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SUPERIOR COURT  
THURSTON COUNTY, WASH

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Linda Myhre Enlow  
Thurston County Clerk

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Jessica J. Bradley  
5015 Foxtrail Dr NE  
Olympia, WA 98516

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,

Defendant

Case No.: 17-2-00812-34

DECLARATION OF JESSICA J. BRADLEY

I, Jessica J Bradley, purchased my residential property at 5015 Foxtrail Dr NE Olympia WA 98516 in January of 2015. Since that time I have resided at the same residence within the Foxhall Neighborhood along with my husband. In March or April of 2015, Rose Eilts, came and knocked on our front door. I answered the door. She introduced herself as one of my Foxhall neighbors. She handed me a proxy vote form on a single sheet of paper which she asked me to sign. When I asked her what the voting was about she discussed the importance of preventing privatization of the Foxhall Community Association (FCA) trail system. I asked her what this was about, and she indicated that we needed to stop people from operating private businesses on our trails. When I asked for examples, she vaguely described some type of for-profit horse trail riding business that invited people in to pay and come ride on the FCA trails. When I asked her if this was something that was actually taking place, she said it was, but declined to provide a specific example of who was doing this. I asked her if this was about Judy Johnson's boarding stable and the use of trails by her boarders? Eilts said it was not, and expressed that other residents were running businesses that posed a liability to the FCA.

1 I expressed that I agreed that the trails should be used privately by residents and their guests, and not for  
2 commercial interests. I explained that the only commercial business that I was aware of accessing the  
3 trails were 3 or 4 boarders at Johnson's stable. Rose again asked me to sign the proxy vote form. The  
4 form had opened ended wording that gave her the authority to vote on my behalf at FCA meetings. I  
5 explained that I felt that the one recognized commercial boarding stable of the neighborhood owned by  
6 Johnson should be grandfathered into the new trail use rules, particularly because it appeared the stable  
7 had a historical easement if not an agreement with the FCA. Eilts explained she would support the  
8 grandfathering and asked me to sign the proxy.

9  
10 After I explained that I did not see the need to sign a proxy vote because I planned to attend the upcoming  
11 home owner's association meeting in person, Eilts continued to pressure me to sign the proxy in support  
12 of protecting the private use of our neighborhood trail system. The level of pressure that Eilts' exuded  
13 surrounding signing a proxy was surprising to me. Even after I clearly declined to sign three times and  
14 made it clear I planned to vote in person, she suggested that I sign one and leave it with her just in case  
15 something came up and I couldn't make the meeting. I declined to do so.

16  
17 Later, at the 2015 meeting for the election of Board Members, I was surprised to see the exact same proxy  
18 forms I had been asked to sign, being used to cast votes on other issues. These generic proxy forms were  
19 used to vote on who should serve on the FCA board during the 2015 and 2016 board elections, as well as  
20 a variety of other issues that were not discussed with me by Eilts when she was trying to get me to sign.

21  
22 It was particularly noticeable at the spring 2015 election, because there was a sizable turnout of  
23 homeowners (30+), but one individual brought enough generic proxy votes to outnumber the votes of all  
24 of the people who physically attended the meeting. I believe this experience is what led to many  
25 neighbors to pushing for, and ultimately voting in, a rule that would limit the number of proxies an  
26 individual could bring to the meeting and require that proxy votes be specific as to what issue is being  
27 voted on. When my signature was solicited it was never articulated that my signature on a proxy would  
28 be used to cast votes on an issues other than preventing/ending trail privatization.

29 Dated this 25th of May, 2017 in Olympia. WA.

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Jessica J. Bradley, Foxhall Resident