

NOTICE OF HEARING

Before the Court's Appointed Expert regarding

Mt. Index Riversites Community Club, Inc. v. Eleanor Anderson, et al., a Class Action Lawsuit
SNOHOMISH COUNTY SUPERIOR COURT CAUSE NO. 07-2-07884-1

NOTICE IS HEREBY GIVEN that John E. Galt, the Court's appointed Expert, has scheduled a hearing to receive comments and evidence from property owners who use the roads within the *Mt. Index Riversites* community to access their property. The date, time, and place of the hearing is as follows:

DATE: January 10, 2009
TIME: 9:00 a.m.
PLACE: Fire District No. 28 Fire Hall (Index Fire Department)
512 A Avenue, Index, Washington

PURPOSE OF HEARING: The subject of the Class Action Lawsuit is allocation of the costs to maintain the privately owned roads serving and within *Mt. Index Riversites*. The Court has appointed Mr. Galt as its expert to gather information about road maintenance issues and prepare a written Recommendation to the Court. The Court expects Mr. Galt to address questions such as, but not limited to: Is the current MIRCC maintenance cost allocation formula equitable; should capital project and maintenance costs be apportioned on the same or a different basis; how, if at all, should individually-funded maintenance be factored into an allocation formula; should an allocation formula reflect different types of lot usage; should an allocation formula differentiate between developed and vacant lots; should an allocation formula be based on a per lot, per owner, or some other basis; how should administrative overhead expenses be apportioned; what procedure should be used to set costs each year? The hearing provides you an opportunity to make your thoughts on these and related topics known to Mr. Galt.

HOW MAY I PARTICIPATE? Persons affected by the Class Action Lawsuit may present oral comments (testimony) regarding the above topics to Mr. Galt at the hearing. Because of the large number of people that may wish to participate in the hearing, **Mr. Galt will impose time limits on testimony: Each person may speak for no more than three (3) minutes; time is not cumulative and may not be traded with or given to others.** Mr. Galt may relax the time limits depending upon attendance.

Mr. Galt also welcomes written submittals if you cannot attend the hearing or if three minutes simply will not be enough time for full presentation of your comments. You may submit written materials to Mr. Galt at the hearing whether or not you choose to speak at the hearing. You may also mail materials to MIRCC Class Action Lawsuit, C/O Adams, Duncan & Howard, Inc., P.S., 3128 Colby Avenue, Everett, WA 98201. In order to be considered, written materials must be received not later than 5:00 p.m. on January 10, 2009. All timely submitted materials will be considered by Mr. Galt in preparing his recommendation to the Court, will be catalogued, and will be submitted to the Court.

HEARING NOTICE ISSUED December 10, 2008.