

From: [Shawn Alexander](#)
To: [Rochelle Doyea](#)
Subject: Re: Recall Election Procedures
Date: Monday, August 12, 2024 7:46:46 PM

Sorry, I have not been able to convince the client that there is no hurry.

Shawn Alexander
Attorney-at-Law
[P.O.Box](#) 359
Olga WA 98279
(360) 376-6820

<http://www.positivelaw.com/>

<http://www.avvo.com/attorneys/98279-wa-shawn-alexander-29035.html>

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On Monday, August 12, 2024 at 07:24:35 PM PDT, Rochelle Doyea <rdoyea@cairncross.com> wrote:

Hi Shawn,

When we spoke earlier today at 3:00, I had asked whether you would agree to continue this TRO hearing, given that I had a few appointments that conflict with the hearing time. I requested that you get back to me as soon as possible, so I could try moving these appointments (including a morning medical appointment) if needed. I called you twice just now and still have not heard back from you. I'm surprised at the lack of professional courtesy, particularly since there appears to be no pressing need for this hearing to go forward tomorrow, instead of later in the week or early next.

Rochelle Doyea

Attorney

Pronouns: she/her/hers

CH& | [Cairncross & Hempelmann](#)

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4437 | f: 206-587-2308

RDoyea@Cairncross.com | cairncross.com | [Rochelle's Profile](#)

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From: Rochelle Doyea
Sent: Monday, August 12, 2024 2:10 PM
To: Shawn Alexander <salexan701@aol.com>
Subject: Re: Recall Election Procedures

Hi Shawn,

I've tried your phone number again and it went straight to voicemail. You haven't responded to my voicemail Friday or my email yesterday. Please give me a call asap, here is my cell as I am traveling: 425-941-5872.

Sent from my iPhone

On Aug 11, 2024, at 4:05 PM, Rochelle Doyea <RDoyea@cairncross.com> wrote:

Hi Shawn,

I tried calling you on Friday, as we also learned that you had filed a complaint and initiated a TRO against the Association and majority board members. I'm surprised to see this tactic since we were in the midst of discussing the recall process. I'm also a bit unclear on what legal right or basis that you are bringing such a lawsuit. Can you please call me back first thing on Monday?

Thanks,

Rochelle

Rochelle Doyea

Attorney

Pronouns: she/her/hers

CH& | [Cairncross & Hempelmann](#)

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4437 | f: 206-587-2308

RDoyea@Cairncross.com | cairncross.com | [Rochelle's Profile](#)

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From: Shawn Alexander <salexan701@aol.com>
Sent: Thursday, August 8, 2024 6:04 PM
To: Rochelle Doyea <RDoyea@cairncross.com>
Subject: Re: Recall Election Procedures

Thank you. I will be out until 1 tomorrow, but will be otherwise available. My clients are not happy that the board would not accept their proxy form as they already have a number of signatures and the board refused to approve the form and that is a stumbling block, but we can talk about it. In addition it appears that the majority portion of the board is using EWUA resources for their recall petition efforts.

Shawn Alexander
Attorney-at-Law
[P.O.Box](#) 359
Olga WA 98279
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<http://www.avvo.com/attorneys/98279-wa-shawn-alexander-29035.html>

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On Thursday, August 8, 2024 at 05:48:31 PM PDT, Rochelle Doyea <rdoyea@cairncross.com> wrote:

Hi Shawn,

Perhaps we can jump on quick call tomorrow morning, because I want to make sure I understand your client's comments below. Adding a line for the members to identify

their TPN shouldn't be an issue, though it is really necessary either, since that's so readily accessible on existing member rolls. It's no different than any other shareholder vote, where each shareholder votes per share they own, but they don't have to individually list each share they have, if that makes sense. And I am a bit concerned that some members might have difficulty looking up their TPNs or writing them correctly on their forms. And since that TPN information isn't necessary for us to accurately count proxies, I'd hate to potentially invalidate proxies on a needless basis. We should discuss this one.

With respect to the other issues, I think believe the instructions in the Proxy Card actually addresses those concerns. I think it'd be faster to work through on a call. I'm available in the morning, but tied up the rest of the afternoon tomorrow.

