

Definitive proposal for resolving neighborhood dispute by allowing Simons (805 White Oak Drive) a variance to shield his meter. Simons and WOHA to drop all lawsuits. Your vote is needed now!

Over the past few weeks, this matter has become increasingly urgent. According to our sources, the judge overseeing the case has set a court date for July 24, which means that legal costs, already nearing \$30,000 for this fiscal year, will increase more rapidly as depositions and other related activities take place. To prevent this, **it is imperative that we all take action now.** Please read, sign, and return the attached agreement letter at once—even if you recognize, as we do, that it is neither perfect nor ideal. We believe it is the best available way to begin the process of restoring the health of the neighborhood, looking forward together in a spirit of cooperation rather than backward in search of fault, and avoiding adding to legal costs that have already reached shocking proportions.

Act Now! If you support the Proposed Agreement, please sign and return it to us, following the instructions at the bottom of the page. We will consolidate the signed copies and formally present them to the Board of Directors at the WOHA Special Meeting on February 11 at 7:00 PM, at which time we will ask the Board to accept and enact the Agreement immediately. In addition to resolving the Simons conflict, this will also help clear a path forward for the upcoming Board Elections, encouraging those who may wish to serve but who have been dissuaded by the threat of continued litigation, unresolved conflict, and division in the community. We urge all of you to put the date of the Special Meeting on your calendar and plan to attend. And please encourage your neighbors to do so as well.

For those of you who have been preoccupied with holiday travels and commitments or otherwise unable to keep up with the developments since the first week in December, we have included a brief summary in the Addendum following the Proposed Agreement.

As always, thank you for your continued interest, help, and support in resolving this difficult matter. We need your voices to break this 5+ year impasse and avoid a potential special assessment on all of us. We will keep you informed of new developments between now and the date of the Special Meeting.

PROPOSED AGREEMENT

Between Larry and Jackie Simons (Simons), 805 White Oak Drive, and Wild Oak Homeowners Association (WOHA), represented by the WOHA Board of Directors

On approval of the agreement,

- Simons will drop all current lawsuits against WOHA and its Board of Directors, past and present
- Simons, at their own expense, will lower and screen the gas and electric meters so they can no longer be seen from the street (The final design and placement of the screening to be agreed upon by Simons, and the WOHA Architectural Committee in cooperation with the authors of the Proposed agreement.*)
- WOHA Board, acting through the Architectural Committee, will grant Simons a variance from the WOHA CC&Rs, covering the gas and electric meters located at the street. (Such variances are provided for in the CC&R's, Article IX.)
- WOHA, acting on behalf of the WOHA lot owners, will drop all existing lawsuits against Simons.

*Their names appear on the list below.

We, the undersigned lot owner members of the Wild Oak Homeowner's Association, approve the terms of this agreement:

<u>Name</u>	<u>Address</u>	<u>Lot #</u>
Hans "Lefty" Stern	1360 White Oak Drive	4/13
Jerry Dibble	1355 White Oak Drive	4/26
Debbie Miller	1230 White Oak Drive	4/04
John Smith	740 Coney Court	2/28
Ann Swasey	672 Wild Oak Drive	2/33
David Byrd	1041 White Oak Drive	3/12

If you, too, support the agreement, please add your signature, address and lot number here and return the signed page to: Hans "Lefty" Stern, 1360 White Oak Drive, Santa Rosa, CA 95409

Or if you prefer, you may simply email the statement below to: wildoakactiongroup@gmail.com

I approve the terms of the "Proposed Agreement" dated January 20, 2020, in an attempt to resolve the ongoing WOHA legal dispute.

<u>Name</u>	<u>Address</u>	<u>Lot #</u>
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This email serves as my "electronic" signature.

Addendum

The second week in November, 2019, WOHA lot owners received a letter inviting them to an informational meeting on November 21. At that meeting, we shared what we knew at the time with the 30 to 40 homeowners who attended and invited them, including past Board members, to discuss the history of the dispute and their thoughts on the best way forward. We also asked those who wished to do so to sign a petition for a Special Meeting of the Board. We presented the petition, signed by 35 lot owners, to the Board at its regular meeting on December 10, which many of you attended and where the discussion of the Simons matter continued, this time with input from the Board. In the meantime, we provided a summary of the discussion and the relevant financial information to those who attended the November 21 meeting.

