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SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

SERVICE EMPLOYEES INTERNATIONAL)
UNION 775, WASHINGTON PUBLIC)
EMPLOYEES ASSOCIATION/UNITED FOOD)
AND COMMERCIAL WORKERS LOCAL)
365, SERVICE EMPLOYEES)
INTERNATIONAL UNION LOCAL 925,)
SERVICE EMPLOYEES INTERNATIONAL)
UNION DISTRICT 1199NW,)
INLANDBOATMEN'S UNION OF THE)
PACIFIC/ILWU, UNITED FOOD AND)
COMMERCIAL WORKERS LOCAL 21, and)
WASHINGTON STATE NURSES)
ASSOCIATION,)

No. 07-2-05431-6 SEA

DECLARATION OF DARREL G.
MOLLENHOUR IN SUPPORT
OF EVERGREEN FREEDOM
FOUNDATION'S OPPOSITION
TO PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

Plaintiffs,

v.

STATE OF WASHINGTON, OFFICE OF
FINANCIAL MANAGEMENT, and STEVE
MCLAIN, Director of Labor Relations, in his
official capacity,

Defendant.

Darrel G. Mollenhour declares and states as follows:

1. I am over the age of eighteen and competent to testify to the matters herein.
2. I am not a party to this action.
3. I am an employee at The Department of Labor & Industries as a Medical Treatment Adjudicator I. I have been employed with the State of Washington for 7 years. I am not a union member and do not wish to become a union member.

DECLARATION OF DARREL G. MOLLENHOUR - 1

1 4. I believe, both as a tax paying member of the public and as a state employee
2 whose position is represented by a union, I am absolutely entitled to have access to the proposals
3 passed across the table and the notes kept by, and in the possession of the state, of the negotiation
4 sessions. If the state released these documents to the public I would find them a valuable
5 resource. Keeping this information from the public causes me to wonder what the unions are
6 trying to hide.

7
8 5. I believe the General Government Collective Bargaining Agreements are public
9 policy in that they determine the working conditions of a large percentage of state workers, they
10 determine how state workers deliver their services to the people of Washington State, and they
11 control how a significant portion of the state budget is spent.

12 6. As a citizen and taxpayer of the state of Washington, I want to know the details of
13 how contracts worth more than \$500 million were negotiated.

14 7. As a state employee, I want to, and believe I have the right to know how the
15 General Government Collective Bargaining Agreements are negotiated. These contracts
16 determine my work environment and how I perform my responsibilities to the people of
17 Washington. If I am required to live by deals negotiated by a union, I should be allowed to see
18 how they negotiated those deals.

19
20 8. I believe this is true for all state workers, whether they want representation or not
21 and whether they pay the union as members, as fee payers, or pay to a charity. When a union
22 represents state employees, the employees should know exactly how they are being represented.

23 9. If I were ever involved in the negotiation process, the knowledge that my
24 statements would be released to the public would play no role in my decision-making process.
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DECLARATION OF DARREL G. MOLLENHOUR - 2

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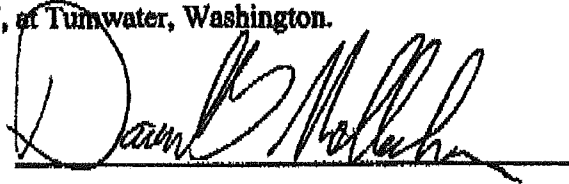
Davis Wright Tremaine LLP
LAW OFFICES
2600 Century Square • 1901 Fourth Avenue

1 10. As an employee of the State of Washington, all information related to how I
2 perform my job is open to public disclosure; I see no reason for contract negotiations to be
3 treated any differently.

4 11. This demand for secrecy was brought before the legislature this last session and
5 the "voice of the people" declined to exempt bargaining negotiation information from public
6 disclosure.

7 12. I believe that this type of inappropriate use of the courts in an attempt to override
8 the democratic, representative process is a travesty.
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12 Executed this 24th day of May, 2007, at Tumwater, Washington.

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DECLARATION OF DARREL G. MOLLENHOUR - 3

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