

EMAIL 001

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Thursday, February 27, 2014 12:50 PM
To: Beller, Jennie; Miller, Sally
Subject: Motion Denied

A note of congratulations and appreciation. With that now settled what can we expect in the future? As you know, many of us here are interested in following the case. What's the best way to keep informed and know whats coming next? Thanks again for your help. We are so grateful for your efforts to uncover the truth. Hope this finds you well and thawed out.

Look forward to hearing from you!
Kathy

EMAIL 002

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Tuesday, January 14, 2014 5:55 AM
To: Beller, Jennie; Miller, Sally
Subject: Happy New Year

I've been remiss in sending you my warmest regards for the New Year. The holidays came and went before I knew what happened. I put up a real Christmas tree this year, 3 days before Thanksgiving. When I bought the tree I told the guy the tree couldn't be more than 8ft. He showed me a couple of choices before I picked one and headed home with the "8ft." tree tied on the top of my car. I pulled up in front of my townhouse and cut the tree loose. I drug it up the 8 stairs off the side walk and ulled it straight up in front of the sliding glass door where I would just have to pull the tree in the house after putting it in the stand. Everything was perfect and I was so proud of myself because I had managed to do it all by myself. The tree was really heavy but I pulled it in and went to stand it up when I discovered that the idiot at the tree lot and the idiot who bought the tree didn't know the difference between an 8ft. tree and a "12ft" tree. Me and the tree went flying like a slingshot when the 9ft. ceiling and the 12ft. tree tried to merge. I broke the marble top on an antique table to the tune of \$312.00. I had to take a little saw that I had and trim it down to size and just a mere 3 hours later I was ready to put it back in the stand. Fa La La La La La La La La!!! Won't be doin' that again next year for sure. It did turn out to be a beautiful tree but by Christmas it was pretty much being held together by the strings of lights.

I was still putting up Christmas decorations 5 days before Christmas. My neighbor in TH 600 said she thought the Griswold's had moved in. Lights, lights and more lights!! I love everything about Christmas except shopping for gifts for people who don't need anything. I swear every year that I'm not going to participate in that whole exercise again next year but I still find myself up to my eyeballs in wrapping paper and gift bags

right up to the last minute. We were blessed this year by the reconciliation of an estranged nephew. We were all invited to his house where the whole family got together and met his 5yr old and 3yr old son for the first time. He and his wife had prepared a sit down dinner for 25 of us. I'm not sure anyone could tell you why there had been a falling out in the first place. Isn't that typical?

Our son is still on dialysis 3 days a week for 4 hours. It's quite a lengthy process to register for a kidney transplant, however since he's 26yrs. old and in otherwise good health his prospects for a new kidney are excellent. He's another Christmas miracle I got this year. How blessed I am that I have a Lord that gives away really good presents on His birthday.

I hope you both had a wonderful Holiday with family and friends. I thought of you all often even though I never got around to sending you Merry Christmas Wishes! It's halfway through January and I'm finally able to sit down. I had an idea several years ago to send out "After Christmas" Christmas cards. With any luck I'd get those out by St. Patrick's Day.

I just wanted to let you both know how very much I appreciate what you have done for the people here and the countless hours you've tirelessly given to this case. Hopefully we'll be able to put this to bed before the end of the year. I pray that 2014 will be a year of prosperity and an abundance of blessings and that you will find favor and success in all your endeavors. (particularly in a certain case involving a certain HOA).

Call if you're ever planning to be in the neighborhood. I look forward to seeing you in February.

Best Regards!

No virus found in this message.

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 003

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Saturday, November 30, 2013 11:22 AM
To: Beller, Jennie; Miller, Sally
Subject: Fw: Chuck's Rebuttal Letter to WT's Letter
Attachments: WT Rebuttal-1.pdf

I thought this letter might be helpful for your records.

On Friday, November 29, 2013 8:05 PM, Charles Fugate <Chuck@chuckfugate.com> wrote:

I sent out 100 copies of this via US Mail today...

If someone would like to post this to Facebook, please feel free.

Kind Regards,
Chuck Fugate
Unit #621

EMAIL 004

From: Kathy Kennedy <kathybupp1@yahoo.com>
Sent: Thursday, November 14, 2013 1:47 AM
To: Robinson, Natalie
Cc: Beller, Jennie; Miller, Sally; Sheila sheilalrudder@yahoo.com
Subject: Re: Kathy Kennedy Bupp

Natalie,

Thank you for your consideration to attend the class on Friday. I went to the event website and registered to be on the wait list in the event a ticket becomes available. My plan is to come to Indianapolis Thursday afternoon and stay through Saturday morning. I agreed to drive Sheila to Indianapolis because she hasn't been feeling well. Any advance notice that you can provide would be most appreciated. Hopefully things will work out and I will see you on Friday.

Best Regards,

Kathy Kennedy Bupp

On Wednesday, November 13, 2013 8:43 AM, "Robinson, Natalie"
<Natalie.Robinson@atg.in.gov> wrote:

Kathy,

I appreciate your interest in the Mortgage Fraud CLE Program this Friday, but unfortunately we are at capacity and must adhere to fire marshal codes in the building. If we get any cancelations I will be sure to let you know.

Thanks,
Natalie

Natalie Robinson
Education Program Director
Office of the Indiana Attorney General

From: Sheila Rudder [mailto:sheilalrudder@yahoo.com]
Sent: Tuesday, November 12, 2013 12:18 PM
To: Robinson, Natalie
Cc: Kathy
Subject: Kathy Kennedy Bupp

Her name is Kathy Kennedy Bupp. She is an Activist who has been fighting the corrupt at The Harbours Condominiums. She is interested in the Mortgage Fraud part of the IN Attorney General's Law Suit Currently in progress. She has tremendous respect for Jennie Beller & Sally Miller & appreciation for David Miller. She wants to attend to be a better Informed IN resident.

If you can work this out it will be appreciated, if not we understand your position.

Mrs. Bupp went to school with & is friends with The AG which gives her a special interest in state government.

I am looking forward to this opportunity The State is giving the Licensees; will be there Friday.

In appreciation,

Sheila
Sent from my iPad

On Nov 12, 2013, at 11:04 AM, "Robinson, Natalie"
<Natalie.Robinson@atg.in.gov> wrote:

Hi Sheila,

Could you please let me know who your friend is that you'd like to have attend the program and the company/organization that she's affiliated with? We are at capacity, but I can speak with the Attorney General about her interest if you could just let me know who she is.

Thanks,
Natalie

-----Original Message-----

From: Sheila Rudder [mailto:sheilalrudder@yahoo.com]

Sent: Monday, November 11, 2013 6:18 AM

To: Mathis, Julia

Subject: Would it be possible for a friend to be able to attend? She would not be registering for CEs.

She has been researching Mortgage Fraud due to charges by State of IN against a local Corrupt HOA Director.

She will be chauffeuring me to Indianapolis. As the session is full, I understand if this is not feasible. She is a personal friend of AG Zeoller & will find something to do if she cannot attend session.

Thank you for your time.
Sheila Rudder
502-592-4544

Sent from my iPad

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 005

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Wednesday, October 31, 2012 3:13 PM
To: Miller, Sally; Beller, Jennie
Subject: Budget and Election 2013
Attachments: Budget and Election 2013 pg2 001.jpg; Budget and Election 2013 001.jpg; Budget and Election 2013 pg3 001.jpg

This just came in the mail today to the Harbours residents. It is completely mirepresentative and the acting president does not seem to have a grasp on what the real issues are in both of these cases. He is also promoting voting procedures that are in violation with the by-laws. I felt that you needed to see this and wonder if there is some recourse that may be available to the homeowners to stop the misinformation and the false allegations as to who has filed the suit. The acting board president states in his letter that the charges are brought by a small group of homeowners. Very little that goes on here is ever communicated to those out of state absentee owners, however this is one that they will get. Obviously anybody running that knows the truth of these matters is never given an opportunity to defend their positions which essentially takes them out of contention in running for a position on the board, in the effort to do what is available as an in house solution to the prevailing problems, which is to run for office for a board position. Every time I see this sort of thing it infuriates me. Please advise of any immediate action to intercede in this travesty for the Harbours homeowners who are working so diligently to bring accountability and financial stability to thye association and take it out of the hands of those that continue to abuse their power and position.once again

Sincerely,

Kathy

EMAIL 006

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Tuesday, October 29, 2013 7:00 AM
To: Beller, Jennie; Miller, Sally
Subject: December Hearing Date

Hey Jennie and Sally!!

I haven't heard any news coming from up yonder and checked the court records and noticed that a hearing is scheduled for December 10th. Are you able to indicate what the status of the case is? I'm almost afraid to ask. What else still has to be done before we can get the official party started? Is the case file on top of the stack or a little further down? Just getting antsy again. I've had a busy month. My son came to visit from Ft. Lauderdale and didn't feel well. By the time I got him into the ER he was in full renal failure. Talk about being shocked. Twenty six year old kids don't have high blood pressure and kidney failure. We were in the hospital here for 10 days and he was immediately put on dialysis. The numbers used to monitor kidney function, one is a BUN # should be in a normal range of 8 - 20, Jordan's was "214" and his Creatinine # in a normal range of .07-1.2 was "23.7" The emergency room kidney specialist said she fully expected to find him in a comma. Two more days and we would've lost him. God knows I couldn't deal with that.

It makes all this crap at the Harbours seem to be just that...crap !!!

Let me know what you can. It's lovely this time of year. I "do" hope you will plan to come soon !!

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EMAIL 007

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Monday, October 08, 2012 9:09 PM
To: Beller, Jennie
Subject: Fw: Substitute for hot water heaters

Sent per Paul's request!

May you have a blessed week. I think of you guys often and I continue to pray for you!

----- Forwarded Message -----

From: Paul Ranney <blackdodgeviper@insightbb.com>
To: Debbie Zoeller-Pullen <debbiezp@gmail.com>
Cc: Sheila Rudder <sheilalrudder@yahoo.com>; Kathy Bupp <kathybuppl@yahoo.com>
Sent: Monday, October 8, 2012 6:31 PM
Subject: Re: Substitute for hot water heaters

Off topic....

KZ just made a threat to me on TOS regarding NOT buying flood insurance!
It's on the budget poll thread.

Somebody figure out how to get the AG to see and note it!

You can't buy this kind of stuff!

Sent from my iPad

On Oct 6, 2012, at 6:40 PM, Debbie Zoeller-Pullen <debbiezp@gmail.com>
wrote:

I heard about a device that heats the water as it comes out and takes
away the need for having a hot water heater. Apparently that is what they
have at Waterford Place in Louisville (or so I have heard). I mentioned
it to [former property manager] in the office to see if she knew anything
about them. She was sort of familiar with them and will check on pricing.
Is anyone else familiar with this item? It seems like it would be great
here at the Harbours and would avoid some of the leaks that we have had .
. . .

Debbie

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 008

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Monday, September 23, 2013 9:01 PM
To: Beller, Jennie

Hi Jennie,

This Thursday, Sept. 26th the Board of Directors of the Harbours HOA is
holding a Town Hall meeting. The primary topic has to do with owners
leasing their units to tenants. I guess they thought it best they should
start with the most significant and serious problems they are facing
(*^&\$#@). In spite of their questionable judgement, my concern is about
the REALLY BIG problem they intend to discuss. Are you ready??? It's
RENTERS WITH PETS!!! That's right. They're tired of all the problems
caused by those nasty little four legged troublemakers. Can you believe
this dog-doo doo?

This is where I need your help. I'm trying to find case law that supports
non-discrimination of owners who allow tenants to have pets. They are
trying to prohibit owners from renting their units to people who have
pets. However the other owners who actually live on the property are
allowed to have pets. My premise is that they would have to disallow pets
to every owner if they intend to prohibit owners from renting to tenants

with pets. I could make the argument that if an owner wanted to get around it they could say that they are going to keep a dog in their unit and Mr. and Mrs. XYZ will be staying in the unit to take care of the dog. Or I could give my dog to an owner who would then solicit my services to care for his dog. I have never had a problem with an owner allowing me to rent with my dogs. I pay a premium for it but that's between the owner and myself. I've rented Unit # 305, 808-809, 1105 and the Townhouse 606-608 where I currently reside. Debbie Pullen who sits on the rules committee called me and said that Russ Johnson said that he absolutely intends to force this rule on the owners and if it doesn't happen it's a deal breaker and he'll quit. Have you ever heard the country song that says I love my girl and I love to fish, but if I have to choose just one.....I'm going to miss her. My sentiments exactly if Russ intends to draw the line in the sand on this. I have to present him with something more than a "you can't do that, it's discrimination".

My question to you is, where can I look to find something like this and what would it be called. I'm hoping that there is something in Indiana code somewhere or a nation wide law of sorts that is upheld in every state. Is it something that I'd find in real-estate law? The only information that I've been able to find speaks to tenants of apartment rentals. The State of California and a few other small states have a few things written on the topic of rentals and pets. California has a wealth of information regarding condos and HOA's that are great reference resources. The problem with my search may be that I don't know the correct term or what or where it would be categorized to even begin a successful search. I'm not asking you to find it for me, just tell me what it would be called and where I can look for something like this for the state of Indiana if there is such a thing. I'd love to slap him with a substantive deterrent.

You're a very busy and BRILLIANT lady (I want to be you when I grow up) and I'll understand if you can't get to it. I'll still love you!!! Are we getting any closer to showtime? Best-Worst case?

As always wishing you a wonderful productive week of finding the truth and the truth easily finding you so you can get all the bad guys!!!

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 009

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Thursday, August 15, 2013 5:36 AM
To: Beller, Jennie
Subject: Re:

A couple of things.....Did someone send you the info about Kevin and Mary Lou meeting with Sharon Chandler for 4 hours at Buckheads. It was after Sharon's deposition. I suppose they were comparing notes. Might be helpful for next deposition. Are you able to say whose deposition is up

for 8/26? Also I sent something to Betty Cantrell that I think I copied you in on about the special election. After having a conversation with Kathy Mathews, we were talking about something that got us on the subject of the special election, and that's when she said the meeting was never "commenced". She didn't say where she came up with that idea, but I'm betting that's what Kevin is claiming to justify his late proxy/votes. She said that "the State has all of it anyway". I think what Kevin did was create his own proxy authorizations for units he did not have permission to use. He had access to the office files that shows who the designated voter is for every unit. He's had his hand in it for so long he knows exactly who votes and who doesn't vote.

That's probably why he said he was holding on to proxies in case the owners showed up. (Which is exactly why the bylaw requires them to be turned in prior to the commencement of the meeting) The owner on record would be the only one that could vote. So instead of turning them in prior, like everyone else, he waited and turned in his manufactured authorization forms to obtain the proxy. The accounting company accepts the proxy and vote is cast, results are tabulated, announced, then taken by the accounting comp. reps where they are taken to their office and sealed. When Russ asked for info, they told "him" they couldn't give him any information because of privacy issues ??? Thom was able to convince him to try again and ask for specific information. I can't remember what came from that but it wasn't anything that answered the questions we were interested in. Thom forwarded me his communication with Russ. That's when I sent Russ a detailed explanation of the bylaw stating proxy procedure and explained he didn't have the authority to alter what was required according to that bylaw. (would have needed 67% vote to change the bylaw) He didn't have the authority to make the call to accept Kevin's proxies nor did the board have any authority to vote how to proceed. (especially when Kevin and WT were in on the vote).

Russ took my case to the HOA attorney who told him I was right, adding that she probably would've done what he did. How about that kind of legal counsel....yes you broke the law but I would've broken the law to! What????? Dawn Elston. She needs to be fired ASAP. She's not that stupid. She has to know there's a conflict of interest. She's so indoctrinated by Kevin she doesn't think there's a problem because she's already acting on the premise that everything he's told her is the gospel truth. Probably doesn't hurt that he's the one that's writing the checks, so to speak. She thinks she works for Kevin.....I'd love to be a fly on the wall when he goes into her office and tells her how she needs to handle the case with all his own legal research. He's probably gotten an online law degree by now.

I mentioned it before and you probably already know and/or talked to Betty Cantrell about procedures regarding elections, proxies, and ways Kevin could rig it without detection. [Former property manager] from the mgmt. company has been gone about two weeks. She'd be an interesting person to get a deposition from on what Kevin had her doing in the office two nights before the election until 1:00 am. It might be interesting to re-contact Stayce the former manager now that she's secure in the job she took after leaving here.

