

EXPEDITE
 No hearing set
 Hearing is set
Date: January 13, 2012
Time: 11:00am
Judge/Calendar: Hon. Paula Casey

SUPERIOR COURT OF THE STATE OF WASHINGTON
THURSTON COUNTY

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

Plaintiffs,

v.

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

Defendants.

Case No. 11-2-01925-7

DECLARATION OF JAYNE
KASZYNSKI IN SUPPORT OF
DEFENDANTS' SPECIAL
MOTION TO STRIKE UNDER
WASHINGTON'S ANTI-SLAPP
STATUTE, RCW 4.24.525, AND
MOTION TO DISMISS

I, Jayne Kaszynski, declare as follows:

1. The statements in this declaration are made on my personal knowledge, and are true and correct to the best of my knowledge and understanding. I am competent to testify to them.

1 2. I was present and actively engaged in the affairs of the Olympia Food Co-
2 op at the time of the events that are the subjects of this declaration.

3 3. I have been a member of the Co-op since January 2002 and a staff member
4 since 2008. I have been a Board member since January 2011, when the Staff appointed me
5 to replace Harry Levine as the Staff representative to the Board, following his resignation.

6 4. Co-op records show that Kent Davis became a Co-op member in August
7 2010, after adoption of the boycott resolution on July 15, 2010. Exh. A.

8 5. In October 2010, I examined the Facebook pages of both Kent Davis and
9 Linda Davis, on which each prominently posted their support of a boycott campaign
10 against the Co-op. Exhs B, C. The boycott against the Co-op itself maintains a Facebook
11 page. See [http://www.facebook.com/pages/Boycott-Olympia-Food-Co-](http://www.facebook.com/pages/Boycott-Olympia-Food-Co-op/136861573012073)
12 [op/136861573012073](http://www.facebook.com/pages/Boycott-Olympia-Food-Co-op/136861573012073) On its "About" page, it describes itself as follows: "The Olympia
13 Food Co-op Board of Directors has decided to boycott Israeli goods." See
14 [http://www.facebook.com/pages/Boycott-Olympia-Food-Co-](http://www.facebook.com/pages/Boycott-Olympia-Food-Co-op/136861573012073?sk=info)
15 [op/136861573012073?sk=info](http://www.facebook.com/pages/Boycott-Olympia-Food-Co-op/136861573012073?sk=info) . Exh. D. The same logo from the Boycott Olympia Food
16 Co-op Facebook page appeared on both Kent and Linda Davis's Facebook pages, above.

17 6. The Facebook page for the boycott against the Olympia Co-op posts a
18 "profile" picture of itself that is the logo for www.BuyIsraelGoods.org. BuyIsraelGoods
19 describes itself as a joint project of the America-Israel Chamber of Commerce and
20 StandWithUs. See <http://www.buyisraelgoods.org/> . See Exhibit D, above.

21 7. On September 6, 2011, the *Electronic Intifada*, an online news service,
22 published a news article about the threatened suit against the Co-op, stating in part that it
23 had uncovered documents showing "that the Israeli government has taken part in

1 discussions about, and been given advance knowledge of, the planned lawsuit [referring to
2 this case] and another planned action” against Evergreen College. *See*
3 <http://electronicintifada.net/node/10350#.TqcwenJIPYg> - Exh. E.

4 8. A follow-up article in the *Electronic Intifada*, published on September 10,
5 2011, after the lawsuit was filed, linked the lawsuit to a broader Israeli “lawfare” attack
6 against free speech and activism on U.S. campuses. *See* [electronicintifada.net/blog/ali-](http://electronicintifada.net/blog/ali-abunimah/lawsuit-filed-against-olympia-food-co-op-seeks-force-end-israel-boycott#.Tqcw_XJIPYg)
7 [abunimah/lawsuit-filed-against-olympia-food-co-op-seeks-force-end-israel-](http://electronicintifada.net/blog/ali-abunimah/lawsuit-filed-against-olympia-food-co-op-seeks-force-end-israel-boycott#.Tqcw_XJIPYg)
8 [boycott#.Tqcw_XJIPYg](http://electronicintifada.net/blog/ali-abunimah/lawsuit-filed-against-olympia-food-co-op-seeks-force-end-israel-boycott#.Tqcw_XJIPYg) – Exh. F.

9 9. The September 6th article reported that this lawsuit and the one reportedly
10 planned to be filed against Evergreen College were both projects of StandWithUs. It
11 reported that Plaintiffs were featured in interviews in a StandWithUs video production
12 attacking the Co-op’s boycott resolution.

13 10. I have viewed the StandWithUs video production that attacks the Co-op’s
14 boycott resolution. It does in fact rely heavily on interviews of four of the five plaintiffs in
15 this lawsuit. In it, those Plaintiffs attack the Co-op’s boycott resolution. *See*
16 http://www.youtube.com/watch?v=S6vnPTr_iCw

17 11. When it approved the boycott resolution at its July 15, 2010 meeting, the
18 Board also decided to hold a forum for members and the community to provide education
19 and encourage discussion of the matter. Exh. G.

20 12. I posted notices for such a forum, to be held on August 12, 2010, on the Co-
21 op’s official blog. Exh. H/I. A forum was held on the scheduled date, and it was well-
22 attended.

23 13. On July 24, 2010, I posted the Board’s notice to members and press release

1 about the boycott decision. Exhs. I, J. There was active media coverage of the boycott
2 resolution, including reports and commentary even from *Ha'aretz*, an Israeli newspaper.

3 14. Following the Board's approval of the boycott resolution, from October 15
4 to November 15, 2010, the Co-op held its annual election of officers, with five vacancies
5 to be filled. By the time of the election, some of the Plaintiffs had voiced objections at
6 Board meetings to the Israel boycott resolution.

7 15. Fifteen candidates ran for the five vacancies. Exh. K. Plaintiffs Susan
8 Trinin and Linda and Kent Davis all ran for office in the November 2010 election, all in
9 opposition to the boycott.

10 16. The boycott resolution dominated the campaign.

11 17. The community group Olympia BDS distributed a campaign flyer that
12 endorsed five candidates and expressed concerns about five others. Exh. L.

13 18. All of the five candidates endorsed by Olympia BDS, including four
14 nonincumbents, were elected. All five won by large margins. The top two vote-getters
15 beati Plaintiff Susan Trinin, the top vote-getter who opposed the boycott resolution, by
16 more than double the number of her votes. Exhs. M, N.

17 19. There was a record-breaking voter turnout for the November 2010 officer
18 election, with 1,093 ballots cast. By way of comparison, in 2008, 301 valid ballots were
19 cast, and in 2009, 299 valid ballots were cast. See Exhs. M, N, above.

20 20. The bylaws authorize the Board to conduct a membership referendum vote
21 requested by petition signed by 300 members (a "member-initiated ballot"). Exh. O. At
22 its July 2010 meeting, the Board reminded members of their right to petition for such a
23 vote: "The board also discussed the option of the member initiated ballot process available

1 to the membership to reverse the board's decision." Exh. G, above.

2 21. Following its September 2010 meeting, the Board requested me to post a
3 notice to the Co-op's official blog, reminding members of their right under the bylaws to
4 petition for a membership vote to change a Board decision. I posted that notice, inviting
5 any member interested in initiating the petition process to contact the Board. Exh.P. No
6 one contacted the Board to initiate a membership petition.

7 22. The Plaintiffs never submitted to the Board a proposal for a member-
8 initiated ballot pursuant to the bylaws, although doing so would have resolved the claims
9 that they make in this lawsuit.

10 23. The Co-op maintains a grievance procedure for all Co-op members and
11 staff to resort to mediation or other formal or informal alternatives for resolving disputes
12 that they believe have not been appropriately resolved or remain unresolved. Exh. Q.

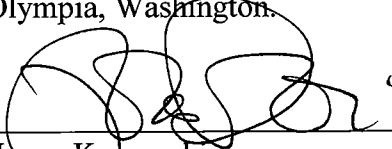
13 24. No plaintiff utilized the Co-op's grievance procedure in an effort to resolve
14 this dispute before filing this lawsuit against the Co-op, nor has any plaintiff since.

15 25. Attached to this declaration as Exhibit R is a true and correct duplicate of
16 the body of the letter that was printed on Co-op letterhead, signed by Board member Erin
17 Genia, and mailed to the counsel for all five Plaintiffs, in response to their letter
18 threatening to sue the Co-op, dated May 31, 2011. I have searched, unsuccessfully, for a
19 photocopy of the original letter.

20 I declare under penalty of perjury under the laws of the State of Washington
21 that the foregoing is true and correct.
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DATED this 31 day of October, 2011 at Olympia, Washington.

By 
Jayne Kaszynski

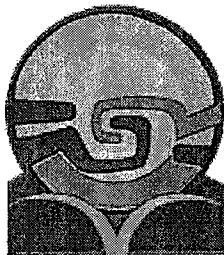
LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Member information from database - Kent Davis
B	Facebook page: Kent Davis likes ... Boycott Olympia Food Co-op
C	Facebook pages: Linda Davis likes ... Boycott Olympia Food Co-op and
D	"Boycott Olympia Food Co-op" Facebook page ("About")
E	"Uncovered: Israel's role in planned US lawsuit to fight BDS," by Ali Abunimah in <i>Electronic Intifada</i> (Sept. 6, 2011)
F	"Lawsuit filed against Olympia Food Co-op, seeks to force end to Israel boycott," by Ali Abunimah in <i>Electronic Intifada</i> (Sept. 10, 2011)
G	OFC Board minutes (July 15, 2010)
H	OFC official blog: Notice of forum (July 24, 2010)
I	OFC official blog: Notice to Members (July 24, 2010)
J	OFC official blog: Press Release (July 24, 2010)
K	OFC official ballot – Board of Directors Election (Nov. 2010)
L	Olympia BDS flyer – endorsements and concerns about candidates
M	OFC Board of Directors Election Results (Nov. 16, 2010)
N	<i>Co-op News</i> , Board of Directors Election Results (December 2010/January 2011)
O	OFC Member Initiated Ballot Procedure and Petition Requirements
P	OFC official blog: Israeli-Product Boycott Next Steps (September 26, 2010)
Q	OFC Grievance Procedure
R	OFC letter to Plaintiffs' Counsel (June 30, 2010)

