

# The Leader

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## Dispute snares historic building

By James Robinson of the Leader

The future ownership of one of Port Townsend's historic downtown buildings, the 1881 C.C. Bartlett Building, is in doubt because of a legal battle between members of the deceased owner's family, assisted by Port Townsend Realtor Nick (Demonic) Harper, and the deceased owner's wife.

The building at 825 Water St. is home to William James Bookseller, Sirens Pub and Tickled Pink, but appears headed toward foreclosure and is slated for auction Sept. 17,

2010 for non-payment of its mortgage for the past five months. The tenants are uncertain about their future in that location.

The legal battle, taking place in a Seattle courtroom, pits Harper and William Pothier – the brother of the deceased building owner, Stephen Pothier – against Stephen Pothier's widow, Kara Pothier, from whom court documents say he was separated but not divorced.

The story of the dispute is drawn from extensive court records. Repeated calls to Harper for comment were not returned.

Harper is a former Port Townsend High School wrestler and, in his adult life, has been a longtime and popular wrestling coach. The Port Townsend School District Web athletic directory lists Harper as an assistant wrestling coach for the 2009-10 season.

In addition to his coaching activities, the Jefferson County Chamber of Commerce named Harper business leader of the year in 2007. Harper also was a prominent Realtor, operated a restaurant called MacAdoo's Barbecue in Port Townsend, and led a campaign to approve school levies and school bonds for Port Townsend

schools.

Harper and his wife, Kristie Harper, doing business as MacAdoo's, filed for Chapter 7 bankruptcy in United States Bankruptcy Court, and it was approved on July 15, 2009.

**ESTATE QUESTIONS**

The dispute began in January over who would administer Stephen Pothier's estate. According to court documents, the case now includes questions about how Harper spent \$334,678 of Pothier's money. Those questions arise because Harper used

what he has said is his power of attorney (POA) status to write checks from Stephen Pothier's checking account just before, and after, the man's death, according to court documents. Recent court decisions focus on securing an accounting of what was spent and by whom in the week leading up to Stephen Pothier's death, and the six weeks after, and obtaining a sworn deposition from Harper.

"Good cause is found to authorize the successor administrator [Kara Pothier] to conduct discovery on all

See DISPUTE, Page 10 ▼

## Sims Way celebrates!

Welcome back!

An all-day neighborhood celebration to welcome back local residents to the completely reopened Upper Sims Way business district is set for Friday, July 16.

Businesses thank customers for their support through the construction process and invite new ones to come and walk around the district. A ribbon (or two) will be cut at 11 a.m. near the Highway Twenty Roadhouse. A variety of special events will keep a number of the 53 businesses busy, and some will remain open until as late as 7 p.m.

Technically the roundabouts bring no change to the 30-mph speed limit on that portion of Sims Way (SR 20). The roundabouts are designed to be safely driven at 22 mph, according to engineers. The project, with Seton Construction as general contractor, cost \$7.1 million.

See full story and graphic on page A-7.



**Air Port Townsend** Kite surfer Wade Maxwell spends some evenings in the throes of strong winds just off North Beach Park, far above Admiralty Inlet, as the sun sets. Consistent afternoon and evening winds allow local waters to attract kite surfers from throughout the Northwest. Photo by Nicholas Johnson

## Coldwell Banker realty closes PT office

By Scott Wilson of the Leader

The local real estate community was surprised by last week's sudden closure of Port Townsend's Coldwell Banker Town & Country real estate office, one of the county's top brokerages. Other brokers said the move caught them by surprise.

Broker Dan Erickson said he was sorry to leave the Port Townsend

market, but noted that his Sequim-based Coldwell Banker Town & Country was alive and well, and would continue to do business on the north Olympic Peninsula.

Erickson lives in Sequim, where his Sequim office remains one of the most productive on the peninsula.

About 12 real estate agents worked for Port Townsend's Coldwell Banker. They are shifting

to other offices or considering their options.

For example, brokers Holly Carlson, Allegra Bothell, Kevin Burgler and license assistant Rian Lopeman are moving to the Windermere Port Townsend office.