Has anyone been reading the forum? The topic, "The Hydrangeas are in Bloom", has been particularly comical, but it seems to have disappeared from the site entirely. FORTUNATELY, I copied every single page of it before it disappeared. It was Kathy Quiggins comedy hour. It's the whole thing about the mortgage they took out on Unit 402 between them and the developer for \$25,000 even though it was owned by someone else. I word things in a way that implies that I know something I really don't "know" and she falls for it every time. She also got her crazy when I told her I knew that [former property manager] gave her money under the table for Ken's legal defense when he was caught trying to reach under Vicki Hack's door to get the proxies left there by owners. The story that they're selling now is a new and improved version. I don't know how much of all that you're interested in .Kevin was scared to death Ken was going to say something that would get him in trouble so he went down to the courthouse with Ken EVERY single time he had a court date and wouldn't let him out of his sight. They finally had to tell Kevin that he couldn't sit in anymore because he was answering for Ken.

I've been meaning to send some of this to you and never got around to it, so you may have already gotten it from someone else. I feel like I'm forgetting something so if I think of something else I'll send it. You can call me any time if you need to...(954) 325-0965.

Have a good one!

On Aug 14, 2013, at 12:56 PM, Beller, Jennie wrote:

All good. Short answer to your question - We will be in Jeff on August 26 for the entire day. We will likely be down in September as well.

-----Original Message-----

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Wednesday, August 14, 2013 12:55 PM
To: Beller, Jennie
Subject:

Sometimes I may send emails that ask questions re: information that I may have gotten previously, but can't recall where I got the information or able to find it in all my papers. Hope you understand what I'm trying to say. You know just like the one I sent yesterday for example.....I'm so absent minded!

Sent from my iPad

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Tuesday, August 13, 2013 6:12 PM
To: Beller, Jennie

I understand that the case may be experiencing delays in getting all necessary depositions. Have all remaining depositions been scheduled? If this is not information that you are allowed to share I'll understand.

Sent from my iPad

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Tuesday, August 13, 2013 6:08 PM
To: Betty Cantrell
Cc: Miller, Sally; Beller, Jennie

Betty

Can you look again at the bylaw that speaks to the proxy turn in requirement. If it speaks to the commencement of the meeting. What determines the commencement of the meeting? Does it have to officially be started to be commencement of the meeting? Logic dictates that the posted time for the vote distributed to HOA owners was considered to be the official "commencement" of the meeting. The voting was closed so why wasn't it opened? Of course it was opened but Kevin is claiming that the meeting was never "commenced" so he could turn in proxies up until the voting was closed. My argument would be that in the absence of any announcement to the contrary the meeting would commence at the time preset and sent to HOA owners. You can't close what isn't open so your reference for consideration would be the posted time in the written notice distributed to all homeowners. Is there any provision regarding proxies being rejected after the voting closes. Of course not, because the matter is settled by the requirement of the bylaw stating that the proxies had to be turned in prior to the commencement of the meeting. It's a ridiculous argument even if you were unaware of the voting procedures, let alone someone that had actively participated in every prior election. Do you have any minutes from prior elections that recorded the actual "commencing" of the mtg.? If the argument is that it wasn't opened so therefore could not be closed then the election would be null and void. You can't have it both ways. I'm passing this along for all parties to review. In discussing this last night with Kathy Mathews she said the meeting was never opened. She didn't attribute the statement to Kevin but it certainly is a technicality that only affected Kevin and he was the only one that called it into consideration. Now. We know what he's been doing with his free time. I can only imagine what he's prepared for the civil suit. Should be a doozy!!!!

Sent from my iPad

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 010

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Friday, July 12, 2013 10:03 PM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: [The Harbours... Can you believe this stuff?] Posted by KZ on TOS:

Begin forwarded message:

Date: July 12, 2013 9:39:29 AM EDT
To: "The Harbours... Can you believe this stuff?"
<167624100012422@groups.facebook.com>
Reply-To: Reply to Comment
<g+41he4r6o000000h54il2004cuujfpcmh000zg3ep3mb72e446@groups.facebook.com>

Betty Cantrell posted in The Harbours... Can you believe this stuff?

Betty Cantrell
9:39am Jul 12
Posted by KZ on TOS:

"As Mighty Casey commented when he struck out, we're in the 2nd inning of a nine-inning ballgame. I still like my team's chances".

I guess the AG needs to know that according to KZ, they will lose their case against him in the ninth inning. If I were the AG people who initiated the Fraud Case, I would want to know that he is making a mockery of their charges.

They are going up against, "Mighty Casey"? Geez, they need to be really worried don't you think?

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 011

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Thursday, June 27, 2013 10:19 PM
To: Beller, Jennie
Subject: Fwd: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

Jennie,

Just a question....is this case one that may never see the inside of a court room and be settled out of court. What is the likelihood of that happening? Is the change of venue still in effect? If so will the case be given a new case number for Floyd County? Is there something specifically that is holding things up? How much more has to be done before it will be ready to present? I hate to be such a nag but I'm just curious as to why it has stalled. I understand that court dates and schedules can go on and on with extensions and so on but it hasn't gotten that far has it? Is there any addtl. info that you need that I could run down for you? Let me know as much as you are able to without violating the boundaries of your office.

When it comes time for the investigation into the vote on Zipperle, there are a couple of tricks that I suspect he used and on others he just plain cheated by claiming proxies that were not actually given to him for that election. Russ told Thom that the votes that he turned in late, were his own units. I find that hard to believe and I seriously doubt that he would sit there for almost two hours (the longest voting time ever according to Betty Cantrell) and not turn in a vote for his own units. His answer to his supporters was that he was holding on to proxy votes in case the owners came in to vote in person. That's exactly why the by-laws demand that all proxies be turned in PRIOR TO THE COMMENCEMENT OF THE "MEETING".

Thom and I both were standing right in front keeping an eye on Kevin. He was clearly in violation and Thom spoke up asking Russ to intervene. Russ Johnson always acts like we're a bunch of crazies every time we question anything. He became very defensive when Thom insisted that Kevin's late votes were not eligible to be counted. Russ called all the board members in to a back room (including Kevin) and asked them whether they should let the votes be counted. In essence, since it was a by-law that he was challenging, "he" did not have the authority to make a decision to alter it and the board acted out of order by ruling in opposition of the by-law. Since the by-laws don't stipulate a grace period after closing the vote, closed was closed yet he was given permission to turn in late votes.

We both know how much he has invested in his position here. Can you think of any reason he sat there for almost two hours without turning them in? Me neither. He's not a novice to the voting procedure, this is just the first time he hasn't had full control over the outcome. I sent Russ Johnson a well documented accounting of why there needed to be a recall and I even said that I would pay for the cost to fund the re-call. He very clearly stated that he did not intend to pursue it any further even after he was given a full account of what the by-laws say. He must have taken it seriously because he took my statement to Dawn Elston who conceded that what I had written was accurate, however she added that she would have been inclined to follow the same course that he did.

This is yet another blatant disregard towards following the by-laws and conversely doing whatever the hell he wanted. He asked Betty Cantrell if she would get him educated on the governing documents which she gladly

agreed to do. During the first and only session, he told her he thought the declaration and by-laws were technically a pain in the behind and that as long as nobody else complained about something he just didn't think it should be such a big deal. He never met with her again and in an email that he sent to new board member, Pete Gerstle, who was voted in as the replacement for WT, he basically told Pete to handle her and said she was over the top and didn't want to deal with her anymore. The email fell in the "wrong" hands, (I have no idea what happened there) and everyone including Betty read his derogatory comments. I was so embarrassed for Betty, because she had been so excited when Russ approached her about his "tutoring" sessions. It was humiliating for her and I felt so bad for her in light of fact that "everyone" was reading it.

When the vote came back that WT had not been retained, (that alone was a big red flag that Kevin manipulated the vote), WT was shocked. The look on his face was telling. There were a handful of people that said they voted against Kevin but voted to retain WT.

If the ongoing case is going on into infinity, the investigation into ballot#1of the special election should be easy to investigate and rule on in short order. Only ballot #1 to retain Kevin or not to retain Kevin is the only ballot that needs to be investigated but I'm sure that all the ballot's must be investigated. The benefit may be that voting from those ballots may add credibility to proving Kevin's manipulation of his own vote. Make sure you get all the necessary info from Betty Cantrell on the voting procedures and guidelines so that you'll know what is and isn't permitted. (like I should tell you what to do... duh) It seems to me the voting investigation would be relatively easy to move through quickly.

Also, do you have any idea where the records are that [former property manager] took out of the office a year and a half ago? Wasn't there something that was part of a document that was public information that said she had to meet with someone from your office on a certain date to return the records? Nobody here STILL says they know where the records are. She also has a computer that she took from here that needs to be returned. No doubt the information on that computer has been erased and will have to be forensically retrieved.

As always, we are forever grateful for the work you continue to do to get to the truth.

Best Regards !!!

Begin forwarded message:

From: "Miller, Sally" <Sally.Miller@atg.in.gov>
Subject: RE: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...
Date: June 27, 2013 11:03:16 AM EDT
To: Kathy Bupp <kathybuppl@yahoo.com>
Cc: "Beller, Jennie" <Jennie.Beller@atg.in.gov>

Kathy,

This case may never see the inside of a court room, because more often than not, cases are settled out of court. We are in the middle of depositions and discovery now so there is not a time estimate on how much longer this might take. In any case, we are moving forward diligently. There are no court dates. The court date in Clark County was not a trial of any sort - it was an argument over a point of law. I give you my word that no matter what anyone says - we fully intend to keep moving forward with this case.

Going to Cape Cod tomorrow!

Sally L. Miller, Investigator/Work Flow Administrator
Office of the Attorney General
Licensing Enforcement & Homeowner Protection Unit
302 West Washington Street Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2353
Fax: 317-233-4393
sally.miller[at]g.in.gov

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Monday, June 24, 2013 8:36 AM
To: Beller, Jennie

One thing I forgot to mention, a new board member was told that your office subpoenaed the financial records and didn't keep the appointment when you were supposed to pick them up and have never bothered to come and get them. That is why Kevin's newly formed support group believes the allegations I brought to your attention last week. The question about believing Kevin "now" when they didn't before is not coming from our group. It's coming from his lifelong supporters and his new recruits. He continues to gain credibility every day that the case lingers and convincingly gives credence to his claim of being an innocent "target" in what he says is nothing more than a witch hunt. He's a psychopath. I believe wholeheartedly that logic was abandoned at every level when consideration was given to the validity of the recent election to retain Kevin. I will eat a shoe if I'm wrong about his cheating to stay on the board. He didn't need a landslide he just needed a speck more to win. He doesn't consider the slim margin a reflection of public opinion. He heard ONE thing.....RETAINED. It vindicated his high opinion of himself and added energy to his compelling need to retain control.

Sent from my iPad

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Friday, June 21, 2013 5:12 PM
To: Beller, Jennie
Cc: Miller, Sally
Subject: Re: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

Hey guys,

Thanks for getting back to me. I personally know that the case is in good hands and for the most part so does the majority of the group. I've said all along when I've been asked why I thought it was taking so long, that the schedules of all these people have to line up to set one court date and if someone cancels you have to start all over again. They have seen how Kevin manipulates the courts by postponing and re-scheduling as with Vicki Hack who ended up being advised to drop the case after years of setbacks. In that particular case they had video proof of what went on. Kevin accompanied Ken Quiggins to court each time and was finally told he could not continue to do so.

Knowing that the wheels of justice turn slowly, is there any way to estimate when the case will see the inside of a courthouse? Do you know if it will be given a new case number when it is moved to Floyd County? Apparently the only case number on file is the one in Clark County that shows no activity since April. Is there something that is holding things up from one side or the other? What is the next step that will happen? What is your best guess estimation of when things will start to move.

As I mentioned Kevin has been saying the case is nothing. The people that support this case know better. It's the people that stood back to take a second look at Kevin that believe his defense against the allegations. So it's back to the aggressive antagonistic harassment by other residents. The board president Russ Johnson has gone all Kumbaya on the whole thing, though I tried to convince him that he needed to understand the past and the hardship it has caused before a real expectation of change could ensue. He was very rude when several people tried to explain what they had been through so that he would have a better understanding of why and how they had been at odds with Kevin. He would just stop them mid-sentence and say, "that's the past and I we're moving forward. I don't care what happened before." I said in a "very nice way" that he was a rude SOB and that he was to be representing the best interest of "all" the residents without prejudice. The whole thing stinks and seems to be regressing, which is why I think there is uncertainty.

Anything you can offer will be greatly appreciated and I will prepare a response that is suitable without naming names. I'm delighted that you and Chuck got away from it all. Stepping outside of the craziness helps you put things back in the proper perspective. Sally, enjoy your time in Cape Cod. I've never been but my neighbors in Ft. Lauderdale go every year. She and her husband and the kids rent a house with her sister and their families and they love it. So have fun, relax, and raise a glass of wine as you watch the sun set and be thankful. We are certainly VERY thankful for you, David and Jenny.

Best Regards,

Kathy

On Jun 19, 2013, at 1:31 PM, Beller, Jennie wrote:

Kathy,

- 1) We would not have filed this case if we believed it to be frivolous.
- 2) It is a big deal to me.
- 3) We will not let it fall through the cracks.
- 4) We continue to take depositions. This is not unusual at all.

Summer is flying by already. Chuck and I just returned from a wonderful trip to Panama City Beach. I got Chuck some adaptive fishing equipment so he was able to pier fish. It was very exciting.

Jennie

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Tuesday, June 18, 2013 6:27 PM
To: Miller, Sally; Beller, Jennie
Subject: Fwd: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

The natives are getting restless and are convinced that the case is not happening. Furthermore, Kevin continues to tell everyone that the case is frivolous and it's no big deal. Perhaps a small update would be helpful. Just thought I'd pass this on. Hope you are both well and enjoying the summer. I have a feeling it will fly by, just like all the others.

Best Regards.

Begin forwarded message:

From: "Martin Dale Haley" <notification+an5mkgbx@facebookmail.com>
Subject: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

Date: June 18, 2013 3:49:53 PM EDT
To: "The Harbours... Can you believe this stuff?"
<167624100012422@groups.facebook.com>
Reply-To: Reply to Comment
<g+402eo6wx000000h54il2004936uu3zj2000000jtfmc72dg46@groups.faceb
ook.com>

Martin Dale Haley posted in The Harbours... Can you believe this stuff?
<~WRD000.jpg>
Martin Dale Haley
3:49pm Jun 18

Well, it's been 60 days since the court date on 4/18/2013 for Kevin, Sharon, Mary Lou and Frank was cancelled. It has still not been reassigned or rescheduled according to the court web site. I hope somebody at the courthouse remembers to put this case on the correct docket some time soon. It would be a HUGE travesty of justice for this case to fall through the cracks.

<~WRD000.jpg>

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 012

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Thursday, May 16, 2013 1:25 PM
To: Beller, Jennie
Cc: Miller, Sally
Subject: Re: RE: FW: RE:

Oh we'll. Shucks!!

Sent from my iPad

On May 16, 2013, at 4:20 PM, "Beller, Jennie" <Jennie.Beller@atg.in.gov> wrote:

It would be a conflict of interest for him to do that. :)

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Thursday, May 16, 2013 4:19 PM
To: Beller, Jennie
Cc: Miller, Sally
Subject: Re: FW: RE:

Thank you wise one!! I've got it. Do you think the forensic accountant is available for the HOA to hire or is his work load too busy for us to hire him?

Sent from my iPad

On May 16, 2013, at 3:17 PM, "Beller, Jennie" <Jennie.Beller@atg.in.gov> wrote:

Hi Kathy!

- 1) As far as I know at this time, there has not been a change in the cause number. I am not sure how the change of judge issues will play out. At this time, it isn't urgent as nothing is happening in court.
- 2) You will not see anything publically at this time regarding the case. We are in the discovery phase. No one is delaying, but we are interviewing and taking depositions. A number of things can happen after discovery. If one side or the other believes they have enough evidence (such as sworn testimony from depositions, etc.) to make the case without going to trial, they can file a motion for summary judgment

which would be argued in front of the judge. If that happens, and it is approved, then the case is resolved. If it is not, then it would go to trial unless a settlement is reached. That is a thumbnail sketch of litigation options. Lots of things can happen between now and then.

3) I believe I saw on Facebook that Marty Haley was going to file a complaint on the accounting firm and the manager. When any consumer files a complaint with our office against a licensee, it is confidential per statute and will not be discussed. The OAG is statutorily obligated to investigate any consumer complaint.

4) Anything you do regarding the election will not harm our ongoing case or any investigation.

Hope that answers your questions.

