

EXPEDITE
 No hearing is set.
 Hearing is set.
Date: November 17, 2006
Time: 11:00 am Motion Calendar
Judge/Calendar: J. Casey

Superior Court of Washington for Thurston County

Save Columbia CU Committee, Cathryn Chudy, Kathryn Edgecomb, Lloyd Marbet, and Robert Tice, Plaintiffs,

vs.

Columbia Community Credit Union and State of Washington Department of Financial Institutions, Defendants.

Case No. 06-2-01688-0

Declaration of Schafer re: Discovery.

I declare under penalty of perjury under the laws of Washington state that the following is true to the best of my knowledge and belief:

On behalf of the Plaintiffs, I filed this case in part to restore to the board of directors of Columbia two directors, Chudy and Edgecomb, and restore Marbet to the ballot for Columbia's 2006 election of board members, then scheduled to be mailed to Columbia's members in late September. We believed that because Columbia's voting members had overwhelmingly elected all SaveCCU's candidates on the ballots in 2004 and 2005, that the same result likely would occur in 2006, which would result in the quick dismissal of this case and other litigation between the parties. This Court's granting of Plaintiff's preliminary injunction, entered on 10/5/06, bolstered that expectation. As a result, and recognizing that discovery is burdensome and costly for all parties, Plaintiffs have not yet commenced any discovery to elicit the actual facts relevant to the motives and causes relating to Columbia's 5-member board majority's actions of 8/15/06 to expel Chudy, Edgecomb, and Marbet.

Columbia's 5-member board majority on 10/16/06 purported to suspend from elective

1 office Chudy, Edgecomb, and Marbet for cause under RCW 31.12.285, and have set a special
2 membership meeting for 11/15/06 for the members attending to vote upon their removal. The
3 Columbia board further has indicated that they intend actually to hold before the end of 2006 an
4 annual meeting and election by mail to fill the open positions on its board and supervisory
5 committee. Depending upon the outcome of the special membership meeting vote and the 2006
6 election, this case may yet get resolved without the need for burdensome and costly discovery.

7 If this case is not soon resolved by agreement of the parties, Plaintiffs will commence
8 discovery to elicit the actual facts relevant to the motives and causes relating to Columbia's 5-
9 member board majority's actions of 8/15/06.

10
11 November 6, 2006
Tacoma, Washington


12 Douglas A. Schafer, WSBA 8652, Attorney for
Plaintiffs.