Closure of the office was due in part to the downturn in the housing and real estate market that began in mid-2008. Erickson has owned the

office since January 2005, when he purchased it from Forrest Aldrich.

The closure marks the end of almost 35 years of selling real estate for the operation.

**HUMBLE BEGINNINGS**

Aldrich started as an independent real estate broker when he opened Forrest Aldrich Inc., in 1976 in the old Kentucky Fried Chicken

restaurant (now the Sims Way home of Kitsap Bank). In 1984, Aldrich won approval from Coldwell Banker to become just the second Coldwell Banker franchise in Washington. In the early 1990s, he built a new building next to his old office, where Coldwell Banker remains today.

"The office was consistently, through the 1980s and 1990s, to the time I sold, in the top one, two or three positions in size and strength in the county," Aldrich said. "It was a successful operation. We had a good, strong agent base" that reached a total of 20 agents, including those at the Coldwell office in Port Ludlow.

Aldrich would not comment on Erickson's decision to close or the reasons for it, but expressed personal sadness.

"It struck me last night harder than I realized it would," he said, "to think about how the business meant

See COLDWELL, Page 9 ▼

## 1,000 paddlers passing through



As many as 100 Native American paddlers are coming from all parts of the Northwest Coast this week, en route to a final gathering place in Neah Bay, guests of the Makah Nation. On Wednesday, hundreds of the paddlers from various points will land at the beach at Fort Worden State Park, near the Marine Science Center pier. Landings are expected throughout the afternoon; times are flexible depending on travel conditions. From Fort Worden the paddlers will head on to the Jamestown S'Klallam tribal center near Sequim, then to Neah Bay. Graphic by Marian Roh

By Nicholas Johnson of the Leader

Volunteer coordinator Carla Main of Port Townsend is expecting a group of Native American tribal members more than three times the size originally anticipated to land at Fort Worden State Park on the afternoon of Wednesday, July 14 as one stop in this year's Intertribal Canoe Journey.

There could be as many as 1,000 people landing. Originally, 300 were expected.

Main said the exact arrival time is unknown as it depends on when groups leave Port Gamble, Wash., their previous stop.

This will be the second year the journey has stopped in Port Townsend, one of the only non-native sites on the route.

Some tribes in canoes, along with support crews, began their journey as early as Saturday, July 3. Four separate groups are currently traveling from around Puget Sound on their common journey to the Makah Nation in Neah Bay, Wash. Paddlers are coming from various locations in Puget Sound and from the coastal waters of British Columbia.

The tribes plan to continue their journey on Thursday morning. They are expected to stop at Jamestown earlier that day.

Main said volunteers at Fort Worden plan to host a dinner for the tribes and their support

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# Dispute: Building’s fate up to Seattle court

▼Continued from page 1

estate issues and on all individuals and entities as she may deem appropriate ...” according to a court order dated July 1.

Harper’s deposition and future court proceedings will be focused on determining Harper’s role in Stephen Pothier’s financial affairs and the future ownership of the Bartlett Building. Also at stake in Pothier’s estate is a residential property he owned at 1865 West Uncas Road south of Discovery Bay.

Court documents show Harper receives mail at the West Uncas Road address. Kara Pothier’s attorneys allege in court documents that Harper has been squatting on the property, and owes the estate \$7,800 for unpaid rent between Dec. 1, 2009 and May 1, 2010.

**ORDER FOR ACCOUNTING**

Following King County Superior Court action on July 1, Harper and William Pothier, brother of the deceased, faced sanctions for failing to provide a complete accounting of their financial activities as co-administrators of Stephen Pothier’s estate before a court-ordered deadline.

“Domonic Harper and William Pothier are not held in contempt; however, it took the filing of a motion for contempt before an inventory and accounting was produced,” wrote Eric Watness, court commissioner for King County Superior Court. In Watness’ order, the court compelled Harper and William Pothier to pay \$2,000 by July

13 to attorneys representing Kara Pothier.

Awarding attorney’s fees and Kara Pothier’s request for an inventory and accounting of financial activities on her husband’s accounts prior to his death – particularly those related to the Bartlett Building – stem from a series of events, claims and counter claims chronicled in King County Superior Court documents.