Jennie

From: Miller, Sally
Sent: Thursday, May 16, 2013 2:59 PM
To: Beller, Jennie
Subject: FW: RE:

[NO MESSAGE]

Sally L. Miller, Investigator/Work Flow Administrator
Office of the Attorney General
Licensing Enforcement & Homeowner Protection Unit
302 West Washington Street Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2353
Fax: 317-233-4393
sally.miller[at]g.in.gov

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Thursday, May 16, 2013 2:58 PM
To: Miller, Sally
Subject: Re: RE:

What is the current status in terms of what happens next? I'm sure you've read all about this last election to get rid of KZ. Thom keeps pressuring me to drop it saying that it will fall into the ongoing case that you're working on. Can you keep adding to the current case by tagging things that happen on the way? Thom posted on Facebook today about their failure to report the year end reports for 2012 and an audit that has never been reported. Couple that with the missing boxes of records and it just adds to the long list of clandestine activity the former board has been accused of. Have you ever been able to recover those records from [former property manager]? Because if you haven't these people need to start pressing for the records to be returned. Nobody seems to know where they are when I ask.

At one point in the investigation there was mention of a very tough forensic accountant. Would he be available to help us out? He may be very

busy but I'm wondering if he has seen the kind of situation like we have here?

Do you have any idea about when or if the case will be heard in Floyd County? Will a new case number be assigned? Is the ball in the State's hands or is it being held up by the defendants? What should we expect to see next in the progression of this case?

I know that you can only provide a very limited amount of information, but any answers however vague they may be would be helpful. I'm at a crucial point in this election thing where I have to decide if I'm going to keep pushing for an answer and whether or not I insist we recall ballot #1. Would it be redundant and a waste of time?

Russ Johnson took my allegation to Dawn Elston and she confirmed that I was correct. Subsequently, I am encouraged to say that he has asked Betty Cantrell to teach about the Declaration and By-Laws. They've already had one class and I guess they are going to meet on a regular basis. Finally someone is acknowledging her extensive knowledge about the subject. I ask her if she told him he could get college credits (at least it should be). I told her to let him know that I was the valedictorian of her first class? (I was also the ONLY student in her class, but that tidbit of information falls under the category of a "need to know basis".) Always looking at the cup half full!!!!

It's good to know that all this craziness is the hands of "the best there is". I don't mind telling you that everyone here is beyond grateful for the time and effort our you guys have put into this. The more you investigate the more I'm sure you realize what an insurmountable battle this has been.

Thanks again,

Sent from my iPad

On May 16, 2013, at 10:56 AM, "Miller, Sally" <Sally.Miller@atg.in.gov> wrote:

Hi Kathy,

There is nothing scheduled at this time. We are very deeply into discovery now.

Thanks! [ROLLEYES AT S. MILLER'S DEPO ABOUT KATHY BUPP]

Sally

Sally L. Miller, Investigator/Work Flow Administrator
Office of the Attorney General
Licensing Enforcement & Homeowner Protection Unit
302 West Washington Street Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2353

Fax: 317-233-4393
sally.miller@atg.in.gov

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Wednesday, May 15, 2013 7:08 PM
To: Miller, Sally
Subject:

Hey Sally,
Marty Haley posted a question on Facebook about the case. Has it been re-scheduled? Has it been moved from Clark County to Floyd County and if so does it have a new case number? If you send me the information I will post it on Facebook. Hope this finds you well!

EMAIL 013

From: Kathy Bupp <kathybupp1@icloud.com>
Sent: Saturday, May 11, 2013 9:58 PM
To: Phila3224@bellsouth.net
Cc: Paul blackdodgeviper@insightbb.com; Betty Cantrell; Bob Ferguson; Louis Bornwasser; Charles chuck@chuckfugate.com; Debbie debbiezp@gmail.com; dfinne4735@aol.com dfinne4735@aol.com; flamingosandy@rocketmail.com flamingosandy@rocketmail.com; Greg gbielefe@gmail.com; hryank89@yahoo.com hryank89@yahoo.com; Keith hillmank@hotmail.com; Tom Pike; Russ thedaylily@insightbb.com; Phyllis Thomas; louisborn@aol.com louisborn@aol.com; Nora B pagetwo@bellsouth.net; Marty patokapirate@gmail.com; Kathy Mathews; Sheila sheilalrudder@yahoo.com; Peter K. Gerstle
Subject: Re: Response

Fred,

Thank you for your response. I am familiar with the operations of the Clark County Recorder Office as I spent countless hours and several years pouring over property record files, title searches and erroneous and suspicious parking assignments. As a matter of fact, during the discovery process in one of my regular visits to the recorder's office, I discovered that Kevin had purchased Unit 1103 for \$175,000.

In regard to Unit 505....JP Morgan Chase Bank is the property owner of record. The property was in foreclosure and during the bidding process an offer was accepted by the bank but the property wasn't closed on the original scheduled date. According to Janeese Rusby, the real-estate agent handling the sale and a Harbours homeowner and resident, the real estate purchase was not finalized until well after the April 25th election date. She also verified that the bank nor the new owner had requested a ballot for the election.

In regard to Unit 412, the owner of record is First Capital Bank of Kentucky. Sharon Hall a loan officer for the bank stated unequivocally that the bank nor any other authorized agent of the bank was contacted or

given the authority to request or cast a ballot for the April 25th election.

I have never stated, implied, or suggested that an investor, corporation, or bank was not eligible to cast a vote. What I have stated is that neither 412 or 505 were assigned a designated voter by the property owner of record. I am familiar with the potential delays involved in newly filed property records, however, Dick Jones, the Clark County Recorder, has stated that delays of this nature are the exception and not the rule. He also stated that once the documents are filed in the recorders office, they will be available to view online at the assessors website within 24 hours of the filing date.

These are the facts as I know them and those that have been provided to me by what I believe to be credible authorized representatives on behalf of the property's owner of record. I have relayed all information accurately and promptly to the best of my ability, to the members and the Board of Director, of The Harbours Homeowners Association.

However the first issue at hand has to do with the integrity of the voting process. There were no extraneous circumstances that prevented or impaired Kevin's ability to submit the remaining ballots in his possession in a timely manner. He sat there during the extended voting period with no sense of urgency whatsoever and appeared startled when he realized that he had not cast a handful of ballots and proxy assignments he still held in his possession. It is stated in the by-laws of the Harbours Homeowners Association that all proxy designations must be Filed PRIOR TO THE COMMENCEMENT OF THE MEETING

The decision to allow late votes to be cast after the voting period had been closed, was a violation of the procedural requirements of the amendment's provision for a fair and representative election. To allow the late votes to be cast and counted would have required a change of the amendment. To change an amendment requires 67% of the homeowner's approval to be changed. Thus the board did not have the executive privilege or authority to override the stipulated requirements outlined in the amendment. All other co-owners of the Association complied with the necessary requirements and many that I spoke to had to leave their jobs early to register newly authorized proxy assignments PRIOR TO THE COMMENCEMENT OF THE MEETING. The whole purpose for stipulating that all proxies must be submitted prior to the commencement of the meeting is to ensure that no votes are cast twice and that only the property owner or their designated proxy holder for any given unit is properly filed and qualified before the commencement of the meeting.

It also must be noted that NOT ONE SINGLE HUMAN BEING OTHER THAN KEVIN ZIPPERLE FOUND THEMSELVES IN THE SAME PRECARIOUS SITUATION Also to be noted.....Two nights prior to the special meeting, Kevin Zipperlle was in the property manager's office working with some urgency on matters that have yet to be disclosed. It is unlikely that a truthful account of the after hours business activity will be forthcoming any time in the foreseeable future No other candidate that was the subject of the special meeting recall was afforded the same access or attempted to access the informational files held in the Association's office.

The fact that Kevin Zipperle was the subject of the recall election, made his presence in the office until 12:30 am prior to the election, a cause for concern that should have been fully investigated before the special meeting was allowed to proceed as scheduled.

You have to have been locked up in a cave after being given a full lobotomy to be unaware of the potential consequences his removal would be to this community. The best evidence of what someone is going to do is what they have already done. A clear thinking intelligent person would have to abandon all logic and reason to believe that suddenly this ill guided bully had become a pitiful repentant saint.

You have evidence of the voting process being compromised. You have Kevin's past and current behavior to draw from. You have a part time employee of a property management company contracted by the HOA, enthusiastically endorsing Kevin Zipperle to Harbours residents and disparaging and libelous remarks waged against a fully competent gentleman, that we selected endorsed and supported as a newly elected board member. Additionally, the same office manager [former property manager] reported to Association president Russ Johnson, that two of the four units selected for review for authenticity, reported that new owners of the units in question had requested election ballots. Information gathered subsequent to the election results suggest that someone is not being truthful and must be held accountable.

I ask you.....what else must you have to accept the notion that Kevin Zipperle may have interfered with the well established and accepted voting protocol to manipulate a favorable outcome of the election results. I have no reasonable expectation to believe a full confession will be forthcoming to afford you with the only apparent acceptable reason to proceed.

My question back to you is, based on the credibility of all the information that I've supplied to you after many years of countless hours of exhaustive research of courthouse records, resource materials, and the Declaration and By-laws of the Harbours Homeowners Association, would cause you to believe that I have diversified from our mutual pursuit of the truth and risk the integrity of my good name and character to mislead others of common cause to represent themselves as malcontents and dissidents in a foolish exercise that ultimately would subject them to more public scorn and humiliation? I have spoon fed you with enough information to take the necessary steps to proceed in a manner that would demonstrate your duly accepted responsibility to protect the interest and well being of this community.

On May 11, 2013, at 4:11 PM, Phila3224@bellsouth.net wrote:

Kathy:
The key part of your concern is that you feel "there should not be any voters for those Units" (412 and 505). I am not sure that is correct. The tax records of Clark Cty show J P Morgan Chase Bank as the owner of 505 and the First Capital Bank of Kentucky the owner of 412. Clark Cty

takes about 2-3 monhs to update their records. Our Bylaws allow Corporations to vote. They just need to assign an Authorized Voting Rep. [former property manager] said that the new owners requested ballots. The "new owners" could have been the banks. I can understand you suspicion, but why do you feel a bank cannot vote?
Fred

From: Kathy Bupp <kathybupp1@icloud.com>
To: "Charles chuck@chuckfugate.com" <chuck@chuckfugate.com>
Cc: Tom Pike <THOMASHPIKE@cs.com>; Betty Cantrell <bettycan@insightbb.com>; "Nora B pagetwo@bellsouth.net" <pagetwo@bellsouth.net>; "Charles chuck@chuckfugate.com" <chuck@chuckfugate.com>; "Marty patokapirate@gmail.com" <patokapirate@gmail.com>; "blackdodgeviper@insightbb.com" <blackdodgeviper@insightbb.com>; "Sheila sheilalrudder@yahoo.com" <sheilalrudder@yahoo.com>; Bob Ferguson <solivagant001@reagan.com>; "flamingosandy@rocketmail.com flamingosandy@rocketmail.com" <flamingosandy@rocketmail.com>; "phila3224@bellsouth.net phila3224@bellsouth.net" <phila3224@bellsouth.net>; Sally Miller <Sally.Miller@atg.in.gov>; "jennie.beller@atg.in.gov" <jennie.beller@atg.in.gov>
Sent: Sat, May 11, 2013 9:42:26 AM
Subject: Re: A traveler's guide to a new destination: Part 1

What's wrong with You people? It's time to speak up. Please don't tell me you are going to accept this answer and his cavalier attitude. Obviously he could not have checked because there should not be any voters for those units. I'm not letting this go and I'd appreciate a few of you standing up and demanding and answer.

Sent from my iPad

On May 11, 2013, at 9:26 AM, Kathy Bupp <kathybupp1@icloud.com> wrote:

The point is Russ, there should NOT be any designated voters for those units, and your email to Thom indicated that [former property manager] told you a new owner bought those units and they had asked for ballots. Forgive me but you have two serious problems on hand. Was there or was there not a designated voter for the unit.

The two contacts I gave you both said that a ballot was not requested for those units. Somebody is lying. We need to know who. This matter is not settled until we get some answers. If its the money that's an issue I told you I will personally pay for an investigation verifying every proxy assignment and vote cast in Special Election Ballot Number One.

Sent from my iPad

On May 11, 2013, at 6:55 AM, Russ Johnson <thedaylily@insightbb.com> wrote:

I checked further and found who the designated voters were for the units. I did not find anything out of order.
Russ Johnson

Sent from my iPad

On May 11, 2013, at 1:50 AM, Kathy Bupp <kathybuppl@yahoo.com> wrote:

Russ,

On Monday May the 6th I sent you an email regarding the election that was obviously compromised. To date I have not gotten a response from you regarding this matter of great importance and concern to this community.

I understand and appreciate that you asked [former property manager] for any information she may have had on several units in question, two of which were units that have been in foreclosure proceedings. She told you that the units had been sold to new owners who had requested a ballot. It has been verified that neither of those units were in the hands of new owners and furthermore it has been verified by the realtor handling the sale of 505, that the potential new owner DID NOT ask for a ballot as you were told by [former property manager] the property manager. Unit 412 is still held by The First Bank of Kentucky and according to Sharon Hall the banks representative, the pending owner/investor DID NOT request a ballot.

I believe that you are a man of integrity and are as eager as any of us to get this community back on track. I have supplied you with sufficient evidence in my first set of emails that clearly demonstrates that the election process was compromised. This is a serious allegation and its inconceivable to me that you have intentionally chosen to disregard my request and the request of other homeowners in answering the concerns generated by the irregularities of the recent recall election.

There are so many levels of logic and reason that have to be abandoned to believe that the election was executed properly. Does it make any sense to you that Kevin Zipperle, the subject of ballot one, was so cavalier about the fate of his coveted power seat, that he sat through the duration of the extended voting period and then became startled that the vote was suddenly closing catching him off guard and ill prepared to turn in his full count of votes.. Doesn't it seem more likely that he should have been the first one to cast all the votes held in his possession and to make sure that every detail of those authorized proxies were qualified well in advance so that he could cast them as soon as he walked in with them? He was the ONLY ONE that had such a dilemma AND he was the subject of the vote. What about this is unclear. You have information that elevates what was awkwardly suspicious to blatantly compromised.

If there is ONLY one forged proxy that Kevin held it is ridiculously naive to believe that there was only one, or two, or however many he thought he needed

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Monday, May 06, 2013 10:41 AM
To: thedaylily@insightbb.com
Cc: Tom Pike; Betty Cantrell; Nora B pagetwo@bellsouth.net; Charles chuck@chuckfugate.com; Marty patokapirate@gmail.com; blackdodgeviper@insightbb.com; Sheila sheilalrudder@yahoo.com
Subject: A traveler's guide to a new destination: Part 1

Dear Russ

Let me begin by saying that I respect you and the fresh positive direction you desire to take the residents of this community. That certainly hasn't happened in the past five years since I've been here. I suspect that somewhere along the way, though we've met, my name's come up. To the people that don't really know me, I can't imagine what's been said. To the people that do know me I believe you'll get a more accurate description of who I really am..... warts and all. I'll leave you to draw your own conclusions about my character, my motives and my passionate involvement in the ongoing trouble that has plagued this community and its residents. I implore your patience and appeal to your sense of reason and logic to graciously hear me out.

I respectfully endorse and support your unwavering determination to turn this ship around and sail in a new and positive direction. I wholeheartedly believe that no matter which side of the fence you fall on, "everyone" wants the same thing. How to get there, is a whole different matter depending on who you ask. For the purpose of this message, I pray you will ponder what I have to say and receive it in the spirit of good for which it is intentioned.

We all know that dwelling on the past can be a crippling stumbling block to moving forward. However, sometimes it takes reconciling the past before being able to move forward effectively. You can only sweep things under the carpet for so long. No matter if you're looking behind or looking forward your eyes can only be focused on one of them at a time. Is there any benefit in looking back before moving forward? Checking your rear view mirror before jumping out into oncoming traffic, keeps you from being blindsided, slammed and wrecked before you ever get started. Looking in the rear view mirror of the past is as important as moving forward because you'll never get where you want to go if you wreck the vehicle that you were going to use to get you to your destination.