EXHIBIT A

Find Mode

Browse Mode



OLYMPIA FOOD CO-OP



first
Name **KENT L**

last
DAVIS

Charge Acct

Record # 1

Group

Aug 11 2010

<- Today

Created

Modified

Address 1918 PEAR ST NE

OLYMPIA
City

WA 98506
State Zip

Foreign Country

Bad address as of:

<- Today

Inactive Member

Mailing List

Mail Newsletter

Volunteer

Temporary
Tag

Phone 1

Phone 2

Email

◀ Newsletter Labels

B

Type Regular

Date Paid Amt

◀ Member Labels

Date Joined Aug 11 2010

Aug 11 2010 \$24

◀ Zip Summary

Find Bad
Records

Low Income Date

Total Dues
Paid

Refund Date Refund Amt Refund Ch #

\$24

Designated Shopper

Notes

EXHIBIT B







Wrong Kent Davis? Search for others:



Kent Davis

Add Kent Davis as Friend | Send Kent Davis a Message | View Kent Davis's Friends

Here are some of Kent Davis's friends:

- 
Jesse Thurston
- 
Linda Sternhill Davis
- 
Audrey Fischer
- 
Steve Geldman
- 
Bob Shapiro
- 
Karen Binderman
- 
Melissa Maskell Olsen
- 
Richard B Fischer

Kent Davis likes:

- Other
- Adam Smith for Congress
- Boycott Olympia Food Co-op
- Evergreen Gallery

Facebook Directory: ABCDEFGHIJKLMNOPQRSTUVWXYZ

EXHIBIT C

Linda Sternhill Davis's Likes

All Likes Mutual Likes

sraelG

Boycott Olympia Food Co-op

Page

Like

Kristin Hannah

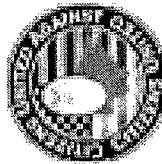
Page

Like

PhD, The Molecular Basis of Insulin Resistance (University of Glasgow)

Page

Like



Citizens United Against Citizens United

Page

Like



The Muppet Show

Like

Close

Television

The Big C, Men Of A Certain Age, Mad Men, Grey's Anatomy, Parenthood, Bridget Bamber, Top Chef, The Bachelor, Mad About You

EXHIBIT D



Boycott Olympia Food Co-op

Like

Create a Page

Community

Find friends from Mary Gale rbor High



10 of your friends went to Newport Harbor High. Find more people you know from Newport Harbor High.

Find friends

Event invitations

View all

Steve Kirby's 15th campaign kicko...
17 November, 17:30-19:30



RSVP: Yes · No · Maybe

Maia Mural Photo Exhibit Gallery S...
02 November, 18:00-20:00



RSVP: Yes · No · Maybe

Remember the 5th of November! Move...
05 November, 11:30-14:30



RSVP: Yes · No · Maybe

People you may know

See all



Jonnel Anderson
Add Friend

- Wall
- Info
- Friend activity
- Photos
- Discussions

About

Boycott Olympia Food Co-op! IN THE STATE OF WASHINGTON *** Olympia Food Co-...

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Biblical Archaeology Review



Howard Bloom



Texas Climate News



SolarWorld USA



Southern Poverty Law Center

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Get updates via RSS

Report Page

Share

Wall

Boycott Olympia Food Co-op · Everyone (Most recent)

Share: Post Photo

Write something...



Aycan Kapağan

I filled out a short form and applied for a work at home kit. I got the Kit just 3 days later and within the next month I was making over \$5,000 a month. It's really simple, I am not a computer expert, but I can use the internet. Read here ssmusy

Rest At Home And Make Money

goo.gl

Your Very Own Business

Like · Comment · Share · 23 May at 13:29 ·



Mary Kezele Fall

Hi everyone! I have created a "Boycott the Olympia Food Co-op" T-shirt and it is on sale at my on-line store at <http://www.cafepress.com/ItamarProject>. All commissions will be donated to the town of Itamar in Israel to assist them in putting in a new water system. Most of the residents are organic farmers and are the... very people who will end up being hurt by these idiotic boycotts. Please visit my shop and show your support for Israel. Thanks.

Support Israel



The Itamar Project:Shirts and Apparel
www.cafepress.com

The Itamar Project:Itamar is a community that sits upon a mountain in the Shorron Region in Israel. Their water is piped in from the base of the hill. Since the terrain is extremely rocky, the lines have not been buried deep enough. This leaves the water lines exposed to the elements and they are now...

Like · Comment · Share · 25 September 2010 at 01:15 ·

Sarah Everett likes this.

Write a comment...

RECENT ACTIVITY

Boycott Olympia Food Co-op edited their Website, Description and About.



Ultragabacho Matzuba

The Co-op board also advises members to visit the Council on American-Islamic Relations (CAIR) website. This is a front for Saudi Arabia in America. This outfit does not represent the majority of Muslims in the U.S. who are decent, tolerant, regular people.

See more

Like · Comment · 07 September 2010 at 06:45 ·



Ultragabacho Matzuba

The U.N. is so biased, if Israel to were to propose the resolution "Puppies are Cute" the U.N. would vote it down. The Red Cross is also an anti-Semitic organization: For 50 years, the Red Cross has excluded Israel- despite Israel's disproportionate contribution to International rescue and humanitarian aid-

See more

Like · Comment · 07 September 2010 at 06:43 ·



Ultragabacho Matzuba

On August 6, the board of Directors issued a memo claiming "[t]he decision to join the boycott was based on credible information [from the] United Nations, Red Cross"

EXHIBIT E



The Electronic Intifada

الانتفاضة الإلكترونية

Activism News

Uncovered: Israel's role in planned US lawsuit to fight BDS

Ali Abunimah

The Electronic Intifada

6 September 2011



Israel is busily attempting to disrupt the boycott, divestment and sanctions movement in support of Palestinian liberation and self-determination.

(
Anne Paq (/people/anne-paq)

/

The Electronic Intifada (/people/electronic-intifada)

)

A group of pro-Israel activists, backed by StandWithUs, a national US pro-Israel US organization, is planning to take legal action to force the Olympia Food Co-op to rescind its historic decision to boycott Israeli products.

The Electronic Intifada has obtained a copy of a 31 May 2011 letter sent to the Board of Directors of the Olympia Food Co-op in Olympia, Washington, threatening "expensive" legal action if the pro-Israel activists' "demands" to end the boycott of Israeli products are not met.

Other documents, supported by interviews, confirm that the Israeli government has taken part in discussions about, and been given advance knowledge of, the planned lawsuit and another planned action against Evergreen State College in Olympia in response to Palestine solidarity activism by students.

Evergreen State is noted for being the school attended by Rachel Corrie (<http://electronicintifada.net/tags/rachel-corrie>), who was killed by an

Israeli occupation soldier operating a bulldozer in the Gaza Strip in March 2003.

These developments indicate new, even more aggressive tactics by pro-Israel organizations to suppress, deter and malign any form of Palestine-related dissent, protest or solidarity action.

An historic vote

On 15 July 2010, the Olympia Food Co-Op (OFC) became the first grocery store in the United States to ban Israeli-made items from its shelves (<http://electronicintifada.net/content/victories-n-american-boycott-movement-gains-momentum/8945>).

The highly symbolic action, which gained global attention, came in response to the Palestinian civil society call for boycott, divestment and sanctions (<http://electronicintifada.net/tags/bds>) (BDS) measures against Israel until Israel respects Palestinian human rights and international law.

From the first moment the boycott resolution was passed, Olympia community members who supported and organized for it were accused of anti-Semitism by the Northwest chapter of StandWithUs (<http://electronicintifada.net/tags/standwithus>).

Now, StandWithUs is taking its assault against the OFC to a new level with its backing for legal action.

Also in June 2010, students at Evergreen State College voted overwhelmingly to back an initiative calling on college administrators to divest the school's assets from any companies that profit from Israel's occupation of Palestinian lands (<http://electronicintifada.net/content/evergreen-state-students-overwhelmingly-pass-divestment-votes/1067>), and specifically Caterpillar Corporation (<http://electronicintifada.net/tags/caterpillar>), which makes bulldozers Israel uses to demolish Palestinian homes.

It was a Caterpillar bulldozer that Israeli forces used to kill Rachel Corrie as she attempted to prevent such a demolition. According to a StandWithUs flyer (PDF (<http://www.standwithus.com/pdfs/flyers/RachelVictims.pdf>)), Rachel Corrie "died in Gaza after interfering with Israeli counter-terrorism operations."

Documents show that in addition to targeting the Olympia Food Co-op, StandWithUs is helping to plan a civil rights complaint against Evergreen State College.

Threat of legal action against Olympia Food Co-op

The 31 May letter (PDF (<http://www.scribd.com/doc/64107637>)) sent individually to members of the Olympia Food Co-op Board of Directors is signed by five individuals who identify themselves as "members of the Olympia Food Co-op ('OFC') who oppose OFC's boycott of Israeli made products ('Israel Boycott') and divestment from Israeli companies ('Divestment')."

The five are Kent L. Davis, Linda Davis, Susan Mayer, Susan G. Trinin and Jeffrey I. Trinin. All except for Mayer also appeared in a StandWithUs Northwest video published on YouTube in June entitled "Why BDS Scars Don't Heal: A StandWithUs Production" (http://www.youtube.com/watch?v=S6vnPTr_iCw).

The video alleges that the BDS effort in Olympia has been motivated by and generated anti-Semitism, and was run by a secretive and conspiratorial "dark organization" from outside the community.

It also claims that the BDS effort in Olympia and a similar initiative in the town of Port Townsend, north of Seattle, last year had generated "a climate of fear and terror for Jews."

The activists' letter makes sweeping allegations that the OFC board engaged in "numerous procedural violations" in passing the boycott of Israeli goods, but it does not provide any examples of such violations.

The letter writers claim to have made many sincere efforts to rectify the unspecified “violations” but asserted that their complaints had “fallen on deaf ears as the Board steadfastly refuses to revisit its position on the Israel Boycott and Divestment policies.”

At this point,” the letter states, “we are left no choice but to demand in no uncertain terms that OFC act in accordance with its rules and bylaws and rescind the Israel Boycott and Divestment policies.”

The letter sets a thirty-day deadline for a response and adds, “Regrettably should the board reject our demand, we are prepared to pursue relief through the court system.”

The pro-Israel activists’ letter concludes, “If you do what we demand, this situation may be resolved amicably and efficiently. If not, we will bring legal action against you, and this process will become considerably more complicated, burdensome, and expensive than it has been already.”

