

FILED
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2017 JUN 16 P 1:15
BARBARA CHRISTENSEN

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

AGNEW 2, LLC, a Montana Limited
Liability Company,

Plaintiff,

v.

CHARLES ROGER BUCKNER,
Defendant.

NO. 17-2-00398-3

DECLARATION OF JOHN WELCH

I, John Welch, declare under penalty of perjury, under the laws of the State of Washington, that the following is true and correct.

1. I am an attorney with the law firm of Carney Badley Spellman. We represent Agnew 2, LLC ("Agnew") in this matter. I am over the age of 18, make this declaration based upon my personal knowledge, and am competent to testify on the matter stated herein.

2. I spoke to Charles Roger Buckner by telephone on Thursday May 25, 2017 after he was served with Agnew's Summons and Complaint. Mr. Buckner informed me then that he is represented Michele K. McNeill of Skyline law Group, PLLC. I have subsequently had a phone conversation and e-mail exchange with attorney McNeill in which she conformed her representation of Charles Roger Buckner.

3. At approximately 9:00 am on June 16, 2017, I left a voice message with attorney McNeill at her office number (425) 455-4307 (ext. 102) and informed her that I would be requesting a TRO from the ex-parte department of the Clallam County Court at 1:00pm on Friday June 16, 2017. I then followed up my voice mail by sending attorney

DECLARATION OF JOHN WELCH - 1

AGN003-0003 4614109.docx

Record Certification: I Certify that the electronic copy is a correct copy of the original, on the day filed in this office, and was taken under the Clerk's direction and control.
Clallam County Clerk, by Ed Deputy # pages: 8

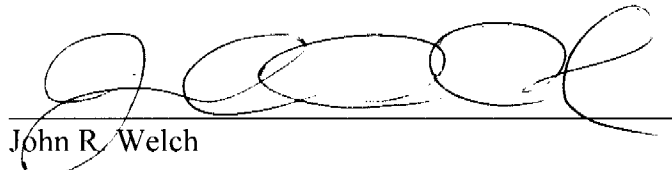
CARNEY BADLEY SPELLMAN, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010
(206) 622-8020

ORIGINAL

1 McNeil an e-mail providing her notice of the TRO hearing and letting her know that we will
2 be providing her with copies of the pleadings later this morning.

3 4. Attached hereto as Exhibit A is a true and accurate copy of my e-mail; dated
4 June 16, 2017 to attorney McNeill.

5
6 DATED this 16th day of June, 2017 at Seattle, Washington.

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9 John R. Welch
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COPY

Declaration of John Welch

Exhibit A

Welch, John

From: Welch, John
Sent: Friday, June 16, 2017 9:07 AM
To: 'Michele McNeill'
Cc: Jensen, Marie
Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Just left you a voice mail and am following up to confirm Agnew's Notice to your client, Charles Roger Buckner, of my appearance in ex-parte of Clallam County Superior Court this afternoon at 1:00pm to request a TRO/Injunction that removes your client's Deed of Trust and Subordination Agreement from Agnew's title.

My assistant will forward to you the Motion and supporting Declaration later this morning.

Please feel free to call me if you have any questions.

Regards, John Welch



John R. Welch, Principal
 206-607-4198 Direct | 206-622-8020 Main
[Bio](#) | [vCard](#) | [Address](#) | [Website](#)
welch@carneylaw.com

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From: Welch, John
Sent: Thursday, June 01, 2017 12:19 PM
To: 'Michele McNeill' <michele@skylinelaw.com>
Cc: Jensen, Marie <Jensen@carneylaw.com>
Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Trying again.

Please give me a call at your earliest convenience.

Regards, John Welch



John R. Welch, Principal
 206-607-4198 Direct | 206-622-8020 Main
[Bio](#) | [vCard](#) | [Address](#) | [Website](#)
welch@carneylaw.com

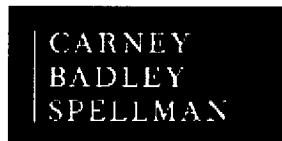
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From: Welch, John
Sent: Wednesday, May 31, 2017 1:04 PM
To: 'Michele McNeill' <michele@skylinelaw.com>
Cc: Jensen, Marie <Jensen@carneylaw.com>
Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Are you available for a telephone call this afternoon?

Thanks, John Welch



John R. Welch, Principal
206-607-4198 Direct | 206-622-8020 Main
[Bio](#) | [vCard](#) | [Address](#) | [Website](#)
welch@carneylaw.com

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From: Welch, John

Sent: Wednesday, May 31, 2017 10:58 AM

To: 'Michele McNeill' <michele@skylinelaw.com>

Cc: Jensen, Marie <Jensen@carneylaw.com>

Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Following up on my e-mails from last Friday, May 26, and yesterday, May 30. Just left you a voice mail.

Please contact me to discuss my proposal to avoid possible damages that Agnew 2 will suffer if it loses the sale of 164 Heuhslein Road.

Regards, John Welch



John R. Welch, Principal
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welch@carneylaw.com

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From: Welch, John

Sent: Tuesday, May 30, 2017 4:41 PM

To: 'Michele McNeill' <michele@skylinelaw.com>

Cc: Jensen, Marie <Jensen@carneylaw.com>

Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Following up on my e-mail from last Friday.

