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11 In Pro Per Third Party Objector

12 **SUPERIOR COURT OF CALIFORNIA**  
13 **COUNTY OF CONTRA COSTA**

14 ROBERT TIERNAN, et al.,

15 Plaintiffs,

16 v.

17 DIABLO COMMUNITY SERVICES  
18 DISTRICT, et al.,

19 Defendants.

Case No. MSC17-02529

**DECLARATION OF LAURA FULTON  
IN SUPPORT OF THIRD PARTIES  
DAVID HAMMOND AND HAL  
SEIBERT'S MOTION TO SET ASIDE  
STIPULATED JUDGMENT BETWEEN  
INTERVENORS AND U.S. BANK**

Date: 05/17/24  
Time: 9:00am  
Dept.: 18

22 AND RELATED CROSS-ACTION AND  
23 ACTION IN INTERVENTION

1 I, Laura Fulton, declare as follows:

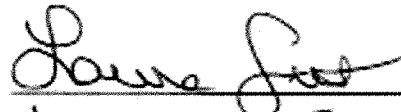
2 1. I am currently a resident of the unincorporated community of Diablo, County of  
3 Contra Costa. I make this Declaration based on my own personal knowledge, and if called as a  
4 witness, could and would testify to the same.

5 2. I am familiar with a gravel trail approximately 100 to 125 feet in length connecting  
6 Alameda Diablo and Mount Diablo Scenic Boulevard (leading to Mount Diablo State Park's  
7 "South Gate" entrance ("the Easement"), which is at the southerly end of the property located at  
8 2354 Alameda Diablo, Diablo, California.

9 3. I have resided in Diablo with my family since 1996, and I use the Easement  
10 extensively. Over the last 27 years, I have walked my dogs approximately once or twice a day  
11 along a route that utilizes the Easement. I routinely see other Diablo residents on my walks  
12 especially those who live on Mount Diablo Scenic Blvd. since my loop uses the Easement and the  
13 Athenian Gate connector. I estimate my family has used the Easement over 5,000 times since we  
14 moved to Diablo.

15 4. The fact that a group of elitist Diablo residents, representing a very small minority  
16 of Diablo households have fenced off the long-standing Easement is frustrating beyond belief. It  
17 degrades our quality of life and limits safe access to Mount Diablo State Park. This small group  
18 acted unilaterally with full knowledge of the community's objections.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct. Executed on Feb 3, 2024 in Diablo, California.

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23   
24 Laura Fulton  
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