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3 KING COUNTY
4 SUPERIOR COURT CLERK
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6 CASE #: 23-2-10294-1 SEA THE HONORABLE WILLIAM L. DIXON V
7 Department 46
8 Hearing Date: July 17, 2026, 9:00 a.m.
9 With Oral Argument

10 IN THE SUPERIOR COURT OF THE STATE WASHINGTON
11 COUNTY OF KING

12 EPIC HOMEOWNERS ASSOCIATION, a
13 Washington limited liability company;
14 BAYVIEW ON THE LAKE CONDOMINIUM
15 OWNERS ASSOCIATION, a Washington
16 nonprofit corporation; ARBORETUM AT VISTA
17 PARK CONDOMINIUM ASSOCIATION, a
18 Washington nonprofit corporation; THE VINE
19 BUILDING OWNERS ASSOCIATION, a
20 Washington nonprofit corporation; and THE
21 COSMOPOLITAN CONDOMINIUM OWNERS'
22 ASSOCIATION, a Washington nonprofit
23 corporation, all individually and on behalf of
24 similarly situated entities,

25 Plaintiffs,

26 v.

27 MARK HOLMES and J. DOE HOLMES, and the
marital community comprised thereof;
KAPPES MILLER MANAGEMENT, LLC, a
Washington limited liability company; YATES,
WOOD & MCDONALD, INC., a Washington
corporation; ECONDOSERVICES.COM, LLC, a
Washington limited liability company;
ASSOCIATION UNDERWRITERS OF
WASHINGTON, LLC, a Washington limited
liability company; DOE ENTITIES 1–20; and
KELLY SZETO and J. DOE SZETO, and the
marital community comprised thereof,

Defendants.

NO. 23-2-10294-1 SEA

**DECLARATION OF BLYTHE H. CHANDLER
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

1 I, Blythe H. Chandler, declare as follows:

2 **A. Background and experience**

3 1. I am a member of the law firm of Terrell Marshall Law Group PLLC and co-
4 counsel of record for Plaintiffs in this matter. I am admitted to practice before this Court and
5 am a member in good standing of the bar of the state of Washington. I respectfully submit this
6 declaration in support of Plaintiffs' Motion for Final Approval of Class Settlement. Except as
7 otherwise noted, I have personal knowledge of the facts set forth in this declaration and could
8 testify competently to them if called upon to do so.

9 2. Terrell Marshall is a law firm in Seattle, Washington, that focuses on complex
10 civil and commercial litigation with an emphasis on consumer protection, product defect, civil
11 rights, and wage and hour cases. Terrell Marshall has been appointed lead or co-lead counsel
12 representing multi-state and nationwide classes in state and federal court in Washington and
13 throughout the United States. Since its founding in 2008, the attorneys at Terrell Marshall have
14 represented scores of classes, tried class actions in state and federal court, and obtained
15 hundreds of millions of dollars in monetary relief to workers, consumers, and other individuals.

16 **B. The Prosecution and Settlement of this Action.**

17 3. Class Counsel have spent over three years litigating the action, including
18 contentious motion practice related to discovery issues; reviewing thousands of pages of
19 documents that Defendants produced; calculating potential damages for class certification with
20 an experienced damages expert; and evaluating evidence for class certification and mediation

21 4. The Parties engaged in extensive written discovery and document production,
22 including the retainment of an ESI expert to assist with collecting responsive documents.

23 5. On December 12, 2025, the parties participated in mediation with Matt Turetsky,
24 an experienced mediator of consumer disputes. Information about Mr. Turetsky's mediation
25 practice is available on his website, <https://www.turetskyadr.com/>.

26 6. The mediation, which lasted more than twelve hours, ended with the parties
27 signing a CR 2A agreement, which was approved by each Plaintiff's governing board.

1 7. Over the subsequent months, the parties negotiated and documented the
2 complete terms of the settlement.

