

DECLARATION OF
TARA C. MCLAUGHLIN

Tara C. McLaughlin declares:

1. I am Tara C. McLaughlin, and I reside with David M. McLaughlin, my husband,

2. On April 8, 2006, David and I drove our sons to River Park Square (RPS). We arrived at the RPS parking garage at approximately 12 p.m., intending to eat lunch and go to the Children's Museum located in the mall.

3. David, who was driving our 2005 Chevrolet Uplander, pulled into a parking place on the fifth floor of the parking garage. Before getting out, I looked behind our vehicle to ensure there was no traffic that would endanger my ability to safely remove our children from our Uplander. I noticed a slow moving, dark-colored Subaru approaching; at first, I thought it was going to pull into the space next to ours. I was not in any way concerned by the presence, speed or manner of operation of the vehicle and, therefore, I continued to prepare to unload my children.

4. Apparently noticing that we would be unloading our children, the woman driving the Subaru, who I later learned was Jo Savage, left an open space between our Uplander and her vehicle. As a result, she began to pull into the parking space two spaces to the left of the one in which we were parked.

5. As Ms. Savage pulled into the parking space, I believe she was moving at less than five (5) miles per hour; her speed was appropriate for parking. When she approached the curb, Ms. Savage brought the car either to a complete stop or nearly a complete stop. At that time, there was a slight acceleration which caused her to go up onto the horizontal curb piece of the retaining wall and strike

the vertical portion of it with the passenger side of her car. I thought this contact would simply result in a minor "fender-bender."

6. When her vehicle contacted the retaining wall, however, it immediately began to collapse. The retaining wall that Ms. Savage's car contacted is a curved piece of concrete that forms both the horizontal "curb" and the vertical barrier. When the concrete barrier broke, the horizontal section of it under her front wheels together with the vertical portion fell outward, causing the Subaru to fall forward and out of the garage as well.

7. As the Subaru tilted out of the garage following the collapsing barrier, I heard Jo Savage screaming. Once the Subaru struck the barrier, it took four or five seconds for it to tip over the edge and out of the garage. It was enough time for me to take in what was happening and realize that Jo Savage and her car were going to fall out of the garage.

8. Before the Subaru contacted the retaining wall, I did not hear any tire screeching, whether due to acceleration or braking. Given the low speed involved, I would not have expected to hear tire noise. I did, however, hear a loud grinding as the Subaru slid over the edge and out of the garage.

9. Just after the Subaru fell, I tried to use our Uplander's OnStar system to contact emergency services, but David had already removed the keys and gotten out, so it was inoperative. Instead, David used his cellular phone to call 911.

10. I then asked David to move our vehicle to a parking space away from the edge of the parking garage, as I was unnerved at how easily the outside barrier had collapsed. When the police arrived, we talked with their investigator at the scene and told him what we had observed.

11. I did not know Ms. Savage and do not know any of her family or friends.

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

DATED this 21st day of April, 2006, at Veradale, Washington.

By: _____