

Bob Wilbur

From: "Suzy Palmer" <suzyalmer1@me.com>
Date: Tuesday, June 24, 2014 11:24 AM
To: "Bob Wilbur" <bbwilbur@broadstripe.net>
Subject: Re: A request/your thoughts?

As always,
Thanks...
Suzy

Suzy Palmer
195 Perry Dr.
Coupeville, WA 98239
suzyalmer1@me.com
Cell: (847) 902-4922
Home: (360) 639-6050
Email: suzyalmer1@me.com

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains confidential medical information, please contact Suzy Palmer at 847-902-4922 or notify suzyalmer1@me.com for proper handling of this information.

On Jun 24, 2014, at 07:40 AM, Bob Wilbur <bbwilbur@broadstripe.net> wrote:

Thanks Kurt. FYI I sent the following out to about 40 of our pool advocates group last night (excluding Board supporters). Just want you all to know they have been updated.

Pool supporters,

It has been a long time and I apologize, but I have held off until now thinking things since Thanksgiving would have proceeded at a much faster pace than they have. That they have not has been highly frustrating to me. Let's place that on councils' fanny for lack of a better doormat.

But the skinny, in spite of the constant rants on Next Door, is this. No, the lawsuit is not over, as Dan Jones has claimed. Rather, the individual defendants (all the members of the prior board) have been un-sued – i.e, released so they no longer have any sway or influence on the future of the lawsuit. That leaves the Board (collectively, not individuals) as the remaining defendant.

I am hoping to negotiate a settlement of the lawsuit with the Board that will enshrine and expand on the TRO regarding the future of the pool and correct the misconceptions about how ACBC is to be governed by its governing documents. More on that will follow as developments provide clarity.

Meanwhile, we have just shy of \$7000 in the bank, largely thanks to each of you and a \$10,000 check from the ACBC insurance. I can and will provide a full accounting separately. I hope our balance is sufficient but if a negotiated

settlement producing a declaratory judgment fails, all of us will need to decide if we are up to supporting going into trial mode. Please do not respond on that, but just keep it in your question box.

If any of you have questions, do feel free to phone (360-678-4850) or email.

Thanks again to each and all,

Bob

From: [Kurt S. Blankenship](#)
Sent: Tuesday, June 24, 2014 6:29 AM
To: [Bob Wilbur](#) ; [Ed Delahanty](#) ; [Suzy Palmer](#) ; [Chris Hendrickson](#) ; [Steve Morrow](#) ; [Fred Salmon](#) ; [Dustin Frederick](#)
Subject: RE: A request/your thoughts?

I agree and would volunteer to be one of the Board participants, albeit by phone.

Kurt S. Blankenship
Partner

BLUE WILLIAMS, L.L.P.
ATTORNEYS & COUNSELORS AT LAW

3421 North Causeway Blvd., Suite 900
Metairie, Louisiana 70002

Direct: (504) 830-4935

Fax: (504) 849-3028

kblankenship@bluewilliams.com

[Download vCard](#)

From: Bob Wilbur [mailto:bbwilbur@broadstripe.net]
Sent: Monday, June 23, 2014 7:58 PM
To: Ed Delahanty; Suzy Palmer; Chris Hendrickson; Steve Morrow; Fred Salmon; Dustin Frederick; Kurt S. Blankenship
Subject: A request/your thoughts?

All,

I am increasingly concerned about the misinformation re the TRO and the now-frenetic dialog on ND about the lawsuit. Even the pool supporters are starting to get confused.

My attorney is out until June 30 and I leave June 30 for about a week,

and I know Ed and Carol will be gone sometime in July, meaning schedules aren't too good.

So, I suggest we have a work session this week aimed at developing a mutually acceptable draft declaratory judgment to run past our respective attorneys, and then after tweaking and in full concurrence, to Hancock. Without concurrence I fear it is going to be very difficult to develop a robust solution to this quagmire.

I suggest a non-quorum of three Board members and I meet this week to see if we can put something viable together. The membership, if you think wise (and I do), should be informed via ND and/or the web site (probably just after the work session), with something along the following explanation:

- 1) The long delays due to attorney schedules and legal issues has prompted serious misinformation and the expansion of erroneous conclusions, the latest being that the lawsuit is over when in fact it is now down to one defendant (the current board) and the one plaintiff (i.e., moi).
- 2) Because this lawsuit has been delayed for far too long and given the judge has determined the plaintiff is likely to persevere in a trial, the Board has agreed to meet and work with the plaintiff to develop settlement conclusions consistent with Judge Hancock's findings of fact in the TRO and to then settle the lawsuit without additional strife, burdensome legal costs, and increased insurance rates.

I am really tiring of this, as I'm sure you are. It is time to put it to bed. That is, can't we get a leg up and get this thing moving across our attorneys' respective desks now, versus down the road sometime.

Cheers,

Bob

CONFIDENTIALITY MESSAGE

Privileged:

This email contains PRIVILEGED and CONFIDENTIAL information intended only for the use of the specific individual or entity named above. If you or your employer is not the intended recipient of this e-mail or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any unauthorized dissemination or copying of this e-mail is strictly prohibited. If you have received this transmission in error, please immediately delete the message.

Circular 230:

Pursuant to federal tax regulations imposed on practitioners who render tax advice ("Circular 230"), we are required to advise you that any advice contained in this communication regarding federal taxes is not written or intended to be used, and cannot be used, by any person as the basis for avoiding federal tax penalties under the Internal Revenue Code, nor can such advice be used or referred to for the purpose of promoting, marketing or recommending any entity, investment, plan or arrangement.