

September 17, 2017

TO: White Bluff Property Owners

FROM: Your Board of Directors Litigation Committee

Leonard Critcher, John Bass, Jim Fletcher, Mike Ellis

RE: Litigation Update

There are three updates on current litigation.

1. The scheduled hearing in Justice of the Peace Court in Whitney is still scheduled at 8:30 AM on Wednesday, September 20th. The hearing will take place in the city courtroom. The issue in the hearing is a lawsuit brought by Double Diamond against the WBPOA seeking release of all proxies submitted to all parties prior to the Property Owners Annual Meeting. Double Diamond wants to have access to all proxies; the POA is refusing to do so. Because of limited space, we discourage property owners from attending this hearing.
2. The judge in the Hill County District Court has rescinded an order requiring a court-ordered, mandatory mediation between the WBPOA and Double Diamond on issues related to current litigation filed in the court. Counsel for the POA will immediately request a hearing date before the court in order to seek resolution on the issues involved. Property Owners will be apprised of the outcome of this hearing as soon as possible.
3. The POA has filed a discovery lawsuit in Hill County District Court. There are no allegations being made. The POA is asking the court to require Double Diamond Vice President, Randy Gracy, to be deposed. The POA is seeking information about property titled in the name of the POA on which Double Diamond Utilities operations are located.