

July 28, 2020

TO: White Bluff Property Owners
FROM: Your Board of Directors
RE: Litigation Update

The Board is pleased to report that the 5th Court of Appeals has ruled in favor of the WBPOA in its appeal of the ruling from the 191st Judicial District Court in Dallas. This is a major victory for the WBPOA.

The details of the lawsuit can be found on the POA website, www.whitebluffpoa.com, under Litigation.

In summary, the lawsuit was brought by approximately 1,100 POA property owners. They contended that the Food & Beverage Credit Program was improper. They also contended that using POA Maintenance Fees to maintain the golf courses, during which time we did not own them, was not proper. The Dallas District Court ruled in favor of the plaintiffs, and the POA appealed. Our governing documents require that we defend lawsuits of this nature, and this action by POA property owners has resulted in almost \$3,000,000 in legal fees. Property Owners should understand that had we lost this case the potential judgment could have been many multiples of this amount.

The ruling from the 5th Court of Appeals will be posted on the POA website for your review. While the plaintiffs can “appeal the appeal ruling” it is doubtful they will do so. This is a major step forward in the evolution of taking our resort to where it should be.