3 **C. The Settlement Website**

4 8. Terrell Marshall established and maintained a Settlement Website which
5 includes the content found in **Exhibit A** and displayed the operative complaint, Postcard Notice,
6 Website Notice, Settlement Agreement, opt-out instructions, Preliminary Approval Order, and
7 Class Counsel's Motion for Attorneys' Fees, Litigation Costs, and Service Awards.

8 **D. Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards**

9 9. On May 15, 2026, Class Counsel filed Plaintiffs' Motion for Attorneys' Fees,
10 Litigation Costs, and Service Awards.

11 10. Within one business day of Class Counsel filing its Motion for Attorneys' Fees,
12 Litigation Costs, and Service Awards, Class Counsel posted the materials on the Settlement
13 Website.

14 **E. The Settlement is Fair, Reasonable, Adequate, and in the Best Interest of the Class**

15 11. Class Counsel calculate that Class Members paid \$813,244 in Defendants' Fees.
16 The \$1,265,000 Settlement Fund exceeds that amount. If the Court approves the requested
17 service awards, attorneys' fees and costs, and estimated administrative costs, the remaining
18 net Settlement Fund of \$650,155 is equal to approximately 80% of the Defendants' Fees the
19 Class paid¹.

20 12. The net fund amount in Plaintiffs' Motion for Attorneys' Fees, Litigation Costs,
21 and Service Awards, \$650,343, reflects an error in the calculation of the net fund when Class
22 Counsel subtracted litigation costs.

23 13. A majority of the Class Members' Settlement Awards will be well above \$1,000
24 with more than half over \$10,000.

25
26 ¹ This estimated net Settlement Fund is reached by assuming Court-ordered Attorneys' fees of
27 \$421,245, litigation costs of \$40,000, service awards of \$30,000, and Settlement Administrator Expenses of \$3,600:
\$1,265,000 – (\$421,245 + \$40,000 + (\$30,000*5) + \$3,600) = \$650,155.

CERTIFICATE OF SERVICE

I, Blythe H. Chandler, hereby certify that on July 2, 2026, I caused true and correct copies of the foregoing to be served via the means indicated below:

Mary DePaolo Haddad, WSBA #30604
Email: mhaddad@klinedinstlaw.com
Gregor A. Hensrude, WSBA #45918
Email: ghensrude@klinedinstlaw.com
Jack T. Bishop, WSBA #55564
Email: jbishop@klinedinstlaw.com
KLINEDINST PC
1325 Fourth Avenue, Suite 1335
Seattle, Washington 98101
Telephone: (206) 672-4400

- U.S. Mail, postage prepaid
- Hand Delivered via Messenger Service
- Overnight Courier
- Facsimile
- Electronic Mail
- King County Electronic Filing System

Attorneys for Defendants Kappes Miller Management, LLC, Yates, Wood & MacDonald, Inc., and eCondoservices.com, LLC

Jeffrey Bilanko, WSBA #38829
Email: jbilanko@cbblegal.com
CARROL, BIDDLE, & BILANKO, PLLC
411 W. Mercer Street
Seattle, Washington 98119
Telephone: (206) 338-1605

- U.S. Mail, postage prepaid
- Hand Delivered via Messenger Service
- Overnight Courier
- Facsimile
- Electronic Mail
- King County Electronic Filing System

Attorneys for Defendants Association Underwriters of Washington, Mark Holmes, J. Doe Holmes, Kelly Szeto and J. Doe Szeto

Fred B. Burnside, WSBA #32491
Email: fredburnside@dwt.com
Ardie Ermac, WSBA #60755
Email: ardieermac@dwt.com
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104
Telephone: (206) 622-3150

- U.S. Mail, postage prepaid
- Hand Delivered via Messenger Service
- Overnight Courier
- Facsimile
- Electronic Mail
- King County Electronic Filing System

Attorneys for Mark Holmes

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

DATED this 2nd day of July, 2026.

