

# RODI·POLLOCK

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OUR FILE NUMBER

05904-30001

May 18, 2015

Francine Kirkpatrick, Ph.D.  
Chair, Tree Committee  
Palisair Home Owners Association  
P.O. Box 901  
Pacific Palisades, CA 90272

Re: Trees at 1000 and 1020 Las Lomas Ave

Dear Dr. Kirkpatrick:

This follows up on my letters to you of November 18, 2014, January 6, 2015 and March 5, 2015, as well as your various e-mail exchanges with my client, Leigh Silverton, Ph.D., in particular the exchanges over the last several days.

As you know, Dr. Silverton's position is that the trees which are the subject of the various prior communications unreasonably obstruct her view in violation of the Palisair Home Owners Association Bylaws. As I also have noted, those Bylaws create an equitable servitude with respect to the view, which equitable servitude is enforceable by Dr. Silverton against Deborah K. Streiber, the property owner at 1000 Las Lomas Ave.

Given the passage of time (this issue of the view obstruction has been in discussion for some three years now), and the apparent absence of meaningful progress, my intent is to proceed with a lawsuit on behalf of Dr. Silverton to enforce the equitable servitude. Dr. Silverton, however, has asked me to make one last effort at resolving the dispute amicably.

This is not a complicated matter. I have provided you with Mr. Hiroshi Takahashi's report which concludes that in order to maintain the tree height at a level that does not unreasonably obstruct Dr. Silverton's view, trimming must be done four times a year. Dr. Silverton is willing to be responsible for the pruning that can be accomplished from her property with long pole trimmers. Ms. Streiber may either permit Dr. Silverton's gardeners to access her property at the same time in order to trim the trees that are not accessible by long pole trimmer from Dr. Silverton's property, or Ms. Streiber may agree to be responsible for the requisite trimming. Pruning is to occur on the first Tuesday of March, June, September and December, each year.

Please note that if an acceptable agreement is not reached within 30 days of the date of this letter, then Dr. Silverton will proceed with a lawsuit to enforce the equitable servitude.

Francine Kirkpatrick, Ph.D.

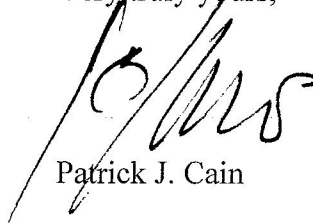
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I look forward to your response.

Regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. J. Cain", written over a diagonal line.

Patrick J. Cain

PJC:lxd

cc: Scott R. Antoine, Esq.