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## Re: Survey

2 messages

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**William Nicholas** <wrnicholas@nicholasbudd.com>

Sun, Aug 2, 2015 at 1:27 PM

To: Danny Seo <dannyseo@gmail.com>

Cc: David Schultz <dschultz@polsinelli.com>, "Francine Kirkpatrick (DrFKirk@verizon.net)" <DrFKirk@verizon.net>, "Diana Ungerleider (dianaunger3@gmail.com)" <dianaunger3@gmail.com>, "Vi Walquist (viwalquist@gmail.com)" <viwalquist@gmail.com>, "Karen Olan (karenolan@beckarmed.com)" <karenolan@beckarmed.com>, "Miriam Schulman (miriamschulman@hotmail.com)" <miriamschulman@hotmail.com>, Roger Broderick <chaselaw@me.com>, Suzanne Weisberg <sjw@sjwlegal.com>

Hi Danny,

Thanks for email and thanks again for your patience. While I appreciate your desire to keep things moving along, please understand our position. This came as quite a surprise to us and we are trying to manage it as efficiently but as thoughtfully as possible. I assure you we are not intentionally stalling.

Susan and I have been in correspondence with our lawyer working to determine the extent of our protected view rights under the cc&r's. In doing so it has become clear that any sort of compromise will be relinquishing some of our rights and so we do not want to enter into a compromise in haste or under duress. That being said, Susan and I have come up with a scenario we would be comfortable with that we believe leaves enough of our view intact while allowing you the opportunity build a very nice house.

We have an overlay diagram that will be drafted up by late morning tomorrow. We will then send it to our lawyer to review and if she is ok with it we will forward it to you immediately after that so that you can have your architect revise the design.

All the best,

Bill

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On Aug 1, 2015, at 9:10 PM, Danny Seo <[dannyseo@gmail.com](mailto:dannyseo@gmail.com)> wrote:

Bill,

I hope you, Susan and the kids are enjoying your vacation so I hate to disturb you but a full business week has now passed since you told me you'd send the PDF surveys we looked at last Sunday evening at your house. My understanding per your email is that you spoke to your attorney on Tuesday but I still have yet to receive from you what I need to send my architect in order to begin modifying my plans.

To say that time is valuable here is an understatement so (i) to expedite the process, David Schultz, who is the attorney on the HOA board has been CCed and (ii) I'm going to have Philip start modifying my plans immediately.

Danny

On Wed, Jul 29, 2015 at 4:53 PM, Danny Seo <[dannyseo@gmail.com](mailto:dannyseo@gmail.com)> wrote:  
Bill - I hope you're enjoying the Cape and I hate to disturb you but any update on this?

On Mon, Jul 27, 2015 at 3:06 PM, Danny Seo <[dannyseo@gmail.com](mailto:dannyseo@gmail.com)> wrote:  
Lmk as soon as you can please. Have a great vacation.

Sent from my iPhone

On Jul 27, 2015, at 2:50 PM, William Nicholas <[wrnicholas@nicholasbudd.com](mailto:wrnicholas@nicholasbudd.com)> wrote:

Hi Danny,  
I need to have a conversation with my lawyer. Unfortunately she is out of the office today, but we plan to talk tomorrow. I don't want you and/or Phil to spin your wheels unnecessarily at this point until she is able to address the all the implications of what is being proposed.  
Thanks for your patience.

Bill

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On Jul 27, 2015, at 4:05 PM, Danny Seo <[dannyseo@gmail.com](mailto:dannyseo@gmail.com)> wrote:

Bill - Can you email me that survey we looked at yesterday so I can send to Philip please? Safe Travels.

On Fri, Jul 24, 2015 at 10:03 AM, William Nicholas  
<[wrnicholas@nicholasbudd.com](mailto:wrnicholas@nicholasbudd.com)> wrote:

Hi Danny,  
It would be really helpful if I could get that survey today while my office is up and running. If you can't find it, I'm sure Phillip has it readily at hand. I don't want his site plan, only the original survey (which by the way is your property). If you could have him send it our way that would be great.

All the best,

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**Danny Seo** <dannyseo@gmail.com>

Sun, Aug 2, 2015 at 5:30 PM

To: William Nicholas <wrnicholas@nicholasbudd.com>

Cc: David Schultz <dschultz@polsinelli.com>, "Francine Kirkpatrick (DrFKirk@verizon.net)" <DrFKirk@verizon.net>, "Diana Ungerleider (dianaunger3@gmail.com)" <dianaunger3@gmail.com>, "Vi Walquist (viwalquist@gmail.com)" <viwalquist@gmail.com>, "Karen Olan (karenolan@beckermed.com)" <karenolan@beckermed.com>, "Miriam Schulman (miriamschulman@hotmail.com)" <miriamschulman@hotmail.com>, Roger Broderick <chaselaw@me.com>, Suzanne Weisberg <sjw@sjwlegal.com>

Hi Bill,

I do understand your position but I am only sticking to what we agreed to last Sunday when you told me your asisstant (Jessica?) would send it to me the very next morning (7/27/15) thus there shouldn't be any "duress" inflicted on you from my party. To be perfectly clear per our earlier conversations, I will not be constrained by what you are "comfortable with" but will absolutely do my best to incorporate your thoughts. I'm confident it'll all work out but timing is key. If I'm told I'll be receiving information the next morning and it takes 7x longer (assuming you send it to me tomorrow) than what I was told, then I hope you understand my concern as this is not how I do business. There is a lot of money at stake here and I have acted in good faith and compromised a great deal already.

All said, I hope to solve this problem in a collaborative manner but understand I need to move through the process and will take the necessary steps to do so.

Have a great vacation Bill ... I hope the boys are enjoying it.

Danny

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