Stephen Pothier, 52, died on Nov. 30, 2009 at George Washington University Hospital in Washington, D.C., after being diagnosed in August 2009 with brain cancer. Harper and William Pothier, according to court documents, said Stephen Pothier left no will.

In addition to ordering payment for Kara Pothier’s legal expenses incurred while attempting to obtain the “inventory and accounting” mandated by the court, the court also ordered Harper to appear for discovery on July 9 – which he did – at the Seattle offices of Kara Pothier’s attorneys, Corey Denevan and Richard Furman of Aiken, St. Louis & Siljeg, P.S.

The order to appear came less than a month after Denevan alleged in court documents dated June 9, that Harper’s former attorney – Richard Wills of the Seattle firm Washington Probate – said he had been instructed “to take any and all steps to prevent” Harper’s deposition from being taken.

**PROPERTY PURCHASES**

The July 1 order compel-



The future ownership of the C.C. Bartlett Building, at 825 Water Street in downtown Port Townsend, is in doubt due to an intense legal battle between members of the deceased owner’s family, assisted by local Realtor Nick Harper, and the deceased owner’s wife. Photo by Nicholas Johnson

ling payment of attorney’s fees and Harper’s appearance for discovery marks one of the most recent twists in a multi-month courtroom struggle between Harper, William Pothier and Kara Pothier.

The story begins in March 2008 when Stephen Pothier – with the help of Harper, then a Realtor with ReMax Real Estate in Port Townsend – purchased the Bartlett Building from Lawrence Graves. Following the transaction, Harper became Stephen Pothier’s building manager. Harper claims in court documents dated Feb. 18, 2010 that he had known Stephen Pothier since 1987 and served as his business manager since 2007.

According to Jefferson County assessor’s office data, Stephen Pothier purchased the Bartlett Building on March 3, 2008 for \$1.47 million. The assessed value at the time was \$1.16 million.

On Dec. 31, 2008, Stephen Pothier purchased the property at 1865 West Uncas Road for \$342,000. The assessed value at the time was \$318,795.

The house at 1865 West Uncas Road comes up numerous times in the court record, and in two oaths – one from Harper and one from William Pothier – dated Feb. 18, 2010, which assert that Stephen Pothier bought the West Uncas Road property and moved into it. That assertion formed the basis of their claims that Stephen Pothier died a resident of Washington state, and that, coupled with a number of others factors they argued – including the Pothiers’ marital status – made them the most appropriate administrators of Stephen Pothier’s estate and made Kara Pothier ineligible to serve in the same capacity.

George Washington University School of Engineering and Applied Science documents, Pothier worked as a commercial airline pilot, earned a doctorate in mechanical engineering from Tufts University, a master’s from Rensselaer Polytechnic Institute and a bachelor’s from the University of Massachusetts, Amherst.

A letter from George Washington University’s associate dean for academic affairs, Martha Pardavi-Horvath, invited Stephen Pothier to serve as a visiting research scholar between Oct. 1, 2007 and September 2009.

In court documents dated Feb. 1, 2010, Harper and William Pothier asserted that Stephen Pothier moved to Port Townsend in 2008. A School of Engineering and Applied Science newsletter dated the week of Oct. 6, 2008, welcomed Stephen Pothier as a new senior research scientist at the university’s applied science school.

Stephen Pothier’s stint at George Washington University and a series of cancelled checks he wrote for an apartment in Washington, D.C., would later help Kara

Pothier assert her claim to serve as administrator of the estate, based on her contention that her husband lived in Washington, D.C., not in Port Townsend, according to court documents. Harper and William Pothier allege in court documents that Stephen Pothier maintained the Washington, D.C., apartment as a “crash pad” – a common practice for pilots.

After purchasing the Port Townsend properties, Stephen Pothier installed Harper as his property manager for the Bartlett Building.

On or about Aug. 12, 2009, according to court documents, Stephen Pothier was diagnosed with brain cancer. He was later admitted to George Washington University Hospital in Washington, D.C., where he died Nov. 30, 2009.

**TRANSACTIONS**

In the days before Stephen Pothier’s death, Harper engaged in a series of financial transactions that have drawn the scrutiny of Kara Pothier and Denevan.

