



# FRIDAY

November 15, 2002

# LOCAL NEWS



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Local News - November 15, 2002

## Mill Bay Resort members face setback in fight to keep RV park open

By Laurie Smith, World staff writer

MANSON - The continued operation of Mill Bay Resort after today was in doubt following a decision Thursday in Colville Tribal Court.

Judge Steve Aycock denied a restraining order sought by members of the recreational vehicle campground to stop resort owner Chief Evans Inc. from closing the RV park.

A Nov. 13 affidavit by Jeff Webb, a Chelan CPA overseeing the company, says Chief Evans is insolvent and "no longer financially able to operate the park after November 15, 2002."

Frank Smith, a Seattle attorney who represents the more than 180 members and is a member himself, said his clients will file suit next week in Chelan County Superior Court to try to force Chief Evans to honor their contracts. During the 1980s and '90s, members invested about \$1.5 million in 25- and 50-year memberships.

Following an hourlong telephone hearing Thursday, Aycock threw out the bulk of a lawsuit brought against the members by Chief Evans, a tribal corporation.

The lawsuit asked the court to let it close the RV park. According to Smith, Aycock found that Chief Evans' lawsuit was moot because the company had decided on its own to shut it down without the court's approval.

Aycock dismissed the members as defendants, then denied the restraining order because they were no longer parties to the case, Smith said.

Paul Grondal of Issaquah, a spokesman for the members' association, said they had asked, on different grounds, to be dismissed as defendants last summer. It "came out of the blue" Thursday when Aycock granted the dismissal, Grondal said.

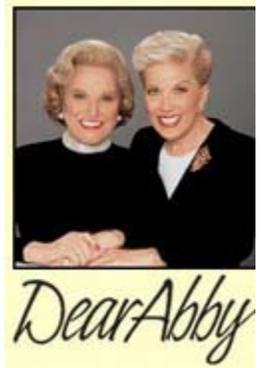
Webb declined to comment, and repeated attempts to reach attorneys for Chief Evans, including Mike Arch of Wenatchee and Richard Price of Omak, were unsuccessful.

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