

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Oct 5, 2019 at 10:49 PM
Subject: Fwd: TLH ***Please Read***
To: [REDACTED]

Hey [REDACTED],

Below are two emails that explain what we are doing.

Let me know if you have any questions or are interested in joining us.

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Oct 5, 2019, 2:04 PM
Subject: Re: TLH ***Please Read***
To: [REDACTED]
Cc: [REDACTED]

Update regarding our meeting with Cris Feldman.

Chris's thinks we have a good case going forward on the nuisance issues such as smoke and noise and the city's non enforcement.

He is going to research if there are permit/deed restriction ways that we can prevent the parking lot, but he says that does not fold as neatly into the nuisance complaint as the other issues. Still it will be part of the overall nuisance complaint and if we are successful, we might be able to stop it altogether.

The best idea from yesterday is the Cris is going to create a special mini neighborhood organization to bring the suit. This is good news for us, because it means none of us have to bring the suit in our own names. We will essentially all just be members of this organization that "decided" to sue. It should shield us somewhat from individual discovery requests and makes litigation a lot simpler for Cris' firm.

We need a name for the organization, so feel free to suggest. "Greater Rosedale Protection Association", "Almeda Quality of Life" "The Justice Society of Tomorrow" :) I don't know yet.

This organization will sue on our behalf and we all would just be its members. The money that you contribute would just be towards your membership and you would not have to say that you are directly funding a lawsuit. **This does not mean complete anonymity.** Your name as a member would still be out there. It just means the litigation does not have to be in our individual names.

We are thinking that Josh and I would be managers and someone else would be the president. I am going to invite the MPNA to join as well (and also ask them for money if they have any).

Cris is committed to keeping our costs to a temporary injunction to \$20,000. We will know by that point what sort of defense they will have and what sort of success we are having.

It is still very important that you all join organization and contribute to the lawsuit. We still need to raise the money. The organization is still just us working together.

We need to collect money from everyone. No one is demanding a specific amount, but please contribute what you can. Let Josh or me know when we can come by and pick up checks. Everything will be held in a trust account by Cris' firm. Please make the checks out to Feldman and Feldman PC.

The next big thing is record keeping. Cris asked that from now on we take video of anything that looks like nuisance. If you are out and you see a loud car or motorcycle, take video. People peeing on your fence, video. Drunk folks staggering back, video. Smoke billowing through the neighborhood, video. Loud music, video. I know most of us might have thought about avoiding our homes next Sunday for the street party, but he said take video of that

██████████ and I have spoke with Cris Feldman repeatedly (White Oak Music Hall case) over the last few months and think he is our guy for this

- There is a fine line between “enough” people to where it means something and “too many” people in a case to where it becomes more costly. 10 to 15 households should be sufficient

Next Steps

1. ██████████ and I need to know if you are in and initial financial support
2. Cris will need to dig in to the facts and support to figure out best angle but generally nuisance will be pursued with efforts to address specific concerns which vary depending on where you live
3. **To engage Cris Feldman, we need to give Cris \$20,000.** He said we could get started with \$10,000 retainer but the general feeling of those already in is we would like to see some financial commitment from the outset from all interested parties. **Suggested initial commitment is \$1,000 to \$2,000**
4. Talk to people in households unaccounted for and see their interest

Fees

- The residents of the HOA I live in (4 households) have all committed above the suggested initial commitment
- After we get through injunction Cris and us will reassess whether there is contingency angle for him or devise a more discrete fee schedule if we choose to move forward
- Cris has cautioned me that, these cases take many turns and to make a serious long-term run at TLH, it could cost up to \$50,000 over 12 to 18 months. It starts with seeing what we can get done initially
- I view it as a relatively cheap (I know \$2k isn't cheap) option to see if we can enact some change

Households Unaccounted for:

- 1822 Rosedale – I know the tenant a little and will try to talk to owner
- 1802 Arbor – I have been talking to its developer about joining us but I don't know if this will happen
- 1809 Rosedale
- 1816 Arbor
- 1820 Arbor
- New townhomes at NE corner of Chenevert and Rosedale
- Any others...behind the proposed parking lot on Wichita?

Friendly reminder that every text / email related to TLH is going to be discoverable.

Thanks,

██████████
214 240 7689