I know that you tire of hearing the " historical accounts " of all the war stories because you would rather focus on where you want to go and how good it's going to be when we all get there, and rightly so. However, what you may view as counter productive rambling that just rehashes the same old worn out arguments that everyone gets sick of hearing, to the people that are living it in the stress of harassment, aggression and libelous character assassination, "hearing" what they have to say is as important to them as it is to anyone else. To stop them in the middle of what they are trying to tell you is somewhat disrespectful and callous because you represent all of these people as well. You treat them like stupid children when you stop them and tell them you don't want to hear it. They have been falsely accused of being "the bad guys" and publicly labeled by Kevin as dissidents and malcontents. They pay their

dues and live here like everyone else but they are constantly being attacked and scorned by their neighbors. Does the quality of their life matter any less than the other residents? Everyone wants the same thing. So why does it look so different to some than to others? The view from the top is different from the view in the valley. The cardinal rule and pre-requisite to accomplishing genuine change is this:

YOU CAN NOT CHANGE WHAT YOU DO NOT ACKNOWLEDGE

Allow me to explain the significance of Kevin's tactics in the broader scheme of things. It's not a complicated plan to pull off. As a matter of fact, it's almost too simplistic to believe it can be effective, but it's been a bullet proof system that's kept Kevin above the fray of suspicion by the people who have been lulled into trusting him. If he can successfully convince his supporters that the messengers are nut cases, he'll never have to worry about anyone taking these people seriously. The Paul Revere "whistleblowers" will NEVER have the ear of reasonable people who see Kevin as a tireless committed volunteer who has been a dependable and trustworthy caretaker. He's always been there to get them what they need, to take care of them any way possible and make their lives a whole lot easier. He does that by giving away what is not his to give away. He keeps them happy to keep them away. Kevin keeps them in the dark to keep himself above suspicion. He has convinced his supporters that he is above reproach because everything they see is good. They really don't care what anyone else is saying. Everything's good with them and that's all they care about. As a general rule people don't like controversy and don't voluntarily throw themselves into the middle of an argument or problems especially when it doesn't appear to have any benefit to their life. Besides, they run the risk of disturbing and upsetting a perfectly good arrangement, unless they can be convinced that by doing nothing they're going to lose it anyway.

None of these people are going to believe an accusation that Kevin's received undue enrichment because of his "insider's" connection because of his position on the board if it's going to screw up their own personal situation. All they hear is nothing more than the same ridiculous rhetoric from the people that are always causing problems. Kevin has to deal with these misfits every single day. He's a saint. Who else would do what he does? He's taking one for the team. In the most arrogant manner, he accepts all the adulation with an "awe shucks" act, saying "it's just part of the job of a responsible board member. I'm the one that represents authority. Some people have a real problem with authority and they'll never be happy."

In his own distorted point of view, he believes every word of what he says and in the absence of anyone challenging his authority he presumes it's an unspoken endorsement of what he believes he's entitled to anyway. He keeps doing what he does.....because he can. Like a kid in a candy store.

You know, a black sock and a navy blue sock look the same in a dark closet. You have to pull them out into the light to tell the difference. The dissidents and malcontents have already done that. They know the difference. There's a lot of people walking around here with one black

sock and one navy blue sock because they didn't and don't bother to check.

So far I've told you nothing to justify my position but without your willingness to hear what's happened in the past, you'll never be able to truly understand what has plagued this community from the very beginning. Much of what I want to show you has very little to do with speculation, but a lot to do with what the facts reveal. Each part is significant to the whole picture. It clearly defines Kevin's motives and the opportunities he's had to take whatever he's wanted. I will take them one at a time so it will be easier to tie them all together in the end.

Before I begin I'm going to close this Part 1 email. Part 2 will start in the next email you receive from me. Please bare with me and hear me out. If you choose not to do anything at least you'll have a cohesive bit of information that you might find useful in the future.

Sent from my iPad

EMAIL 014

From: Kathy Bupp <kathybupp1@icloud.com>
Sent: Saturday, May 11, 2013 3:25 PM
To: Thomas Pike
Cc: chuck@chuckfugate.com; bettycan@insightbb.com; pagetwo@bellsouth.net; patokapirate@gmail.com; blackdodgeviper@insightbb.com; sheilalrudder@yahoo.com; solivagant001@reagan.com; flamingosandy@rocketmail.com; phila3224@bellsouth.net; Miller, Sally; Beller, Jennie
Subject: Re: A traveler's guide to a new destination: Part 1

BTW, The bank representative for 412, Sharon Hall confirmed that First Bank of Kentucky still holds the deed and that NO ONE called to request a ballot. Janeese Rusby, a Harbours resident is the sales agent for 505 and verified that the bank is still the owner of record. Because of the water damage in 505 the sale was not closed that that had originally been scheduled for a week ago last Friday. Even if it had closed as per the schedule closing date it still would not have been prior to the April 25th meeting. She confirmed that NO ONE called to request a ballot.

From: Kathy Bupp <kathybupp1@icloud.com>
Sent: Saturday, May 11, 2013 3:17 PM
To: Thomas Pike
Cc: Charles chuck@chuckfugate.com; Betty Cantrell; Nora B pagetwo@bellsouth.net; Marty patokapirate@gmail.com; Paul blackdodgeviper@insightbb.com; Sheila sheilalrudder@yahoo.com; Bob Ferguson; flamingosandy@rocketmail.com; flamingosandy@rocketmail.com; phila3224@bellsouth.net; phila3224@bellsouth.net; Miller, Sally; Beller, Jennie
Subject: Re: : A traveler's guide to a new destination: Part 1

Very good Dahling!!! I trust this was sent to Mr. Johnson

himself. You must learn this about me (not necessarily like it), when I am convicted about something I'll fight hell to get to the bottom of it, because I don't jump in the deep end if I don't know how to swim. Bring it on.....this is too big to walk away from. LET'S ROLL!!!!

On May 11, 2013, at 11:00 AM, Thomas Pike wrote:

My understanding (designated voter, what ever you call it)

1. you must be on the deed to even be considered a spokesperson, designated voter....owner of record...whatever for that unit.
2. if more than two names are on the deed, all others must sign off and declare who on the deed will vote (husband or wife, CEO or president of the LLC...). If only one person STOP here. That person is the sole owner and voter for the unit.
3. the person named from step one and two can now render a proxy, attorney in fact,...whatever to whom ever they choose.
4. revocation of any of the above must be in writing (paper towel, bar napkin....who cares as long as it has all signatures).

At the courthouse, if BB&T is the deeded owner of #412, somewhere a document exist from BB&T with a name and signature of the representative designated by the bank to act on all matters for this unit (negotiate deals...). You find that document, confirm that person exists and acts on behalf (works for them) of BB&T, call them and ask did they vote or give a proxy for someone to vote. If so, show me that document.

Ditto for #505 and zipperle's unit #310 that is claimed to be his unit again via quit claim deed from owner who defaulted on a note held by zipperle. Prove to me his name is now on the deed and he can vote for that unit. Until then, she is the deeded owner of record. If she signed a quit claim as he has stated to someone, it is not recorded at the courthouse when we looked and he must show it, have it verified through the accountants.

A final note. Wade Morgan turned in a proxy at the front office allowing me to vote for #511. It wasn't until I called him I knew of this. He stated he gave it to "the gal in the office". [Former office assistant] told me she knew nothing about it but would ask [former property manager]. Later I was told [former property manager] made a copy of it and sent the original to the accountant. I was given a copy from [former property manager's] files. The sanctity of the private vote was violated. [Former property manager] was/is/does accumulate a tally list of who is voting for who in the office. That is a breach of all voting protocol. Many speculate the late evenings in her office with zipperle included sharing this information and keeping a tally of percentages needed for his victory. Sounds like days of [former property manager].

Shempf Real Estate needs to be fired; NOW! They are not controlling THEIR employee. [Former property manager] is an employee of Shempf who is a consultant for The Harbours. They are contracted to run the "operations" of the building. They have now been contracted to "record

the financial activity" of our affairs. THEY ARE NOT ENGAGED TO RUN OUR ELECTIONS, INVOLVE THEMSELVES ANY WAY IN POLITICS OF THE HOA. We paid an accounting firm a pretty good fee to do that...NOT SHEMAFF OR [former property manager]. [Former property manager] has proven to not be employable by the HOA based on her activities and statements made while acting as a consultant. The extra bad news...Russ Johnson appointed her CHAIR OF THE FINANCE COMMITTEE. Really? Really? Come on Russ. We have degreed accountants in this building. WE HAVE CERTIFIED PUBLIC ACCOUNTANT(S) IN THIS BUILDING. What are you scared of? Make the right choice. It's not complicated!!!! Is zipperle running this building or you?

Thomas Pike
thomashpike@cs.com

EMAIL 015

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Friday, May 03, 2013 1:06 AM
To: louisborn@aol.com louisborn@aol.com
Cc: Betty Cantrell; Nora B pagetwo@bellsouth.net;
blackdodgeviper@insightbb.com; phila3224@bellsouth.net
phila3224@bellsouth.net; Sheila sheilalrudder@yahoo.com; Bob Ferguson;
Charles chuck@chuckfugate.com
Subject: Bologna

Follow Up Flag: Follow up
Flag Status: Completed

I still think there was bologna in that election and I'm not going to pass on it until there are basic questions answered about the election results that don't add up. The units in foreclosure, the AT&T Townhouse and unit 310 are easy targets if one wanted to forge a proxy assignment.

Consider that a hostile take over is at hand and the % of stock ownership will determine the fate of the corporation. At the final % tally count it appears that the hostile takeover has been successfully accomplished. However a casual look at the results reveals a high probability of irregularities that don't add up when the critical variables are taken into consideration. The winning competitor will not challenge the results but the stock owners representing the losing entity suspect foul play and are entitled to challenge the validity of several of the stock's true owners. Knowing in advance that there are stocks that due to their status at the time of the election render them void to either party, those are the ones to choose as a test sample to challenge the validity of ownership.

Rather than suffer significant risk on many levels and additional expense to the other stock owners you design an inquiry that outlines criteria that narrows the perimeters to a measurable calculation that will determine whether further investigation is merited. In that process, the decision to take the investigation further is determined by whether there was a valid transfer of ownership and thus a reversal from ineligible

status to an eligible status by verifying ownership on the stock that was previously suspended in limbo. Each selected stock carries a % percentage value and if the selected sample has a high enough % that would change the outcome of the takeover, then it would create reasonable and sufficient evidence to justify taking the inquiry to the next level of investigation.

Now transfer those arguments to our election. Based on the measure of percentage value per vote, any value assessed to retain Kevin that can be reasonably challenged and thus reverse the outcome by a significant measure should be pursued. The sample units would be all those in foreclosure, the AT&T townhouse, and Laura Endsley's unit # 310 that she was forced to sign a quick claim deed over to Kevin as the lender for delinquent HOA fees. Based on the accumulated %, if the value is significant enough to reverse the election results then I believe we should move forward. Thom Pike contacted Russ Johnson and ask him to submit an inquiry to the accounting firm regarding those units. Russ made the inquiry to the accounting firm and their response was a refusal to provide the information based on the privacy standard. They said any such information would only be provided at the request of an attorney.

First comes the issue of who has the right to the authority of privacy? Is the standard of privacy stipulated by the authority of the voting entity (the HOA) or the authority of the counting/result reporting entity (the accounting firm) or both. Do they hold equal rights to the authority of privacy? Stated differently, does the BOD of the HOA have the right to make the inquiry to the accounting firm only to reveal whether a vote was cast for those particular specified units. The inquiry would not reveal who voted, how they voted or the eligibility of the voter. Based on just the info of whether a vote for that unit was cast, you have established a reasonable measure to calculate the risk of taking the investigation to the next level. Can the accounting firm deny that information to the BOD if there is reasonable cause to prove fraud? Can fraud be proven?

If that information can/ will not be provided by the accounting firm, isn't there a means of verification for designated voters other than what is available through the accounting firm? If so, then the question becomes, "is there a designated voter assigned to the units in question?"

Once you have that information then you can ask that the designated voter be validated. Even if one was proven to be invalid and voted by an unassigned proxy, you have established that there is just cause for investigation. If the foreclosures at the time of the elections and the AT&T townhouse showed activity, you can bet your bottom dollar the assignment isn't valid.

I am not of the persuasion that isolating Kevin is sufficient to neuter him. Here's why. I guarantee Kevin doesn't consider that he won by a very slim margin. His psychopathic past behavior doesn't support any reason to make that assumption. This is what he took away from that election. "I won this election and I've won every election before that. All the people who waged this failed attempt to remove me just prove that I am being persecuted by the State and everything I've been accused of is a lie."

He gains credibility for his position and we lose credibility for ours. Remember that the slim margin never happened. He gained a whole new level of steam, that in his mind is justification for him to be "given back" his power (not happening) or worse and his predictable behavior, he will TAKE IT BACK. The suspicious outcome and all the red flags are all the proof you need for his "the end justifies the means" mentality especially when you acknowledge that he believes he's been removed from positions that are HIS and he earned them and nobody has the right to take them away. He thinks he has a winning power base because he doesn't think there is anything wrong with doing whatever it took to win.

Kevin initiated a deal to drop his case against Chuck if we dropped the case against him just days before the election. You don't offer up a deal if you are confident you are going to win. With that deal rejected, he had to do whatever it took to MAKE it happen. Need proof....what the heck was he doing holding on to votes 10 minutes after the vote was closed. Explain why he has told his deaf dumb and blind followers that what REALLY happened was that [former property manager] was supposed to bring his "papers"??? But she forgot them so he had to call Debbie to rush them over.

Question?? Why didn't [former property manager] who doesn't have a vote, get "herself" back to the office to get the "papers" she forgot to bring according to Kevin. Where were these "papers"? In [former property manager's] office? How would Debbie Zipperle be able to get them? Are we to assume that these important "papers" were left on [former office assistant's] desk that she would've had to walk by as she left to go to the meeting? [Former property manager], who should not have an opinion, made it clear that she thought Chuck was incompetent and Kevin was the personification of all things good and wonderful. Which begs the question what does he do in her office everyday when she comes in and what were they doing two nights before the election that kept them busy until 12:30am. What records, information, files did he have access to if he had the favor of the person who held the keys?

A moron would catch this. It's not hard or complicated. The process is manipulated to be complicated to discourage you.

So, I appeal to you Louis to break down every part of my theory and tell me where my argument is weak or insufficiently substantiated. You are the smartest analytical mind that I trust to intellectually challenge my arguments. What questions should we be asking? What questions not to bring up? Where are the flaws or the missing elements to form a substantial basis to establish support for the argument? I am going to forward this to others to get their take on it. We have an opportunity tomorrow to use up our last ticket because Thom's response from Russ was just received this evening. He is going to send it to me to attempt to word the request with the punch necessary to get the information we're after. There is an opportunity to get questions answered without costing the HOA money that the accounting firm would charge to conduct a full blown recall protest.

I'll shut up if the argument to shut up is better than the argument to press on.

Talk to me!!!!

Sent from my iPad

EMAIL 016

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Friday, March 22, 2013 12:58 AM
To: Miller, Sally; Beller, Jennie

You may already know, but it's come to my attention that the accounting firm that was managing the books for the HOA is no longer providing that service. It is uncertain why they stopped and uncertain who has been assigned that duty. Please check out Nora Strohm's post on Facebook yesterday that compared our HOA fees to several local condominiums. While the fees are in line with those properties, it is alarming when you read what amenities and services are included in their HOA fees. Where is all this money going. Chuck, the new treasurer that we supported, is unwilling to ask for the records to be returned. He has been told that its all old stuff and we don't need it anyway. He doesn't seem to know where the records are.

Nobody knows anything. Kevin Zipperle has petitioned for a special meeting to have Chuck removed from the board and has been very busy convincing his loyal supporters that Chuck has used improper measures to get himself elected. Who the hell knows what KZ is talking about. The man hadn't served one day when Kevin filed the petition. Naturally Chuck doesn't want to sneeze in the wrong direction until this passes which now has been postponed until April. The "town meeting" that was held instead of the special meeting last night did little to build confidence that attitudes are moving in a favorable position.

Thom Pike has been in touch with several board members who have convinced him that we should trust the board and let things work themselves out. The board president made it very clear that he doesn't intend to ever have open board meetings. He approaches everything with the attitude that the malcontents are going to erupt into a bar room brawl every time they get in the same room. He's been fed by Kevin when it comes to creating the hostility between the two groups. It's hard to believe that this is ever going to change. It is wearisome.

I spoke up last night about the cameras. I want to know who has access to those cameras and if they are monitored by anyone outside of the property manager and the board president. He clearly didn't have a clue nor could he answer why Kevin was in the office after hours even though he claims to have the only key. It makes you want to pull your hair out.