Lawsuit “a matter of time”

Reached by telephone, Avi Lipman, a Seattle-based attorney that The Electronic Intifada learned represents the letter writers, confirmed that two letters had been sent to the OFC board — the 31 May letter obtained by The Electronic Intifada and a follow-up.

However, Lipman said that a lawsuit had still not been filed, and “there is still an opportunity for the board to take the remedial action my clients have asked for.”

Lipman would not specify any procedural violations made by the OFC board. “I don’t want to get into it in any detail,” he said, indicating that the 31 May letter described “in general terms what our concerns are.”

But Lipman did not seem optimistic that the board would rescind the boycott decision as demanded. After the initial thirty-day deadline, Lipman said his clients had given the board an additional fifteen-day period to act.

That time has also expired,” Lipman said. “The board has indicated that it plans to stand by the actions it has taken, so it seems clear to me that remedial action will not be taken.”

It’s just a matter of time before we go to court and seek relief from the court,” Lipman added.

Lipman was keen to emphasize that his clients’ complaints were not based on the substance of the BDS decision, but merely the alleged, unspecified procedural violations. “The issue is how the process unfolded and the procedures that were followed and not followed by the board,” Lipman said.

He stressed that if the boycott of Israeli goods was revoked, and then reinstated according to the proper procedures, his clients would abide by it.

An allegation that doesn’t have an allegation”

We don’t have any statement on the non-existent lawsuit,” Jayne Kaszynski, Staff Representative to the Olympia Food Co-op Board, told The Electronic Intifada. “It’s pretty much impossible to respond to an allegation that doesn’t have an allegation.”

Kaszynski said that the BDS decision and the procedures used to reach it had generated widespread public debate among Co-op members, especially on the OFC’s blog. She added that any member who was unhappy with a decision of the board had “democratic alternatives” to legal action.

If you’ve read the bylaws you know that we have a simple member petition process. Any member can create a petition and if they get 300

members to sign it, they can get pretty much any issue put on a ballot," Kaszynski said.

The OFC has 22,000 active members, according to Kaszynski, "so the 300 signature requirement is not very high. So far no one has exercised this democratic right in relation to the boycott."

The petition procedure is described in the Olympia Food Co-op Bylaws (<http://www.olympiafood.coop/bylaws.html>).

Lipman, however, said his clients did not think they should use this procedure because they see the original boycott decision as illegitimate, and therefore the burden should be on the board, not on his clients, to take remedial action.

Smearing BDS as "anti-Semitism"

At one point, the StandWithUs YouTube video briefly displays an image of a Nazi Swastika superimposed on a Star of David, with a caption above it stating "Actual image from handout."

The video provides no information on where this handout was supposedly distributed or any evidence that it has anything whatsoever to do with the Olympia Food Co-op.

Yet the smear is clearly meant to tar any and all BDS supporters — presumably including those who self-identify as Jewish — as anti-Semites.

I really don't think it's comfortable for Jews to live in the city of Olympia and be outwardly expressing Jews," Kent Davis, one of the letter writers, claims in the video. "You know, you can be a closet Jew and that's fine. I just don't feel comfortable discussing my religion or my beliefs in a mixed group environment anymore."

As with the swastika "handout," no evidence is ever presented of any specific incidents that back up this grave charge likening placid Olympia to 1930s Berlin, or to link the alleged climate of fear to the Olympia Food Co-op's boycott of Israeli goods.

A "dark" outside conspiracy

In the StandWithUs video, the letter writers and other speakers allege that the BDS action at the Olympia Food Co-op was planned by a shadowy organization that came in from outside the community, and then disappeared leaving behind acrimony and conflict from which there has been no "healing."

None of these allegations come with any specifics or facts and the overall tone is conspiratorial.

It's amazing that I've been pushed aside as a Jew in this town because of the BDS," says Tibor Breuer, identified as an OFC member in the video. "It's a very, very dark organization that has no interest in anything that has to do with the two-state solution."

BDS is, in fact, not an "organization," but the term given to a set of principles and tactics which have been taken up by independent individuals and solidarity groups all over the world in response to the 2005 Palestinian civil society call for boycott, divestment and sanctions (<http://www.bdsmovement.net/call>) measures on Israel until Israel ends its human rights violations and respects Palestinian rights and international law.

When BDS comes into these communities, they just divide people in all sorts of ways and then they leave and the community is stuck with having to somehow heal and we can't heal yet," Linda Davis, another of the five letter writers, alleges in the video.

BDS was over there in Europe celebrating their victory, and we're stuck with this shit," Breuer adds.

In fact, at the time the OFC boycott was passed, and since, those who initiated it spoke frequently to the media, and all have been local

Olympia community and Co-op members.

Ironically, Robert S. Jacobs, the director of StandWithUs Northwest, acknowledges as much.

Refuting suggestions that the pro-Israel counterattack against BDS is centralized, Jacobs told The Electronic Intifada, “Similar to the BDS movement, we’re made up of activists in the community who passionately feel they want to express a certain perspective and hope that opinion leaders will adopt that perspective.”

Jacobs admitted in the interview that there was no such thing as “BDS central.” Yet the video that bears the StandWithUs name and features the letter writers paints an altogether different picture.

Meanwhile, the vilification of Palestine solidarity activists as anti-Semites is not surprising given the views of some of the StandWithUs leadership.

One board member and founder in Los Angeles, Mordechai “Moti” Gur, describes the purpose of StandWithUs in the following terms on the website for another organization he founded: “We combat the soft jihad and local intifadas by Muslim organizations by exposing everyone to the light of truth” ([The Moses Project \(http://mosesmonument.org/moti-gur.html\)](http://mosesmonument.org/moti-gur.html)).

Other StandWithUs documents and websites routinely malign Palestine solidarity activists — including the nine civilians killed by Israeli commandos on the *Mavi Marmara* (<http://electronicintifada.net/toqs/mav-marmara>) as “jihadists.”

But while the pro-Israel activists in the StandWithUs video allege — without offering a shred of evidence — that OFC was the victim of a “dark” external conspiracy by anti-Semitic outsiders bent on dividing their community, they themselves are receiving significant external backing.

How StandWithUs describes its role

StandWithUs is a national pro-Israel advocacy organization which has taken a lead in fighting “[delegitimization \(http\)](#)” and BDS.

Pro-Israel groups and the Israeli government have since last year claimed that virtually all Palestinian solidarity work amounts to an effort to delegitimize Israel. In recent policy speeches, US officials have vowed to help Israel combat “delegitimization” — though precisely what this means in practice and how it may affect civil liberties and free speech is unclear.

The Northwest chapter of StandWithUs has been particularly active in combating BDS efforts not only in Olympia but at the food co-op in [Port Townsend \(http://electronicintifada.net/content/israels-settlement-industry-under-boycott-pressure/9042\)](http://electronicintifada.net/content/israels-settlement-industry-under-boycott-pressure/9042), north of Seattle, where there was an unsuccessful bid to emulate the OFC boycott. (Disclosure: I was invited to Port Townsend in August 2010 to speak at a community event in support of BDS).

But how deeply involved is StandWithUs, and how does the organization liaise with the Israeli government in mounting these local battles?

Jacobs characterizes StandWithUs Northwest as little more than a small local chapter, “a two-person office,” providing basic support and advice to individuals such as those threatening to sue the Olympia Food Co-op.

Jacobs told The Electronic Intifada his group’s contact with the five letter writers was largely limited to providing printed materials, helping bring in speakers and offering advice. He said he had not seen either of the letters sent to the OFC board.

Although Jacobs did acknowledge working with and meeting repeatedly with the letter writers, he characterized the relationship to any potential lawsuit as arms length:

Since we're not actually a party to anything down there, frankly we're not in any of the loop regarding the legal matters. Just from an attorney-client privilege standpoint anything we would do with anybody would be violating some kind of potential privilege. So, we know that they're doing some stuff. I know they've been working with an attorney. I know which firm it is but beyond that we have not in any way participated in the legal discussion."

Jacobs acknowledged attending one meeting related to the potential lawsuit.

We were at one meeting, I don't know how many months ago, before anything actually happened," Jacobs explained.

We had been asked by some of the folks down there if we knew any attorneys up here [in Seattle], so we mentioned a number of names. But I was at a meeting where they had an initial — they had not retained any attorney or developed any permanent relationship with an attorney — when they had someone there talk off-the-cuff about what an attorney could do for them."

Jacobs was also adamant that his office had not done any fundraising toward a potential lawsuit. "I don't foresee us putting any money into a lawsuit," he said, adding, "I don't know of anybody who's giving them money. I'll be that blunt about it."

Jacobs estimated that the amount of money his office had spent on work related to the OFC boycott — presumably not including staff time — amounted to just hundreds of dollars principally for printing flyers and brochures.

The role of the Israeli consulate

Asked what role the Israeli government plays in StandWithUs Northwest's work, Jacobs stated that he personally knew Akiva Tor, the Israeli Consul General for the Pacific Northwest, based in San Francisco, and that Tor would be speaking at an upcoming StandWithUs fundraising event. Jacobs acknowledged that StandWithUs had helped to bring Tor's deputy to speak in Port Townsend.

Jacobs said that the Israeli consulate did not play any "active role" in opposing the OFC boycott, but, he added, "from the information standpoint they want to know what's going on."

We update him [Tor] on what's happening in the community here," Jacobs said.

If what you're talking about is if there is some sort of central coordination out of Israel for the activity we are doing here, absolutely not," he added.

Tor had also offered to speak in Olympia, but it had not happened yet, according to Jacobs. "I know he met in a coffee shop with the Corries [Cindy and Craig, the parents of Rachel Corrie]. I heard that from all sorts of people in Olympia," Jacobs stated.

Yet, this characterization is at best incomplete.

A deeper role for Israeli officials?

Although Jacobs has confirmed reporting to Israeli officials what goes on in the local community, the relationship may be even closer than he acknowledged.

A "[Weekly Status Report](http://community.benchmarkemail.com/users/RobSJacobs/newsletter/Weekly-Status-Report-for-March-5-through-March-11)" of StandWithUs Northwest, for the week of 5-11 March 2011

(<http://community.benchmarkemail.com/users/RobSJacobs/newsletter/Weekly-Status-Report-for-March-5-through-March-11>) states that the following meetings took place:

Rob [Jacobs] and Carolyn in Olympia with Olympia activists, Akiva Tor and Avi Lipman on Thursday - Presentation of legal case, discussion of Evergreen strategy and Olympia community speaker opportunities."

