General Affidavit

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON

Jordan Avery, Plaintiff,
Northwind Storage LLC, Defendant.

Case No. 2:26-cv-00000-XX

[If no case is pending, delete the court name, parties and case number above and use this line instead: **In the matter of:** Water entry at 400 Example Industrial Way, Everett, Washington, on February 14 and 15, 2026. Also delete the references to the case in paragraphs 8, 9, 33, 34, 35 and 42, and the certificate of service.]

AFFIDAVIT OF Dana Whitlock

STATE OF Washington)
) ss.
COUNTY OF Snohomish)

I, **Dana Whitlock**, being first duly sworn (or having solemnly affirmed), state as follows:

Identity and competence

1. I am over 18 years of age and of sound mind. I live in Everett, Washington.
2. My occupation is self-employed ceramic artist. I have worked in that occupation for nine years.
3. No illness, medication, injury or other condition affected my ability to see, hear, understand or remember the events described in this affidavit, and none affects my ability to describe them today.
4. I read and write English. I am competent to testify to the matters stated here.

Basis of my knowledge

5. I make this affidavit on personal knowledge, except where paragraphs 25 to 30 say that I am reporting what another person told me or what I believe. Personal knowledge here means that I saw, heard, did or measured the thing described.
6. I rented Unit 116 in the Northwind Storage building at 400 Example Industrial Way, Everett, Washington (the "Building") on June 1, 2024. I have rented it without a break since then. I use it to store tools, packing material and finished pieces, and in 2026 I have usually visited it three or four times a week.
7. Unit 116 is on the ground floor, on the north side of the main corridor. Unit 114 is the next unit to the west. Their roll-up doors are side by side. A person standing in front of Unit 116 can see the door of Unit 114, the corridor floor in front of both units and the ceiling above. I was standing in that corridor when I made the observations described in paragraphs 10 to 24, and the overhead lights were on.

Purpose and relationship

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8.

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I make this affidavit in support of the plaintiff's motion for partial summary judgment in the case named above.

9. I am not a party to the case. I rent the storage unit next to the one rented by Jordan Avery. I have known Jordan Avery as a fellow tenant since June 2024, and we are friendly, but we are not related and have no business together. My only dealings with Northwind Storage LLC are as its tenant in Unit 116. My rent account is current, and I have no dispute with Northwind Storage LLC about it.

Statement of facts

A. February 14, 2026

10. On February 14, 2026, at about 3:40 p.m., I entered the Building through the east door to collect packing material from Unit 116. I was alone. I had last been in the Building two days earlier, and I saw no water in the corridor on that visit.

11. As I reached my unit I heard dripping. I looked up and saw water falling from a seam in the ceiling between the doors of Units 114 and 116. The drops fell about once each second and formed a puddle on the concrete floor. I judged the puddle to be about two feet across by comparing it with the floor tiles at the corridor entrance, which are one foot square.

12. The puddle touched the bottom edge of the roll-up door of Unit 114. The door was down and a padlock was on its latch. I could not see inside that unit.

13. At about 3:47 p.m. I took three photographs with my cell phone. Copies are attached as **Exhibit A**. The time comes from the date and time data my phone recorded for the first photograph. The photographs fairly and accurately show the ceiling seam and corridor floor as I saw them.

14. At about 3:52 p.m. I called the office telephone number printed on the sign beside the east door. A person answered, said his name was Casey Thornton and said he was the site manager. I told him that water was coming through the ceiling outside Units 114 and 116, that a puddle had reached the door of Unit 114, and that the water was still dripping. The call lasted about four minutes. My call log for this call is part of **Exhibit B**.

15. After the call I placed an empty plastic tub from my unit under the seam. I checked the floor and contents of Unit 116 and found them dry.

16. I stayed in the Building until about 5:15 p.m. From the end of the call until I left, I was in front of Unit 116 or inside it with the door open. During that time I saw no one else enter the part of the corridor outside Units 114 and 116. Water was still dripping into the tub when I left.

