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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: Robert Wilbur

AND TO: Christon Skinner, plaintiff's attorney.

Pursuant to Washington Civil Rules 26, 33, and 34, please answer the following interrogatories and requests for production. All items requested for

Case No.: 13-2-00741-4

INTERVENOR'S FIRST DISCOVERY
REQUESTS TO PLAINTIFF ROBERT
WILBUR

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

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

13 DEFINITIONS

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

- 15 1. "Document(s)" means any recorded material in any form, including without
16 limitation, any letter, report, memorandum, message, computer print-out, e-mail
17 correspondence, text message, instant message, tweet, facebook posting, book,
18 pamphlet, periodical, telegram, notation of a telephone conference, microfilm,
19 microfiche, chart, map, graph, photograph, motion picture, videotape, invoice,
20 check, receipt, facsimile, electronic or other transcription or taping of telephone
21 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
28 or custodian. If any such document was but is no longer in your possession or

1 subject to your control, state what disposition was made of it.

2 **REQUESTS**

3 RFP 1: Produce all deeds and property transaction and property ownership
4 documents pertaining to your property within the Cove development. This includes
5 but is not limited to your purchase and sale agreement(s), closing documents, title
6 reports, deeds, mortgage documents, etc.

7 RESPONSE:

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9 RFP 2: Produce all correspondence of any kind, including e-mail and text messages,
10 between yourself and Dustin Frederick, since the date of his election to the Club
11 Board to the present.

12 RESPONSE:

13 RFP 3: Produce all correspondence of any kind, including e-mail and text messages,
14 between yourself and Gwyn Stanton, over the last five years.

15 RESPONSE:

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17 RFP 4: Produce all correspondence of any kind, including e-mail and text messages,
18 between yourself and Carol Delahanty, over the last five years.

19 RESPONSE:

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21 RFP 5: Produce all correspondence of any kind, including e-mail and text messages,
22 between yourself and Ed Delahanty, over the last five years.

23 RESPONSE:

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25 RFP 6: Produce all correspondence of any kind, including e-mail and text messages,
26 between yourself and Nate Palmer, over the last five years.

27 RESPONSE:

1 RFP 7: Produce all correspondence of any kind, including e-mail and text messages,
2 between yourself and Elsa (Suzy) Palmer, over the last five years.

3 RESPONSE:
4

5 RFP 8: Produce all correspondence of any kind, including e-mail and text messages,
6 between yourself and any member or members of the Cove Board, over the last five
7 years.

8 RESPONSE:
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10 RFP 9: Produce all correspondence of any kind, including e-mails, between your
11 attorney Christon Skinner and the Board's attorneys Christopher Nye, from the
12 date of the beginning of this lawsuit to the present.

13 RESPONSE:
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15 ROG 1: Describe in detail all use by you, your family and any guests of yours of the
16 Cove pool over the last five years.

17 RESPONSE:
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19 ROG 2: Regarding your contention that removal of the pool will have a negative
20 impact on the value of your property within the Cove, identify each and every basis
21 in fact which support that contention.

22 RESPONSE:
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24 RFP 10: Produce every document referring or relating in any way to your response
25 to ROG 2.

26 RESPONSE:
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28 RFP 11: Produce every document you have submitted to, shared with, received

1 from, given to, discussed with, or otherwise communicated about with any member
2 of the Cove Board that refers or relates in any way to the pool issue.

3 RESPONSE:

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5 RFP 12: Produce every document that supports in any way your contention that you
6 possess an enforceable right in the continued presence of, continued operation of,
7 and proper and adequate maintenance and repair and upgrade of a swimming pool
8 at the Cove.

9 RESPONSE:

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11 ROG 3: Identify with specificity all repairs to the pool and related pool facilities that
12 would necessary to comply with the Court Order you requested in your Motion for
13 Summary Judgment. Describe with specificity the costs for these repairs, and
14 describe the basis in fact for your knowledge regarding the repairs that are
15 necessary and the costs of those repairs.

16 RESPONSE:

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18 RFP 13: Produce every document that refers or relates in any way to your answer to
19 ROG 3.

20 RESPONSE:

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22 RFP 14: Produce each and every “original deed” or “deed” that you have repeatedly
23 referred to during this litigation.

24 RESPONSE:

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26 RFP 15: Produce each and every document supporting your contention that you
27 have a right to require ACBC to continue operating the swimming pool and
28 community facilities which cannot be changed and that the pool cannot be removed.

1 RESPONSE:

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3 RFP 16: Produce every document referring or relating in any way to your
4 participation on, work with, or communication with any committee or committees
5 that have been formed to examine or work on or consider the pool issue at the Cove,
6 including but not limited to any correspondence between yourself and any member
7 or members of any such committee.

8 RESPONSE:

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10 RFP 17: Produce every document referring or relating in any way to the motion
11 “made and unanimously approved by the membership” as described on page 7 of
12 your Motion for Summary Judgment.

13 RESPONSE:

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16 These requests are dated: November 19, 2014

17
18 /s/ _____
19 Jay S. Carlson
20 Attorney for Intervenor Susan Corliss
21 315 Fifth Avenue South, Suite 860
22 Seattle, WA 98104
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1 VERIFICATION FOR INTERROGATORIES:
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3 I, ROBERT WILBUR, have read the above and foregoing responses to the
4 Interrogatories, I know the contents thereof and I certify the same to be true,
5 complete and accurate.
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12 Dated: _____, 2014
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17 _____
18 Robert Wilbur, Plaintiff
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1 CERTIFICATE OF SERVICE

2 Pursuant to CR 5(b), I certify that copies of this document were delivered to all
3 parties or their counsel of record by mail, email, messenger, or facsimile.

4 DATED this 19th day of November 2014.

5 *Joe Martinez*

6 Joe Martinez

7 Paralegal