

## Comments Regarding the Lawsuit

Dear Members:

As many of you know, on the day before the Thanksgiving break, a small, long-disgruntled group of Association Members filed a lawsuit seeking, among other things, to overturn the results of the 2016 and 2017 Board elections. We have posted the lawsuit on the Bella website so that all unit owners have the opportunity to review and understand the assertions being made. Given the personal and inflammatory nature of the allegations, however, I believe it appropriate to advise of our thoughts on the claims.

Plaintiffs assert a variety of alleged technical violations with respect to prior elections like the alleged failure to send letter notices by post mail instead of email. I will not debate the merit of these technical arguments here, except to say that plaintiffs have waited almost a year to raise them, and the building has long enjoyed very active participation in its elections despite plaintiffs' technical claims.

Beyond that, plaintiffs assert defendants have engaged in a wide variety of mismanagement and self-dealing that is based almost entirely on misstated facts and, in many instances, pure conjecture. We believe these assertions are frivolous and will be pursuing all available judicial remedies.

Be assured that the Board and the Association will vigorously defend this action and that the Board will continue to work to minimize any financial impact that the defense of this suit will have on the Association. Moreover, the Board not only believes that it has acted appropriately in every instance, but also can state without hesitation that it has always been committed to protecting the rights and interest of all of the Members, including plaintiffs. The actions of a small, disgruntled group of Association members who have not been able to rally people to their point of view through the election process will not alter that commitment. You can be confident that we will take all required steps to defend the Association and the Boards' actions.

Tom Scannapieco

Board President