Carolyn Hathaway is the co-chair of StandWithUs Northwest.

In his conversation with The Electronic Intifada, Jacobs did not disclose that Israeli Consul General Tor had not only already traveled to Olympia at the behest of StandWithUs, but had participated in a meeting with the activists threatening to sue the OFC and their lawyer.

The “status update” was posted on a website that archives emails sent to members of a private list of StandWithUs affiliates, but the website itself is unprotected.

It appears that this and other documents may have been published inadvertently, given how revealing they are of StandWithUs Northwest's activities and strategy and the contradictions with Jacobs' own characterizations.

Akiva Tor did not respond to a request to speak to The Electronic Intifada left with a staff person at his office.

The attorney, Avi Lipman, would not disclose what was discussed at the March meeting, again citing attorney-client privilege. Lipman said, however, “The Israeli consulate has nothing to do with this action. StandWithUs is not our client. We represent the individual co-op members who have asked the board to take remedial action.”

While all that may technically be true, none of it is inconsistent with a close advisory and an eventual fundraising role for StandWithUs and even the Israeli consulate.

Nor does it explain the presence of an official from a foreign government at a meeting in which legal action against OFC and possibly Evergreen State College was discussed.

Lipman would also not discuss how his clients might be able to afford an “expensive” — as the 31 May letter put it — legal action.

Another worrying possibility is that through StandWithUs, and possibly other organizations, Israeli diplomatic missions may collect intelligence about local activists or people who express views sympathetic to Palestinian human rights in order to exclude such people from visiting the occupied West Bank and Gaza Strip on political grounds.

In July, for example, [Israel detained and deported dozens of individuals \(http://electronicintifada.net/content/hysterical-israeli-reaction-palestine-solidarity-fly/10164\)](http://electronicintifada.net/content/hysterical-israeli-reaction-palestine-solidarity-fly/10164) who planned to visit the occupied West Bank at the invitation of Palestinians.

StandWithUs remains fully engaged in Olympia lawsuit

Jacobs' characterization of his organization's role with the planned lawsuit as almost incidental is flatly contradicted by another document made public via the StandWithUs email archive.

The [agenda for an upcoming 27 September 2011 StandWithUs Northwest Executive Committee \(http://community.benchmarkemail.com/users/RobSJacobs/newsletter/Scheduling-Executive-Committee-Meetings-and-Weekly-Report\)](http://community.benchmarkemail.com/users/RobSJacobs/newsletter/Scheduling-Executive-Committee-Meetings-and-Weekly-Report) meeting includes the following items:

Project Status

- *The civil rights complaint against Evergreen State College*
- *The law suit against the Olympia Food Co-op*
- *Working to shut down the “educational” programs that Ed Mast has circulated to all Washington State social studies teachers and librarians*
- *Speakers Bureau*

Thus the OFC lawsuit and the Evergreen State College civil rights complaint are both “projects” of the StandWithUs Northwest Executive Committee, and firmly on its agenda.

Ed Mast, it is worth noting, is a Seattle-area activist and playwright who has provided educational resources on Palestine.

In addition to everything else, it would appear that rather than merely providing an alternative, pro-Israeli viewpoint, StandWithUs is working to censor and exclude other viewpoints from schools and libraries and exclusively impose its own.

And, far from being merely restricted to its local area, StandWithUs Northwest is apparently assuming a national role:

StandWithUs Northwest helping other regions

- *Helping Avi Posnick in NY oppose the BDS boycott proposal at the Park Slope Food Co-op in Brooklyn*
- *Helping Gail Rubin in Davis oppose the BDS boycott proposal at the Sacramento Food Co-op in Sacramento*

It is clear from its agenda that not only is StandWithUs Northwest playing a continuing role in Olympia, but expanding its anti-BDS activities across the country.

Focus on procedure, not substance

During his interview with The Electronic Intifada, Jacobs characterized the grievances the letter writers had with the co-op in a manner remarkably similar to the 31 May letter which he said he had not seen. He acknowledged that it was StandWithUs’ advice that the case should focus on procedure, rather than substance.

Courtrooms aren’t the place to discuss foreign policy and they wouldn’t make a decision based on that,” Jacobs explained. “The same is true with the board members that were on the board [of OFC] at the time. Most of them were sympathetic to the BDS movement and trying to make an argument counter to theirs would be a huge educational effort and probably not very successful.”

This, Jacobs said, was the rationale for focusing on procedure, rather than substantive arguments.

StandWithUs fundraising

Jacobs presents StandWithUs Northwest as almost a shoe-string operation. “We’re thought of as this huge, incredibly wealthy organization,” he told The Electronic Intifada. “As far as Jewish community organizations go, even on a national basis, we don’t have anything near the kind of resources of some other organizations such as ADL or AJC. Here frankly, we barely cover our own costs just in operations.”

But public financial filings of StandWithUs, which raises funds under the legal name “Israel Emergency Alliance,” (IEA) tell a quite different story.

The IEA’s mandatory Form 990 financial filings to the Internal Revenue Service ([available from the website Guidestar \(http://www2.guidestar.org/organizations/01-0566033/israel-emergency-alliance.aspx\)](http://www2.guidestar.org/organizations/01-0566033/israel-emergency-alliance.aspx)) show an organization with \$4.2 million in annual revenue and impressive fundraising capacity.

In 2008, Jacobs himself received an annual salary of \$96,923 for an average forty-hour week, more on a pro-rated basis than StandWithUs founder and national executive director Roz Rothstein who received \$100,000 for an average sixty-hour week, according to the filings. In 2009, Rothstein’s salary was raised to \$150,000.

StandWithUs also has an international presence, with an Israeli office and a European base in Brussels, which together accounted for a million dollars in expenses in 2009.

The largest area of expenditure, however, is for campus advocacy at US colleges and universities, which accounted for \$2.6 million in 2009.

Targeting Evergreen State College for student activism

The planned civil rights complaint against Evergreen State College may be an attempt to use alleged incidents of campus anti-Semitism as the basis for a legal action to discredit the divestment campaign at the school.

On 8 November 2010, a story appeared on the news website MyNorthwest.com under the byline of Alex Silverman with the headline "[Pro-Israel students harassed, leave Evergreen State](http://mynorthwest.com/category/local_news_articles/20101108/Pro%7EIsrael-students-harassed-leave-Evergreen-State/) (http://mynorthwest.com/category/local_news_articles/20101108/Pro%7EIsrael-students-harassed-leave-Evergreen-State/)."

It alleges that Evergreen State, once an oasis of tolerance, had become a place where some students have faced "torment and harassment" and have even left "simply for expressing their opinions about a controversial issue."

The story claims five unnamed students "transferred out" of Evergreen State because of "harassment," but the only source is a student named Joshua Levine. "There are days I feel uncomfortable walking across campus alone because I wear a yarmulke [Jewish skull cap] on my head," Levine alleges.

Levine, president of the campus chapter of Hillel — another national pro-Israel organization — is also a [StandWithUs Northwest Emerson Fellow](http://community.benchmarkemail.com/users/RobSIacobs/newsletter/Read-About-a-Terrific-Event--About-Our-YouTube-Videos--and-More#Evergreen) (<http://community.benchmarkemail.com/users/RobSIacobs/newsletter/Read-About-a-Terrific-Event--About-Our-YouTube-Videos--and-More#Evergreen>).

But what were the examples of "harassment" that supposedly led to this situation? Just like the StandWithUs video, the only ones Levine provides conflate Palestine solidarity with "anti-Semitism":

Checkpoints were erected outside the bus stop," Levine told Silverman. "People claiming to be IDF [Israeli army] veterans shoving toy assault rifles in people's faces, demanding to see their student ID before they could go onto campus."

Students have staged similar actions on campuses across North America to highlight the well-documented abuses Palestinians face living under Israeli military occupation.

The article quotes Israeli Consul General Akiva Tor decrying the supposedly dire situation.

The MyNorthwest.com story also notes: "This summer, the student body at Evergreen State voted overwhelmingly to divest from companies with economic interests in Israel, further fueling the anti-Israel fervor on campus."

That, it would seem, is what is making Levine so uncomfortable.

Laying the ground for a civil rights complaint

Recently, the US Department of Education began [investigating precisely such a civil rights complaint stemming from charges of anti-Semitism because of Palestine solidarity activism at the University of California-Santa Cruz](http://electronicintifada.net/content/new-moves-curb-criticism-israel-us-and-canada/10219) (<http://electronicintifada.net/content/new-moves-curb-criticism-israel-us-and-canada/10219>).

That federal investigation is the first of its kind, though it may well be the model for targeting Evergreen State College.

Has StandWithUs, through Levine, been carefully laying the ground for a similar effort to use US civil rights protection legislation to suppress criticism of a foreign government that engages in massive human rights abuses and discrimination of precisely the kind civil rights legislation is meant to prevent?

Importing Israeli repression to the US?

What is particularly troubling about the threatened legal action against OFC and Evergreen State backed by StandWithUs and its close collaboration with the Israeli government, is that it appears to import Israeli tactics of political repression into the United States.

Earlier this year, Israel passed a law that imposes heavy fines on anyone who participates in or advocates a boycott of Israeli businesses, universities and social and cultural institutions or illegal West Bank settlements. The law was strongly condemned by human rights organizations as a violation of basic freedoms (<http://electronicintifada.net/blog/maureen/rights-groups-anti-boycott-law-effectively-legal-annexation-w-bank>).

The threatened legal action against the Olympia Food Co-op may be a “do it yourself” version of the law on US soil. Simply taking someone to court imposes a punishment on them through high legal fees before any judgment is ever rendered. That may be the whole point.

It should serve as a red flag that however small and tight-knit a community, powerful pro-Israel groups, in coordination with Israeli officials, are prepared to go to any length to smear and harass people.

They'll do whatever it takes to keep people quiet about Israel's human rights abuses, war crimes and the international complicity that the BDS movement seeks to expose, challenge and bring to an end.

Correction: An earlier version of this story identified major StandWithUs donors Steven and Rita Emerson, who fund the StandWithUs Emerson Fellowship. Following publication of the article, StandWithUs confirmed via Twitter (<https://twitter.com/standwithus/status/111163257636667392>) that the Steven Emerson who funds StandWithUs is in no way related to the Steven Emerson who runs the Investigative Project on Terrorism (ITP), and who has been accused of being a leading figure in fostering Islamophobia. The story has been amended accordingly. StandWithUs also stated via Twitter (<https://twitter.com/standwithus/status/111163998833082368>) that the Steven Emerson who runs ITP “has never donated nor is he associated in anyway with StandWithUs.”