According to court records, Harper wrote three checks on Nov. 24, 2009 using Stephen Pothier’s checking account: one for \$300,000 to a Florida-based company called CO2 Petrol; another for \$10,000 to Sandy Pothier, Stephen Pothier’s sister; and a third for \$10,000 to Terry Pothier, another of Stephen Pothier’s sisters. As of Nov. 24, 2009, CO2 Petrol’s articles of organization had not been filed with the Florida Department of State Division of Corporations.

According to court

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# Bookstore, pub: Tenants await outcome

By James Robinson of the Leader

The C.C. Bartlett Building, at 825 Water St. in downtown Port Townsend, has become the epicenter of an estate battle between the widow of the building's deceased owner and the owner's brother and former Port Townsend Realtor Nick (Domonic) Harper. With the courts and attorneys yet to unravel the matter, the building has slipped into foreclosure and may – unless circumstances change – go up for auction on the courthouse steps on Sept. 17.

Depending on the outcome of the sale, building tenants Tickled Pink, Sirens Pub and William James Bookseller may find themselves without a place to do business. The law allows the purchaser to evict the tenants 20 days after the sale.

## BUILDING SOLD IN 2008

Stephen Pothier, with the help of Harper, purchased the building from Lawrence Graves in March 2008, and Harper became Stephen Pothier's building manager. Pothier died of brain cancer on Nov. 30, 2009.

On Jan. 13, 2010, according to court documents, King County Superior Court named Harper and Stephen Pothier's brother, William Pothier, co-administrators of Stephen Pothier's estate, charged with handling Stephen Pothier's financial affairs, including management of the Bartlett Building. After reviewing additional documentation and hearing testimony, the same court overturned the January ruling, and on Feb. 24, 2010, named Kara Pothier, Stephen Pothier's widow, administrator of the estate.

According to documents filed on June 18 in the Jefferson County Auditor's Office, a trend of late payments on the Bartlett Building mortgage began on Feb. 1. By June 18, 2008, five payments had been missed, putting the mortgage \$42,968 in arrears. During at least part of that

same time, according to court records, tenants of the building were paying their rent.

In the court record, Harper provided photocopies of a Chase Bank checking account register that he used to tally Bartlett Building and other financial transactions, while serving as the Bartlett Building manager and the co-administrator of the estate. The register shows a series of deposits and checks related to Bartlett Building tenants, utilities, and Harper's and William Pothier's activities as property manager and co-administrators of the estate. The opening deposit of \$12,659.02 "came from Stephen Pothier's checking account, also from Chase Bank," state court documents dated June 25.

On Jan. 30, the register shows a check written to Harper for \$2,792 for his services as co-administrator of the Stephen Pothier estate. Also on January 30, the register shows a \$9,000 check to Richard Wills, an attorney William Pothier and Harper retained to handle probate proceedings in King County Superior Court. The register also shows two deposits on Jan. 30, one from Sirens Pub for \$2,888.41 for rent and another from Tickled Pink for \$3,800, also for rent.

On Feb. 3, the register shows a cashier's check for \$4,150 to William Pothier for his services as co-administrator.

On Feb. 5, the register shows a deposit for \$4,229 from William James Bookseller for rent, then a check to Harper the same day for \$1,150 – a fee for his services as the Bartlett Building manager.

On Feb. 17, the register shows another check to Harper for \$1,500, for his services as co-administrator of the Pothier estate.

## WILLIAM JAMES BOOKSELLER

Since March 2008, when Stephen Pothier purchased the Bartlett Building, Jim

Catley, owner of William James Bookseller has seen his rent double, and other operating expenses – such as shipping – rise exponentially. To compound the problem, Catley said, the average book price has dropped, although he admits that his sales volume has been stable. Nevertheless, with less taken in per book, he has seen his profit margin whittled away and the steady devaluation of his business.

"The value of the business and sale of the business was going to be my retirement," Catley said.

All things considered, Catley said, the inflated sale price of the Bartlett Building, which caused the doubling of his rent, marked the turning point in his business's profitability. He said rent increases, increases in other expenses and drops in book prices have cut his revenues to 45 percent of what they were in peak years.