How are these people getting away with this? Every time this story is told the comments are, "they can't do that, it's against the law." There are stories of people being prosecuted for less serious infractions making this case even more outrageous and frustrating. My head is on the chopping block because I pressed for an answer on the camera situation

and a group of biddies sitting in the back of the room with Mary Lou and Sharon said " if your not breaking the law why should you care about it". Then another smartass spoke up from the back of the room and said, "who is allowed to talk" and me being the quiet little wallflower that I am turned to him and said, "are you talking about me? I'm here as a proxy representative and I am in the process of making a purchase (I worded that carefully to let him draw his own conclusions) He said, "I was just asking" and I said , "now you know". They are small town idiots that don't know when to keep their mouths shut, but every time they do it gives us the advantage of knowing what they're thinking.

We signed a lease to move into the townhouses so I won't have to come in this building for anything. It's two town homes combined. It's huge. Kevin thinks we're buying it and its driving him crazy because its the second largest property in the % vote. The owner knows what's going on and why we want to wait another year before we buy.

It's already been announced that the new place is the clubhouse for the malcontents!! Sorry to go on and on...just like to keep you in the know!

On a funnier note, Kathy Quiggens is stalking Sheila and telling her that she is so upset that Sheila won't talk to her anymore that she's had to be hospitalized. I hope they keep her there for a while. She got nabbed in a lie last week when the board accused Chuck of letting it out of the bag that Kevin was bringing Marvin back as a security guard. Kathy Q was afraid to tell the truth that she was the one that told and when she refused to come clean Sheila told on her. You can't make this stuff up. At least there's always something to laugh about!!

Have a great weekend!

Sent from my iPad

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Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 017

From: Kathy Bupp <kathybupp1@yahoo.com>

Sent: Tuesday, March 19, 2013 12:08 PM

To: Beller, Jennie

Subject: Re:

Thanks Jennie,

I wasn't sure what the correct term was as in "Affirmative Defenses". I was too lazy to get up and find the document, so "guilty" came to mind.....synonymous with these people. I had felt that what you described was exactly what was going to happen in April. Since it's a matter of public record is it okay with you if I extract the information to put in an email? I don't want to advertise that I emailed you so as not to give the impression that everyone should start sending emails with

every comment and question. I would say that I looked into what the April court date was about to clarify what is going to happen on that day. Is that okay with you? Also, why is it still in Clark County when a change of venue motion was granted? I think your answer clarifies that by saying that the case is in the discovery phase, which I assume means that the case is in an ongoing process of being specifically defined to strengthen the case. Once you have established that you have clarified the ambiguous positions, then the case will be ready for the court proceedings to be scheduled, which has been moved to Floyd County. Is that correct?

With regard to the case having merit, remember who is saying it. He lives in his own world where he decides which laws apply to him and which ones do not. He spends the rest of his time selling his opinion as fact. He is really heating up his campaign by going to homeowners face to face to make his case, knowing that it may be more uncomfortable to turn him down if he is standing right in front of them.

Have a good one!!!

On Mar 19, 2013, at 10:48 AM, Beller, Jennie wrote:

Kathy,

With regard to the April court date, it is a hearing on the State's Motion to Strike Affirmative Defenses and the State's Motion for a More Definite Statement. In short, when the Defendants filed their Answer, it contained what are called Affirmative Defenses (complete or partial defenses to a civil claim). Some of those defenses, the State has moved to strike. Other of the defenses seemed unclear on how they applied, so the State moved for a more definite statement. These are not unusual motions. The judge will hear argument on both sides and then decide whether or not to grant the motions. There will be no witnesses, just lawyers arguing.

Right now, the case is in the "discovery" phase. This means both sides have the opportunity to conduct depositions, serve interrogatories, and use other methods of discovery to complete their case. The case is not lying dormant. Litigation is a slow and tedious process.

With regard to whether or not the State's case has merit, it isn't the Defendants' attorney who gets to decide that issue. It is a judge who decides.

All of this is public record or general information and is not confidential.

Jennie

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Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Monday, March 18, 2013 9:29 PM
To: Miller, Sally; Beller, Jennie

Question: Is the upcoming April court date in Clark County with Judge Jerry Jacobi presiding, simply a formal exchange of their answers to your request to expand on answers that they provided a simple "not guilty" response. Many are under the impression that the formal case will begin on that date, back in Clark County, with that judge. in Clark .There is no additional information posted to the court record that indicates the case was moved back into Clark County in Jerry Jacobi's courtroom. With an answer from your office I will respond individually by saying " I think it DOES mean that the actual case begins at that time" or " I DON'T think the case begins at that time"

Sheila told me as a matter of confidentiality that she knows something that the Quiggens's did with Kevin Zipperle that is far more serious than anything that has been reported and that it's criminal in nature . She didn't tell me what it was but if and when I do find out I will be sending it to you immediately without regard for protecting Sheila's promise of confidentiality.

Were you able to look in your files to see if you had the information I sent several months ago that charted the progression of events regarding a \$25,000 mortgage issued by the developer to Ken and Kathy Quiggins on property that had already been purchased and occupied by another owner? I have the chart but would want to go to the courthouse and get copies of all the documents. Kathy Quiggins has mentioned in one of her delusional rantings that someone at the property records office is making comments and communicating with someone here, possibly to KQ , when I come to get court records.

It concerns me because Betty Cantrell once reported that records had disappeared after leaving them in the hands of a kid named Vissing. Is it possible that a recorded county property file could be manipulated by extracting a document from the property record and then be replaced and re-entered with a different document? We have been told for several years that Kevin has a snitch at the courthouse. He is so devious I believe he would resort to any means necessary to get what he wants.

Also, his little group has been actively soliciting support for a petition that says that the owners signing it don't believe Kevin should be removed from the board in deference to the State's case and it's possible outcome. He obtains the support signatures by indicating that it is a witch hunt without merit and none of it is valid, which he adds, is supported by his legal counsel that continues to be paid with HOA funds. I am attaching for your record the topics to be covered at the "Town Meeting" which has been substituted for the special meeting that was scheduled but has been rescheduled for April 25th. WHY ? I have no idea but I'm sure they had a reason in mind.

For your eyes only! KKB

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Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 018

From: Kathy Bupp <kathybuppl@yahoo.com>

Sent: Monday, March 11, 2013 1:48 PM

To: Beller, Jennie

Subject: Re:

Thanks Jennie,

With regard to the mortgage fraud, I knew that I would not have access to the records that are needed to "prove" the case, but was told that if I supplied a federal prosecutor with the information that I do have that they would take it from there. The mortgagee fraud case that just convicted 8 people was interesting because one of the guys that was convicted lived in the building during the dates that the mortgages were written. What I'm not sure about is whether the fraudulent mortgage would tie back to the mortgagee, as in Frank Prell and Kevin Zipperle.

Just for your information, Gary Davis's wife is on the board and has always been a Kevin supporter. She's always been friendly to me in what I believe to be a genuine way. I gave her a ride home from Buckheads the other night and she commented on the email that I sent to all the directors about Kevin's comments to me about unlicensed psychoanalysis. She thought it was funny. It opened up dialogue regarding Kevin. She volunteered that the board, including herself realized what a problem and liability he has become for the HOA and that they are seriously and actively trying to get him to resign. She lives on the 11th floor as well and when I stopped at my door I said, "just like this deal he did next door" and she said he continues to say he did nothing wrong on that deal and there is no way that he can be found guilty of anything. Just thought I'd pass that along.

Thanks Again!!!

On Mar 11, 2013, at 9:17 AM, Beller, Jennie wrote:

Kathy,

Congratulations on being considered for the building and planning board!

With regard to whether or not the FBI or local authorities are investigating the mortgage fraud in this case, I do not have that information, nor would I be able to comment on it. With regard to you doing any independent investigation, if I were you, I would not waste my time. The issue with mortgage fraud is that 99.9% of the time, the fraud is not in the public records. The evidence of fraud is located in the records of the mortgage originator, the bank, or the closing company, none of which will allow you access.

The Homeowner Protection Unit is authorized to work with other agencies who may be pursuing criminal investigations. We often turn over information we uncover to other agencies. Sometimes they pick it up and run with it, other times they don't.

I hope this addresses your concerns.

Jennie

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Monday, March 11, 2013 2:50 AM
To: Miller, Sally; Beller, Jennie
Subject:

I would keep this string of emails for any of the opponents of HB1084. This is just one example why the bill is so important for homeowners stuck under the control of these types who think they have an exclusive right to dictate the terms of every action taken concerning the welfare of the HOA. As previously stated, there is NOTHING that should be kept from the other members of the association. Literally everything that's clandestine is kept that way for a reason. There is a difference between protecting sensitive information and general information concerning the other members of the association. If they adapted a transparent approach of communication they would eliminate most of their problems. There will always be "know-it-all do gooders" in every association. They would have fewer opportunities to fuel their craziness if everyone had access to the same information.

I have found that when people want to keep their work protected from scrutiny, it's generally to conceal their incompetence. The opponents of the bill that spoke at the hearing last week aren't addressing the "real" issue by focusing on "how much extra work" there would be and how "costly" it could become. They were the best example of why the bill is so important. I respect a person being dedicated as a volunteer to any given area of involvement and applaud an effort to be informed. However when their "expertise" contributes to the detriment of those they are serving then there has to be a "stop" in place to realign the management and leadership styles of everyone driving the bus. If the opponents of the bill ever found themselves on the other side of the fence they'd be the first ones knocking your door down to get help.

We are living in a different world with different rules. You can't do business on a handshake and you can't assume everyone will do the right thing. It's an unfortunate consequence of the abusers, the users and opportunists that have skewed the way we interact with one another. In a perfect world there wouldn't be a need for an agency of authority to intervene.

I have put together some of my ideas that I would like to be considered in any future conversations about the management of HOA's. I am putting them together in an organized fashion to send to you soon. However, one of my ideas is to differentiate "types" of property governed by

Homeowner's Associations. A patio home village is different than a large neighborhood home development that maintains a clubhouse, a pool and common way landscaping, and both are completely different from a horizontal property regime. There are real concerns for homeowner's protection at every level and I suspect that as the economy drives the population to these community type options for housing the issues are going to be more pervasive.

In closing, could you please give me an indication of sorts as to whether there is already an active Federal investigation into the questionable mortgages that have been included in your case. I don't want to spend time getting it all together to take to the Federal prosecutor if it's already being handled. The article that I read regarding the case I mentioned in my last email states that "According to court records, between October 22, 2010 and December 31, 2010, the defendants caused fraudulent loans to be written in the amount of \$118,000." That particular portion of the suit was in regard to automobile loans, but it leads me to believe that the financial threshold doesn't have to exceed a million plus to warrant their prosecutable interest.

Also, the mayor called me on Friday and wants me to sit on the building and planning board for the city. I'm attending an annual Republican Dinner tomorrow night and told him I would discuss it with him there. The timing is curious since I had just been in that department that same day looking for the information on the resolution of the stop work order permit that was put on the wall between 1103/1104. The mayor's office is right in front of the building commission office and I had planned to stop by his office to say hello but I was running short on time and knew I would get sidetracked if I did. Anyway, I thought I'd share that with you. I'll let you know how that goes.

Have a great week!

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Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 019

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Saturday, March 09, 2013 6:48 AM
To: Beller, Jennie; Miller, Sally
Subject: Re: Maintenance Plan Proposal

This is from Mr. Kathy Quiggins. They're a matched set.

On Mar 8, 2013, at 5:39 PM, Kenquiggins@aol.com wrote:

From: Kenquiggins@aol.com
To: blackdodgeviper@insightbb.com, laura.cushing@insightbb.com, solivagant001@reagan.com, kzipperle@win.net, thedaylily@insightbb.com,

kimjbrewerdavis@insightbb.com, kathymathews@gmail.com,
pagetwo@bellsouth.net
Sent: 3/8/2013 5:00:01 P.M. Eastern Standard Time
Subj: Fwd: Maintenance Plan Proposal

Paul and everyone else that was copied on this E-Mail. Number one we have a GREAT Maintenance Supervisor By the Name of [former maintenance manager] who knows more about this building than you or anyone else will ever know. Plus he has always had Kevin Zipperle helping him to get to the real problems that we have. This building is not falling apart. And it is up to our Maintenance Supervisor (Who has been here since this building was constructed) to come up with a Maintenance plan for his people on a daily basis. Not some committee like the Building and Grounds that may meet every so often. The building and Grounds committee comes up with what MAJOR Maintenance problems need to be addressed and then they report that to the Board of Directors who then has to vote on what gets done when, where and at what cost. NOBODY on the Building and Grounds Committee has any LAST say on anything because this is a community not a dictatorship. It has been working fine up to this point and I do not see that we need to change the way it is done. It's not falling apart. And like we ALL knew before you came on the committee we have the Reserve Study to somewhat guide us on what may have to be done and at what cost and when. It is not 100% but at least it is a guide.

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Tuesday, March 05, 2013 4:32 PM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: Maintenance Plan Proposal

Sent from my iPad

Begin forwarded message:
From: solivagant001@reagan.com
Date: March 4, 2013, 11:07:23 PM EST
To: "Kathy Bupp" <kathybuppl@yahoo.com>
Subject: Re: Maintenance Plan Proposal
Wow! This sounds like it was written by Ayn Rand. I can't wait to read Chapter 2.

-----Original Message-----
From: "Kathy Bupp" <kathybuppl@yahoo.com>
Sent: Monday, March 4, 2013 10:17pm
To: "Paul Ranney" <blackdodgeviper@insightbb.com>
Cc: "kzipperle@win.net" <kzipperle@win.net>, "laura cushing" <laura.cushing@insightbb.com>, "Bob Ferguson" <solivagant001@reagan.com>, "kenquiggins" <kenquiggins@aol.com>, "thedaylily" <thedaylily@insightbb.com>, "kimjbrewerdavis" <kimjbrewerdavis@insightbb.com>, "Kathy Mathews" <kathy.mathews@gmail.com>, "Phila3224@bellsouth.net" <phila3224@bellsouth.net>, "jdinelle@wesco.com" <jdinelle@wesco.com>
Subject: Re: Maintenance Plan Proposal

With so many pressing concerns it seems that the opportunity to delegate to a competent man such as Paul, would be welcomed and encouraged. Would you rather have [former maintenance manager] wait and try to find something to keep himself busy until you can get around to it. It is foolish to assume that Paul's intention is to exclude [former maintenance manager] from the work that clearly needs to be done. However it is important to remember that all of the employees serve at the will of their employer. [Former maintenance manager] and his crew work for all the contributing members of the association. The machine works best when all the wheels are rolling in the same direction. It is counterproductive to purposely take the thing apart and leave all the pieces lying on the floor.

Kevin needs to understand that he does NOT have the exclusive responsibility of delegating work and deciding who what when where and why of the massive task of managing the building and grounds committee. It is obvious he has failed miserably at accomplishing anything constructive or positive on his watch. Discussion and digestion of the same old tired, go nowhere do nothing plan of action is over. Everyone agrees that DOING SOMETHING is better than waiting for the urgent to dictate what needs to be done next. This is not brain surgery and you are not a surgeon. KEVIN ZIPPERLE ...GET OUT OF THE WAY!!! Your contribution to this Association will forever bear the scourges of your self serving, opportunistic destruction of a community that has been lulled into complacency while you manipulated just about everything you could get your hands on. Some see you as a tireless worker willing to devote ALL your time and attention to endless hours of whatever it takes. The fox is in the hen house, the carpet baggers are in the south, Capone is in your bank and its all wrapped up with a nice little bow of trust and sadly for some, a day of disappointment and heartache is looming right around the corner.

Perhaps you began with good intentions but the lure of power and greed have consumed the best part of you. A community is best when all members are healthy and "invested". This a place called home, a safe place at the end of the day. All should benefit by the contribution of who have something of value to to contribute. By holding on with a unyielding fist you rob others of the opportunity to take the best of who they are and fold it into the tapestry of vibrant community. We are crippled by a phantom demon that won't allow success of any kind if its source can not gather power and pride to itself. Nobody wants this.....nobody wins and a cloud of discontent invades the peaceful haven of our homes. Everyone is weary of the games.

Every human being deserves courtesy and respect. Replace an attitude of "tolerating" with an energizing fluid spirit of "celebrating"

Thus Sayeth Pollyanna and the purveyors of a kinder and gentler community.

Sent from my iPad

On Mar 4, 2013, at 6:09 PM, Paul Ranney <blackdodgeviper@insightbb.com> wrote:

Kevin.... I did not sign up for a secret society. I see no reason that a properly informed board shouldn't be allowed to "see how the sausage is made".

Our board is made up of intelligent individuals who are not necessarily maintenance professionals. All the better for them to understand the issues we ask them to vote on if they can read all the considerations made developing them. I understand this stuff.... To me it's easy, and I don't mind the board "piggybacking" on my knowledge in order to keep themselves informed of the difficult decisions we ask them to make.