Any response to my proposal that your client releases his interest in 164 Heuhslein Road only so as to not tank the pending sale?

If not, perhaps we can agree to get issues before the Court on a shortened schedule.

Thanks, John Welch



John R. Welch, Principal
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From: Welch, John
Sent: Friday, May 26, 2017 4:44 PM
To: 'Michele McNeill' <michele@skylinelaw.com>
Cc: Jensen, Marie <jensen@carneylaw.com>
Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Michele:

Thanks for calling me back this afternoon.

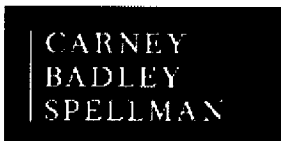
Attached is a copy of the extension agreement for 164 Heuhslein Road, as requested. You will see that I have redacted the Buyer and agent information from the document. As I noted during our call today, we know that Todd Buckner has recently been in contact with our office, posing as a representative of Heather Blakely and seeking information about our representation of Agnew 2, LLC. I was also informed by Roger's previous counsel that Todd had impersonated Roger and was the author of a letter to me that was written in Roger's name. Since you informed me that you have been in conversations with both Roger and Todd, we are concerned that any information provided to you will be provided to Todd, who will use it to further interfere with Agnew 2, LLC.

I understand that you are new to this dispute but I want to reiterate the fact that the Promissory Note, the DOT and the subordination agreement that you are trying to enforce for your client are all fraudulent. Roger may or may not have an argument that Todd borrowed \$15k that Todd then used for the benefit of Agnew, but he certainly has no legitimate secured interest on Agnew's property in that Todd had no authority to bind Agnew to the promissory note, the DOT or the subordination agreement.

Agnew 2, has already spent significant resources trying to convince Roger to reconvey the DOT (which his previous counsel agreed to before withdrawing) and although Agnew 2 expects to recover its costs, fees and damages from Roger, it would like to try and avoid incurring damages that could otherwise be avoided. To this end, I have suggested that Roger file a partial reconveyance that releases 164 Heuhslein Road so that the sale can go through while maintaining his claim over the 4 acres.

Look forward to discussing this further with you after the holiday weekend.

Regards, John Welch



John R. Welch, Principal
 206-607-4198 Direct | 206-622-8020 Main
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welch@carneylaw.com

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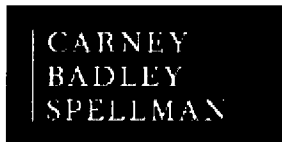
From: Welch, John
Sent: Friday, May 26, 2017 2:22 PM
To: 'Michele McNeill' <michele@skylinelaw.com>

Cc: Jensen, Marie <Jensen@carneylaw.com>

Subject: RE: Charles Roger Buckner - Agnew 2, LLC

Hi Michele:

Want to make sure I catch you before the long weekend. I am still in the office. Please call.
Thank you, John Welch



John R. Welch, Principal
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welch@carneylaw.com

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From: Michele McNeill [<mailto:michele@skylinelaw.com>]

Sent: Friday, May 26, 2017 12:13 PM

To: Welch, John <Welch@carneylaw.com>

Cc: Jensen, Marie <Jensen@carneylaw.com>

Subject: RE: Charles Roger Buckner - Agnew 2, LLC

John,

I am wrapping up work on another matter and will call you within the next hour.

Michele K McNeill, JD

Skyline Law Group PLLC

Phone: (425) 455-4307 x 102

Fax: (800) 455-1184

www.skylinelaw.com

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From: Welch, John [<mailto:Welch@carneylaw.com>]

Sent: Friday, May 26, 2017 11:24 AM

To: Michele McNeill <michele@skylinelaw.com>

Cc: Jensen, Marie <Jensen@carneylaw.com>

Subject: RE: Charles Roger Buckner - Agnew 2, LLC

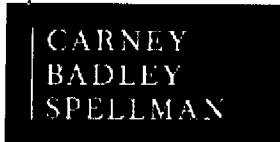
Michele McNeill:

Just left you another voice email on your cell phone.

My client can't close on the sale of 164 Heuhslein with your client's wrongful DOT on title and I am afraid we may lose another sale.

Pease give me a call today.

Regards, John Welch



John R. Welch, Principal
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welch@carneylaw.com

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From: Welch, John
Sent: Thursday, May 25, 2017 3:10 PM
To: 'michele@skylinelaw.com' <michele@skylinelaw.com>
Cc: Marie Jensen (jensen@carneylaw.com) <jensen@carneylaw.com>
Subject: Charles Roger Buckner - Agnew 2, LLC

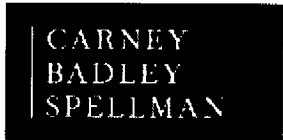
Hi Michele McNeill:

Just left you a voice mail.

I represent Agnew 2, LLC, who served your client with a quiet title action yesterday. I called Roger this afternoon and he let me know immediately that you are representing him, which ended our conversation

Please give me a call as soon as possible. One of the properties upon which Roger has clouded title with his deed of trust is scheduled to close today.

Regards, John Welch



John R. Welch, Principal
 206-607-4198 Direct | 206-622-8020 Main
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