

January 3, 2018

TO: White Bluff Property Owners
FROM: Your Board of Directors
RE: Court Hearing

The hearing in Hill County District Court began promptly at 9:00 AM and ended at approximately 5:30 PM. It was attended by Board members and several WB property owners.

There were six different matters brought before the court.

Double Diamond had filed an emergency motion to clarify the court's order that had granted the POA's second Summary Judgment. In particular, DD was arguing that the \$1.125M of POA funds being held in a disputed account should not be released until a final ruling has been made after the appeals process.

Double Diamond had filed a motion for the court to reconsider its order on the production of proxies. As ordered by the court, the POA had provided DD with redacted proxies. DD wants un-redacted proxies provided to them.

The POA had filed a third motion for contempt of court for the non-production of court ordered documents.

The POA had filed a motion to "strike" all Double Diamond pleadings based on their not providing court ordered documents within the prescribed time frame.

The POA had filed a motion to quash a request by Double Diamond that a POA corporate representative be required to submit to a deposition and give details regarding almost 200 different items. The POA contended that this was pure harassment and a result of previous rulings made by the court in the POA's favor.

The POA had filed a response to Double Diamond's motion to clarify the court's order regarding the second Summary Judgment and also modify the second Summary Judgment with regards to the release of the \$1.125M.

Arguments were made on all of the above motions, evidence presented and witnesses questioned. The judge made no rulings and took all motions under advisement. We expect rulings to be made in the next day or two and will report them to you when they are made available to us.