Rochelle Doyea

Attorney

Pronouns: she/her/hers

CH& | Cairncross & Hempelmann

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4437 | f: 206-587-2308

RDoyea@Cairncross.com | cairncross.com | [Rochelle's Profile](#)

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From: Shawn Alexander <salexan701@aol.com>

Sent: Thursday, August 8, 2024 5:24 PM

To: Rochelle Doyea <RDoyea@cairncross.com>

Subject: Re: Recall Election Procedures

Thank you, my clients already have some feedback.

This proposed form is missing things that EWUA has required in the past such as the TPN and Account number and that are essential to making the inspector's job relatively easy. It does not include any information about where to send the form.

This form duplicates the flaw of the 2023 director ballot. There is nothing other than the member's name to identify which membership is casting the vote. This would require the inspector to spend considerable time trying to figure out which TPNs the signer is casting votes on behalf of, votes should be by membership not by member.

Only the name of the designated proxy holder should be kept from Section I. The other elements should be deleted.

Shawn Alexander

Attorney-at-Law

[P.O.Box](#) 359

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On Thursday, August 8, 2024 at 04:21:16 PM PDT, Rochelle Doyea
<rdoyea@cairncross.com> wrote:

Hi Shawn,

Thanks for the call earlier today. Attached is a *rough* draft form proxy card. Obviously, there's some additional information to fill in, but let me know what you think in terms of substance. Per the bylaws, the Board would need to approve a final form of this, but I'm hopeful that they can agree to something substantively like this, which is pretty neutral and standard. A copy of this Proxy Form would go out with the Notice of Special Meeting, which I think should be emailed and mailed to all members. The Notice of Meeting should include:

1. The basic information regarding the meeting logistics: date, time, place, and a reminder that all members need to bring their ID with them if they attend the meeting– the meeting itself needs to be set within 35 days of the Notice of Meeting going out, but we would still want to set it out far enough that we give sufficient time so that people can get their proxies in
2. A description of the purpose of the meeting: to vote on the two recall petitions
3. One statement from each camp: one from the majority and one from the minority, summarizing their respective positions
4. Plain language instruction about the proxy cards, and encouraging people

to vote by proxy so as to streamline how many votes we need to count during the meeting.

For day of the Special Meeting itself, we would have a spreadsheet of all members ready to go, with columns so that we can check everyone in, check IDs, and confirm proxy cards (if people bring them with them to the meeting). And at the top of the meeting, we would announce the basic agreed upon parameters, something like: each side gets 20-30 of allotted time to present their case and another allotted amount of time for member questions. And then we take the vote.

Rochelle Doyea

Attorney

Pronouns: she/her/hers

CH& | [Cairncross & Hempelmann](#)

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4437 | f: 206-587-2308

RDoyea@Cairncross.com | cairncross.com | [Rochelle's Profile](#)

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From: Shawn Alexander <salexan701@aol.com>

Sent: Tuesday, August 6, 2024 3:14 PM

To: Rochelle Doyea <RDoyea@cairncross.com>

Subject: Re: Recall Election Procedures

Thank you, yes I have time on Thursday you can pick a time. On Wednesday I will have a window between 1 and 3M.

Shawn Alexander

Attorney-at-Law

[P.O.Box](#) 359

Olga WA 98279

(360) 376-6820

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On Tuesday, August 6, 2024 at 02:16:44 PM PDT, Rochelle Doyea <rdoyea@cairncross.com> wrote:

Hi Shawn,

Received. Do you have time this week for a call to discuss?

Rochelle Doyea

Attorney

Pronouns: she/her/hers

CH& | Cairncross & Hempelmann

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4437 | f: 206-587-2308

RDoyea@Cairncross.com | cairncross.com | [Rochelle's Profile](#)

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From: Shawn Alexander <positivelaw@gmail.com>

Sent: Monday, August 5, 2024 10:27 AM

To: Rochelle Doyea <RDoyea@cairncross.com>

Subject: Recall Election Procedures

Greetings I have attached a letter re the recall election procedures for EWUA's Recall Election.

Thank you

Shawn Alexander

[P.O.Box](#) 359

Olga WA 98279

(360) 376-6820

<http://www.avvo.com/attorneys/98279-wa-shawn-alexander-29035.html>

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