Ali Abunimah is co-founder of The Electronic Intifada, author of One Country: A Bold Proposal to End the Israeli-Palestinian Impasse (<http://electronicintifada.net/bytopic/store/548.shtml>) and is a contributor to The Goldstone Report: The Legacy of the Landmark Investigation of the Gaza Conflict (<http://www.amazon.com/exec/obidos/ASIN/1568586418/theelectronic-20>) (Nation Books).

[Letter to OFC Board of Directors](http://www.scribd.com/doc/64107637/Letter-to-OFC-Board-of-Directors) (<http://www.scribd.com/doc/64107637/Letter-to-OFC-Board-of-Directors>)

Tags:

[StandWithUs](#) [Olympia Food Co-Op](#) [Olympia](#) [Port Townsend](#) [Robert Jacobs](#) [Steven Emerson](#) [Rita Emerson](#) [Islamophobia](#) [Israel Emergency Alliance](#) [Evergreen State College](#) [University of California-Santa Cruz](#) [Jayne Kaszynski](#) [Avi Lipman](#) [Roz Rothstein](#) [Akiva Tor](#) [Israeli consulate in San Francisco](#) [delegitimization](#)

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EXHIBIT F



The Electronic Intifada

الانتفاضة الإلكترونية

Blogs » Ali Abunimah's blog

Lawsuit filed against Olympia Food Co-op, seeks to force end to Israel boycott

Submitted by Ali Abunimah on Sat, 09/10/2011 - 07:38

A group of pro-Israel activists has filed a lawsuit against the Olympia Food Co-op (OFC) to try to force it to end its boycott of Israeli goods.

On 6 September, The Electronic Intifada exclusively revealed that the activists who had threatened the lawsuit were working in close collaboration with StandWithUs (<http://electronicintifada.net/content/uncovered-israels-role-planned-us-lawsuit-fight-bds/10350>), a national pro-Israel organization, and that their plans had been discussed in advance with an Israeli government official.

When The Electronic Intifada spoke to one of the activists' attorneys, Avi Lipman on 1 September, the attorney stated that the lawsuit had yet to be filed.

A copy of the lawsuit filed with the Superior Court of Washington in Thurston County ([PDF](http://www.scribd.com/doc/64460849) (<http://www.scribd.com/doc/64460849>)), indicates it was submitted on 2 September.

This suggests that The Electronic Intifada's investigation may have prompted the pro-Israel activists to try to gain the initiative before The Electronic Intifada's story revealed the facts behind the anti-boycott effort, including the connection to Israeli officials.

Seeking an end to the boycott and damages

According to *The Olympian* (<http://www.theolympian.com/2011/09/07/1789838/lawsuit-seeks-to-overturn-food.html>) newspaper:

The suit states that the co-op's rules require the board to make decisions by consensus, and that not all members had agreed to the boycott. It also claims that the proposed boycott was not "nationally recognized."

The lawsuit itself asks the court to force OFC to end the boycott of Israeli goods and impose unspecified financial damages. The complaint alleges that if the court fails to act the pro-Israel activists:

will continue to sustain irreparable injury insofar as the Israel Boycott and Divestment policies are fracturing the OFC community; sowing division and mistrust among OFC members, staff members and Board members, alienating numerous OFC members and staff members from OFC and the Board and causing numerous OFC members to either resign their membership or otherwise cease shopping at OFC.

Broader attack on free speech and academic freedom on campus

In its 6 September article (<http://electronicintifada.net/content/uncovered-israels-role-planned-us-lawsuit-fight-bds/10350>), The Electronic Intifada also revealed that StandWithUs, also with the advance knowledge of the Israeli government, is planning a civil rights complaint against Evergreen State College, where students had voted in favor of divesting the school's assets from companies that profit from Israeli occupation.

The US federal government is already investigating a similar civil rights complaint against the University of California-Santa Cruz (<http://electronicintifada.net/content/new-moves-curb-criticism-israel-us-and-canada/10219>), painting Palestine solidarity activism on campus as "anti-Semitism."

There are now indications that using civil rights legislation to attempt to suppress campus discussion of Israeli human rights abuses may be part of a much bigger strategy, originating from Israel and the American far-right.

On 8 September, *The Jerusalem Post* (<http://www.jpost.com/JewishWorld/JewishNews/Article.aspx?id=237118>) reported:

Hundreds of US college and university presidents were set to receive warning letters on Thursday morning, instructing them of their legal obligations to prevent anti-Semitism on campus.

The letters also remind universities it is their legal duty to prevent university funds from being diverted to unlawful activities directed against the State of Israel.

The letters were being sent by an Israeli group called the Israel Law Center (Shurat HaDin). The strategy appears to be to deliberately conflate any criticism of Israel with an attack on Jews on campus:

The center hopes the legal warnings will prompt US colleges to take action against what it says is a growing problem of campus hatred.

"Jewish and Israeli students are often too intimidated to speak because they fear they will be held collectively responsible for the supposed 'wrongdoings' of the Jewish State of Israel," the Law Center's warning letter says.

Shurat HaDin has a history of "lawfare" – or using legal and official processes to achieve spurious political aims. In June, the group was revealed to be behind complaints to Greek maritime authorities (<http://maxblumenthal.com/2011/06/israel-law-center-behind-harassment-of-flotilla-funded-by-homophobic-end-timer-pastor-john-hagee/>) in June claiming that various Gaza Freedom Flotilla vessels were not seaworthy.

"Civil rights" group funded by religious bigots and homophobes

While Shurat HaDin claims to be a "civil rights" group, Max Blumenthal discovered that "a major donor to Shurat Hadin is the homophobic far-right Pastor John Hagee (<http://maxblumenthal.com/2011/06/israel-law-center-behind-harassment-of-flotilla-funded-by-homophobic-end-timer-pastor-john-hagee/>)."

Hagee of course is not only homophobic but has been one of the most virulent and influential inciters of anti-Muslim hatred (<http://english.aljazeera.net/indepth/opinion/2011/08/2011829164395822.html>) in the United States.

These latest developments are further evidence of the extent to which anti-Palestinian and anti-free-speech groups will go to shield Israel from public discussion and accountability.

Tags:

Olympia Food Co-Op Olympia StandWithUs Shurat HaDin Evergreen State College BDS University of California-Santa Cruz

Comments

PDF is unreadable

Permalink Submitted by Peter Belmont (not verified) on Mon, 09/12/2011 - 14:31

Both copies of the PDF are unreadable. If a readable one can be found, I'd like to see it.

Apparently members of the co-op are saying that a court should force the board of the co-op to follow its own rules. That would be a request for an injunction. This much might be legally colorable ("reasonable for the court to entertain). Co-op could just cave-in and hold an election. SOON, before the membership changes too drastically, although an enlarged membership could result in a subsequent request for a membership-wide election. And the enlarged membership could be either pro-Israel or pro-Palestinian.

Plaintiffs seem also to be requesting money damages, but that seems quixotic since co-op members are at most inconvenienced by not being able to buy Israel products at the co-op. The city presumably has other stores that do (or could) stock these items. Plaintiffs would have to show (and how could they?) that they had been buying THIS MUCH Israeli stuff regularly, saving THIS MUCH money by using the (cheap) co-op. A hard thing to demonstrate.

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EXHIBIT G

Board Meeting Minutes

7.15.2010

Attendance: John Nason, Eric Mapes, Jackie Krzyzek, Rob Richards, Joellen Reineck Wilhelm, Julia Sokoloff, Suzanne Shafer, Ron Lavigne, Harry Levine (Staff Rep), Fern Moore (Board Observer/ Notes)

Absent: Jessica Laing

Agenda

Agenda Review/Mission Statement/ Commitments/ minutes	5 min	
Unexpected Guests	10 min	
BPC Report	5 min	
BDS – What Next	45 min	
Expansion	10 min	
Branding Presentation	20 min	Tabled
Board Elections/ Annual Meeting/ Mailing	20 min	
Board Brainstorm and Planning Mtgs	10 min	
Committee Reports	10 min	
Next Mtg	5 min	

Commitments Review

- *Fern will email Eric the grievance process.* n/a
- *Eric will check in with Kim about the Territorial Response* yes
- *Eric will write an article about bags for the July 1st deadline.* yes
- *The board also requests that Marie take on facilitating staff feedback and communication.* unknown
- *Harry will you help schedule this, structure the brainstorm and find facilitation.* yes
- *All board members commit to reading the by laws* yes
- *Fern will contact facilities about the neighbor complaints about the flood lights shining on their houses down the hill.* yes
- *Harry will get clarification on credit versus debit charges* yes

Minutes – 6.17.10: Consent

Stand Aside – Harry, Joellen, Rob

Announcements

- Joellen won't be here in August
- Harry wants to join the circus part time and is trying to figure out how to do it and it may influence his role on the board.
- Eric will be in Olympia all summer

Unexpected Guests

Members from the board of 'The Community Sustaining Fund' Monique and Kirsten attended to further the relationship with the co-op. In looking at their organization and how to further build relationships in the community they identified that most of the

funding they receive is from people rounding up at the co-op (90% funds come from the co-op in which 100% of these donations are given back to our immediate community). They believe that 'our missions dance quite well together'. They are committed to sustaining a strong relationship with OFC and would like to know if the board might have any ideas. They also would like to enliven the rounding up program. The board is indeed interested in furthering our relations, and invited them to the next board meeting.

- *Harry will include the 'Community Sustaining Fund' on the August agenda.*

BPC Report

Mo attended to give the BPC report.

Everyone is very busy. Bradley has been amazing at the Process Support Coordinator and the systems developed are being used. The Archiving Coordinators are also beginning their enormous work.

Recent collective decisions include: product information hours have been divided by work group; boycott proposal has been through the proposal journals, hours are being rearranged for third quarter as it is slower especially at the Westside; The Front End group consented to staff cashiers counting out their own drawers.

In other news a task force has been created to address the return policy. The BPC/ BOD subcommittee is still working on finalizing decision making. A new wet rack has been installed for Produce East. There is also a proposal for two extra doors for Meat East. The budget process proposal was brought to last round of work group meetings. The Accountability Task Force has finished the final round of gathering feedback on the proposal and decision making meetings are being scheduled for the second week in August. The Volunteer CAT has postponed the Volunteer appreciation party and plan to reschedule for December.