Any board member who doesn't wish to remain informed can merely email me and I will remove them from any further discussion I have on these issues.

As far as your participation....that is your decision. It will not keep me from corresponding with other committee members and directors on the desperate need to save the physical plant that we all call home.

Regards, Paul

Sent from my iPad

On Mar 4, 2013, at 4:36 PM, kzipperle@win.net wrote:

There was no sarcasm. And there's no need for the Board to be in the middle of B&G matters that haven't yet been resolved by the B&G Committee itself.

If we follow that, this will be the last of these emails involving the Board, and the next one will be among B&G members which is where this topic started. Regardless, it will be MY last email to the Board in this thread.

I have separately communicated with Paul, [former property manager], and [former maintenance manager] (thru [former property manager]) on the path I'd like for them to follow at this juncture. If/when this needs Board review, I'll advise Russ and the Board...KZ

Quoting Paul Ranney <blackdodgeviper@insightbb.com>:

Obviously there was no deadline..... No need to start with sarcasm.

From some of your statements here I can see that you still don't know how, why or the need for a maintenance plan. Hearing from the gentleman that is preparing a "budget document" the "capital reserve study" has very little value to the proper implementation/creation of a PM plan. As I pointed out it is just a part of the plan....a small part. As to whether or not this is a pressing need..."just look around here". Your

eyes will tell you what a proper inspection plan (which we don't have) would be SCREAMING AT YOU.

As far as emailing [former maintenance manager], I asked and he told me he doesn't use email. I had also stated that I had consulted with him in diagnosing our maintenance management plans shortcomings. I certainly agree that he will be a valuable resource for info to include in the "inspections" section of any plan. However it has been my experience in industry not to include the workforce in the preparation of the "management part" of the plan. That is because determining the frequencies/adequacies of inspections and workload can be counterproductive.

Thanks for the response, this is exactly the dialog I was looking for. I don't see the need to wait for scheduled meetings to discuss pressing issues.

One more thing. If we had a proper PM Maintenance Plan your observation that we didn't have a property manager for a period of time would be moot. The plan stands alone and needs no input from any one individual to maintain the facility.

Paul

Sent from my iPad

On Mar 4, 2013, at 2:37 PM, kzipperle@win.net wrote:

I'm sorry, I didn't realize I had a one-week deadline to respond...

None of this should be on a Board agenda until it's been read, digested, and agreed, if that happens, by the B&G Committee. By Paul's own admission--and apparent frustration--that hasn't happened. I'm not apologizing for that because, as I said, I didn't realize there was a deadline.

[Former maintenance manager] will have a major input to anything we do as far as maintenance is concerned. He's worked here since this building was constructed, through multiple managers and changes in control/ownership. He has more credibility as far as what we need and can accomplish than any one homeowner. And I don't see [former maintenance manager's] name anywhere on this distribution or on any other communication that has come my way. In a word, that's shortsighted.

Mike Davidson, our Reserve Study specialist, visited the property a couple of weeks ago, and I'll be interested to hear his comments when he summarizes them. I'm not expecting good news because we have been operating without a qualified FULL time property manager for the better part of two years now. But I will certainly listen to what he has to say as will I hope the rest of you.

I appreciate everyone's comments, but this is one of many priorities here at the moment. And I don't particularly see it as a pressing one. Just

my two cents based on what I see and without having met the
'deadline'...KZ

From: blackdodgeviper@insightbb.com
To: laura.cushing@insightbb.com, solivagant001@reagan.com,
kenquiggins@aol.com, kzipperle@win.net, thedaylily@insightbb.com,
kimjbrewerdavis@insightbb.com, kathy.mathews@gmail.com,
pagetwo@bellsouth.net
Sent: 3/4/2013 9:53:26 A.M. Eastern Standard Time
Subj: Re: Maintenance Plan Proposal

It has been over a week since I first discussed the need to develop a viable maintenance plan for the HOA. In that time I have heard from only one individual regarding the merits of my proposal.

What am I to conclude?

The issue is unworthy of comment?

You are all digesting the previous email and are formulating a response?

I didn't volunteer to serve on the buildings and grounds committee to attend meetings discussing the status quo, which obviously hasn't produced an efficient use of our employees efforts nor our fellow homeowners money.

I have the experience, knowledge and ability to help this HOA create the management tools to required maintain this facility -

- Develop an Inspection Plan
- Develop a Inspection Log
- Develop a Preventative Maintenance Plan

It is my observation that the past and current B&G members believe that the "Capital Reserve Study" is a maintenance management plan of some sort and use it for that purpose. It is not...

In a normal plan it is one part, that is used in conjunction with the three listed above to manage a facility. Used alone as has been done here, it is a recipe for failure and unnecessary expense to all.

I would appreciate some sort of response from you elected board members. I am not opposed to considering others ideas on how to professionally maintain the facility. However I don't believe that your fellow homeowners who elected you expect you to "do nothing".

If my services are not needed or are unwelcome I will be happy to resign. I don't wish for my reputation to be diminished by serving on a committee doing the same thing that got us to where we are today.

Who will be the first to add to the dialog? Someone, anyone?

Respectfully,

Paul Ranney
618TH

From: "Paul Ranney" <blackdodgeviper@insightbb.com>
To: "laura cushing" <laura.cushing@insightbb.com>, "Bob Ferguson" <solivagant001@reagan.com>, "kenquiggins" <kenquiggins@aol.com>, "kevin zipperle" <kzipperle@win.net>, "thedaylily" <thedaylily@insightbb.com>
Sent: Tuesday, February 26, 2013 7:28:39 AM
Subject: Maintenance Plan Proposal

HARBOURS MAINTENANCE PLAN -

I previously discussed the fact that we don't have a useable maintenance plan. This results in poor management of maintenance personnel and increased costs to the HOA.

PROPOSAL -

A Maintenance Plan should be created using the Capital Reserve Study as it's controlling document. Most line items in the study can be used as the basis for creating Preventative Maintenance Tasks. I propose that we take up this task in the B&G committee ASAP.

EXAMPLE -

2013 Budgeted Line Item of \$38,029 for Hallway Painting:
[Former property manager] can create a PM task of daily painting during the winter months to be performed by our staff until this task is completed. Other PM tasks will be created for outdoor work in the summer such as Fence Painting. Most line items in our Capital Reserve can be accomplished in this manner. Indoor work in the winter, outdoor tasks in the summer. Some of course will still be contracted out where we don't have the skills etc.

Necessary Changes -

Our maintenance staff should no longer perform "service calls" for residents. They should only respond to calls of an "emergency nature" or one that compromises another unit (i.e. leaks etc.). Our staffs time should be devoted primarily to the PM tasks identified in our daily maintenance plan. All homeowners can contract with whomever they wish to repair their leaky faucets, change filters etc.

BENEFITS -

By having our staff devote 90% of their time on our Capital Reserve tasks we can better control their time and reduce the HOA's costs. Since they are already funded as full time employees in the annual budget, most of the costs identified in the reserve study (i.e. \$38,000 for hallway painting) will not be required since this will be done as a daily task of our maintenance personnel rather than contracted out. Once implemented, I believe that we will see a greatly reduced need for the money currently charged homeowners to fund the Capital Reserve Fund and we can proceed to identify and reduce annual fees substantially. We will also have the benefit of our employees not being interrupted during a their normal days work.

Paul Ranney

618TH

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EMAIL 020

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, March 06, 2013 4:48 PM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: Re:

Sent from my iPad

Begin forwarded message:

From: Marty Haley <patokapirate@gmail.com>
Date: March 6, 2013, 12:09:46 PM EST
To: Kathy Bupp <kathybuppl@yahoo.com>
Subject: Re:

I went to the city building inspectors office to report the violation. Second floor at the quadrangle city hall building. I have no evidence or follow up information to support anything related to the wall or a permit to remove it. You can follow up with them for further information.

On Wed, Mar 6, 2013 at 11:56 AM, Kathy Bupp <kathybuppl@yahoo.com> wrote:

Do you know what happened to the stop work order posted on 1104? How did the city resolve that? Do you know if they typically file a report that records how they resolved the matter? Where do you think all the CO's are kept for each unit? Is it a city or county dept. Do you know anyone at that office? What I'm looking for specifically is the building and fire inspection records for 1104. I need to know where I can find those records?

Sent from my iPad

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 021

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, March 06, 2013 4:48 PM
To: Miller, Sally; Beller, Jennie
Subject: Fwd: Mortgage Fraud

Sent from my iPad

Begin forwarded message:

From: Marty Haley <patokapirate@gmail.com>
Date: March 6, 2013, 12:27:40 PM EST
To: Kathy Kennedy <kathybuppl@yahoo.com>
Subject: Fwd: Mortgage Fraud

Kathy, here is a message I sent to the HUD mortgage fraud hotline. I had initially reported this information to the FBI on their hotline and they responded with the suggestion to contact HUD.

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

From: Marty Haley <patokapirate@gmail.com>
Date: Fri, Mar 1, 2013 at 2:26 PM
Subject: Mortgage Fraud
To: hotline@hudoig.gov

My name is Marty Haley. I am a resident of 1 Riverpointe Plaza #503, Jeffersonville, IN, 47130. Phone (812) 989-7873. The building I reside in is an 11 floor condo building consisting of about 160 units. The information involves units 1103 and 1104. A short sale to board officers of this building Kevin Zipperle and Mary Lou Trautwein. As well as fraudulent documents signed by these two in executing a short sale and subsequent mortgages of these units.

The information below was reported by me to the FBI through a link on their web site. In their email response, the individual receiving my submission, sent me a link which brought me to this site more specific to the nature of mortgage fraud.

Basically, the nature of the fraud involves Kevin Zipperle purchasing unit 1103 in a foreclosure short sale as a stand alone unit. For a price far below the true market value. This was possible because a sub standard wall was constructed between units 1103 and 1104 to give the illusion these were two separate units. They had separate mortgages at the time they were combined, but only one functioning kitchen. Kevin intended to purchase both of them below market value for the luxurious combination. Then remove the wall.

Mary Lou Trautwein was the eventual purchaser of 1104. Purchase agreements for 1103 and 1104 show both Kevin and Mary Lou agreed to reside in their respective single units and they were mortgaged as stand alone units. It should be noted Kevin Zipperle is married to Debbie Zipperle, who may be the actual deed holder of 1103. Kevin tries desperately to maintain arms length on his many shady deals while throwing others under the bus. Mary Lou, while widowed dates another board member here W.T. Roberts.

Between the short sale shenanigans and fraudulent mortgage documents

signed by the pair to perpetuate the ruse this combination unit was two separate homes, I think you could build a case. I attempted to attach some photos documenting the above statements.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 022

From: Kathy Bupp <kathybuppl@yahoo.com>

Sent: Wednesday, March 06, 2013 4:47 PM

To: Beller, Jennie; Miller, Sally

Hello ladies

I want to ask you a few questions regarding a new investigative project that I want to research. After our conversation regarding the prospects of a county prosecutor filing criminal charges against our friends, I started thinking about identifying the highest level criminal offense that wouldn't involve the county prosecutor since that appears to be a speculative and uncertain prospect.

I'm guessing you are aware of the case of a Jeffersonville man recently convicted of mortgage fraud. Mark Hack is one of 5 or 6 that begin serving their sentences in a couple of weeks. He jumped on my radar when I discovered that he lived at the Harbours during the time these Mortgages were written.

I went to the city today to find out how the stop work order that the city put up on that temporary wall was resolved. I spoke with Larry Wallace and he told me that he spoke with Kevin, who I found out told him he didn't know anything about that wall. Larry also said that you requested the information and he sent it to you.

Here's my question. I was going to start running down the closing documents filed by the mortgage company on those mortgages but I don't want to invest time in something that's already is being investigated. Marty Haley sent information to an FBI hotline who then advised him to send the info to a HUD hotline. I will forward those to you in the event that you did not have a copy.

Violations of this nature are federal crimes. With the local conviction we know that the federal prosecutor will take these allegations seriously and prosecute, but I'm not sure if he will be interested in another mortgage fraud case if it doesn't pass the financial threshold that would make it worthwhile to him. My question, is this line of investigation already being pursued by someone at the federal level? Or is this information part of your investigation?

The other concern....I know we spoke about the developers involvement at the onset. You said early on that you didn't want to reach back to the developer for the civil case. I understand the merit of that in terms of

financial recovery, but do you intend to take his deposition or call him as a witness with full immunity from liability for his cooperation and testimony.

The ball started in his court in terms of culpability with Kevin, Mary Lou, Sharon and Frank Prell. Are you planning to get a deposition from him or are you going to subpoena him to testify? It seems like he is a main cog in the wheel. Will he be called as a witness for the State? (Not for financial liability but for his testimony to support the transactions that took place in 2006. I don't want to minimize the complexity of the case by my simplistic understanding of how this works but is there a reason why he would not be a big part of your case? I know you aren't obligated in any way to explain it to me but if you could point me to a reference resource that I can read I would appreciate it.

I just want to clarify for your benefit that all my communication with you is just between YOU and ME! Sheila is a well intended lady that is often misunderstood because she always walks around with her foot in her mouth. She interjects herself into too many issues that don't concern her and I've learned to love her at arms length. I never want my research and information to be compromised because its wagging its way through the building.

I want to start putting together information to provide to the federal prosecutor to pursue the mortgage fraud violations. If there is an easy avenue to indictment this looks like this is it. Again, its my simplistic take on it.

If you feel it is within an acceptable amount of professional and legal distance from your case, I'd really appreciate any guidance or advise on moving forward.

As always it was delightful to spend time with you on Monday. No matter how the case plays out, I will always be grateful for the opportunity to have met you.

If you can't comment at all will you respond accordingly so that I know that you got this and I can move on.

Thanks for everything!!!!

Sent from my iPad

No virus found in this message.

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Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 023

From: Kathy Bupp <kathybuppl@yahoo.com>

Sent: Tuesday, March 05, 2013 4:31 PM

To: Beller, Jennie; Miller, Sally

Subject: Fwd: Maintenance Plan Proposal

Sent from my iPad

Begin forwarded message:

From: Kathy Bupp <kathybupp1@yahoo.com>
Date: March 5, 2013, 2:14:05 AM EST
To: "laura.cushing@insightbb.com" <laura.cushing@insightbb.com>
Cc: Kevin Zipperle <kzipperle@win.net>, Paul Ranney <blackdodgeviper@insightbb.com>, Bob Ferguson <solivagant001@reagan.com>, kenquiggins <kenquiggins@aol.com>, Russ Johnson <thedaylily@insightbb.com>, Board Member Kim Davis <kimjbrewerdavis@insightbb.com>, Kathy Mathews-email <kathy.mathews@gmail.com>, Fred Strohm <phila3224@bellsouth.net>, "jdinelle@wesco.com" <jdinelle@wesco.com>
Subject: Re: Maintenance Plan Proposal

See, now this is where you are taking this as a criticism of your performance when in fact it doesn't have anything to do with you and how you are doing your job. In fact, this doesn't have anything to do with you at all. It is however disconcerting that you trivialize Paul's efforts. Are things really working fine and "rolling along fine" as you say? If all of this is already in place, why does Paul's plan have a more organized and proactive energy about it? It's refreshing that there is someone with an interest in raising the bar from "just fine" to a standard of excellence and efficiency. This is certainly not a "major blow up" by any means. We've had some of those and I promise you, you'd know the difference! I'm guessing you must have gotten a late night call alerting you to what "he" is "all worked up about". Step back a minute and try to make an impartial assessment from Paul's point of view. Why must his initiative be equated with an implied criticism of someone else's performance. It felt awkwardly uncomfortable to downplay his input. I was expecting something more like, "Paul, thanks for all the hard work and effort you've put into preparing a viable tool that will help us facilitate the goals we all hope to accomplish this year. It's nice to know that we can count on you and the expertise you bring to a cooperative effort to move forward. I like the ways you've identified three specific areas where we can become more efficient in utilizing our resources to focus on tangible improvements".

Instead, the reaction has been very, "who do you think you are, "Mr. Know It All," Who does he think he is, "thanks but no thanks" response to Paul Ranney's input. It's unprofessional and counterproductive to building an "invested" viable community. That's it...nothing more!

Sent from my iPad

On Mar 4, 2013, at 10:39 PM, "Laura Cushing" <laura.cushing@insightbb.com> wrote:

OMG, really! What is this all about? A preventative maintenance plan and a maintenance log, all of which are in place or in the works. Give it a

rest, please. Allow us to do our jobs, things are working fine and rolling along fine. Most of this is already in place or in process, so I'm not sure what the major blow up is about, If there are suggestions, pass them my way, Ideas for improvement, welcomed, end of story.

