

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

THERESA J. LOWE, a single woman;
LOREN J. BOSSHARD and DONNA A.
BOSSHARD, husband and wife;
BURLEIGH M. CUBERT and CAROLYN
R. CUBERT, husband and wife,

Plaintiffs,

vs.

FOXHALL COMMUNITY
ASSOCIATION, a nonprofit corporation,

Defendants.

No. 17-2-00812-34

**DECLARATION OF THERESA J.
LOWE OPPOSING SUMMARY
JUDGMENT**

I, the Plaintiff, THERESA J. LOWE, do hereby declare:

1. I am over the age of eighteen, competent, and make these declarations based on my personal knowledge.

2. At all times relevant to this lawsuit, the Plaintiff was a member in good standing of the Foxhall Community Association, the homeowners association for the property owned by the Plaintiffs.

3. Since Judy Johnston purchased the Whisler property in 2003, Boards of Directors, and not just me on my own initiative, have directed her to stop allowing her boarders to use the

1 Foxhall trails. At times, she would state that she had stopped or was in the process of stopping,
2 but this was always untrue.

3 4. Ms. Johnson has always claimed that she accompanies her boarders on the trails
4 and that she has insurance that covers her business for boarders using Foxhall trails. However,
5 when we attempted to verify that she had insurance covering Foxhall we learned that she has a
6 modified homeowners insurance policy which does not appear to cover commercial boarders on
7 the trails of Foxhall.
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9 5. Ms. Johnson has eighteen boarders that ride at-will and independently throughout
10 the trails owned by the Foxhall Community Association. This decreases the privacy and security
11 of other Foxhall residents.
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13 Dated this 29th day of June, 2017 at Olympia, WA.

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17 Theresa J. Lowe, Declarant
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