By: /s/ Blythe H. Chandler
Blythe H. Chandler, WSBA #43387

EXHIBIT A

[← Back](#)

Epic v Holmes

Important Dates

- June 26, 2026: Your deadline to object or opt out
- July 17, 2026: Settlement approval hearing

Important Documents

[Epic v Holmes Settlement Agreement](#)

[Motion for Preliminary Approval](#)

[Declaration of Blythe Chandler In Support of Plaintiff's Motion for Preliminary Approval](#)

[Order Granting Motion for Preliminary Approval](#)

[Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Blythe Chandler in Support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Isaac Ruiz in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Grayson Deitering in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Michael Fitzgerald in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Tom Ichelson in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

Settled

Washington State Superior Court for King County
Epic Homeowners Association, et al. v. Mark Holmes, et al.
Case No. 23-2-10294-1 SEA

Class Action Notice

Authorized by King County Superior Court

Are you a condominium or homeowners association that had a property management contract with Kappes Miller, Yates Wood, or eCondoServices and bought insurance from Association Underwriters of Washington since June 6, 2019?	There is a \$1,265,000.00 settlement of a lawsuit. Lawyers for the class will seek up to \$461,245 in attorneys' fees and costs and up to \$30,000 for each plaintiff in service awards.	You may be entitled to money. To select an electronic payment email info@EpicHOASettlement.com . To exclude your HOA or COA or object to this settlement, you must respond by June 26, 2026. Keep reading this website to learn more.
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If you take no action, you will still be bound by the settlement, and your rights will be affected.

1. This settlement resolves a lawsuit over whether Kappes Miller Management, LLC; Yates, Wood & McDonald, Inc.; eCondoservices.com, LLC; Association Underwriters of Washington; Mark Holmes; and Kelly Szeto (collectively, "Defendants") charged Class Member HOAs an amount more than the premium shown on the declaration pages of subject insurance policies.
2. It avoids costs and risks from continuing the lawsuit, pays money to Class Member HOAs, and releases Defendants from liability. The two sides disagree on how much money could have been won at trial.
3. Lawyers for the Class Member HOAs and COAs will ask the Court for up to \$461,245 in attorneys' fees and costs for their work on this case.

Frequently Asked Questions

About this Notice

- [Why did I get this notice?](#)
- [What do I do next?](#)
- [What are the most important dates?](#)

Learning About the Lawsuit

- [What is this lawsuit about?](#)
- [Why is there a settlement in this lawsuit?](#)
- [What happens next in this lawsuit?](#)

Learning About the Settlement

- [What does the settlement provide?](#)
- [How much will my payment be?](#)

Deciding What to Do

- [How do I weigh my options?](#)



[Declaration of Priscilla Stoyanof in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

[Declaration of Michael Hunsinger in support of Plaintiffs' Motion for Attorneys' Fees, Litigation Costs, and Service Awards](#)

- [What is the best path for me?](#)

[Submitting a Claim](#)

- [How do I get a payment if I am a class member?](#)
- [Do I have a lawyer in this lawsuit?](#)
- [Do I have to pay the lawyers in this lawsuit?](#)

[Opting Out](#)

- [What if I don't want to be part of this settlement?](#)
- [How do I opt out?](#)

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[Doing Nothing](#)

- [What are the consequences of doing nothing?](#)

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About This Notice

Why did I get this notice?

This notice is to tell you about the settlement of a class action lawsuit, *Epic Homeowners Association, et al. v. Mark Holmes, et al.*, King County Superior Court Case No. 23-2-10294-1 SEA, brought on behalf of condominium or homeowners association that (a) had a property management relationship with Kappes Miller, Yates Wood, or eCondoServices; (b) purchased insurance through AUW within four years before June 6, 2023; (c) paid a broker fee as a part of the "premium," which made the "premium" greater than the actual consideration owed for an insurance contract or renewal as shown on the declaration pages of the relevant insurance policy; and (d) did not otherwise receive and sign a compensation disclosure form disclosing a broker fee. **You received this notice because you may be a member of the group of people affected, called the "Class Member HOAs or COAs."** This notice gives you a summary of the terms of the proposed settlement agreement, explains what rights Class Member HOAs or COAs have, and helps Class Member HOAs or COAs make informed decisions about what action to take.

