

# Robertson & Associates, LLP

Attorneys at Law

32121 Lindero Canyon Road, Suite 200

Westlake Village, California 91361

Telephone (818) 851-3850 | Fax (818) 851-3851

website: [www.arobertsonlaw.com](http://www.arobertsonlaw.com)

October 14, 2015

**VIA E-MAIL AND U.S. MAIL**

*Michael.zech@knchlaw.com*

Michael P. Zech, Esq.  
KOELLER, NEBEKER, CARLSON &  
HALUCK, LLP  
225 Broadway, 21st Floor  
San Diego, CA 92101

Re: SAN SIMEON COMMUNITY ASSN V. PARDEE HOMES  
Our File No.: 5043.0001

Dear Mr. Zech:

The Association has authorized me to sign the proposed Joint Declaration for the hearing on October 29, 2015. I understand the JD will be filed today; hopefully this will avoid the need for a court appearance on October 29th.

Along with permission to sign the Joint Declaration, the Association has instructed me to send you these comments, and a request:

The Association has been exceptionally patient throughout the current process. But the Association's representatives (the same individuals who were instrumental in authorizing the agreement with Pardee), need to demonstrate to their membership that progress is being made toward the mutual goals shared by Pardee and the Association under the agreement. The Association also needs to be secure in the knowledge that Pardee will perform basin maintenance, as per the agreement, in order to have a comfort level that the basins will be ready for the major "El Nino" event that is strengthening in the central Pacific Ocean.

In order to address these concerns, the Association requests additional communication from Pardee in the form of regular status updates about Pardee's activities in moving forward under the agreement. While you have provided verbal updates in connection with preparing Joint Declarations for submittal prior to each court appearance, the Association requests more

Michael P. Zech, Esq.  
October 14, 2015  
Page 2

frequent updates, preferably monthly, and preferably with more detail about Pardee's current initiatives moving forward.

For example, at this point the Association needs to know that Pardee is moving to prepare the basins for expected heavy rainfall. You have informed me that Pardee is moving ahead to perform this work. Could you also provide additional detail, such as expected dates of performance and scope description? This would not only help all concerned who have supported our deal on the basins, but may become a practical necessity if expected heavy rainfall should materialize this winter.

Pardee and the Association entered this agreement as adversaries, but now both parties share a common interest in seeing the agreement succeed. The additional communication requested should provide a relatively low cost means of helping to keep the parties aligned, and progress on track, so that the agreement can be implemented for the benefit of all concerned.

Very truly yours,

ROBERTSON & ASSOCIATES, LLP



ROBERT NATION

RWN:jef

cc: San Simeon Community Owners Association-*via email only*