

Bob Wilbur

From: "Gwyn Staton" <gwynstaton1@msn.com>
Date: Tuesday, November 18, 2014 8:16 PM
To: "Bob Wilbur" <bbwilbur@broadstripe.net>
Subject: RE: Lawsuit alternative

you are well reasoned. The problem is no one else is as much as you and no one wants to work too much any more.

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CC: wilbur_brenda@yahoo.com
Subject: Lawsuit alternative
Date: Tue, 18 Nov 2014 08:23:06 -0800

All,

I am having to consider other ways to resolve our situation based on the growing reality that we may be unable to raise enough money to continue. We had two donors at \$5000, one at \$4000, a fourth at \$2000 and a \$10,000 insurance payment, or \$26,000 of the costs to date (roughly \$33,000). And when we pay the bill for this November we will have a balance right around zero I suspect. I don't believe the big contributors are there any more. So, I am not too optimistic about raising a sufficient amount to continue forward.

So, before we spend a lot of time looking at dismantling the Corliss declarations, we should at least consider the alternative. The TRO was basically done to stop what we

believed was an illegal tactic and the judge basically agreed. So it is unlikely that we have to worry about decommissioning the pool in that manner again, at least for some time.

That in mind, instead of looking to the judge to fix our problems, we (the BOD and the members) do it ourselves. That is, retool the bylaws and maybe the AOI so to remove ambiguity and to clearly explain the rules. Who needs the judge?

Some bylaws changes needed to comply with the AOI and/or laws could be done without member approval vote, maybe even those to comply with the TRO. Others would have to be approved by the membership.

To give the opposition little time to organize, we would perhaps need to do this quickly and with as little profile as possible and then get the changes out for a vote within the minimum time frame allowed. That would likely need a few of us to do a lot of preliminary work and then come to the bylaws committee with that ready to go where we could fast-track it through and to the BOD with as little kerfuffle as possible.

Or alternatively, maybe with both sides represented by a few reasonable folks on the bylaws committee, they could develop revisions both sides would agree to sponsor and support. That would be the better way to be sure.

If we were able to get this done expeditiously, like in December, we might be able to hold onto the lawsuit with little added expense, just in case we need/want it.