What do I do next?

Read this notice to understand the settlement and to determine if you are a Class Member HOA. Then, decide if you want to:

Options	More information about each option
Do Nothing	Remain in the class. Receive payment if eligible. You will be bound by the settlement.
Opt Out	Get no payment. Allows you to bring another lawsuit against Defendants about the same issues.
Object	Tell the Court why you don't like the settlement.

Read on to understand the specifics of the settlement and what each choice would mean for you.

What are the most important dates?

Your deadline to object or opt out: **June 26, 2026**
Settlement approval hearing: **July 17, 2026**

Learning About the Lawsuit

What is the lawsuit about?

The lawsuit claims that Defendants charged a broker fee to Class Member HOAs or COAs as a part of insurance "premiums," which made the "premiums" greater than actual costs of insurance as shown on the declaration pages of the relevant insurance policies and did not otherwise provide a compensation disclosure form disclosing a broker fee.

The Defendants deny that they did anything wrong.

Where can I learn more?



You can get a complete copy of the proposed settlement and other key documents in this lawsuit at terrellmarshall.com/cases/hoasettlement.

Why is there a settlement in this lawsuit?

In December 2025, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of the HOPAs or COAs who brought the case and all members of the settlement class. The Court has not decided this case in favor of either side.

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that causes the harm.

What happens next in this lawsuit?

The Court will hold a Fairness hearing to decide whether to approve the settlement. The hearing will be held at:

Where: King County Superior Court, 401 4th Ave. N. Room 2D, Kent, WA 98032.

When: 9:00 a.m. on July 17, 2026.

The Court has directed the parties to send you this notice about the proposed settlement. Because the settlement of a class action decides the rights of all members of the proposed class, the Court must give final approval to the settlement before it can take effect. Payments will only be made if the Court approves the settlement.

You don't have to attend, but you may at your own expense. You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not approve the settlement or the parties decide to end it, it will be void and the lawsuit will continue. The date of the hearing may change without further notice to members of the class. To learn more and confirm the hearing date, go to terrellmarshall.com/cases/hoasettlement.

Learning About the Settlement

What does the settlement provide?

Defendants have agreed to create a \$1,265,000.00 fund to be divided among qualifying Class Member HOAs or COAs who do not opt out. This money will be divided among the Class Member HOAs or COAs and will also be used to pay for costs and lawyer fees approved by the Court, and for the cost of administering this settlement. Members of the settlement class will "release" their claims as part of the settlement, which means they cannot sue Defendants for the same issues and legal violations raised in this lawsuit. The full terms of the release can be found terrellmarshall.com/cases/hoasettlement.

If there is money left over after the void date for settlement payments, it will be donated to the Legal Foundation of Washington and the Northwest Consumer Law Center.

How much will my payment be?

Your HOA's estimated payment amount is listed on the notice postcard and email sent to the HOA. An authorized representative of the HOA can request the estimated payment amount by calling 1-855-349-7023. The estimated payment amount is your HOA's share of the settlement fund calculated based on the amount of AUW brokerage fees your HOA paid, as reflected in Defendants records. The final payment amount may be more or less than the estimated payment.

The Settlement does not include any AUW brokerage fees your HOA may have paid after signing a form disclosing the fees in 2022 or 2023.

If you are still unsure whether you are a class member, call 855-349-7023 to see if you are eligible.

Deciding What to Do

How do I weigh my options?

