

Bob Wilbur

From: "gwynstaton1" <gwynstaton1@msn.com>
Date: Thursday, November 28, 2013 3:00 PM
To: <bbwilbur@frontier.com>
Subject: RE: Important followup

Love it absolutely we can rightfully say that a quorum of the membership agrees
 Sent from my Samsung smartphone on AT&T

----- Original message -----

From: bbwilbur@frontier.com
 Date: 11/28/2013 9:10 AM (GMT-08:00)
 To: Dustin Frederick <dustin@local519.org>, Gwyn Staton <gwynstaton1@msn.com>
 Subject: Important followup

Dustin & Gwyn,

Got a bunch of really happy thank-you's from our support group. So after talking with Gwyn last evening about, I am suggesting we send this message below (massaged as needed) and have it come from us and all of our support group that agree to sign on to it. Am ready to ask our group to sign on asap if you agree...Bob

To: Karen Shaak, Dan Jones, Maria Chamberlain, Bob Peetz

We here request that you immediately step down gracefully from your directorship positions. Regretfully, if you do not so, we will be forced to ask the court remove you. The following reasons support that request.

1. The bylaws specify that directors serve 2 years, allowing for a slight adjustment to accommodate changes in the Annual Meeting date from year to year. As of November 26, you have served 1 month beyond your specified term due to failure to hold the election and seat the new Board on October 26. The earliest date for a new Board to be installed will be mid January (possibly longer), at which time you would have served 3 months beyond your terms. That extension cannot be justified, as supported by Judge Hancock admonishing that there was no reason for you to have delayed the election and annual meeting; hence, further extension of your terms does not comport.
2. Your Counsel argued in court in your defense that you had absolutely no interest in extending your terms by delaying the annual meeting but were compelled to do so only until the good-standing matter was clarified. Given that your stated reasons for such extension no longer apply (i.e., the standing matter and the Annual Meeting are now resolved), you must honor your own explanation and not continue to extend your terms of office in violation of the bylaws.
3. Your actions over the past two years have resulted in breaching the ACBC bylaws, the AOI, and the member-approved motion of October 2012, and in so doing having violated your duties as directors, inflicting as a result on the community much distress, confusion, and squandering of time and club funds. Further exposure of these

issues in court will not help this community mend, as it now needs to.

The after your resignation, the three remaining Board members will follow by immediately appointing two or four interim board members to serve until the election can be held. We are sure you will agree that this request is not only in the best interest of the community but also will spare you further from having to endure and be unable to defend a motion to have you judicially removed.

(cc to Jean, Ed, & Suzy)