among and between the Board or any current
10 Board member and Carol Delahanty, and among and between the Board or any
11 current Board member and Nate Palmer, from a date one year before the inception
12 of this lawsuit to the present.

13 RESPONSE:
14

15 RFP 14: Produce all notes of any meetings, and any correspondence between, the
16 Board or any current Board member and Aneta Hupfauer and/or Keith Higman
17 (Island County) from the date of the inception of this lawsuit to the present.

18 RFP 15: Produce any and all communication of any kind between any current
19 Board member and Robert Wilbur, which refers or relates in any way to the pool or
20 the litigation regarding the pool.

21 RESPONSE:
22

23 RFP 16: Produce any and all communication of any kind between current Board
24 member Dustin Frederick and Robert Wilbur, from the date of Mr. Frederick's
25 election to the Board to the present.

26 RESPONSE:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION FOR INTERROGATORIES:

I, on behalf of the Admiral's Cove Beach Club Board of Directors, have read the above and foregoing responses to the Interrogatories, I know the contents thereof and I certify the same to be true, complete and accurate.

Name/Signature

Dated: _____, 2014

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

Pursuant to CR 5(b), I certify that copies of this document were delivered to all parties or their counsel of record by mail, email, messenger, or facsimile.
DATED this 19th day of November 2014.

Joe Martinez
Joe Martinez
Paralegal