

1  EXPEDITE  
2  No hearing is set  
3  Hearing is set  
4 Date: January 13, 2011  
5 Time: 11 a.m.  
6 Judge/Calendar: Hon. Paula Casey/  
7 Hon. Christopher Wickham  
8

9 SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

10 KENT L. and LINDA DAVIS; JEFFREY  
11 and SUSAN TRININ; and SUSAN  
12 MAYER, derivatively on behalf of  
13 OLYMPIA FOOD COOPERATIVE,

14 Plaintiffs,

15 v.

16 GRACE COX; ROCHELLE GAUSE;  
17 ERIN GENIA; T.J. JOHNSON; JAYNE  
18 KASZYNSKI; JACKIE KRZYZEK;  
19 JESSICA LAING; RON LAVIGNE;  
20 HARRY LEVINE; ERIC MAPES; JOHN  
21 NASON; JOHN REGAN; ROB  
22 RICHARDS; SUZANNE SHAFER; JULIA  
23 SOKOLOFF; and JOELLEN REINECK  
24 WILHELM,

25 Defendants.

No. 11-2-01925-7

DECLARATION OF TIBOR  
BREUER OPPOSING  
DEFENDANTS' SPECIAL MOTION

26 I, Tibor Breuer, declare under penalty of perjury of the laws of the State of  
Washington that the following statements are true and correct and based on personal  
knowledge:

- 27 1. I am over the age of 18, have knowledge of the facts set forth below, and am  
28 competent to testify thereto.
- 29 2. I have lived in Olympia, Washington since 1988. I joined the Olympia Food  
30 Cooperative (the "Co-op") as a member in 1988.

1           3. I am familiar with the enactment in July 2010 by the Co-op's Board of Directors of  
2 a resolution to boycott and divest from Israel, which I believe was improper and unlawful.  
3 As a direct result of the Board's action, and in protest against the process by which the  
4 Board enacted the Israel Boycott and Divestment resolution/policies, I cancelled my Co-  
5 op membership in December 2010. I am aware of numerous other Co-op members who  
6 did the same.

7           4. In the early 1990s, I was a member of the Board of Directors of the Co-op. I am  
8 familiar with the enactment in May 1993 of the Co-op's Boycott Policy. Underlying the  
9 adoption of the Boycott Policy were several intentions, among them that (1) the Co-op  
10 would be a follower with regard to boycotts that were already recognized—not a leader; (2)  
11 the prior recognition of such boycotts would be national in scope; and (3) authority to  
12 recognize boycotts would reside with the Co-op Staff—not the Board,

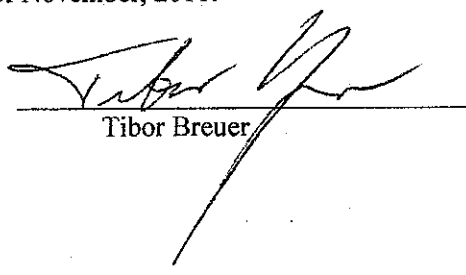
13           5. Although it was given no advance notice of the Board's plans to vote on the  
14 proposal to boycott and divest from Israel, the Co-op community quickly caught wind of  
15 the Board's improper action. Prompt requests were made by certain Co-op members to  
16 rescind the resolution/policies, and the Board faced widespread criticism for its action.

17           6. At a meeting on or around August 12, 2010, two petitions were submitted to the  
18 Board of the Co-op requesting that the Israel Boycott and Divestment resolution/policies  
19 be rescinded, including mine. Together, these petitions contained the signatures of  
20 approximately 350 members of the Co-op. So far as I am aware, no action was ever taken  
21 by the Board in response to those petitions. In fact, it soon became clear to me that the  
22 Board had no intention of rescinding the resolution/policies.

23           7. Many present Co-op members who oppose the process by which the Board  
24 enacted the Israel Boycott and Divestment resolution/policies support the Plaintiffs in  
25 their lawsuit against the Defendants. Although I am not a lawyer, I believe the Plaintiffs  
26 "fairly and adequately" represent those Co-op members.

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Dated this 30th day of November, 2011:



Tibor Breuer

DECLARATION OF TIBOR BREUER – Page 3

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