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VIA EMAIL: jessica@jhmillerlaw.com AND US MAIL

May 27, 2021

Jessica H. Miller, Esq.
LAW FIRM OF JESSICA H. MILLER LLC
595 Canyon Blvd.
Suite 9
Boulder, CO 80302

Re: Roosevelt Ridge Homeowners Association, Inc.
Records Request Pursuant to C.R.S. § 38-33.3-317 and the Association's Inspection and Copying of Records Policy

Dear Ms. Miller:

As you know, our firm represents Charles and Deborah Nolan, a member of the Roosevelt Ridge Homeowners Association, Inc. ("Association"). Please accept this letter as our formal demand, on behalf of the Nolans, within their rights as a member of the Association and pursuant to Section 317 of the Colorado Common Interest Ownership Act ("CCIOA" - C.R.S. § 38-33.3-317) and the Association's Inspection and Copying of Records Policy ("Records Inspection Policy") by no later than Wednesday, June 2, 2021, during reasonable business hours at the Association's office.

As you know, Section 317(4) requires the Association to produce such requested records through an electronic transmission upon request of a unit owner if maintained in electronic format or otherwise available electronically. Please accept this as the Nolan's request for the production of all requested records below available in electronic format to be produced to the Nolans, through our firm, by electronic transmission. The Association may use my email for such electronic transmission.

Further, although Section 317 of CCIOA provides that an owner must submit its records request at least ten (10) days before the requested records inspection date, unless the next regularly scheduled Board meeting if such meeting is scheduled to take place within 30 days from the date of the request in which case the Association may provide such inspection and copying by said meeting. However, the Association adopted a more lenient Records Inspection Policy requiring

an owner to only submit its request five (5) days before the requested records inspection date. As the Association does not have any regularly scheduled Board meetings to take place within the next 30 days, the Nolans' records inspection (or production of electronic copies) must take place on Wednesday, June 2, 2021, at 9:00 a.m., which is more than 5 days from the date of this letter.

As such, the Nolans request the inspection and copying (or production in electronic format if available) of all of the following Association records:

- All draft or approved minutes from all meetings of the Board of Directors since within the last three years;
- All draft or approved minutes from all meetings of the members of the Association, including from the Annual Meetings within the last three years;
- All ballots, proxies and related records for every election of Board members (or directors) since January 1, 2017;
- All records, including emails, related to the appointment of any person to the Association's Board of Directors since January 1, 2017;
- All records, including emails, related to the nomination of, or consideration of the possibility of nominating, of any person for election or appointment to the Association's Board of Directors since January 1, 2017;
- All current written contracts between the Association and any other person or entity, including, but not limited to, Jessica Miller;
- All contracts for work performed for the Association within the three (3) years immediately preceding the date of this letter;
- All written communications from, and the votes cast by, each member of the Association's Board of Directors regarding the approval of negotiations with Scott Schorer and/or Lone Pine Real Estate, LLC (Lone Pine) as referenced in the proposed Settlement Agreement sent by the Association to the Association's membership on or about April 28, 2021 ("Proposed Settlement Agreement").
- All financial records reviewed by the Association's Board of Directors for the Association to determine "that the amount of assessment due but not paid by Lone Pine since 2006 is \$35,400" as set forth in the Proposed Settlement Agreement.
- All written communications from, and the votes cast by, each member of the Association's Board of Directors regarding the determination "that the amount of assessment due but not paid by Lone Pine since 2006 is \$35,400" as set forth in the Proposed Settlement Agreement.

- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding any determination that Lone Pine either (1) requested the right to attend any meeting of the Member Audit Committee of Association, (2) had the right to attend any meeting of the Member Audit Committee, or (3) was wrongfully denied the right of any meeting of the Member Audit Committee.
- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding any determination that the Member Audit Committee’s meetings were not protected by the attorney-client communication privilege or any other privilege or confidentiality.
- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding the inclusion of the statement, “Lone Pine contends that the Committee has not complied with its obligations under CCIOA, including, but not limited to, the requirement for open meetings upon notice to all members of the HOA and a record thereof in the form of meeting minutes, none of which were adhered to by the Committee or its members,” in the Proposed Settlement Agreement.
- All communications between the Association and Lone Pine and/or Scott Schorer, or any of their attorneys or other representatives, regarding the negotiation of the Proposed Settlement Agreement.
- All financial records of the Association related to assessments levied against any property owned by any Board member of the Association that is referenced in the Proposed Settlement Agreement.
- All financial records of the Association related to the payment of a special assessment levied for the cistern by or on behalf of Lone Pine, Scott Schorer or any member of the Association’s Board of Directors.
- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding the length of time the Association took to calculate the amount of claimed outstanding assessments referenced in the Proposed Settlement Agreement.
- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding out-of-pocket expenses paid by Lone Pine for the Association’s benefit not required by the law or the Declaration.
- All financial records of the Association related to out-of-pocket expenses paid by Lone Pine for the Association’s benefit.
- All written communications from, and the votes cast by, each member of the Association’s Board of Directors regarding Lone Pines intent to seek a boundary line adjustment to annex Parcel C and/or to convert Parcel C into a reconfigured Lot 3 as referenced in the Proposed Settlement Agreement.

- All written communications between the Association and Lone Pine and/or Scott Schorer or any representatives on their behalf regarding any possible boundary line adjustment related to Parcel C, any possible annexation of Parcel C, and/or any possible conversion of Parcel C into a reconfigured Lot 3.
- All written communications between Jessica Miller and Ted Bertele regarding assessments owed on Lots he owns in the Roosevelt Ridge Community, his potential liability for said assessments, and any possible collections attempts by the Association for such outstanding assessments.
- All written communications from, and the votes cast by, each member of the Association's Board of Directors regarding any possible impropriety by the Member Audit Committee.
- All written communications from, and the votes cast by, each member of the Association's Board of Directors regarding Ted Bertele paying any amount of the outstanding assessments, including, but not limited to, attorney fees, costs, late fees, interest and other collection costs, levied against Lots 1 and 3 in the Roosevelt Ridge community which would not be satisfied by Lone Pine and/or Scott Schorer.
- All written communications from the Association to Ted Bertele or any entity in which he has an ownership interest, including, but not limited to Notices of Default per the Association's Collection of Unpaid Assessments Policy regarding any unpaid assessments by Mr. Bertele or any entity in which he has an ownership interest related to any Lot he owns or is owned by any entity in which he has an ownership interest.
- All written communications from, and the votes cast by, each member of the Association's Board of Directors regarding any good faith effort by the Association to coordinate with Lone Pine, Scott Schorer, or Ted Bertele to set up a payment plan pursuant to Section 1.2 of the Association's Collection of Unpaid Assessments.
- The names of unit owners in a form that permits preparation of a list of the names of all lot and parcel owners and the physical mailing addresses at which the Association communicates with them, showing the number of votes each lot or parcel owner is entitled to vote.
- All financial records sufficiently detailed to enable the Association to comply with C.R.S. 38-33.3-316(8) concerning statements of unpaid assessments related to real property in the Roosevelt Ridge community owned by Lone Pine, Scott Schorer, Ted Bertele, and/or any entity in which Mr. Bertele has an ownership interest.
- Records of the Board of Director or committee actions to approve or deny any requests for design or architectural approval from Lone Pine, Scott Schorer, Ted Bertele, and/or any entity in which Mr. Bertele has an ownership interest or anybody on their collective or individual behalves.

- All architectural drawings, plans, and designs related to ny possible boundary line adjustment related to Parcel C, any possible annexation of Parcel C, and/or any possible conversion of Parcel C into a reconfigured Lot 3.
- All Resolutions adopted by the Board of Directors within the last three (3) years.

If you have any questions regarding this request, please direct them to me. Otherwise, please let us know when the records requested are available for inspection or production per this letter.

Very truly yours,



LEE H. FREEDMAN

For The Firm

cc: Charles and Deborah Nolan