In 2007, Catley said he paid roughly \$25,000 per year for rent. After March 2008, the amount jumped, with Catley spending about \$50,000 for rent in 2010. Catley said the new lease that came soon after Stephen Pothier bought the building factors in a 3 percent increase per year.

Catley said he and Stephen Pothier had a cordial relationship, and the two often bantered about the financial challenges each faced in regard to the Bartlett Building.

"This is the first time I have owned commercial real estate, and it's been a learning curve. I was excited (and still am) at the thought that I could use my engineering skills and fix up different parts, but there's quite a human side that I didn't expect," Stephen Pothier wrote in an email to Catley in October 2008. "People like you, who I have to admit, got the shaft on this Bartlett building deal. I honestly feel badly about what you're paying for rent. You have worked very hard to build up your business, and

it kills me that a large part of your earnings goes to pay my mortgage. I don't know if someone would have purchased the building cheaper, and thus charged you lower rent, but I know it hurts you every time you write that rent check, and that bothers me."

It bothers Catley, too. "We now have triple net," Catley said. "That's a big-city term that's come to town."

In commercial real estate, a triple net lease requires the tenant to pay, in addition to rent, some or all of the property expenses, which normally would be paid by the property owner. These include expenses such as real estate taxes, insurance and other items.

Catley said he was one of the first tenants in the Bartlett Building to have to renegotiate his lease after Stephen Pothier purchased the building.

"Because my contract was up first, they dealt with me first," Catley said. "People with long-term leases are looking pretty sweet. The people that signed leases during the height, it's like a trickle-down effect, it's a timing thing."

With downturns in the economy and the independent bookselling business, coupled with an uncertain future in the Bartlett Building, Catley said he intends to hunker down and ride things out the best he can.

Worst-case scenario, he said, would be to sell the inventory and close the shop, which, he added, isn't a very appealing option and one he doesn't plan to exercise yet. However, after 21 years at his Water Street location, he said he's not particularly keen to go through the stress of setting up shop elsewhere.

"There is no place to move to," Catley said. "I looked for other options during the last contract when they doubled my rent. One of the options was across the street and it's still vacant after three years."

That said, Catley, 55, said he plans to embrace work – his new retirement plan.

Catley's lease expires in the spring of 2013.

## SIRENS PUB

Kris Nelson has been the owner of Sirens Pub for nine years, although the pub has been in its Bartlett Building location for 16.

Nelson said she is aware the building is going up for auction, has followed the estate battle, and has maintained contact with Kara Pothier since Pothier became the administrator of her husband's estate and the building

manager.

"We have a good relationship with Kara," Nelson said. "She's going through an awful lot right now; she's been dealt a challenging set of cards."

Nelson said that although the building auction looms on the horizon, she has a business plan, intends to work with the landlord and is "keeping her options open."

## TICKLED PINK

Tickled Pink's owner, Michele Henery, could not be reached for comment.

## People involved

Stephen Pothier: Deceased owner of the historic Bartlett Building at 825 Water St. in downtown Port Townsend and a residential property at 1865 West Uncas Road near Discovery Bay. Died on Nov. 30, 2009.

Kara Pothier: Stephen Pothier's widow, separated but not divorced, and the court-appointed administrator of Stephen Pothier's estate.

Domonic Harper: Former Port Townsend Realtor and restaurant owner, Bartlett Building property manager for Stephen Pothier, and managing member of the Florida-based company CO2 Petrol, LLC. Has joined with some of Stephen Pothier's siblings in a dispute over control of Pothier's estate.

William Pothier: Stephen Pothier's brother. William Pothier joined Harper in applying for – and receiving – co-administrator status over Stephen Pothier's estate after his death.

Theresa Pothier: Stephen Pothier's sister, wife of Arthur McGeown, managing member of CO2 Petrol, LLC, and recipient of a \$10,000 check written by Harper from Stephen Pothier's checking account.

Arthur McGeown: Theresa Pothier's husband and managing member of CO2 Petrol, LLC.

Richard Wills: An attorney with the Seattle firm Washington Probate. Wills initiated probate proceedings on Jan. 13, 2010. On June 3, 2010, Wills asked the court to allow him to withdraw as legal counsel for Harper and William Pothier.

