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No. 73725-2-I

IN THE COURT OF APPEALS, DIVISION I  
OF THE STATE OF WASHINGTON

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ROBERT WILBUR and DUSTIN FREDERICK,  
Plaintiffs,

vs.

ADMIRAL'S COVE BEACH CLUB, a Washington non-profit corporation; and  
JEAN SALLS, MARIA CHAMBERLAIN, KAREN SHAAK, ROBERT PEETZ,  
ELSA PALMER, ED DELAHANTY AND DAN JONES, individuals,

Defendants.

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SUE CORLISS,

Intervenor/ Appellant,

vs.

DUSTIN FREDERICK; ROBERT WILBUR; ADMIRAL'S COVE BEACH CLUB,  
a Washington non-profit corporation; and its BOARD OF DIRECTORS,

Respondents.

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**BRIEF OF RESPONDENT, ROBERT WILBUR**

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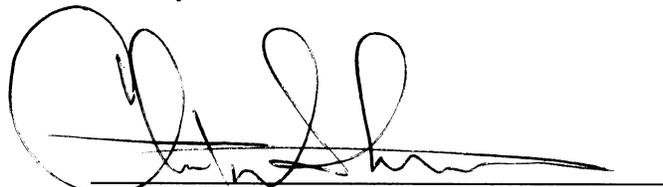
**FED R. APP. P 28(i).....1**  
**RAP 10.1(g).....1**

**STATEMENT REGARDING ADOPTION OF BRIEF OF OTHER PARTIES**

Pursuant to Fed. R. App. P. 28(i) and Washington RAP 10.1(g), Respondent Robert Wilbur adopts in full the Brief of Respondent Admiral's Cove Beach Club. Specifically, Respondent Robert Wilbur adopts the following portions of the Brief of Respondent Admiral's Cove Beach Club: Introduction; Restatement of Issues; Statement of the Case; Argument; and Conclusion. For the reasons stated therein, Robert Wilbur asserts that the trial court correctly ruled on the Plaintiffs' Motion Summary Judgment and correctly ruled when it entered the Declaratory Judgment determining that the Admiral's Cove Beach Club community swimming pool was a recreational facility that could only be decommissioned after an amendment to the applicable bylaws and articles of incorporation; and that all parties were properly joined. The arguments submitted by Appellant are not supported by Washington law.

The Court of Appeals should sustain the trial court's decision to grant the Plaintiffs' Motion for Summary Judgment and affirm the related Declaratory Judgment entered in connection with that decision.

Signed this 15th day of March, 2016.

A handwritten signature in black ink, appearing to read 'Christon C. Skinner', written over a horizontal line.

Christon C. Skinner, WSBA # 9515  
Attorney for Respondent Wilbur

**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the 15th day of March, 2016, in the manner indicated below, I caused delivery of copies of the following documents:

Brief of Respondent, Robert Wilbur

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Signed this 15<sup>th</sup> day of March, 2016 at Oak Harbor, WA.

  
Linda Williams