B. February 15, 2026

17. On February 15, 2026, at about 9:10 a.m., I returned to the Building. Water covered the corridor floor outside Units 114 and 116. I put a steel ruler upright on the floor in front of Unit 114 and read a water depth of one inch at that spot. The tub was full and water was running over its rim.

18. A ceiling panel above the door of Unit 114 hung down at one end. Water ran in a steady stream from the gap beside the panel. Water was passing under the roll-up door of Unit 114.

19. At about 9:18 a.m. I called the same office number. No one answered. I left a voice message giving my name, my unit number and a description of what I have stated in paragraphs 17 and 18. At about

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9:20 a.m. I called Jordan Avery, whose number I had, and described the same things. Both calls appear in **Exhibit B**.

20. Jordan Avery arrived at about 9:55 a.m. and opened the door of Unit 114. I stood in the corridor about four feet from the doorway and had a clear view into the unit. I did not go inside.

21. I saw water on the floor across the whole doorway and as far toward the back wall as I could see. I saw cardboard cartons stacked three high on wooden pallets. The outer surfaces of the cartons in the bottom two rows were dark and wet, and the sides of several of those cartons had collapsed. I saw a printing press under a ceiling opening. Water was falling onto the top of the press.

22. Between about 9:15 a.m. and 10:10 a.m. I took six photographs. Copies are attached as **Exhibit C**. The first two show the corridor before the door was opened. The other four show Unit 114 through the open doorway. They fairly and accurately show what I saw at the time.

23. At about 10:30 a.m. the man I had spoken to by telephone, whose voice I recognized, came to the corridor. He wore a shirt with the words "Northwind Storage" on it. I saw him unlock a utility door about 20 feet west of Unit 114 and turn a red handle inside it. The stream from the ceiling slowed and stopped. I looked at my phone when it stopped, and the time was 10:36 a.m.

24. On February 17, 2026 I sent an email to the address shown on the Building sign. In it I described the water I saw on both days and asked what repair would be made. A copy is attached as **Exhibit D**. I have checked my inbox and junk folder through the date of this affidavit and have not found a reply.

Statements of other persons and matters of belief

25. I identify the matters in paragraphs 26 to 30 separately because I did not observe the underlying facts myself.

26. During the call described in paragraph 14, Casey Thornton said to me, in these words as best I recall: "That line above 114 leaked last month too. I will come and look at it tonight." I know that those words were spoken to me, because I heard them. I do not know from my own observation whether there was an earlier leak.

27. On February 15, 2026, after the water stopped, I heard Casey Thornton say to Jordan Avery: "I did not get over here last night." Jordan Avery and I were both within about six feet of him. I do not know from my own observation where he was the night before.

28. Jordan Avery told me on February 15, 2026 that the cartons held printing paper. I did not open a carton, and I have no personal knowledge of what was inside.

29. I believe that the water came from a supply line above the ceiling. I base that belief on the two things described in paragraph 23: a handle was turned and the water stopped. I did not see above the ceiling, I am not a plumber or engineer, and I give no opinion on why a line leaked or whether it had been properly maintained.

30. I have no knowledge of the price, condition or value of the property in Unit 114 before February 14, 2026, or of the cost to repair or replace it.

Exhibits

31. Exhibits A to D listed at the end of this affidavit are attached and form part of it. I took the

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photographs in Exhibits A and C, made the screen images in Exhibit B and wrote the email in Exhibit D.

32. Each exhibit is a true copy of the item described. I have not altered the content of any photograph, call record or email, apart from the covering described in paragraph 34. I have kept the original image files, the call records available on my phone and the sent email.

33. I will make the originals that I hold available for inspection at a reasonable time if a party, the court or another recipient entitled to them asks for them.