Corey Denevan: Attorney with the Seattle firm Aiken, St. Louis & Siljeg, P.S. Denevan represents Kara Pothier.

Richard Furman: Attorney with the Seattle firm Aiken, St. Louis & Siljeg, P.S. Furman represents Kara Pothier.

# Dispute:

▼ Continued from page 10

records, on Nov. 25, 2009, Harper wrote another check, this time for \$11,190 – cash. Harper signed all the checks – including the \$300,000 check to CO2 Petrol – with his name followed by "POA" – power of attorney. The same day, CO2 Petrol LLC's articles of organization were filed with the state of Florida, according to Florida state records. The documents name Harper, Theresa (Terry) Pothier and Arthur McGeown as CO2 Petrol's managing members. Theresa Pothier and McGeown are married.

According to court documents, Harper endorsed and either deposited or cashed the \$300,000 CO2 Petrol check. The bank posted the check on Dec. 2, 2009.

Harper and William Pothier, in court documents dated June 25, 2010, assert that CO2 Petrol was created to research alternative fuels. In those documents, Harper and William Pothier claim the \$300,000 check written by Harper on Nov. 24, 2009 was a loan Stephen Pothier made to the company. In exchange for the \$300,000, CO2 Petrol would issue a self-canceling installment note to Stephen Pothier, where the note and any remaining balance would have been cancelled upon Stephen Pothier's death. According to the same court documents, Stephen Pothier died before the installment note was executed and delivered.

The CO2 Petrol website does not provide details on its research efforts, grant funding or staff. It does provide a link to a six-second YouTube video of "Tom holding SiO2 Tube" – SiO<sub>2</sub>, or silicon dioxide, is Earth's most abundant mineral and is commonly found in nature as sand or quartz.

According to court records, on Dec. 20, 2009, Harper wrote another check from Stephen Pothier's account to himself for \$1,388. Harper signed the check in his name again followed by "POA" – power of attorney.

individual's death. Stephen Pothier died on Nov. 30. The legal document assigning power of attorney to Harper – the document needed to allow him to sign checks from Stephen Pothier's account – has not appeared in the court record, and Kara Pothier's attorney, Denevan, said he did not receive a copy of the power of attorney until the evening of July 8 – the day before Harper was to give a deposition.

## PROBATE PROCEEDINGS

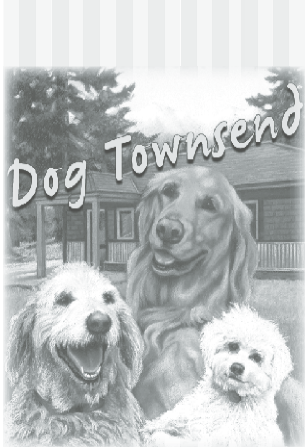
On Jan. 12, 2010, Harper joined William Pothier with the help of attorney Richard Wills to file probate proceedings and a petition in King County Superior Court to appoint themselves co-personal representatives of Stephen Pothier's estate. In King County Superior Court documents filed on Jan. 13, 2010, Harper and William Pothier assert that Stephen Pothier left no will, and that his widow, Kara Pothier, lost her rights to serve as personal representative because she failed to file her own petition for appointment as her husband's personal representative within the 40-day period required by

law. A personal representative is charged with settling the estate and handling certain financial matters.

Kara Pothier filed probate proceedings in Washington, D.C., where her husband died, and on Jan. 5, 2010 the Superior Court of the District of Columbia appointed her to serve as her husband's personal representative to handle the personal property in Washington, D.C. That action did not affect the property in Washington state.

On Jan. 13, 2010, King County Superior Court appointed Harper and William Pothier as co-personal representatives of Stephen Pothier's estate in Washington state, although it was later learned Harper and William Pothier had not notified Kara Pothier of their actions. In addition, Harper and William Pothier also sought nonintervention powers from the court, which would have allowed them to administer and close Stephen

See DISPUTE, Page 13 ▼



## POWER OF ATTORNEY

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By Nicholas Johnson of the Leader

An earmark is the term for congressionally mandated money from a certain budget to be used for a specific recipient, e.g., a particular

"I did call Nelson Ludlow," Heath wrote in an email on Monday. "He did not return my call."