BDS – What Next

The board was surprised to find thirty or so community members gathered at the meeting in support of the boycott. Harry shared with the group the summary of staff feedback and process therein. All board members had received all staff feedback as well as the boycott proposal to review prior to today's meeting. The members gave a brief presentation and stressed to the board that they will support the Co-op and answer questions to the membership through this boycott process.

Harry suggests the options available to the board:

- Consent to the boycott
- Send the boycott to Member Ballot
- Dismiss it
- Your Ideas Here
- Hold Educational Forums for the Membership

The board discussed the options. Member Ballot would allow for valuable community discussion and member vote. The ballot could accompany the board elections in October therefore putting off the decision for months. Some Board members spoke to the need of addressing the boycott now, as the proposal submitted by members has run its due process within our outlined boycott policy. The board also discussed the option of the member initiated ballot process available to the membership to reverse the board's

decision. The board shared concern for the staff and members that are opposed to the boycott. After a thorough discussion of the above concerns the board the board consented on the following proposal:

Boycott Proposal:

The Olympia Food Co-op will boycott Israeli made products and divest from any investments in Israeli companies. The Co-op would stop carrying the Israeli products (it currently sells) and would not stock new products from Israeli companies. If we have money invested in Israeli companies or bonds, we would terminate those investments. We would refrain from dealing with non-Israeli companies that sell products or services to Israel that are used to violate the human rights of the Palestinians.

Consent

Stand Aside – Harry

The board would like some clarification on ‘What ends the Boycott’ and the language therein. The board also requests that ‘Peace Oil’ be exempt from said boycott. The board asks that the Merchandising CAT revisit the ‘Boycott Policy’. The board assigns Harry to write the staff and notify them of the decision, as well as provide a written boycott announcement for staff to give to members for tomorrow morning.

The board feels very strongly that Member Forums must be held for the community to share their opinions and concerns, as well as share information about the boycott. Possible dates for the Member Forums are August 11th Wednesday 7pm- 9 pm or August 24th Tuesday 7pm -9pm. outside facilitation of these forums seems imperative. It is also a priority of the board to feature an article about the process and boycott in the next available newsletter.

- ***Rob will coordinate reserving space for the forums and email information to all.***
- ***Julia will email the newsletter editor about the decision and’ informational box.’***
- ***Joellen will write the ‘info box’ for the newsletter and email to the newsletter ASAP.***
- ***Harry will write an email for staff tonight about the decision***
- ***Harry will write a flyer for staff to give to concerned members for tomorrow morning***
- ***Boycott Sub committee – Rob, Eric, Harry***

Expansion

TJ and Harry have both been gone for the last few weeks. There have been minor developments with a full report in August.

Board Elections/Annual Meeting and Mailing

Joellen, Jessica, Jackie, Eric and Suzanne terms are up this year. Jackie and Joellen can not run again.

To Do:

- Due Date on application needs to be edited

- Jackie will take questions from potential board applicants.
- *Tabling schedule will be made by Joellen.*
- *Fern will print applications and post boxes in stores.*

Annual Meeting possible dates -November 7th or the 24th @ Vic's
Annual Meeting sub committee – Jackie, Joellen, Fern, Julia

The sub committee will report back to the board at the August and September meetings.

Mailing announcement for elections and Annual meeting- the board would like investigate the possibility of sending a postcard this year. The mailing needs to go out 30 days prior to the Annual Meeting.

Brainstorm and Planning Meetings

July 29th: 5:30 – 8:30

Committee Reports

- The Farm committee met and are trouble shooting the stickers for the stores. The 'Farm to Restaurant' program is coming along and they are developing a decal for participating restaurants' windows.
- The Eco planning committee is moving ahead with the bag proposal, and the article for the newsletter which is due October. They are also pursuing compostable cutlery for the stores.
- The Finance committee reports that sales year to date are great. Sales growth is 5 and quarter.

Commitments

- *The board also requests that Marie take on facilitating staff feedback and communication regarding the bag proposal*
- *Harry will include the 'Community Sustaining Fund' on the August agenda.*
- *Rob will coordinate reserving space for the forums and email information to all.*
- *Julia will email the newsletter editor about the decision and 'informational box.'*
- *Joellen will write the 'info box' for the newsletter and email to the newsletter ASAP.*
- *Harry will write an email for staff tonight about the boycott decision*
- *Harry will write a boycott announcement flyer for staff to give to concerned members for tomorrow morning*
- *Tabling schedule will be made by Joellen.*
- *Fern will print board applications and post boxes in stores.*
- *The Board Election sub committee will report back to the board at the August*

Next Meeting – Aug 19th 2010 Facilitator – Eric Mapes

EXHIBIT H

Olympia Food Co-op

Web Log of Current Events and Happenings at and around the Olympia Food Co-op

Saturday, July 24, 2010

Board of Directors' Statement to the Membership

Note: We are working on emailing this statement to all of our members.


July 23, 2010

At the July Board meeting, the OFC Board of Directors approved a boycott of Israeli products. Since then we have received both letters of support and disagreement. We have received strong support for this decision; in addition, we have had members resign their membership, ask for the decision to be rescinded and ask the Board to review their process and policies. We recognize that this decision has put a strain on our organization and impacted our staff, volunteers and membership and we did not adequately prepare the staff or community for it. We are concerned by this impact on the community and want to listen to your feedback about this issue.

The board has scheduled a forum for members on August 12 at 6 p.m. at the Olympia Center plus, please feel free to email us at board@olympiafood.coop or call and leave a message at 360-357-1106 Ext.13. Board members will also visit the stores to listen to members' opinions and concerns.

Sincerely,

The Olympia Food Co-op Board of Directors

at 4:12 PM 


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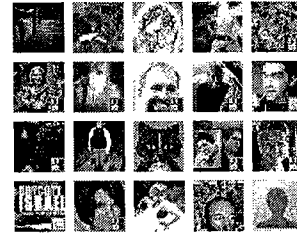
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 - [Press Release about Israeli Products Boycott](#)
 - [Board of Directors' Statement to the Membership](#)
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EXHIBIT I

Olympia Food Co-op

Web Log of Current Events and Happenings at and around the Olympia Food Co-op

Saturday, July 24, 2010

Board of Directors' Statement to the Membership

Note: We are working on emailing this statement to all of our members.


July 23, 2010

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The board has scheduled a forum for members on August 12 at 6 p.m. at the Olympia Center plus, please feel free to email us at board@olympiafood.coop or call and leave a message at 360-357-1106 Ext.13. Board members will also visit the stores to listen to members' opinions and concerns.


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The Olympia Food Co-op Board of Directors

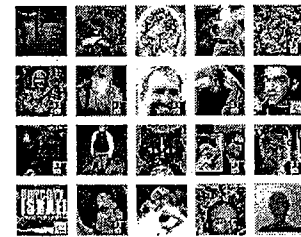
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EXHIBIT J

Olympia Food Co-op

Web Log of Current Events and Happenings at and around the Olympia Food Co-op

Saturday, July 24, 2010

Press Release about Israeli Products Boycott

Olympia Food Co-op Joins Boycott of Israeli-Made Products

On Thursday July 15th 2010 the Board of Directors of the Olympia Food Co-op decided to boycott Israeli made products and divest from investments in Israeli companies. The decision to boycott was made based on the Co-op's mission statement in accordance with our bylaws, and based on information from respected international sources.

Olympia, WA. (Olympia Food Co-op) July 21, 2010: The Olympia Food Co-op's Board of Directors has decided to boycott Israeli-made products and divest from investment in Israeli companies.

The boycott of Israeli-made products is part of a long-history of social justice work carried out by the Co-op in accordance with their mission. In addition to "provid(ing) wholesome foods and other goods and services" the Co-op "strive(s) to make human effects on the earth and its inhabitants positive and renewing and to encourage economic and social justice." The co-op also currently boycotts products made in China and Coca-Cola products, and has taken part in other boycotts in the past.

The decision to join the boycott of Israeli-products was based on credible information about human rights abuses from respected international groups such as the United Nations, Red Cross, and Amnesty International. The boycott asks that:

1. Israel end its occupation and colonization of all Arab lands and dismantles the Wall;
2. Israel recognize the fundamental rights of the Arab-Palestinian citizens of Israel to full equality;
3. Israel respects, protects and promotes the rights of Palestinian refugees to return to their homes and properties as stipulated in UN resolution 194.

This decision does not represent any other opinions toward the nation of Israel nor does it indicate approval of violence used by either side of this conflict.

The Israeli-product boycott was presented to the co-op by co-op members who were also involved in the Olympia BDS (Boycott, Divest, and Sanctions) group. The boycott was in line with the Co-op's stated boycott policy. The Board made

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10/30/11

Olympia Food Co-op: Press Release about Israeli Products Boycott

the final decision after members of the staff collective were unable to reach full consensus on the boycott.

The boycott is a non-violent tool for social change with a long history, from the Indian "Swadeshi" boycott of British goods, to the Montgomery bus boycott in the 1950s, to the California grape boycott in the 1960s, and the Boycott, Divestment, and Sanctions campaign on apartheid South Africa.

About the Olympia Food Co-op: The Olympia Food Co-op is a member-based, not-for-profit, natural foods grocery store with two locations in Olympia, WA. The Olympia Food Co-op has provided healthy, organic and local food to the Olympia area since 1977, with an emphasis on promoting social and environmental responsibility. The stores are collectively managed and largely volunteer-run.

at 9:55 PM



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EXHIBIT K

Member Voting Procedure

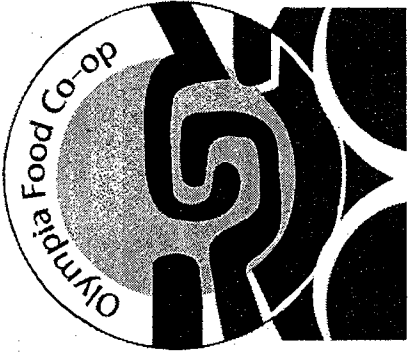
- 1 Write your name and address on one of the envelopes provided.
- 2 Fill out this ballot, clip it out, and put it in the envelope.
- 3 Seal the envelope and drop it in the ballot box.

