

**CASE NUMBER
2520071032
SN:33.0 PC:4**

FILED
7/14/2025
Timothy W Fitzgerald
Spokane County Clerk

SUPERIOR COURT OF WASHINGTON IN AND FOR SPOKANE COUNTY

CITY OF SPOKANE VALLEY, a municipal corporation,

NO. 25-2-00710-32

Plaintiff,

DECLARATION OF JESSICA YEAGER
IN SUPPORT OF PLAINTIFF'S MOTION
TO STRIKE DECLARATION OF
ALBERT W. MERKEL IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER

ALBERT W. MERKEL, an individual,

Defendant.

I, JESSICA YEAGER, hereby declare as follows:

1. I am over the age of 18, competent to testify, and I make the following statements based on my own personal knowledge.

2. I am currently an elected member of the City Council for the City of Spokane Valley (“City”). I was elected as a City Councilmember during the November 2023 election. My term runs until the end of 2027. I make this declaration to correct false and misleading statements made regarding me in the “Declaration of Albert W. Mekel [sic] in Support of Motion for Protective Order” that was filed with this Court on July 7, 2025, in the above-captioned matter (hereinafter “Defendant’s Declaration”).

3. Defendant's declaration claims that I "peddled wild and false claims about [Defendant's] personal life and political affiliations" on eight (8) different occasions "on the local radio show 'Right Perspective Spokane'". This statement is entirely false.

4. I have never appeared on a radio show named "Right Perspective Spokane." However,

DECLARATION OF JESSICA YEAGER: 1

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1 I have appeared on the "RIGHT Spokane Perspective" podcast episodes that aired on a few of the
2 dates identified in Defendant's Declaration. I therefore understand Defendant is referring to the
3 "RIGHT Spokane Perspective" podcast.

4 5. Defendant did not identify the statements he alleges to be "wild and false claims," so I
5 reviewed the identified RIGHT Spokane Perspective episodes in which I participated. RIGHT
6 Spokane Perspective makes their past podcasts available online at
7 <https://www.rightspokaneperspective.com/>. I also reviewed the history of episodes identified on
8 the aforementioned website. As shown by the below accurate descriptions of my comments (or
9 lack thereof) regarding Defendant, his representation of my statements is completely false:

10 5.1. Episode on 10/23/2023: I did not appear in this episode. Nor did Rod Higgins.

11 5.2. Episode on 2/22/2024: I did not appear in this episode. Nor did Rod Higgins.

12 5.3. Episode 3/6/2024: I did not appear in this episode. Nor did Rod Higgins.

13 5.4. Episode on 8/16/2023: I appeared in this episode while I was running for
14 election as a City Councilmember. Neither I nor the program hosts made any statements
15 regarding Defendant.

16 5.5. Episode on 3/27/2024: I did appear in this episode (Rod Higgins did not), but
17 Defendant was not brought up as a topic and I did not otherwise make any statements about
18 Defendant.

19 5.6. Episode on 12/19/2024: I appeared in this episode (Rod Higgins did not).
20 Approximately 10 minutes into the interview, Tim Benn (one of the hosts) asked me about
21 Defendant. I only relayed that (1) I submitted a complaint after seeing Defendant posting
22 about City business on his personal Nextdoor social media account, (2) did so because I
23 believed Defendant was violating the Council Governance Manual; (3) Defendant did not
24 agree with the independent investigator's findings regarding his personal Nextdoor account
25 use, so Defendant appealed the findings to the City Hearing Examiner; (4) I discovered
that some of his posts discussing City business that had been on his personal Nextdoor
account had either been edited, deleted, or reported as violating Nextdoor's policies; (5)

1 complying with the social media policy of the Council Governance Manual is simple and
2 inexpensive; (6) that the City has expended a substantial amount of taxpayer dollars to
3 protect the City by trying to obtain Defendant's compliance with the Council Governance
4 Manual; (7) Defendant has chosen not to comply with the Council Governance Manual;
5 and (8) I believe that Defendant's actions violate the oath we both took to uphold the law.

6. These are clearly not statements regarding Defendant's "personal life" or "political
7 affiliations." Rather, they are about his violation of the Council Governance Manual's social media
8 policy and the resulting risk of causing the City to be in violation of the Washington Public Records
9 Act. Nor are my statements "wild and false claims." They are supported by the findings and
10 conclusions adopted by an independent investigator and the City Hearing Examiner. *See Rebecca*
11 *Dean's Report*, attached as **Exhibit A** and *City Hearing Examiner Decision*, attached as **Exhibit**
12 *B* to the *Declaration of Reid Johnson in Support of Opposition to Motion to Dismiss* (filed on
13 4/25/2025 in this matter). For example, see paragraphs 2.1, 2.2, 3.1 through 3.3, and 3.43 through
14 3.49 of the Hearing Examiner Decision, Exhibit B.

15 I certify under penalty of perjury under the laws of the State of Washington that the
16 foregoing is true and correct.

17 DATED this 4 day of July, 2025 at Spokane Valley, Washington.

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20 JESSICA YEAGER
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11th day of July, 2025, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to all entities as follows:

Patrick J. Kirby
Patrick J. Kirby Law Office, PLLC
4353 S. Greystone Lane
Spokane, WA 99223
pkirby@pkirbylaw.com

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Via E-Filing
- Via Email

Attorney for Defendant

LUKINS & ANNIS, P.S.


KIRSTEN PRICE, Legal Assistant

DECLARATION OF JESSICA YEAGER: 4

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