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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
FOR PACIFIC COUNTY

BEACON CHARTERS AND RV )  
PARK, LLC, FKA BEACON RV PARK )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
LAWRENCE BERGQUIST, )  
and all other occupants, 332 Elizabeth Av SE )  
space 40, Ilwaco, WA 98624; )  
Defendants. )

Case No. 22-2-00135-25  
DECLARATION IN SUPPORT OF  
RESPONSE IN OPPOSITION TO  
DEFENDANT’S MOTION  
FOR PRELIMINARY INJUNCTION

I, Mark G. Passannante, declare as follows:

1. I am one of the attorneys for all of the Plaintiff in this action and thus am familiar with the circumstances of this case.

2. I was present during the teleconference meeting on April 13, 2022 attended by the MHDRP and Attorney General’s representatives during which it was agreed that Beacon will not disconnect the utilities until a determination by the Court was made on termination of residents’ occupancy due to inability of Beacon to complete its duties under both MHLTA and Residential Landlord Tenant Act and that Mr. Werner would not issue any other termination notices to the residents without my approval.

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3. The AG never demanded Beacon take no steps in the future for any other reasons besides the utility shut off and did not demand that MHDRP and the AG's office be appraised on the developments with the Park not involving the fire marshall, who did not conduct the inspection, nor give advance notice to the AG's office of filing complaints for possession.

4. A copy of the City of Ilwaco Agenda is attached as Exhibit 1.

I declare under penalty or perjury of laws of the State of Washington that the foregoing is true and correct.

Signed in Vancouver WA, on October 26, 2022

*/s/ Mark G. Passannante*

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Mark G Passannante, WSBA# 25680

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 28, 2022, I served the foregoing Declaration on the party(s) listed below by the method described below:

**Facsimile**

**U.S. Mail, postage prepaid**

Last known address:

Sebastian Miller, WA AAG  
Washington State Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle WA 98104

Robina Rayamajhi  
Thurston County Volunteer Legal Services  
P.O. Box 405  
Olympia, WA 98507

**Hand delivered in Court:**

DATED: October 28, 2022

*/s/ Robert S. Phed*

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Mark G. Passannante, WSBA#  
Robert S. Phed, WSBA# 42399  
Of Attorneys for Plaintiff

# EXHIBIT 1



3. Moving forward the City of Ilwaco will continue to look at ways to establish municipal resources dedicated to low- and middle-income housing, however the city does not and will not interfere with private business contracts.

E. Impacts:

1. Fiscal: None
2. Legal: Cable Huston LLP, MRSC
3. Personnel: City Administrator, Mayor, Public Safety Committee
4. Service/Delivery:

F. Staff Comments: Audio of the June 21, 2022 Port Commissioner meeting is available upon request.

G. Time Constraints/Due Dates:

H. Proposed Motion: **None at this time.**