According to federal spending records publicly available on the website [USAspending.gov](http://USAspending.gov), Dicks has supported Intellicheck Mobilisa's technology development since 2003 through earmarked appropriations amounting to \$31.5 million. In turn, Ludlow has supported Dicks to tune up of \$26,000. But now Dicks vows it's time the company goes solo.

Heath's report alleged Intellicheck Mobilisa received a \$4.5 million no-bid contract in September 2009 from the U.S. Navy. According to Navy documents, not only did the company receive that money, it also received a \$3.2 million no-bid contract in August 2008. According to USAspending.gov, Intellicheck Mobilisa has received 86 no-bid Department of Defense contracts worth a total of \$22.6 million since 2003. These contracts were designated solely to Intellicheck Mobilisa and specified that companies interested in subcontracting should contact the company directly.

If approved, Dicks' most

For years, Intellicheck Mobilisa has partnered with the APL and the UW's School of Oceanography to develop its Littoral Sensor Grid technology – the third of the company's three evolving wireless communication technologies.

The senator discussed possible funding from the U.S. Department of Homeland Security (DHS) for Intellicheck Mobilisa, saying \$50 million is available through a pilot program to introduce a new scanning device at New York airports. Schumer petitioned

In the same statement, Ludlow noted that Intellicheck Mobilisa recently hired Scott Jacobs, a Washington native and WSU friend of Ludlow's, whose last job with the government was as deputy undersecretary for Defense for Intelligence, "where he coordinated the no-fly list and other terrorist lists for the Defense Department."

Intelligence Mobilisa reported a 25 percent growth in revenue of \$531,491 for the first quarter of 2010, compared the same time period in 2009. However, the company reported its continuing net loss increased by \$0.01 per diluted share, or \$285,540 total since 2009.

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“The Petition for Letters of Administration was filed without notice to Ms. Pothier and contained a number of erroneous representations,” court documents state. Among those erroneous representations, she asserted, that Stephen Pothier was a resident of Jefferson County, Washington.

“The failure of Petitioners to provide Ms. Pothier with sufficient notice of the hearing on their Petition for Letters of Administration is inexcusable,” Kara Pothier’s attorney wrote for the court. “They petitioned for appointment as Co-Personal Representatives without giving Mr. [sic] Pothier notice of any kind and are now attempting to obtain even more control over the Decedent’s assets to her

In their declaration, Harper and William Pothier asked the court to either deny Kara Pothier's request to remove them as co-personal representatives and appoint her, or grant them four additional weeks to allow them time to gather additional evidence that would support their claims. The court ordered a continuance until Feb. 24, 2010.

The court agreed to Wills' request to withdraw in an order dated June 11, 2010. In the order, the court also found that Harper and William Pothier "were ordered to account for their actions [as co-representatives of Stephen Pothier's estate] in a reasonable time and have failed to do so." Asked by the *Leader* to clarify, Wills declined comment.

Two days before the court allowed Wills to withdraw, Kara Pothier's attorneys asked the court to enter an order of contempt against Harper.

On June 25, 2010, Harper supplied additional documentation regarding Stephen Pothier's finances, including details on bank account balances, retirement accounts and outstanding balances. Stephen Pothier owed for the property on West Uncas Road and the Bartlett Building. That included details of \$360,000 still owed to Lawrence Graves.

On July 1, the court granted Denevan's request to compel Harper to give a deposition on July 9. Harper appeared. Later, Denevan declined to comment on the content of the proceedings, but confirmed

The Washington State Department of Licensing lists Harper's real estate license as inactive, meaning the license is not affiliated with a brokerage and Harper is not practicing real estate at this time.

In court and other documents, Harper's name appears with two spellings: Domonic Z. Harper and Dominic Z. Harper.



 **Joe Daubenberg**  
Residential • Commercial • Land  
**360-301-2480**  
*Port Townsend Real Estate since 1992*

**RE/MAX** FIRST, INC.  
[www.joedaubenberg.com](http://www.joedaubenberg.com)