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

In Re the Estate of:

STEPHEN GEORGE POTHIER,

Deceased.

NO. 10-4-00500-2 SEA

**DECLARATION OF DOMONIC  
HARPER IN RESPONSE TO  
MOTIONS FOR CONTEMPT  
AND TO AUTHORIZE AND  
COMPEL DISCOVERY**

I declare under penalty of perjury under the laws of Washington:

1. I am over the age of eighteen and am competent to testify to the matters stated herein, which are based upon my personal knowledge.

2. Because I live in Washington and William Pothier does not, I have been primarily responsible for hiring and working with our attorneys representing us in our capacity as personal representatives and former personal representatives.

3. When the motion for contempt and motion to authorize and compel discovery were filed, I assumed that our prior attorney, Richard Wills, would

1 respond to them, despite his pending notice of intent to withdraw. I was surprised,  
2 therefore, when he officially withdrew on Friday, June 11, without having done  
3 anything to respond to the motions.

4 4. It was not until Friday, June 18 that I was able to locate, interview, and  
5 engage our new attorney, Geoff Grindeland.

6 5. I would appreciate a short extension of time to respond to the pending  
7 motions, so our new attorney has adequate time to familiarize himself with this  
8 matter, advise us of our rights and responsibilities, and prepare a full response to the  
9 motions.

10 6. On or about Monday, March 8, 2010, I mailed to Kara Pothier's prior  
11 attorney, Ken Kilbreath, the following items:

- 12 a. An accounting ledger for the Estate of Stephen Pothier;
- 13 b. Guild Mortgage information relating to the farmhouse at 1865 W.  
14 Uncas Rd., Port Townsend, WA 98368;
- 15 c. M & T Bank mortgage information relating to the Bartlett building at  
16 825 Water St., Port Townsend, WA 98368;
- 17 d. Keys for the Bartlett building (there are no keys for the farmhouse); and
- 18 e. A statement of the hours I had spent on estate administration matters,  
19 but for which I had not yet been paid.

20 After mailing that information, I believed I had fully complied with the Court's  
21 February 24 order to provide an inventory and accounting to Kara Pothier.

22 7. On April 14, 2010, my attorney Richard Wills told me that Kara  
23 Pothier's new attorney, Richard Furman was requesting the same information. On or  
24

1 about April 14, I mailed Richard Wills copies of the same documents listed in  
2 paragraph 6, so he could forward them to Richard Furman himself. I assumed he  
3 forwarded the information.

4 8. Before this motion for contempt was filed, no one ever suggested to me  
5 that the information I had provided to Ken Kilbreath around March 8 and Richard  
6 Wills around April 14 was insufficient. I believed that I had fully complied with the  
7 Court's order to provide an inventory and accounting.

8 9. I have never wrongfully refused to have my deposition taken. I will,  
9 however, defer to my attorneys regarding whether Kara Pothier's attorneys are  
10 lawfully permitted to take my deposition and whether the proper procedures for  
11 scheduling my deposition have been followed. Because of the numerous, unfounded  
12 personal attacks made against me by Kara Pothier, her witnesses, and her attorneys, I  
13 do intend to avail myself of the substantive and procedural protections afforded by  
14 the law.

15 10. If the Court permits discovery in this matter, I am available for a  
16 deposition on the morning of July 9 as proposed by Kara Pothier's attorneys. I  
17 respectfully request, however, that the deposition be held on Bainbridge Island,  
18 which is halfway between Seattle and Port Townsend in terms of travel time. I do  
19 not think it is fair to require me to travel all the way to Seattle for the convenience of  
20 Kara Pothier's attorneys.

21 Signed at Port Townsend, Washington, on June 20, 2010.

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24 Domonic Harper