In the month since then, three things have happened:

- (1) We have formed a working group, tasked with finding a workable approach to the conflict, now and without endless litigation and legal costs—one that could likely satisfy the majority of Wild Oak homeowners, the residents at 805 White Oak, and the WOHA Board. As promised, the group is as representative as possible, composed of members from both parts of Wild Oak, men and women, and both longer-term residents and more recent arrivals. (Their names are at the bottom of the Proposed Agreement.)

Working together and drawing on the spirited interaction and the very good ideas contributed at both neighborhood meetings, the group drafted the Proposed Agreement, which we are now asking you to sign and return.

- (2) In response to the petition we presented on December 10, the Board has scheduled a Special Meeting for 7:30 PM on February 11, 2020, at the Wild Oak Saddle Club bunkhouse, following its regularly scheduled monthly meeting.
- (3) In the meantime, Simons has petitioned the court to enforce the mediated settlement with WOHA and its Board of Directors, maintaining that WOHA is not moving forward with its obligations under the agreement. We have heard, on good authority, that the judge has set a trial date for July 24. Regardless of anyone's expectations about the outcome of a trial, preparations will almost certainly involve protracted and costly efforts on both sides.

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WILD OAK ACTION GROUP Jerry Dibble/ "Lefty" Stern/ David Byrd/ Debbie Miller/ John Smith/ Ann Swasey

If you, too, support the “Proposed Agreement” as presented by the Wild Oak Action Group (the 6 lot owners listed on the Agreement) – then please provide your name/address/Lot # and EMAIL the below statement to:

wildoakactiongroup@gmail.com

I approve the terms of the “Proposed Agreement” dated January 20, 2020, in an attempt to resolve the ongoing WOHA legal dispute.

My Name

Address

Lot #

***This email serves as my “electronic” signature.**

OR ...

if you prefer to use snail mail, please add your signature, address and lot number below and return this signed page to:

**Hans “Lefty” Stern
1360 White Oak Drive
Santa Rosa, CA 95409**

I approve the terms of the “Proposed Agreement” dated January 20, 2020, in an attempt to resolve the ongoing WOHA legal dispute.