Or, if you would like to mail your ballot in, be sure your full name and address show on the return address. Mail to Olympia Food Co-op, 3111 Pacific AVE SE, Olympia 98501

Only ballots in envelopes with members' names will be counted. Each member may vote at either store but not both. Elections will be held from October 15 through November 15. The election period ends November 15 at closing time.

Ballot Counting Procedure:

The election coordinators will check to make sure the name on the envelope matches an active member's on the membership list. To ensure voter confidentiality, all valid ballots will be removed from their envelopes and placed in a "Valid Ballot Box" to be counted later. Election results will be posted as soon as possible and no later than November 22.



(BALLOT ON REVERSE SIDE)

THE BALLOT

Board of Directors 2011-2012 2-year term



(vote for FIVE candidates only)

- | | | | |
|--------------------------|----------------|--------------------------|-----------------|
| <input type="checkbox"/> | Karen Bray | <input type="checkbox"/> | Eric Mapes |
| <input type="checkbox"/> | Kent Davis | <input type="checkbox"/> | John Regan |
| <input type="checkbox"/> | Linda S. Davis | <input type="checkbox"/> | Susan Schaeffer |
| <input type="checkbox"/> | Rochelle Gause | <input type="checkbox"/> | Suzanne Shafer |
| <input type="checkbox"/> | Erin Genia | <input type="checkbox"/> | Joshua Simpson |
| <input type="checkbox"/> | Kim Henderson | <input type="checkbox"/> | Susan Trinin |
| <input type="checkbox"/> | TJ Johnson | <input type="checkbox"/> | Teresa Young |
| <input type="checkbox"/> | Andrea Lipper | | |

EXHIBIT L

Olympia BDS endorsements for the Olympia Food Co-op Board of Directors



Erin Genia: Erin's role as treasurer for Amnesty Int'l Puget Sound demonstrates both her desire for social justice as a community organizer and her experience in budgeting and fundraising. She is also a low-income mother of three and a recipient of a Master of Public Administration (MPA). As a member of the Sisseton-Wapeton Dakota Oyate, she will be the only person of color in a board that is otherwise all-white. Her experience, awareness, and intent to work for local underserved communities are true assets for the Co-op.



John Regan: John brings a diversity of experiences in several fields, perhaps the most unique being his work with a 43-year-old food co-op in Barquisimeto, Venezuela. He has also been involved in other cooperatives, in local government, in community revitalization projects, and he has been a conscientious small business owner for thirty years with a Master in Business Administration (MBA).



Rochelle Gause: As the Kitchen Garden Project coordinator for GRuB (Garden-Raised Bounty), Rochelle has hands-on experience in food justice, local farming, and connecting with low-income communities. Add to that her MES (Master of Environmental Studies) and a motivation for sustainability through local production and reaching out to diverse sectors of the community, and you have a candidate who was made for the Co-op board.



TJ Johnson: As one of the most principled city councilmembers to have served Olympia, TJ brings a wealth of experience, skills, and abilities to the board. His three years working as the Expansion Coordinator for the Co-op demonstrates his commitment to this important institution. As part of Sustainable South Sound, TJ is dedicated to the environmental health and local economy of our community.



Eric Mapes: A Co-op volunteer since 1995, Eric is currently on the Co-op's Ecological Planning Committee, which seeks to reduce the Co-op's ecological impact and make the Co-op operation more sustainable and environmentally friendly. His years living overseas and his ongoing work with the Immigrant Family Advocacy Project and the Street Youth Legal Advocates of Washington give him the experience and awareness for serving marginalized populations.

This year's Co-op board election is one of the most important ones in the Co-op's history. There are several great candidates running for the board. At the same time, opponents of the Co-op's boycott policy are hoping to fill the open seats with single-issue candidates with the sole agenda of rescinding the boycott.

If you think we in Olympia BDS would do the same, think again. We are concerned with the future well-being of our Co-op. Although there are many candidates who would fit well on the board, we had to narrow it down to five.

It took several days to come to agreement, but we finally based our selection on the following criteria:

1. Does the candidate have the Co-op's best interests in mind?
2. Does the candidate have something to contribute to the Co-op?
3. Is the candidate well qualified in terms of skills and experiences to be on the Olympia Food Co-op's board?

There are several issues important to the Co-op beyond the boycott. This includes the direction of the Co-op expansion and the management and decision-making structure.

We felt it necessary to issue clear endorsements for fear that single-issue candidates would get in and do harm to the long-term health of the Co-op. At the same time, we're sorry that we can't endorse more than five candidates from such a talented pool.

For a list of candidates that we're concerned about, please turn this page over.

Board candidates we are concerned about

Opponents of the Co-op's boycott of Israeli goods have refused to put the boycott to a vote. Instead, they hope to take over the board with these five single-issue candidates, whose sole purpose on the board is to rescind the boycott.

This is destructive to the long-term health of our Co-op. The five candidates that arouse our concerns are below.

Linda Sternhill Davis: On Linda Sternhill Davis's Facebook page, one of her "likes" is "Boycott Olympia Food Co-op." She is also in a Facebook group called "We Don't Need Olympia Food Coop - Boycott and Alternatives."

Kent Davis: Kent Davis has three "likes" on his Facebook page, one of which is "Boycott Olympia Food Co-op."

Andrea Lipper: In her statement for candidacy, Lipper states that her vision is for the Co-op to possess "the technology to accommodate credit cards." Co-op members have had the option of paying by credit card for the past eight months.

Susan Schaeffer (not to be confused with incumbent candidate Suzanne Shafer): In her candidacy statement, Schaeffer claims that as "a fairly new Co-op member," she brings "no preconceived notions, and I bring no rigid allegiances."

Yet in an Aug. 13 letter to *The News Tribune*, Schaeffer threatened to resign her Co-op membership if the Co-op "board does not change its position" on the boycott.

Susan Trinin: Trinin expressed her opposition to the boycott in the September 2010 *Works in Progress* (see www.olywip.org). The article dismisses the Co-op board, which she is now running for, as "imperialist" and an "oligarchy" and states that instead of honoring the boycott, the Co-op community should "address the secret/underground national security government"!

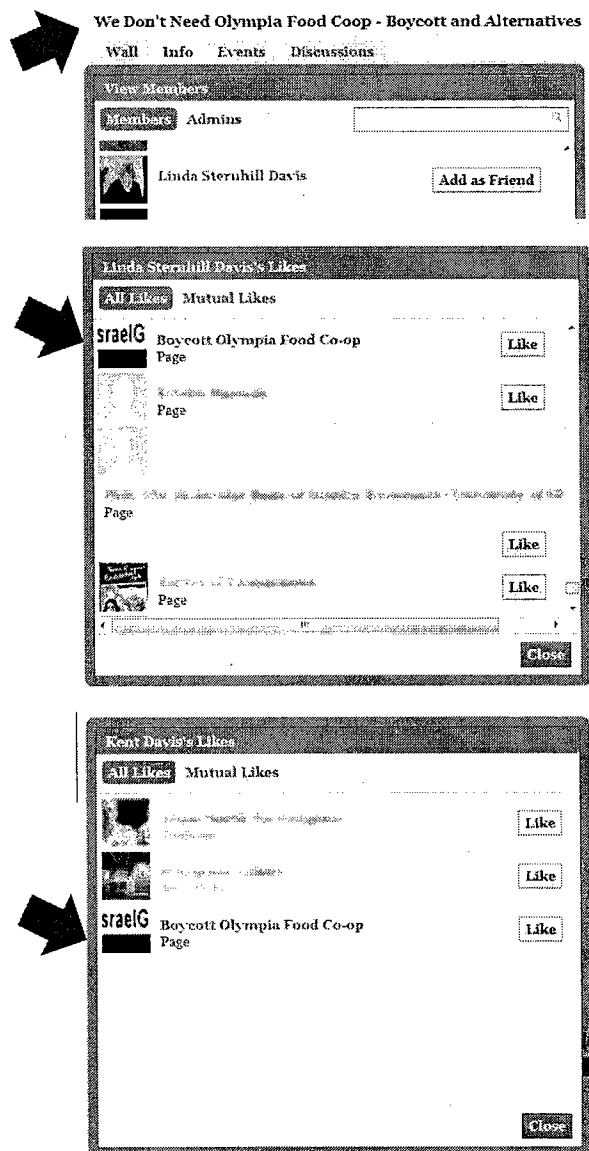


EXHIBIT M

Tuesday, November 16, 2010

OFC Board of Directors Election Results

Results

After a long count of the record-breaking 1093 valid votes received, the results of this year's Board election are complete.

The following five candidates will join the Board of Directors this January (the total votes received by each candidate follow their name):

TJ Johnson (693 votes)
Rochelle Gause (635 votes)
Erin Genia (568 votes)
John Regan (551 votes)
Eric Mapes (545 votes)

All of the top 5 candidates have accepted the position.

The first runner-up was Susan Trinin with 315 votes.

From there, in order of votes received, were Teresa Young (289), Suzanne Shafer (277), Karen Bray (255), Kent Davis (242), Andrea Lipper (241), Kim Henderson (219), Linda Sternhill Davis (195) and Joshua Simpson (132). Susan Schaeffer, who withdrew from the race, received 86 votes.

Process

A total of 1133 ballots were received. 38 votes were not counted due to unverified or inactive memberships. With a 230 vote difference between the lowest winning candidate's votes and highest runner-up candidate's votes, these uncounted ballots had no effect on the final outcome. Inactive membership is defined in our bylaws as a membership without a current address or whose dues payments are not up to date. You can read our full bylaws at <http://www.olympiafood.coop/bylaws.html>.

Ballots were counted in a three-part process. First, membership information on the front of the envelope was verified. Second, ballots were separated from their envelopes and piled in stacks of 100. Lastly, the votes were tallied by hand.

Ballot counting began shortly after 9pm last evening and continued into the early morning. Staff members Diana Pisco, Jayne Kaszynski, Jason Baghboudarian, and Grace Cox were joined by volunteers Raelyn Pisco-Eckert and Jaime Kaszynski in counting ballots. Many thanks to Mo Tobin, James Scott, Jason Baghboudarian, volunteer Scott Bishop, and Board member Jackie Krzyzcek for their work updating the membership database and verifying memberships. Several people contacted the Co-op about observing the counting (and were invited to come), but none of

them did so.

All envelopes were saved, as were all ballots. Ballots were bundled in batches of 100 with their tally sheets and locked in a secure location at our downtown office.

Although we were prepared to continue counting during a power outage with flashlights and candles, the Co-op office was not affected by last night's blackouts!