Privacy and redaction

34. I have covered personal numbers and unrelated entries in Exhibit B. This affidavit and its exhibits do not show any person's full Social Security number, taxpayer identification number, birth date or financial account number, or the full name of any individual known to me to be a minor. Unredacted copies remain with me. I will produce them if the court orders it.

Interest and voluntariness

35. I have no claim of my own arising from the events described, and I have no financial interest in the outcome of the case. Nothing belonging to me was damaged.

36. No one has paid, promised or offered me anything of value for this statement or for its content. No one has threatened or pressured me to sign it.

37. I described these events to a legal assistant, who typed them in numbered paragraphs. I read the whole draft and corrected the times in paragraphs 13 and 23 against my phone. I sign this affidavit voluntarily.

Corrections and testimony

38. I have stated the facts as completely and accurately as I can recall them. This affidavit is limited to the events that matter to its stated purpose, and is not an account of everything I know about the Building.

39. If I learn that a statement here is wrong or materially incomplete, I will promptly tell the person who asked for this affidavit and sign a corrected or supplemental statement under oath or affirmation, or as a declaration where the law allows one.

40. If called as a witness, I could and would testify competently to the matters I have stated on personal knowledge.

Acknowledgment of penalties

41. I have read every page of this affidavit and I understand it. The facts stated on personal knowledge are true and correct. I have made the statements about my recollection and belief honestly.

42. I understand that a knowingly false material statement in this affidavit may be punished as perjury or a false declaration under 18 U.S.C. §§ 1621 and 1623, or under the state law that applies to this statement.

FURTHER AFFIANT SAYETH NAUGHT.

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Signed on November 20, 2026, at Everett, Washington.

Signature of affiant:

Dana Whitlock
Affiant

JURAT (to be completed by the notary)

State of Washington
County of Snohomish

Signed and sworn to (or affirmed) before me on November 20, 2026 by **Dana Whitlock**.

Signature of notarial officer:

Robin Castellane
Notary Public, State of Washington
My commission expires: March 31, 2029

(Official stamp)

ALTERNATIVE ENDING WITHOUT A NOTARY

[Use this ending instead of the affiant's signature and jurat above, never with them, where the law allows an unsworn declaration. Change "Affidavit" to "Declaration" and "affiant" to "declarant" throughout, delete the venue, and replace the opening with: "I, Dana Whitlock, declare as follows:". In paragraph 39, delete the words "under oath or affirmation, or as a declaration where the law allows one" and write "by further declaration". Choose one of the two versions below.]

Version 1, signed inside the United States. I declare under penalty of perjury that the foregoing is true and correct. Executed on November 20, 2026, at Everett, Washington.

Signature of declarant: **Dana Whitlock**

Version 2, signed outside the United States. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 20, 2026, in Canada.

Signature of declarant: **Dana Whitlock**

EXHIBIT LIST

Exhibit A: Three photographs I took on February 14, 2026, at about 3:47 p.m., showing the ceiling seam and corridor floor outside Units 114 and 116. See paragraph 13.

Exhibit B: Screen images of my cell phone call log for February 14 and 15, 2026, with unrelated calls covered. See paragraphs 14 and 19.

Exhibit C: Six photographs I took on February 15, 2026, between about 9:15 a.m. and 10:10 a.m., showing the corridor and the open doorway of Unit 114. See paragraph 22.

Exhibit D: My email of February 17, 2026, to the Northwind Storage office, one page. See paragraph 24.

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CERTIFICATE OF SERVICE

[Delete if the affidavit is not filed in a case. A federal court does not require a certificate for service through its electronic filing system; if you serve by mail, hand or other means, keep it and state that method.]

I certify that on November 24, 2026, I filed the foregoing affidavit with its exhibits, together with the motion it supports, through the court's electronic filing system, which sends notice of the filing to Marcus Feld, attorney for the defendant, at the electronic address registered for Feld Example Law PLLC, 12 Sample Plaza, Seattle, Washington.

Signature:

Priya Lindqvist
Date: November 24, 2026

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