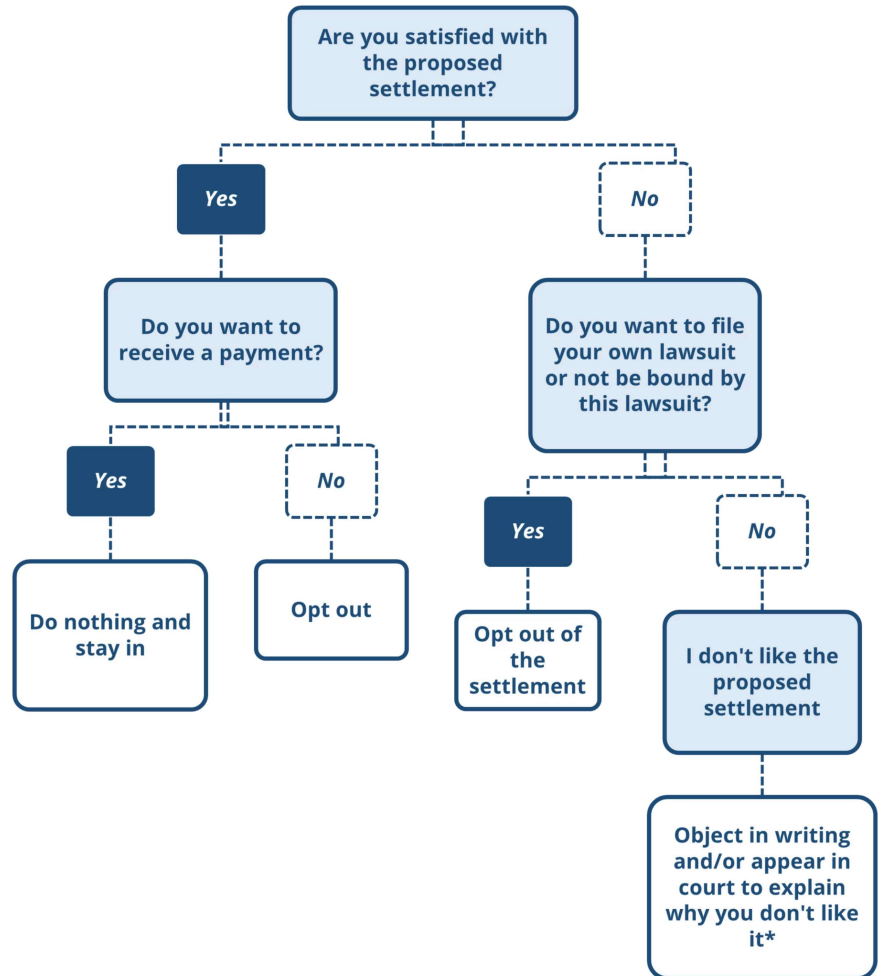
You have three options. You can do nothing and stay in the settlement, you can opt out of the settlement, or you can object to the settlement. This chart shows the effects of each option:

	Do nothing and stay in the class	Opt out	Object
Can I receive settlement money if I . . .	YES	NO	YES
Am I bound by the terms of this lawsuit if I . . .	YES	NO	YES



Can I pursue my own case if I . . .	NO	YES	NO
Will the class lawyers represent me if I . . .	YES	NO	NO

What is the best path for me?



**You can object to the settlement AND still receive payment if you do not opt out.*

Receiving a payment

How do I get a payment if I am a class member?

If you wish to receive money, do nothing. The Settlement Administrator will send the HOA its award when funds are distributed. If you an electronic payment instead of check, please email info@EpicHOASettlement.com. To make sure the proper contact information is on file, call 855-349-7023 or email classactions@terrellmarshall.com.

Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals and lawyers.

Your lawyers: Isaac Ruiz of Ruiz and Smart LLP; and Beth Terrell and Blythe Chandler of Terrell Marshall Law Group PLLC. These are the lawyers who negotiated this settlement on your behalf.

If you want to be represented by your own lawyer, you may hire one at your own expense.

Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and costs will be paid from the Settlement Fund. You will not have to pay the lawyers directly.



To date, your lawyers have not been paid any money for their work or the expenses that they have paid for the case. To pay for some of their time and risk in bringing this case without any guarantee of payment unless they were successful, your lawyers will request, as part of the final approval of this Settlement, that the Court approve a payment of up to \$461,245 total in for attorneys' fees and the reimbursement of out-of-pocket expenses.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think the settlement terms are fair.

