



Stephen Boerner <stephen.boerner@gmail.com>

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## Response to March 10, 2025 Email with "Subject: Immediate Termination of Listing Agreement and MLS Withdrawal"

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Glen Kimball <gkimball@okllp.com>

Fri, Mar 14, 2025 at 6:25 PM

To: "stephen.boerner@gmail.com" <stephen.boerner@gmail.com>

Friday, March 14, 2025

Dear Mr. Boerner:

I am pleased to report that Ms. Bemer has now agreed to sign the Termination of the Listing. If you have not signed it already, it will be sent to you for your signature and then it will be acted upon. When all this occurs, the Listing will be terminated.

Thank you for your consideration.

Sincerely,

Glen D. Kimball

Glen D. Kimball

**O'CONNOR KIMBALL LLP**

Two Penn Center Plaza, Suite 1100

1500 John F. Kennedy Boulevard

Philadelphia, PA 19102

(215) 564-0400 x228 (office)

(267) 693-7095 (cell)

Email: [gkimball@okllp.com](mailto:gkimball@okllp.com)

Website: [www.oconnorkimball.com](http://www.oconnorkimball.com)



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**From:** Glen Kimball  
**Sent:** Friday, March 14, 2025 11:02 AM  
**To:** [stephen.boerner@gmail.com](mailto:stephen.boerner@gmail.com)  
**Subject:** Response to March 10, 2025 Email with "Subject: Immediate Termination of Listing Agreement and MLS Withdrawal"

Friday, March 14, 2025

[stephen.boerner@gmail.com](mailto:stephen.boerner@gmail.com)

Mr. Stephen Boerner

**My Clients:** Kurtiss Sotheby's International Realty,

Juliana Martell, and

Linda P. Danese

**Property:** 246 N. 3<sup>rd</sup> Street, Unit 4CD

Philadelphia, PA 19106

**Owners:** Melissa A. Berner

Stephen Boerner

**Response to March 10, 2025 Email with "Subject: Immediate Termination of Listing Agreement and MLS Withdrawal"**

Dear Mr. Boerner:

I write on behalf of my above clients, which include all the principals of Kurfiss Sotherby's. On March 10 you wrote my clients demanding that the MLS listing of the above property be withdrawn and terminated. To the extent that this demand was under my clients' control this demand was met and within the strict deadlines that were imposed by you. The MLS listing was withdrawn at 6:58 p.m. on March 10. There has been no further activity in marketing this property.

As to your request that the Listing actually be terminated, that I am afraid is not within my clients' authority to do. My client is quite willing to terminate the Listing. However, the two listing owners, you and your wife, Melissa A. Bemer are required to sign off on this. To date Ms. Bemer has not done so. We are working on determining if she is willing to do so.

As to the remainder of your March 10 demands, I note that among them my clients were directed not to have any contact with your wife. I am afraid that this request cannot be complied with under the controlling law. As to the rest, you may be assured that we will preserve our files and documents.

If you have an attorney handling this matter, please provide this email to him/her. If not, then I will continue to communicate with you directly until this matter is fully resolved. I will await a response from you or your lawyer to whom I am to direct my communications in the future. As to my clients, I ask that you communicate through me alone. I will be their sole point of contact, and they will only communicate through me to ensure clarity in our communications in this important matter.

Thank you for your consideration

Sincerely,

Glen D. Kimball

Glen D. Kimball

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