

GRF's press release from last week is attached. Below is the email I sent to the GRF Board members this last weekend. Of course, I have not heard anything back from GRF as yet. I intend to send GRF a request for payment later this week.

I hope GRF does not decide to appeal. As it is, they only owe about \$3,600. But, if they appeal, then (1) Small Claims Court restrictions go away, (2) the case would be heard in the Newport Beach Superior Court with costly lawyers involved on both sides, (3) the award could go much higher, along with **punitive damages** potentially awarded - particularly for the ruthless use of misleading and false statements made in GRF's public press release made about me this week, and (4) the total cost to GRF could easily be 10-times the current amount.

GRF's press release is a perfect example of how they treat association members and would become part of our court presentation.

\$3,500 is cheap compared to the likely cost to fight this - particularly since this case is as simple as it is, and the it is VERY likely my lawyers would win (as I did in the Small Claims case).

If you would for me; please contact GRF board members and those at PCM you may know, and ask them to use common sense, save association members a lot of money and grief, and do not pursue an appeal in this case. This case is just too cut and dry.

Thanks very much!

Mike Curtis
(949) 837-5421

"Michael W. Curtis" <mwcurtis47@yahoo.com> wrote:
Date: Sat, 7 Oct 2006 09:58:31 -0700 (PDT)
From: "Michael W. Curtis" <mwcurtis47@yahoo.com>
Subject: GRF's Latest Press Release; Non-Sense!

The hole just keeps getting deeper and deeper!

GRF's Press Release ("GRF CONSIDERING APPEAL OF SMALL CLAIMS COURT JUDGMENT REGARDING REQUEST FOR RECORDS"), sent out last week to the press, is another terrible example of how PCM mistreats residents, and misguides boards and this community. I feel certain it will be the centerpiece of attention should you decide to make that appeal.

I hope you have a copy of your press release handy for reference with regard to the following comments.

Those who created your "press release" don't even understand what this case is about. **This case is very simple**; On eleven (11) occasions, I sent in a request for "records" to

the GRF Board President, GRF did not send me a response back, and the law says that's an unreasonable method of denying a resident's request. It's as simple as that - being silent is not the right way to respond to a request from a member of the association for records.

The law allows a penalty of up to \$500 in each instance where a request (demand) was unreasonably denied. There were 12 demands in all. GRF did respond through Bill Hart on one occasion, after Demand 8, and there was no penalty requested for that response. Although we do not know at this point, the judge may have disregarded some of other 11 demands in arriving at the \$3,500 award. I am currently in the process of requesting more details for the judge with regard to the award amount.

By the way; **In court, the judge remarked** that Hart's letter was "mostly boiler-plate", and "seems it only serves to justify billing their client". He also admonished GRF for not being responsive to these many requests.

California Corporations Code Sections 6333 and 8333, and Civil Code Sections 1350-1378 (Davis-Stirling Act) apply. **The judge recognized** that the expression from the law "accounting books and records and minutes of proceedings" are three (3) individual items - not just two and PCM has led you to believe. "Records" stands by itself, and is different from "accounting books" and "minutes of proceedings". In my demand letters to GRF, I clearly requested "records".

Publicly saying that I made false statements, as you do in your press release, is very serious business. Then, compounding it with your own false statements. e.g. "*GRF, in fact, responded to Mr. Curtis in writing on at least two occasions*", will undoubtedly be presented to the court if this goes to appeal. The letter George may be showing (or telling) folks was never formally sent to me, nor was it presented in court as evidence.

Obviously, I hope you do not decide to appeal. With an appeal, all bets are off regarding the settlement amount (i.e. \$3,500). The Small Claims Court restrictions go away. The case would be heard in the Newport Beach Superior Court, lawyers will be involved on both sides, and punitive damages can be imposed - particularly for the ruthless use of misleading and false statements made in your public press release made this week. \$3,500 is cheap compared to the likely cost to fight this - particularly since this case is as simple as it is.

My kindest regards,

Mike Curtis
(949) 837-5421