



Request for materials

1 message

Larry Friedman <lpfriedman1@gmail.com>

Wed, Mar 5, 2014 at 10:31 AM

To: "terrancehuber@gmail.com" <terrancehuber@gmail.com>

Cc: "Di Saia, Steven" <Steven.DiSaia@sedgwicklaw.com>, Patti Gallagher <p.gallagher2@verizon.net>, Hal Erdley <halerdley@gmail.com>

Bcc: dianaunger3@gmail.com

We are in receipt of your correspondence dated February 26, 2014, as provided by electronic mail on that same date, which includes a number of demands for records of the Association on behalf of your client, Mr. Jerry Del Colliano. As we have been made previously aware of your legal representation of Mr. Del Colliano through the course of the last few months, and you have communicated on his behalf to the Board for the Association on several occasions, we will accept your presentation of authority to make these demands in his name.

To address your demand for a membership list, including the names and addresses of all members of the Association, we note that Civil Code § 5225 requires that the demand be accompanied by a statement of the purpose for which the information is requested, "which purpose shall be reasonably related to the requester's interest as a member." The Corporation Code, as also cited in your correspondence, provides that the Association shall and can provide a reasonable alternative which meets the requesting member's presented need.

In your correspondence, you propose that the information is sought in order to determine "all those homes in Pacific Palisades subject to the Palisair HOA documents." In compliance with the need presented, and mindful of the privacy rights of our members, we direct you to the tracts map for all homes in the Palisair Home Owners Association, which is available on our web site at www.palisair.org. These tract maps are more than sufficient to identify the residences covered by the Palisair CC&Rs.

Despite these facts, and the fact that these materials have been freely available since well prior to the submission of the request for variance by your client, we have also provided, and enclose herewith, a list of the addresses for the 140 residences within the Association. The stated purpose of the member is thus more than met.

You have also demanded the minutes and agendas for the meetings of the Board. The minutes, which also provide the agenda followed by the Board at each meeting, are available for the past year on the same web site referenced above, as has again been the case for some time. We are in the process of preparing these same materials for the proceeding years demanded and will make them available for your review as soon as they are collected and within the time frame required by statute and set forth in your demand letter.

Oddly, you have also demanded a formal letter, describing the reasons for the denial of the request for variance by your client. That letter, dated February 23, 2014, has already been provided and the reasons were already provided to your client directly in the course of the prior telephone conversation with Mr. Di Saia on our about February 11. In the February 23 letter, we set forth not only the reasons for the denial, but also a possible solution by compromise, which you then appear to have summarily rejected. As stated several times now, we believe that, if your client would consider some adjustments to the design to

accommodate the issues that the current proposal presents for the affected neighbors, we could make progress to resolution.

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Larry Friedman



Addresses of Homes In Palisair HOA.xls

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