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October 24, 2008

Members
Lushmeadows Association, Inc.
c/o Board of Directors
5979 Meadow Lane
Mariposa, CA 95338

Re: LMA vs. Taggs; Wray and Whalleys v LMA

Dear Owners:

This is an update on the *LMA v. Taggs* and related *Wray and Whalleys v. LMA* lawsuits.

The trial concluded on September 10, and the attorneys wrote post-trial briefs, as requested by the attorney for Messrs. Taggs, Wray, Whalley and Mary Alice Whalley.

On October 17, 2008, the Court issued its Decision, which was in favor of LMA. A copy is enclosed. The Decision is not a final judgment, although it would have become final by October 27 if neither side had requested a Statement of Decision.

I understand that on or about October 22, counsel for Taggs, Wray and Whalleys requested a Statement of Decision, as they had a right to do under California Code of Civil Procedure 632. I will be able to provide input on the request, and then the judge will have fifteen days to provide clarification on all issues as to which Ms. Beaumont has requested the Statement of Decision. Once that process is complete, a final judgment will be entered. I expect this will occur on or about November 17 or 18.

Unless the judge changes his mind, LMA will be the prevailing party and will file a Memorandum of Costs and a motion requesting attorneys' fees from the other parties as authorized by Civil Code 1354. The other parties will have a chance to oppose the motion for attorneys' fees.

Once the final judgment is entered, either party can appeal to the Court of Appeals for a period of sixty days after entry of judgment. If the case is appealed, the party filing the appeal will file an opening brief; the other side will file opposition, and the party filing the appeal will file a closing brief. The evidence that can be discussed in the briefs would be limited to the evidence that was introduced at trial.

For the time being, we are in a holding pattern, waiting to receive the Request for the Statement of Decision and the Judge's response. We will continue to keep you informed of developments.

Very truly yours,

LAW OFFICES OF ANN RANKIN


Ann Rankin

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