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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF ISLAND

ROBERT WILBUR,

Plaintiff,

v.

ADMIRAL'S COVE BEACH CLUB, a
Washington non-profit corporation, and its
BOARD OF DIRECTORS,

Defendants.

Case No.: 13-2-00741-4

DECLARATION OF STEVEN J
KOBYLK IN OPPOSITION TO
ADMIRAL'S COVE BEACH CLUB'S
MOTION FOR SUMMARY JUDGMENT

SUSAN CORLISS,

Intervenor,

v.

ROBERT WILBUR, ADMIRAL'S COVE
BEACH CLUB, a Washington non-profit
corporation, and its BOARD OF DIRECTORS.

Defendants.

My name is Steven J Kobylk, I am over the age of 18 and I make this
declaration based on my own personal knowledge.

1. I am a property owner in the development known as Admiral's Cove on
Whidbey Island. By virtue of my property ownership, I am a Member of the Admiral's
Cove Beach Club (the "Club,") which is named as the defendant in this lawsuit. The
Club exists to serve the interest of its Members, such as myself.

2. First off I am a member in good standing according to the Admiral Cove

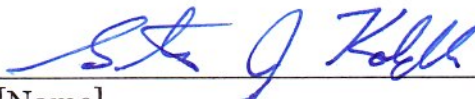
1 Beach Club by-laws and my 2016 pool assessment is paid in full. Second, I can abide
2 by any majority vote the Admirals Cove Beach Club conducts as long as I feel it's a
3 fair and equitable vote. My opposition to the 2016 vote is not related to pool or no pool
4 but was unfair as presented by the Board of Directors as one sided, restricted and
5 included legalistic innuendos that we had no choice but to vote yes. No opposition
6 narrative or statement were allowed to be included.

7 3. I attended a couple Special Board Meetings in which the ballot and inserts to
8 be included with the ballot were discussed. One Board member developed a three-
9 fold brochure in full favor and embellishment for voting yes on the pool. He agreed
10 the pictures in the brochure were old but that didn't matter. The meeting also
11 included a proposed ballot as well as a pro pool narrative with some legalistic type
12 sentences on why we didn't really have a choice but to vote yes. I specifically asked if
13 the ballot would be in a separate envelop from the narrative and brochure. That
14 decision had not been made yet I was informed. 'They should be in separate envelops'
15 I replied. I also asked if any opposition narrative would be included. I was told no but
16 that anyone was free to distribute any on their own if they wished-but the Board was
17 not under obligation to provide members address. Then who could vote was also
18 discussed briefly. Only the owners in good standing would be eligible to vote but the
19 assessment would be legally binding for all owners whether in good standing or not.
20 The ballot envelopes arrived at a later date stuffed with the ballots, the pro pool legal
21 narrative and the brochure. No opposition statement included.

22 In my opinion the ballot, like we do for all other ballots in this county, state and
23 country, should have been in a stand-alone envelope. The pro pool should have been
24 in a separate mailing including an equally written opposition letter-to show that the
25 Board truly wanted to be fair and represent all the Beach Club members not just
26 members in good standing. Who could vote reminded me of our constitution 'no
27 taxation without representation' and no more southern poll tax laws.

1 I declare under penalty of perjury under the laws of the State of Washington
2 that the foregoing is true and correct to the best of my knowledge and recollection.
3

4 Done on this 18th day of AUGUST, 2017, at Coupeville, Washington
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7 _____
8 [Name]

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