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THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEVIN MCCLINTIC, on behalf of himself)
and all others similarly situated,)
)
Plaintiff,)
)
v.)
)
LITHIA MOTORS, INC.)
)
Defendant.)

No. 11-cv-00859

**DECLARATION OF RICHARD
SUMMERS IN SUPPORT OF
LITHIA MOTORS, INC.'S
OPPOSITION TO PLAINTIFF-
INTERVENOR DAN McLAREN'S
MOTION TO INTERVENE**

RICHARD SUMMERS declares as follows:

1. I am the General Manager for Lithia Dodge Chrysler Jeep in Medford, Oregon.

I make the following statements based upon my personal knowledge of the facts set forth herein.

2. Dan McLaren urged dealerships to market to their customers via text messages. McLaren served as my advertising department representative from October of 2008 until February of 2011. During that time, on three or four occasions, McLaren urged Lithia Dodge Chrysler Jeep to advertise to Lithia's customers via text messages.

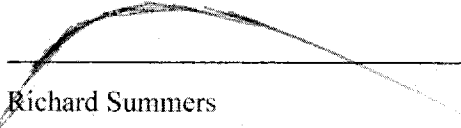
I declare under penalty of perjury under the laws of Washington and the United States of America that the foregoing is true and correct.

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DATED this 8 day of Aug, 2011, at Medford, Oregon.


Richard Summers

1 **CERTIFICATE OF SERVICE**

2 Pursuant to RCW 9.A.72.085, the undersigned certifies under penalty of perjury under
3 the laws of the State of Washington, that on the 8th day of August, 2011, the document
4 attached hereto was presented to the Clerk of the Court for filing and uploading to the
5 CM/ECF system. In accordance with their ECF registration agreement and the Court's rules,
6 the Clerk of the Court will send e-mail notification of such filing to all CM/ECF participants
7 and any non-CM/ECF participants will be served in accordance with the Federal Rules of
8 Civil Procedure.

9 **Kim Williams**
10 **Rob Williamson**
11 Williamson & Williams
12 17253 Agate Street NE
13 Bainbridge Island, WA 98110
14 E-Mail: roblin@williamslaw.com
15 E-Mail: kim@williamslaw.com

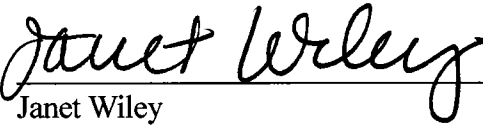
16 **Clifford A Cantor**
17 627 208TH AVE SE
18 SAMMAMISH, WA 98074-7033
19 425-868-7813
20 Fax: 425-868-7870
21 Email: cacantor@comcast.net
22 *ATTORNEY TO BE NOTICED*

23 **John C Ochoa**
24 EDELSON MCGUIRE LLC
25 350 NORTH LASALLE STREET
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PRO HAC VICE
ATTORNEY TO BE NOTICED

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1 Email: mjmcmmorrow@edelson.com
2 *PRO HAC VICE*
3 *ATTORNEY TO BE NOTICED*

4 DATED this 8th day of August, 2011 at Seattle, Washington.

5 
6 Janet Wiley