Your lawyers will also ask the Court to approve a payment of \$30,000.00 to each of the Class Representatives for the time and effort they contributed to the case. If approved by the Court, the Service Awards will be paid from the Settlement Fund.

Opting Out

What if I don't want to be part of this settlement?

You can opt out. If you do, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit. That means you keep the right to sue Kappes Miller Management, LLC; Yates, Wood & McDonald, Inc.; eCondoservices.com, LLC; Association Underwriters of Washington; Mark Holmes; and Kelly Szeto or be part of another case against and of these defendants about the issues in this lawsuit. **If you have a pending lawsuit against Defendants, speak to your lawyer in that case immediately.** You must exclude yourself from this Class to continue your own lawsuit.

How do I opt out?

To opt out of the settlement, you must notify the Settlement Administrator in writing to the address below no later than June 26, 2026 that you do not want to be a class member. All such writings must include the name and address of the condominium or homeowners association opting out, be signed by an authorized representative of the condominium or homeowners association opting out, include the name, title, email address, and telephone number of the authorized representative signing the opt out, and must be postmarked no later than the Opt-Out Deadline.

[Settlement Administrator]
[Street address]
[City, State, Zip Code]
[Phone Number]

Objecting

What if I disagree with the settlement?

If you disagree with any part of the settlement (including the lawyers' fees) but don't want to opt out, you may object. You should give reasons why you think the Court should not approve it and say whether your objection applies to just you, a part of the class, or the entire class. The Court will consider your views. The Court can only approve or deny the settlement – it cannot change the terms of the settlement. You may, but don't need to, hire your own lawyer to help you.

To object, you must send a letter to the Court that:

1. is postmarked by June 26, 2026;
2. includes the case name and number (*Epic Homeowners Association, et al. v. Mark Holmes, et al.*, King County Superior Court Case No. 23-2-10294-1 SEA)
3. includes your full name, address, telephone number, and email address (if you have one);
4. states the reasons for your objection;
5. Your signature.

Mail the letter to:

Clerk's Office
King County Superior Court
516 3rd Avenue, Room C-203
Seattle, Washington 98104

Right to Appear at Final Approval Hearing. Anyone who properly objects, as described herein, may appear at the Final Approval Hearing, including through an attorney hired at the objector's expense. Such objectors or their attorneys intending to appear at the Final Approval Hearing should file a notice of appearance with the Court no later than ten (10) days before the Final Approval Hearing. Any member of the Settlement Class who fails to comply with the provisions herein shall waive its rights to appear or object separately, and shall be bound by the terms of this Settlement and the orders and judgments of this Court.

Doing Nothing

What are the consequences of doing nothing?

If you do nothing, your HOA will be mailed a check and your HOA will be bound by the settlement and its "release" provisions. That means you won't be able to start, continue, or be part of any other lawsuit against Kappes Miller Management, LLC; Yates, Wood & McDonald, Inc.; eCondoservices.com, LLC; Association Underwriters of Washington; Mark Holmes; and Kelly Szeto about the issues in this case.



Key Resources

How do I get more information?

This notice is a summary of the proposed settlement. The complete settlement with all its terms can be found here. To get a copy of the settlement agreement or get answers to your questions:

- contact your lawyer (information below)
- visit the case website at terrellmarshall.com/cases/hoasettlements

Resource	Contact Information
Case website	terrellmarshall.com/cases/hoasettlement
Settlement Administrator	[Settlement Administrator] [Street address] [City, State, Zip Code] [Phone Number]
Your Lawyers	Isaac Ruiz Ruiz & Smart LLP 901 5 th Avenue, Suite 820 Seattle, Washington 98164 Beth Terrell Blythe Chandler Terrell Marshall Law Group PLLC 1700 Westlake Ave N, Suite 300 Seattle, Washington 98109
Court (DO NOT CONTACT)	The Honorable William L. Dixon V King County Superior Court 401 4 th Avenue N, Room 2D Kent, Washington 98032

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