Name/Signature

Address

Lot #

- | | |
|------------------------------------|----------------------|
| 1. AALTO, John | 600 Canyon Oak Court |
| 2. ACKROYD, Gregory & Caroline | 522 Kellog Court |
| 3. ALFANO, Elissa | 515 Wild Oak Court |
| 4. ANDERSON, Kevin | 821 Wild Oak Drive |
| 5. BASTIANON, Ron & Lynn | 593 Buckeye Court |
| 6. BENNETT, Fred & Lynne | 581 Buckeye Court |
| 7. BENNETT, Martine | 549 Catherine Court |
| 8. BOWE, Bruce & Louise | 561 Buckeye Court |
| 9. BRINER, Bob | 630 Madrone Court |
| 10. BROWN, David & Denise | 1370 White Oak Drive |
| 11. BUSCOVICH, Daniel & Donna | 526 Kellog Court |
| 12. BYRD, David & Corinne | 1041 White Oak Drive |
| 13. CALCAGNO, Maureen | 553 Catherine Court |
| 14. CALE, Ed & Jody | 501 Wild Oak Court |
| 15. CARLSON, Richard & Jo Ann | 1461 White Oak Drive |
| 16. CLOWER, Scott & Kellee | 565 Buckeye Court |
| 17. COLEMAN, Patrick & Tammy | 1440 White Oak Drive |
| 18. CORTRIGHT, Sean & Jolene | 665 Wild Oak Drive |
| 19. DIBBLE, Jerry | 1355 White Oak Drive |
| 20. DINNO, Christopher & Jeanne | 646 Madrone Court |
| 21. DUNCAN, Jacquie | 664 Wild Oak Drive |
| 22. DUNLAP, Thomas & Ingrid | 1021 White Oak Drive |
| 23. EHNI, Kenneth & Diane | 815 Wild Oak Drive |
| 24. ERNST, Michael & Anne | 1001 White Oak Drive |
| 25. FERRO, John & Carol | 589 Buckeye Court |
| 26. FETTINGER, Patrick | Lot 3/15 |
| 27. FISCHER, Victor & Linda | 785 White Oak Drive |
| 28. FREEMAN, Wayne & Meagan | 940 Wild Oak Drive |
| 29. FRYLING, Vic | 730 Coney Court |
| 30. GOLDBERG, Benjamin | 653 Wild Oak Drive |
| 31. GRANT, Dick & Marcia | 1400 White Oak Drive |
| 32. GROBMAN, Kenneth & Diane | 502 Kellog Court |
| 33. HAMILTON, Linda | 720 Coney Court |
| 34. HICKS, Randolph & Kelly | 1450 White Oak Drive |
| 35. HOLLAND, Sacha & TAYLOR, Robin | 795 White Oak Drive |
| 36. JAFFEE, Julius | 537 Catherine Court |
| 37. JENSEN, Jay & Jennifer | 607 Wild Oak Drive |
| 38. JOHANNSEN, Don & Janette | 865 White Oak Drive |
| 39. JOSEPHS, Chuck & Linda | 1305 White Oak Drive |
| 40. KATONA, Barbara | 1285 White Oak Drive |
| 41. LOGASA, Darrin | 573 Buckeye Court |
| 42. LORD, Bruce & Shirley | 608 Canyon Oak Court |
| 43. MAGEE, Katherine | 860 Wild Oak Drive |
| 44. MANDELL, Larry & Arlene | 1430 White Oak Drive |
| 45. MC COWN, Hal & Shay | 650 Wild Oak Drive |
| 46. MC CULLEY, Don & Lynn | 642 Madrone Court |
| 47. MC DONOGH, Marjorie | 712 Coney Court |
| 48. MC GREW, Jane | 638 Madrone Court |

49. MC HENRY, Samuel & Marion	1220 White Oak Drive
50. MEYERS, Eliska	1120 White Oak Drive
51. MILLER, Deborah & NAST, Carol	1230 White Oak Drive
52. NAIDORF, Louis	668 Wild Oak Drive
53. ORDON, Nick & Katy	1280 Madelyne Place
54. OTTO, David	825 White Oak Drive
55. PANZA, Frank & Marie	1467 White Oak Drive
56. PARISH, Laurie	597 Wild Oak Drive
57. PARSONS, Dennis & Shawn	950 Wild Oak Drive
58. PEARL, Amy Pearl & PARODI, Skip	1240 Madelyne Place
59. PERSON, Norma	775 White Oak Drive
60. PHILLIPS, Jethren	557 Catherine Court
61. POLLMAN, Mathew	807 Wild Oak Drive
62. SEIDENFELD, Alan & Susan	1350 White Oak Drive
63. SELVIDGE, Suzanne	900 Wild Oak Drive
64. SHAPIRO, Mindy	1315 White Oak Drive
65. SHUBEL, Gus & Barbara	704 Coney Court
66. SIMONS, Larry & Jackie	805 White Oak Drive
67. SMITH, John & Carmel	740 Coney Court
68. STAMEROFF, Nick	930 Wild Oak Drive
69. STAMPS, Dan	1345 White Oak Drive
70. STEIN, Gary & Janna	960 Madelyne Court
71. STERN, Hans	1360 White Oak Drive
72. SUMIDA, Roy	660 Wild Oak Drive
73. SWASEY, Ann	672 Wild Oak Drive
74. TONKIN, Janet	634 Madrone Court
75. TRIONE, Mark & Cathy- 4 lots/4 votes	920 Madelyne Court
76. TUNIK, Sandra	708 Coney Court
77. VAN COTT, James	577 Buckeye Court
78. VAN VOORHIS, Andrea & Bart	827 Wild Oak Drive
79. WALLACE, William	616 Wild Oak Drive
80. WAND, Joseph	661 Wild Oak Drive
81. WESTROM, Dale	1410 White Oak Drive
82. WONG, Roger & Ann	1455 White Oak Drive
83. WRIGHT, Mike & Katie	950 Madelyne Court