

From: Di Saia, Steven **Sent:** Wednesday, December 18, 2013 10:53 AM **To:** 'Terrance Huber' **Cc:** Jerry Del Colliano; Larry Friedman; Hal Erdley **Subject:** 16163 Anoka Project

Mr. Huber: Thank you for your perspectives.

I am doing more than relating the information provided to me and the concerns related by others. I had no personal issue with your attendance at the meeting at Mr. Erdley's residence, and have posed no concern or opposition to your attendance at any meeting. You were in fact entirely silent to my recollection, as I have already noted. I am not pointing fingers or speculating at all – I am relating that which I have been told by others.

I will note as well that I am not acting as legal counsel in any capacity or for any individual in this effort and I have not personally contacted any proposed person to address the value issue; that effort has been conducted by other members of the Board who are not attorneys. I am acting as the Chairman of the Plans Committee exclusively in this regard.

Steve Di Saia
Chairman, Plans Committee
Palisair Home Owners Association

From: Terrance Huber [mailto:terrancehuber@gmail.com] **Sent:** Wednesday, December 18, 2013 10:42 AM **To:** Di Saia, Steven **Cc:** Jerry Del Colliano **Subject:** Palisair

Steve,

While I understand your point regarding lawyers, I would point out to you that the Palisair Homeowner's Association CC&Rs is a legal document and that it is getting the kind and scope of

interpretation which it is getting. That you are a lawyer, is a fact which I knew before I attended the meeting. It took no real effort to discover that neighbor Dennis Mendel is a retired lawyer and that neighbor David Schultz is a lawyer. While there is no Rachel Schultz listed at calbar.ca.gov, I now know that she is a lawyer also. Under those circumstances, (and recognizing how lawyers can sometimes behave) I came to the meeting as Jerry's friend. I was respectful of the process and mostly silent. Following Ms. Baumgartner's suggestion, I urged Jerry to immediately meet with Mr. & Mrs. Schultz (which actually happened the same day). While I am aware that involvement of lawyers can sometimes make people nervous, I was aware before I attended that meeting that lawyers were involved, whether Jerry liked it or not. It is, therefore, unfair to suggest that my presence at that meeting has caused all that has occurred since. In my view it is not particularly helpful to point fingers at this point.

Your suggestion that the involvement of legal counsel has impeded your search for a professional to give an "impact on value" assessment (especially since you are requesting it and you are legal counsel), is a bit difficult to accept. Anyone being asked to give such an opinion, under these circumstances who doesn't understand the purpose and intent of such an assessment and that he might become involved in a legal dispute, is, to put it bluntly, perhaps not your best, most qualified candidate.

In any event, what could have gotten things done sooner is historical speculation at this stage. We simply need to get the approval and move forward. It's the best way to replace lawyers with construction workers.

Terry Huber

-- Terrance P Huber, Esq. Terrance P Huber, APC 16133
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