Regards, have a nice night

Laura
Laura Cushing

Sent on the Sprint® Now Network from my BlackBerry®

Begin forwarded message:

From: Kathy Bupp <kathybuppl@yahoo.com>
Date: March 5, 2013, 12:20:36 AM EST
To: "kzipperle@win.net" <kzipperle@win.net>
Cc: Paul Ranney <blackdodgeviper@insightbb.com>, laura cushing <laura.cushing@insightbb.com>, Bob Ferguson <solivagant001@reagan.com>, kenquiggins <kenquiggins@aol.com>, thedaylily <thedaylily@insightbb.com>, kimjbrewerdavis <kimjbrewerdavis@insightbb.com>, Kathy Mathews <kathy.mathews@gmail.com>, "Phila3224@bellsouth.net" <phila3224@bellsouth.net>, "jdinelle@wesco.com" <jdinelle@wesco.com>
Subject: Re: Maintenance Plan Proposal

The next time I'm going to have to charge you for my unlicensed keen observations not to be confused with my unlicensed psychoanalysis which will always be on me. You're welcome!!

Sent from my iPad

-----Original Message-----

From: kzipperle@win.net
Date: Mon, 04 Mar 2013 22:25:15
To: Kathy Bupp<kathybuppl@yahoo.com>
Cc: Paul Ranney<blackdodgeviper@insightbb.com>; laura cushing<laura.cushing@insightbb.com>; Bob Ferguson<solivagant001@reagan.com>; kenquiggins<kenquiggins@aol.com>; thedaylily<thedaylily@insightbb.com>; kimjbrewerdavis<kimjbrewerdavis@insightbb.com>; Kathy Mathews<kathy.mathews@gmail.com>; Phila3224@bellsouth.net<phila3224@bellsouth.net>; jdinelle@wesco.com<jdinelle@wesco.com>
Subject: Re: Maintenance Plan Proposal

Kathy, thanks for the unlicensed psychoanalysis.

Paul, anyone else on your email distributions that we should know about?

-----Original Message-----

From: "Kathy Bupp" <kathybuppl@yahoo.com>
Sent: Monday, March 4, 2013 10:17pm

To: "Paul Ranney" <blackdodgeviper@insightbb.com>
Cc: "kzipperle@win.net" <kzipperle@win.net>, "laura cushing" <laura.cushing@insightbb.com>, "Bob Ferguson" <solivagant001@reagan.com>, "kenquiggins" <kenquiggins@aol.com>, "thedaylily" <thedaylily@insightbb.com>, "kimjbrewerdavis" <kimjbrewerdavis@insightbb.com>, "Kathy Mathews" <kathy.mathews@gmail.com>, "Phila3224@bellsouth.net" <phila3224@bellsouth.net>, "jdinelle@wesco.com" <jdinelle@wesco.com>
Subject: Re: Maintenance Plan Proposal

With so many pressing concerns it seems that the opportunity to delegate to a competent man such as Paul... [See **EMAIL 017**]

EMAIL 024

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Tuesday, March 05, 2013 4:26 PM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: Maintenance Plan Proposal

Sent from my iPad

Begin forwarded message:

From: Paul Ranney <blackdodgeviper@insightbb.com>
Date: March 5, 2013, 8:10:09 AM EST
To: kzipperle@win.net
Cc: laura cushing <laura.cushing@insightbb.com>, Bob Ferguson <solivagant001@reagan.com>, Charles Fugate <Chuck@chuckfugate.com>, Jenna Dinelle <jdinelle@wescodist.com>, Russ Johnson <thedaylily@insightbb.com>, kimjbrewerdavis <kimjbrewerdavis@insightbb.com>, Kathy Mathews <kathy.mathews@gmail.com>, kenquiggins <kenquiggins@aol.com>, Fred Strohm <phila3224@bellsouth.net>, chuck <chuck@chuckfugate.com>
Subject: Re: Maintenance Plan Proposal

Jesus....I can't believe I have to do this. OK first my "bonafides"

-1987 to 1994 Facility Maintenance Manager Indiana Army Ammunition Plant
Annual Budget \$130 million

-1994 to 1999 Supervisor of the entire maintenance department Naval Ordnance Station Louisville (ever heard of that?)

-1999 to 2005 Project Engineer US Army Corps of Engineers major projects included:

-Construct new hospital at Scott AFB \$127 million

-One of four Project Engineers constructing McAlpine Lock \$379 million

To be clear Kevin, I'm not questioning your management skills I'm questioning your "Maintenance Management Skills"

Example - At the last B&G committee meeting, YOU devoted almost the entire time to reviewing the 2011-2012 Capital Reserve Fund! AHHHHH!!

I didn't know whether to laugh or cry! I couldn't believe it! AM I really wasting my time like this????

That document is nothing but a budgeting tool. We wasted two hours doing what the "bean counter committee" should be doing and almost no time on maintenance. Other than the one landscape item I introduced and 10 minutes discussing new door locks so people can't go to the bathroom in the pool area, the building was completely ignored!

OK.... For the benefit of our Board, if they'll allow me, I will provide the basics (maintenance for dummies) of a proper plan, Contrary to the way our B&G Chairman Kevin thinks it's done.

First - Inspection Plan: This consists of a semi-annual and annual inspections checklist of all common areas. Roof, interiors, exteriors, mechanical room, HVAC, etc. you get it?

Second - Inspection Log: Consists of a spreadsheet on the results of the above inspections prioritizing those areas most in need of attention.

Third PM Plan - Daily workload tickets prepared by the Property Manager based on the info from the Inspection Log above. Makes her job a cinch...

Board of Directors Oversight of the Plan:

Assure that the Building and Grounds Meetings agenda should be:

- Reviewing all the above for sufficiency including...
- Were the inspections conducted?
- Are all deficiencies properly documented and prioritized (B&G committee approves the prioritization)?
- Has the Property manager then used this info to schedule employees efforts and maintain the facility to the level the board wants?

Board members - As you can see this is as simple as it gets. Once in place it is self perpetuating. A change of manager or personnel doesn't affect the building being properly maintained. Also it is simple for the staff to understand and quantifiable for the board to allocate resources and supervise the Property Manager.

Necessary Changes - The maintenance staff should no longer be in the service call business. Except for emergencies or an issue that compromises another unit (leaks, etc.) our staff should spend 95% of their time on the HOA work generated by the plan. This (making service calls) is a practice that was inadvertently continue from when this was an apartment complex, most likely because to this day WE DON'T HAVE A PROPER MAINTENANCE PLAN. Homeowners are free to hire private contractors to repair their leaky faucets or change furnace filters.

Board Members - I am at your disposal. If you have questions because I haven't adequately explained the issue please ask. I know I often don't explain things well because I understand the subject too well, and often leave things out.

Finally, I have no hidden agenda. I volunteered for this because I know it's needed, and I know how to do it. I would like nothing better than to help put this in place and then resign from the committee and go back to being retired.

Respectfully,
Paul

----- Original Message -----

From: kzipperle@win.net

To: "Paul Ranney" <blackdodgeviper@insightbb.com>

Cc: "laura cushing" <laura.cushing@insightbb.com>, "Bob Ferguson" <solivagant001@reagan.com>, "Charles Fugate" <Chuck@chuckfugate.com>, "Jenna Dinelle" <jdinelle@wescodist.com>, "Russ Johnson" <thedaylily@insightbb.com>, "kimjbrewerdavis" <kimjbrewerdavis@insightbb.com>, "Kathy Mathews" <kathy.mathews@gmail.com>, "kenquiggins" <kenquiggins@aol.com>, "Fred Strohm" <phila3224@bellsouth.net>

Sent: Monday, March 4, 2013 6:13:50 PM

Subject: Re: Maintenance Plan Proposal

I'll redefine this topic as "Management 101" then...

As someone who has managed hundreds of people over the years, I recognize that the last thing you do as a manager is manage in a vacuum. I better understand your point of view if you've not had that opportunity (management).

I want [former property manager] and [former maintenance manager] to have a big say in our management systems, objectives, and accountabilities. And I want that so that they are successful and try to accomplish what WE want. If that cooperative form of management is not what you're used to--as the manager or the managed--I assure you that's the way most of the world does it. Or at least the successful part of it.

I have no intention of dictating deliverables to our staff, and I will work to ensure that no one else does. Paul, if that includes you, so be it...KZ

Quoting Paul Ranney <blackdodgeviper@insightbb.com>:

Kevin, with all due respect. I will be glad to provide guidance on the creation of a plan. However, your comments here regarding whether or not [former property manager] and [former maintenance manager] "buy in" is very disturbing.

These people work here. They were/are hired to execute whatever they are instructed by the board. Ideally that would be a PM Plan expertly developed and voted on without their approval.

Paul

Sent from my iPad

On Mar 4, 2013, at 2:43 PM, kzipperle@win.net wrote:

Laura,

As time permits, please get draft copies of the items that Paul believes we are missing in a comprehensive maintenance plan. These should be examples of what he feels we need to put in place here.

Look them over and review them with [former maintenance manager] first. If the two of you agree that some or all of it needs to be implemented here, bring the items forward to the B&G Committee (meeting) in the next month or so. If you don't agree, feel free to review things with Paul, and involve me at that point.

I want yours and [former maintenance manager's] buy-in on anything we do because you guys have to execute on it everyday. It's meaningless otherwise.

Thanks...KZ

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4235/8707 - Release Date: 12/09/14

EMAIL 025

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, January 30, 2013 11:50 AM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: Keith Porter

Sent from my iPad

Begin forwarded message:

From: "Marc Howard" <marc@oxfordpromotions.com>
Date: January 30, 2013, 10:16:12 AM EST
To: "'Kathy Bupp'" <kathybuppl@yahoo.com>
Subject: Keith Porter

Dear Ms Bupp,

I do not have Keith Porter's personal information. You can reach Mr Prell on his mobile number to get his contact information. His number is 502-551-4444. Mr Prell did sell the property at 8910 Cromwell to Mr Porter but they do not share the residence.

Regards,
Marc

-----Original Message-----

From: Kathy Bupp [mailto:kathybuppl@yahoo.com]
Sent: Monday, January 28, 2013 7:05 PM
To: marc@oxfordpromotions.com
Subject:

I am trying to reach Keith M Porter the owner of 1 Riverpointe Plaza 1015 -1016 Jeffersonville, IN. about his property. He shares an address with Frank Prell at 8910 Cromwell in Louisville, Ky. which is why I was hoping that you may be able to help me.

Thanks so Much for your Help!

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5646 / Virus Database: 4281/9067 - Release Date: 02/06/15

EMAIL 026

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Sunday, January 20, 2013 12:56 PM
To: Beller, Jennie; Miller, Sally
Subject: Case number 10C02-1208-PL-000088

While checking court records for Clark County re; above mentioned case number, there is no further status information posted after December 2012. The final entry shows that the case has been assigned to a special judge, the Honorable Susan Orth of Superior Court 1 Floyd County. There is no further information posted on the case as to any new court assignments, scheduled hearings, etc.. Please advise on how to access current court records for the case, or when and where proceedings are to take place.

I also sent information to your office indicating I had obtained the bid proposal information for the parking garage security cameras. Please let me know if you got the e-mail and if you need me to send you a copy of those documents to compare with the actual purchase that was said to be 15% above the proposal with fewer and inferior cameras. The company that was assigned the work was the longtime vendor for the association perhaps because they had a "special" payment arrangement for the person in charge of assigning the bid. He indicated that all the work could be done for \$30,000 that he had submitted to the board and that anything more than the

I also spoke with the engineer contacted by the Harbours to assess options relating to the water leakage on the walkways into the building from the parking garage where the entrances are exposed to the weather. He did drawings and contacted potential contractors to provide an approximate budget figure to submit to the board. He said every cost item that he had to that point with the exception of the removal and man hours to install the pre-fab concrete walkway, added up to no more than \$30,000 tops. He was later told by the contractor that they spent \$120,000 on the job. The irony is that they did not replace the walkway but opted for the alternate option of simply building a cover for the walkways. The long and short of it is, that the next time he was contacted it was to inform him that a local contractor was going to be doing the work. He was told that the contractor was the brother of someone living at the Harbours and they would only need him to sign off on the project.

I would also like to inquire about the proposed settlement offer presented to the defendants, in December of 2012. Was the offer or any portion of the office accepted?

Also, during my latest visit to the assessors office on January 11, 2013 I obtained a copy of the tax record for Kevin Zipperle's unit 1103. It shows that he submitted a request for a reduction in the property tax rate for that unit citing current market value of a typical 2/2 1353 sq foot unit. However it appears that he failed to disclose that Unit 1103 was combined with 1104 so the judgement to reduce the property value from \$305,000 to \$217,500 was made as if Unit 1103 was not combined. His figures are more in line with recent sales of a single unit similar in size to unit 1103 ONLY.

If you need copies of any of the reports just let me know, and as always, I'm happy to provide any assistance to obtain information that might be helpful to the case.

Best Regards

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5646 / Virus Database: 4281/9067 - Release Date: 02/06/15

EMAIL 027

From: Kathy Bupp <kathybupp1@yahoo.com>

Sent: Friday, January 11, 2013 4:29 PM

To: sheilalrudder@yahoo.com

Cc: Marty Haley; Betty Cantrell; Paul Ranney; Nora Strohm; Sandy Snodgrass; Thom; Debbie Zoeller-Pullen; Russ Johnson; Linda Dornbush; Louis & Louise; Robin Meshew; Peter Steen; Don Sigmond; Teresa Tarter; Teresa Tarter; Chris Arnheiter; Chuck Fugate; Greg; Barry Gates; Miller, Sally; Beller, Jennie; Miller, David; Linda Lamping
Subject: Re: Special Meeting Protocols

As you know based on my emails, I would insist on our own separate meeting as provided in accordance with the by-laws. There is NOTHING that benefits us by combining the two meetings and Kevin has everything to gain. I have a question about something in your email when you mention later that night there can be a vote to keep or remove Chuck. Does that mean that the meetings would be on the same day with ours being first? Or we're you suggesting that we have a vote at our meeting re the decision to keep Chuck on the board?

If in fact the two meetings are on the same day but at different times, I personally believe it is unacceptable. I have volunteered to cover the cost to have our own meeting minus the cost for an Dawn Elston and ill split the cost for an off duty officer. (Technically because I don't think either are necessary. Let them record or video the meeting and send it to Dawn for her review if they think its that important.) since the vote will be that night we don't need an acct. rep to count the votes. I believe we can choose someone and they can choose someone and one board member to oversee it. (Not WT or Kevin)

I want to be prepared to strip away any excuse they contrive to deny our request for a special meeting. This is not an unreasonable request and we shouldn't be portrayed as unreasonable because of it. We've been on the other side of these enforcements for far too long.

Russ can not argue with complying with the by-laws. By having acknowledged the meeting and scheduled a meeting he recognizes the validity and the intent to schedule the meeting, unlike the one filed this summer that they didn't even bother to reply to beyond saying they would determine what the cost would be as a qualifier for whether or not they would honor the request for a special meeting.

I think we have to push for our own meeting regardless of how difficult it becomes by being bullied to do otherwise.

Please share his reply to your email. I'm anxious to hear what he has to say.

Sent from my iPad

On Jan 11, 2013, at 3:01 PM, sheilalrudder@yahoo.com wrote:

905 & 904 totally agree.

Sent via BlackBerry by AT&T

-----Original Message-----

From: Marty Haley <patokapirate@gmail.com>
Date: Fri, 11 Jan 2013 13:17:35
To: Betty Cantrell<bettycan@insightbb.com>; Paul Ranney<blackdodgeviper@insightbb.com>; pagetwo<pagetwo@bellsouth.net>; Sandy Snodgrass<flamingosandy@rocketmail.com>; Sheila Rudder<sheilalrudder@yahoo.com>; Thom<thomashpike@cs.com>; Debbie

Zoeller-Pullen<debbiezp@gmail.com>; Debbie
Zoeller-Pullen<debbiezp@insightbb.com>
Subject: Fwd: Special Meeting Protocols

I sent the email below to Russ. Please forward it to other members of the special meeting email chain if I left them off. Also a note to Russ with your own comments is not out of order here. It's our association and our meeting.

