

From: Lee Freedman <lfreedman@pwflegal.com>
Sent: Monday, June 21, 2021 12:15 PM
To: Jessica Miller
Cc: Debby Burnstein; Charles & Debora Nolan; info@robert-associates.com
Subject: RE: RR BOD Elections

Jessica:

Ms. Burnstein has properly authenticated her ballot which she sent by email. All the Secretary has the right to do is question whether the ballot properly was provided by her.

More specifically, as I stated in my letter from Friday, C.R.S. 38-33.3-310(2)(c) states, "The association is entitled to reject a vote, . . . written ballot, . . . if the secretary or other officer or agent authorized to tabulate votes, acting in good faith, has reasonable basis for doubt about the validity of the signature on it or about the signatory's authority to sign for the unit owner." Under C.R.S. 38-33.3-310(2)(d) could be "liable for damages for the consequences of the acceptance or rejection" if the secretary, officer, or agent either (a) does not act in good faith, or (2) does not act in accordance with the standards" under Section 310(2)(c).

As such, both the secretary or Mr. Coats have received sufficient information from Ms. Burnstein to validate the signature on Ms. Burnstein's ballot, and the ballot must be counted.

Lee

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