

April 12, 2017

TO: White Bluff Property Owners
FROM: Your Board of Directors
Leonard Critcher, President
RE: Summary Judgment Hearing

The scheduled hearing for Summary Judgment in our lawsuit against Double Diamond was held this morning in the Hill County District Court. The hearing lasted almost three hours and included detailed arguments regarding the three issues in the lawsuit-

The POA was asking for direction from the Court as to whether we are OBLIGATED to pay for maintenance of the golf courses.

The POA was asking the Court to rescind the 6th Amendment to the Declaration, enacted unilaterally by Mike Ward.

The POA was asking the Court to confirm the fact that the Developer, Mike Ward, had not properly established his authority as Declarant and had abused this with unilateral decisions affecting White Bluff property owners.

The judge asked several direct and penetrating questions to both counsel for the POA and counsel for Double Diamond. He was also presented significant case law, primarily from POA counsel. The judge advised both parties that he would take all arguments into consideration and render a decision once he had reviewed the significant volume of material presented.

All members of the POA Board were present for the hearing. We held an extensive, post-hearing discussion afterwards and are quite confident of the absolute validity of the positions taken by the POA and the direction we are taking in our overall plan.