Thanks to everyone who ran for the Board, and to all members who took part by casting a vote.

at 7:35 PM

EXHIBIT N



Expansion UPDATE

at a new downtown store. The goal of this article is to clearly and succinctly explain the status of our expansion efforts, and point to what's next.

Over the spring and summer, the expansion team had ongoing conversations with the owner of our preferred downtown property, with the goal of developing the framework for a purchase and sale

step in the project, which would have been to finalize an agreement based on the negotiations and begin to make a financial commitment towards acquisition of the property. After considerable discussion, the Board decided to suspend negotiations and put downtown expansion on hold until 2011, at which time the Board, with a number of new members, will revisit the issue and determine next steps.

Continued page 3

Board of Directors Election Results

The following five candidates will join the Board of Directors this January (the total votes received by each candidate follow their name):



TJ Johnson
(693 votes)



Rochelle Gause
(635 votes)



Erin Genia
(568 votes)



John Regan
(551 votes)



Eric Mapes
(545 votes)

All of the top five candidates have accepted the position.

There were a record-breaking 1093 valid votes received in this year's elections. Thanks to all who participated!



The rest of the candidates received the following number of votes: The first runner-up was Susan Trinin (315), followed by Teresa Young (289), Suzanne Shafer (277), Karen Bray (255), Kent Davis (242), Andrea Lipper (241), Kim Henderson (219), Linda Sternhill Davis (195) and Joshua Simpson (132). Susan Schaeffer, who withdrew from the race, received 86 votes.

For more information on this year's election process, see page 4.

EXHIBIT 0

Olympia Food Co-op
Member Initiated Ballot Procedure and Petition Requirements

I. Petition Process and requirements

Members may submit an item for vote by the membership using the following procedure.

Step 1: A proposal is brought to the board, clearly describing the issue(s) in question. At this time the board may do one of the following:

- a) Approve the proposal to move forward as a member initiated ballot
- b) Agree to sponsor the member ballot and make it a board ballot
- c) Identify appropriate committee or staff to address the concern/idea
- d) Give feedback for possible rework
- e) Reject the proposal: The board may reject the proposal if it is illegal or deemed financially irresponsible or financially unfeasible. The board will provide a written statement articulating its reasons for rejection.

Step 2: The Board considers the proposal and determines which of the above options to carry forth. The following applies only if the proposal is approved to move forward as a member initiated ballot.

Step 3: The member(s) draft a petition to conduct a member initiated ballot. The petition must be lawful, and must be reasonable based on financial feasibility. The petition must include provisions for validating that the petition signatures are from active members. In addition, the petition must be clearly written so that the reader may be able to easily answer the following questions.

- Who wrote this petition?
- What is the issue they are trying to address?
- What is their solution?

Step 4: The board reviews the petition to insure that it meets the requirements in Step 3. If the board finds that the petition meets the above requirements, the petitioners may proceed with signature gathering. See tabling guidelines. In order to be included in the upcoming election, the required number of valid member signatures must be gathered by August 1st. The petition must be signed by 1/2 of the average number of voting members from the previous three annual elections, or 300, whichever is greater.

Step 5: The membership coordinators will review the petitions to insure that the required number of signatures are from active members.

Step 6: The required number of validated, signed petitions is presented to the board.

II. Member Initiated Ballot Procedure

After successfully completing the **Petition for Member Initiative Procedure**, the board or board committee works with the petitioners to put together the member-initiated ballot.

Step 1: Develop a voter pamphlet and educational materials that will be published in the October newsletter (September 1st submission deadline).

The voter pamphlet must include

- Benefits (pros)
- Impacts (cons)
- Costs
- Legal aspects
- Purpose, vision

Step 2: Between September 1st and November 15th, at least two member forums will be held at which the member initiative will be the topic. In addition, the member initiative must be included as an agenda item for the annual meeting. The board or board committee will also work with the petitioners to insure that the membership be given an opportunity to educate itself with regard to the issue during this period. Other methods of education that should be utilized are notebooks at stores with ballot and educational materials, the website, and tabling at the stores.

Step 3: The Election is held October 15th through November 15th. Unless otherwise specified by State law, a 60% majority is required for a member-initiated ballot to pass.

July 05

EXHIBIT P

Olympia Food Co-op

Web Log of Current Events and Happenings at and around the Olympia Food Co-op

Sunday, September 26, 2010

Israeli-product Boycott: Next Steps

The Olympia Food Co-op Board of Directors is aware that members are awaiting information on the Board's process following the August 12th member forum. We apologize for the delay in providing this update.


This Boycott: After extensive discussion and airing of diverse opinions, the Co-op Board could not consent to rescinding the boycott.

The Co-op Board is working to clarify the language around what will end the boycott and has solicited diverse informed input.

The Boycott Policy: The Co-op Board is forming a sub committee to review the OFC boycott policy. This committee will include Co-op Board members, staff members, and Co-op members at large. The Board will begin taking applications from members who are interested in serving on the committee. Applications will be available on the website November 15th.

Community Involvement: The Co-op Board is considering the next steps for community dialogue and community involvement.

Member Vote: Representatives of the 'It's Our Co-op' group who solicited signatures on a petition outside of the stores have told the Co-op Board, that the petition was not intended to trigger a member vote. However, any member is welcome to propose a member initiated ballot process and should contact the Co-op board to begin this process. (board@olympiafood.coop)

at 1:13 PM 

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 - Israeli-product Boycott: Next Steps
 - Olympia Food Co-op: Sixth Annual Harvest Party!
 - CFS Action Alert: FDA Looks To Approve Genetically...
 - August (4)
 - July (10)

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EXHIBIT Q

THE GRIEVANCE PROCEDURE

Conflict is inevitable in any organization. We believe that conflict is inherently valuable and positive. Primary responsibility for addressing conflicts lies with the parties involved, however sometimes disputants find themselves unable to make satisfactory progress toward resolving a conflict.

This procedure is intended to address conflicts within this organization that concern issues such as fairness, power dynamics, trust, and responsibility. The goal of the Grievance Procedure at the Co-op is to empower members and staff to voice their disputes in a constructive manner and work toward clear and creative solutions.

WHEN TO USE THE GRIEVANCE PROCEDURE

The Grievance Procedure may be invoked by members and workers of the Co-op. The conflicts must be Co-op related.

HOW TO USE THE GRIEVANCE PROCEDURE

1. Contact a Personnel Coordinator on Staff at the Co-op. If the conflict involves a Personnel Coordinator feel free to contact one of the other Personnel Coordinators or a Board Representative on the Personnel Committee.
2. Your contact will remain confidential. The Personnel Coordinator will try to help you in the following ways.
 - ◆ Clarify the nature and details of the conflict
 - ◆ Clarify your needs for conflict resolution
 - ◆ Clarify the options for conflict resolution
3. The Personnel Coordinator and/or the Board Representative on the Personnel Committee will assist in developing a plan or approach for conflict resolution. In most cases, there are two options for resolving conflicts

◆ **Individual Settlement**

After clarification, there is direct negotiation between the conflicting parties

◆ **Mediation**

If the conflicting parties are unsuccessful negotiating on their own or feel unable or unsafe to confront the conflict without outside assistance, they may request a mediation. There are often skilled mediators on the Co-op Staff or outside services may be used such as The Thurston County Conflict Resolution Center. In a mediation, the conflicting parties are assisted in expressing their feelings and negotiating an acceptable solution.

4. If there is no acceptable solution after exploring the previous options, an appeal may be made directly to the Board of Directors. All appeals must be made in writing. If no other negotiated solutions are possible, the Board may issue a judgement on the matter.
5. All conflict resolution involving a Personnel Coordinator and/or the Board of Directors shall be treated with confidentiality. See *The Confidentiality Guidelines* for more details about Co-op guidelines on confidentiality. Any written records shall be kept in confidential files.

EXHIBIT R

Kent L. Davis
Linda Davis
Susan Mayer
Susan G. Trinin
Jeffrey I. Trinin
P.O. Box 6060
Olympia, WA 98507-6060

June 30, 2011

Dear Kent L. Davis, Linda Davis, Susan Mayer, Susan G. Trinin and Jeffery I. Trinin,

Regarding your letter dated May 31, 2011, the Co-op would like to respond in a productive way. We are unable to do so, however, because your letter fails to explain *how* the Co-op's boycott decision supposedly violates the Co-op's Boycott Policy, Mission Statement, or Bylaws.

A great deal of careful and thoughtful time and discussion preceded the Co-op's Israeli-product boycott decision. Additionally, the Board revisited the boycott decision many times after the original decision was made. The Board continues to adhere to its decision, which was expressly founded in Co-op policies, as articulated in its mission statement and bylaws.

When you articulate to us the specific grounds for your view that the boycott decision violates the Co-op's boycott policy, mission statement, or bylaws, we will promptly respond.

We also remind you that there is a democratic alternative to the litigation that you are threatening: the member-initiated ballot process that is laid out in our bylaws. This process allows members who want to make a change at the Co-op to bring their proposal to a vote of the membership. To bring the proposal to rescind the Israeli-products boycott to a vote of the membership, all you need to do is gather the signatures of "1/2 of the average number of voting members in the previous three annual elections, or 300, whichever is greater." In this case, this would require you to gather 300 signatures of active members. Once on a ballot, your proposal would need to pass with 60% of total votes (as stated in the bylaws, "Member-initiated ballot.")

Sincerely,

Erin Genia,
(on behalf of all letter recipients)
President,
Olympia Food Co-op Board of Directors

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document on:

Robert Sulkin
Avi J. Lipman
McNaul Ebel Nawrot & Helgren PLLC
600 University Street
Suite 2700
Seattle, WA 98101-3143

by **mailing** a copy thereof in a sealed, first-class postage prepaid envelope, addressed to said attorney's last-known address and deposited in the U.S. mail at Seattle, WA on the date set forth below;

by causing a copy thereof to be **hand-delivered** to said attorney's address as shown above on the date set forth below;

by sending a copy thereof via **overnight** courier in a sealed, prepaid envelope, addressed to said attorney's last-known address on the date set forth below;

by **faxing** a copy thereof to said attorney at his/her last-known facsimile number on the date set forth below; or

by **emailing** a copy thereof to said attorney at his/her last-known email address as set forth above.

DATED this 1 day of November, 2011.

DAVIS WRIGHT TREMAINE LLP

By Roni Grant
Roni Grant