

# Allen Matkins

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## Via Email/U.S. Mail

January 5, 2015

Lesley Isaacs  
1217 Las Pulgas Road  
Pacific Palisades, CA

Marc E. Rohatiner, Esq.  
Wolf Rifkin Shapiro Schulman & Rabkin, LLP  
11400 West Olympic Blvd., Ninth Floor  
Los Angeles, CA 90064

**Re: 1217 Las Pulgas Road, Pacific Palisades, CA (the "Property")**

Ms. Isaacs and Mr. Rohatiner:

We represent Robert and Dawn Hill (the "Hills") with respect to the Board of Directors for the Palisair Home Owners Association's (defined in the CC&Rs as the "Tract Committee") recent approval of conceptual plans submitted by Lesley Isaacs for the proposed remodeling of the Property.

The Tract Committee's approval of Ms. Isaacs' plans for the Property violates the Declaration of Establishment of Protective Restrictions on Tract 19890 recorded February 3, 1958, as amended and modified (the "CC&Rs"). Section 2, Article IV, of the CC&Rs obligates the Tract Committee to disapprove plans contemplating the erection of a structure that would "unreasonably obstruct or unreasonably diminish the nature or quality of the view from any other land in this or an adjoining tract, or otherwise tend to lower the value of any land of the tract." Moreover, in connection with the Hills' previous request for the Tract Committee's approval of the plans for the Hills' remodel of their residence, the Tract Committee agreed to preserve the Hills' views from their residence and specifically stated in writing to the Hills: "... if a proposed addition by a neighbor will affect the protected views of your currently existing residence, the Board will act for the preservation of those views" (emphasis added).

Without question, the proposed remodel of the Property will unreasonably diminish the nature and quality of the view from (and lower the value of) the Hills residence.

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Marc E. Rohatiner, Esq.  
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The Tract Committee's approval of Ms. Isaacs' conceptual plans is irreconcilable with the CC&Rs and the Tract Committee's recent agreement to preserve the Hills' view from their residence. Therefore, the Hills hereby demand that on or before **5:00 p.m. on January 14, 2015**, the Tract Committee confirm in writing that it has withdrawn its approval of Ms. Isaacs' conceptual plans. Should the Tract Committee fail to do so, the Hills will, to the full extent permitted by law, exercise their legal remedies including, without limitation, filing a lawsuit against the Palisair Home Owners Association and Ms. Isaacs for declaratory relief, injunctive relief, damages and punitive damages.

Please note that, to the extent any individual member of the Tract Committee undertakes any action violative of the Hills' rights under the CC&Rs or granted by the Tract Committee, the Hills will exercise their legal remedies against such individual. If any individual of the Tract Committee is represented by counsel, such individual should transmit to me the name and contact information of his/her respective attorney.

Finally, in an e-mail dated December 22, 2014, the Tract Committee suggested that it would facilitate an in-person meeting between the Hills and Ms. Isaac. The Hills are agreeable to such a meeting to discuss an amicable resolution to this matter; however, the occurrence of such a meeting will not relieve the Tract Committee from complying with its obligations to the Hills. If the Tract Committee fails to take the necessary corrective action, rest assured that it is moving this dispute down the path of protracted and costly litigation.

Please contact me if you have any questions.

Very truly yours,



Ryan T. Waggoner

RTW

cc: Dawn Hill (via e-mail)  
Robert Hill (via e-mail)  
Larry Friedman (via e-mail)  
Hal Erdley (via e-mail)  
Patti Gallagher (via e-mail)  
Francine Kirkpatrick (via e-mail)  
Syd Vinnedge (via e-mail)  
Diana Ungerleider (via e-mail)  
Karen Olan (via e-mail)  
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Michael L. Matkins, Esq. (via e-mail)