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

From: Marty Haley <patokapirate@gmail.com>
Date: Fri, Jan 11, 2013 at 1:12 PM
Subject: Special Meeting Protocols
To: Russ Johnson <thedaylily@insightbb.com>
Cc: Charles Fugate <chuck@chuckfugate.com>, "Phila3224@bellsouth.net" <phila3224@bellsouth.net>

Russ, I wanted to say I have been pleased with our recent emails and the understanding we seem to have. In an attempt to keep the dialogue honest and ongoing, I wanted to let you know what has been discussed among the first group requesting a special meeting. First and foremost, we will not accept a combined special meeting with the group seeking to remove Chuck. We are not however opposed to the meetings being consecutive, on the same night in the same place. This will keep costs and logistics in line and allow us to stay within the bylaws.

Second, we will not accept the combining of removing Kevin and W.T. as one vote. Our motion was submitted as two separate items. It should be voted on as such. For example:

- 1) Shall Kevin Zipperle be removed from the board of directors? YES NO
- 2) Shall W.T. Roberts be removed from the board of directors? YES NO

If one or both are removed their replacements shall be nominated and voted on then.

The second meeting that night will have only one question: Shall Chuck Fugate be removed from the board of directors? YES NO

To put it simply Russ, we are not going to allow Kevin to combine his reactionary, tantrum induced attempt to remove a board member that has not even been seated yet to cast a shadow over our meeting which was called first.

The removal of Kevin and W.T. is justifiable. Both are seated board members. Kevin is charged in the A.G.'s suit with breach of fiduciary and other unlawful actions while on the board. W.T. has consistently been Kevin's most vocal supporter as well as consistently voting to approve any motion Kevin favors. The removal of Chuck is stupid and hateful. We want it to be seen by the association members as what it is. It should stand alone at it's own meeting where it can be judged on it's own merit.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4235/8689 - Release Date: 12/06/14

EMAIL 028

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Saturday, January 05, 2013 10:50 PM
To: Beller, Jennie; Miller, Sally
Subject: Re:

PSS Exhibit A as shown in the resource materials on the website is actually the deed plot, presumably for the parking garage. In court records of the parking space assignments all references are made to Exhibit A inferring that the actual location of each space is shown on the exhibit and upon inspection the only Exhibit A is the plot perimeters.

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Saturday, January 05, 2013 10:42 PM
To: Beller, Jennie; Miller, Sally
Subject: Re:

PS Kevin appears to have unloaded one parking space for \$7,900 and one for \$10,900. Does the IRS have any interest in the information. You might want to ask them.

On Jan 6, 2013, at 1:39 AM, Kathy Bupp wrote:

One more thing, on the Harbours web page in the parking spaces for sale, Frank Prell still is shown as having multiple parking spaces. The by-laws do not allow a non-owner to maintain ownership of parking spaces. "Allegedly" he does not own any property here. Maybe Keith Porter is his alias.

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Saturday, January 05, 2013 10:18 PM
To: Beller, Jennie; Miller, Sally
Subject: Developments of Interest

FYI

I've been down with the flu but there have been a few things going on here on the 11th floor that bear investigating. The week between Christmas and New Years or there about there was a lot of pounding going on next door. Sheila sent me an email asking if I knew what the sheet board was doing out in the hallway. I didn't see it but apparently she did. Then later that day the blinds went down on the windows that are visible from unit and have remained down to this day.

Also, I have finally been able to get the file with the bid proposal for the garage cameras in the most recent purchase following the trouble in the parking garage. The gentleman that prepared and submitted the bid alleges that his bid was 15% cheaper and the number and quality of the cameras and equipment were superior of the accepted proposal. The bid was given to the current and longtime vendor which I believe is American Security. If you are able to locate the other proposal, my husband can give you an expert report of the differences in the two proposals. We have been in that business for almost thirty years and Kenny has been involved in the bank equipment and security business for twenty some odd years before that with Diebold, the premier company in bank equipment at the time.

Looking at the two proposals side by side will not provide the full value of the two proposals. Kenny is a man of integrity and will give you a truthful unbiased assessment of the two proposals and can clarify the value of one system over the other if there is any. Greg would testify that Kenny is a man of impeccable integrity and honor. You could trust his assessment. What's more, he could probably do it in his sleep. Since we have dealt with almost every vendor in that dept. he could probably give you a price list of the wholesale cost of both proposals. One of our longtime employees that carries our electrical permit certificate also has represented every security camera vendor that is in business.

Just throwing that out if you want a quick assessment of whether that is something that would be significant to the case. Be sure to advise when the case begins so that I can be present. I'm going to assume you are still reading the Facebook page and the new and improved Harbours pro board forum. Specifically, the video of the Quiggens and Zipperle to www.policeabuse.com (priceless) and the special meeting that Kevin has reposed to counter the one called to have him removed from the board. I haven't caught up on all my emails, (not even close) since Ive had the flu, but if anything of interest comes up I will pass it along.

I hope you both had a Very Merry Christmas. I heard Indy got a genuine Currier and Ives Christmas with lots of snow. All I got was the flu and I don't know about you but Christmas keeps coming around faster and faster every year. Here's hoping you both are blessed with a prosperous joyful year of peace, good health and abundant blessings.

EMAIL 029

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Thursday, November 15, 2012 9:06 PM
To: Beller, Jennie
Subject: Re:

Thanks for getting back to me Jennie I did not realize that there were two separate cases. I'm confused about that. I know you can't discuss the particulars however my questions are more about the procedure. The court records post the chronological filings that are difficult to follow.

There have been two motions filed for extensions and three granting the motions for extensions .Two of the time extensions were granted up to and including 10/29/2012 and one for 10/24/2012. Then there is another motion for time extension and a change of venue filed on the 10/31/2012. Next is an administrative filing on 11/07/2012 that the case is being referred to the assignment judge to appoint a judge. ???

Then on 11/13/2012 an order is granted for the extension without indicating what the time was extended to as it does in the previous filings and there is nothing more on the change of venue. So my question is: Has there been movement on the case other than simply filing time extensions? Is it undetermined if it will go to trial? What determines if it goes to trial?

I only see where one case is filed. I'm just trying to understand this process. I'm asking for information to help educate me on the process. As always, my correspondence with your office is strictly confidential and not shared with any other party now or ever. Let me know If there is any resource material available that I can read to get caught up on how it works, let me know so I won't have to bother you anymore. I've become an interested student in all of this. I've applied to take classes in criminology and forensics. I've got the bug.

I missed seeing you on election night. The reception for Greg was the only good part of that night. It went downhill from there. I'm still scratching my head. Hope everything is going well for you. Have a wonderful weekend!

On Nov 15, 2012, at 12:38 PM, Beller, Jennie wrote:

Kathy,

I cannot discuss particulars of any case; however, I can give you some general observations. There is often a lot of leeway in litigation. Sometimes if the parties are trying to work something out, they will agree to continuances in an attempt to resolve the issues in a less expensive and time-consuming matter. Please keep in mind there are two separate cases which have not be joined. If our case goes to trial, you will know when and where.

Jennie

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, November 14, 2012 5:52 PM
To: Miller, Sally; Beller, Jennie

I was checking the court case and just saw that yesterday they had asked again for more time. How does that work? They also asked for a change of venue. Who makes that decision and has there been a decision on that? Also are they all tried at once or are they tried separately? Three of them have one atty. and Frank has one for himself. I'd like to know so that I can attend the trial. How much leverage do they have in yanking

this thing around? Their MO is to re-schedule for years. Does the judge have the final on all those matters?

Sent from my iPad

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, November 14, 2012 2:02 PM
To: Miller, Sally; Beller, Jennie
Subject: Clark County Parcel Record Information

<http://www.xsoftin.com/clark/parceldetail.aspx>
Go to page number 6 and look at unit 917. It shows Frank Prell sold this unit to Marian Scheppers in 2007 and then a living trust with an address in Clearwater Florida. I'm still trying to figure out how the Harbours website shows Frank Prell having various parking spaces for sale yet if you don't own property here you can't own parking spaces.o

Sent from my iPad

EMAIL 030

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Monday, October 22, 2012 1:09 PM
To: Betty Cantrell; Beller, Jennie; Miller, Sally

Betty

I have been looking through the excel work sheets on parking transactions. If I understand it correctly it looks like Agee has 4 parking spaces. It shows PS # 101,118,119 and 617. It shows he owns Unit 410. Does he still live here? I ask because someone is parking in 101.

I also checked the Harbours web page under the parking spaces for sale. Kevin used to have a variety of spaces for sale. I think there were two spaces for \$10,900 and two for \$7,900. He only shows one for sale now for \$7,900. He obviously had to change the website to remove the others.

In addition, it still shows Frank Prell owning "various" spaces. According to the property records he no longer owns property here. If Kevin amended the site to remove "his" parking spaces that were once for sale, he allowed the Frank Prell listing for various sites to remain on the website. As a board officer and former president, he has knowingly allowed a non-owner to maintain "various" parking spaces. Another violation of his fiduciary duty.

I'd also like to find out what happened to the spaces Kevin removed from the site. Sold? How much? Recorded? Where? or rented out.

This summer when I was at the pool Robin in 806 was telling the story how Keith Hillman told her she could park in his spot but he forgot to tell his wife so when she came by for something she saw the car and had it towed. Terry Wedding told Robin to talk to Kevin Zipperle because he had

lots of parking spaces for rent. She told her again, just call him he has plenty.

Just let me know what info you can lend. Thom wants me to do an update on the records.

EMAIL 031

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Sunday, October 14, 2012 12:18 AM
To: Beller, Jennie; Miller, Sally

I have had several people ask me about what actions can be taken to keep the current board (Kevin) from making more appointments to fill board seats that were vacated by resignations. The latest hand picked appointment to fill a seat is Jim Gilbert. My mom and dad have known him for a long time. He was married to my mom's best friends sister before she died. He's nice enough, but he's 85 years old and not in good health. They have a son who also lives here in the building that is dying of cancer. Jim only has two sons and the other one came in from California to see his sick brother and while he was here he died suddenly from a massive heart heart attack. That was about three weeks ago. Sounds like a perfect choice doesn't it?

We've got several people that are currently running that offered to fill the vacancies but it got back to them via guess who??? Kathy Quiggins that they were not going to ever let anyone on "our side" get on the board.

Is there any remedy available from your office prior to the final ruling of your case? Betty Cantrell's case is dragging along and it's very doubtful it will get any movement before the election. Her atty., Larry Wilder is a real tool (and I had to think for a long time to come up with that word because the word I would like to use is not very nice) but they all love him and have a lot of confidence in him.

I went to only one of the meetings that Larry had at his home and he told all the people in attendance that Thom Pike was a liar. I took him to task on it and went back and forth with him for five minutes. I knew the facts about the story he cited as the reason he called Thom a liar and he had no idea what he was talking about.. He was way off base and very unprofessional particularly since Thom was not there to defend himself. I found him to be very haughty and crass. I've got no use for him, but the city atty that I played with in a Republican golf fundraiser told me the same thing but said in spite of it he was a darn good atty.

It appears he has been negotiating with Dawn Elston who must be a rocket scientist because she keeps talking to Wilder about Kevin's proposal to drop out of all board involvement if "we" drop the case with the AG's office. I guess none of them get it. My heart breaks for them###^€!! If your office isn't able to do anything, are there any recommendations that I can suggest to them that might help stop the bleeding?

I thought I would just throw that out to you and see if you have any thoughts on the matter. As always, my communications with you are confidential and shall remain that way. Let me know if I can do anything to help or if you need me to do any legwork here. I'm always available to help if you need anything.

Hope you had a great weekend!!!

Sent from my iPad

EMAIL 032

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Saturday, October 13, 2012 11:00 PM
To: sheilalrudder@yahoo.com
Cc: Paul Ranney; Sandy Snodgrass; Andrew Wright; Chris Arnheiter; Chuck Fugate; Don Sigmond; Glenn Thomas; Greg; Paula Roy, MD; Linda Dornbush; Bob Ferguson; Helen Ryan Kindler; Sam Kudmani; leepage@insightbb.com; barbaraleelarson@gmail.com; Marcia Hall-Craig; Marty Haley; Louis & Louise; Nora Strohm; Robin Meshew; Barry Gates; Betty Cantrell; Peter Steen; Miller, Sally; Beller, Jennie; Miller, David; Larry Wilder; Senator Grooms; Russ Johnson; Dawn Elston
Subject: Re: Harbours

I have the name and address of the company where the tax bill is sent. I got it about a month ago from the tax office at the courthouse. I'll look for it and get it for you if that will help.

Sent from my iPad

On Oct 10, 2012, at 10:29 AM, sheilalrudder@yahoo.com wrote:

REFERENCE: Bell South (AT&T) Cell Tower

I have been trying for years to get correct Rental Income on Cell Tower & if we have more than one, now ?

Facts of The Unit Bell South/AT&T own? They have been allowed NOT to pay maintenance fee on the Unit they own. This does not appear to be in the Best Interest of The Harbours. I believe It shows Leadership is not performing their Fiduciary Duty.

Has this been going on for over 12 years illegally? It should have been voted on by 2/3 majority of HOA Members & re-negotiated every year to be enforceable. Contract was supposed to have a 15% Increase every 5 years. DID IT? What are we getting? Is our interest being protected?

Did our current Board, being sued by The Attorney General of our State to protect our Community, have the legal right to add cell towers today?

Only figure I have been given is \$6000.00. That is impossible. Income should be between \$30,000.00 & \$40,000.00, as per the company that

installed the Cell Tower originally... How could this be? Who is in charge of this?

Owners join with me in asking Russ Johnson who is currently the Director responsible for The Harbours Condominiums what is going on here?

NO Transparency. NO Accountability. NO LEADERSHIP?

I believe it is in The Harbours' best interest to ask the Judicial System to appoint a Trustee to oversee our MONEY & CONTRACTS till the Board of Directors controlling our H0A goes to Trial.

Please step up, it is your Future.

Sheila Rudder
502-592-4544
Sent via BlackBerry by AT&T

EMAIL 033

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Wednesday, October 10, 2012 11:58 AM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: Budget Ideas Poll

Just in case you haven't been keeping up with the Harbours forum and the entertaining antics of Kathy Quiggins, I've sent you this link to get a good laugh. It's the one that's in the email that looks like its from my sister to me. It was the way I had to send it to myself so that I would not leave any evidence of having visited the site. It takes a lot of discipline every time I go there not to register myself as a regular user and call her something that would call her an idiot without actually calling her an idiot.

Her latest thing is ranting how unfair it is that Betty Cantrell blocked her from posting on our Facebook site. It's hysterical!!!

Enjoy!!!

Sent from my iPad

Begin forwarded message:
From: "karen.0525@yahoo.com" <karen.0525@yahoo.com>
Date: October 9, 2012, 7:19:15 PM EDT
To: <kathybupp1@yahoo.com>
Subject: Budget Ideas Poll
Hi,

I thought you'd like this:
<http://soc.li/46xOpnW>

Budget Ideas Poll

As is customary in America vote early and often!

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Version: 2015.0.5577 / Virus Database: 4235/8674 - Release Date: 12/03/14

EMAIL 034

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Thursday, September 27, 2012 12:11 AM
To: Beller, Jennie; Miller, Sally
Subject: Re: Petition for Support of MLT, SC, KZ in Office

This is the email that troubled me the most. Please replace fiction with fact. Thanks!!

On Sep 25, 2012, at 12:42 PM, Betty Cantrell wrote:

What everyone needs to remember is that the AG is here to help us, but they can only help us IF we want to be helped. IF these people can get more support for their side in the form of petitions, then AG is left with egg on their face because it looks like the MAJORITY of the people in this Community want them to butt out of our business, trust me, they can just drop the civll case and move on. We need to help them help us. Its all in the numbers and we have a pitiful amount of support for the AG's civil case right now.

We need to show by our OWN initiative and Petition to the court and backed by OUR Affidavits that their case and ours has merit. We want and we need help with any and all means available to us. Sit on our hands and we lose again against these dirty dogs, I have been there, done that.

Bett

From: Kathy Bupp <kathybuppl@yahoo.com>
Sent: Wednesday, September 26, 2012 11:27 PM
To: Beller, Jennie; Miller, Sally
Subject: Re: Petition for Support of MLT, SC, KZ in Office

On Sep 26, 2012, at 1:12 AM, Kathy Bupp wrote:

Betty,

The case that the State has filed would never go to a trial because it's not a trial case. The State's "recommendation" for the acting board members to be removed from ever serving again is a reasonable recommendation as a consequence of their guilt as the State has outlined with evidence in the content of the suit filed August 30th, 2012.

They DO NOT need our support to continue ANYTHING. We have no influence, responsibility or say in the continuance of the case. Homeowners can NOT petition the court for interference because it's not pertinent. The State has filed their case because they have painstakingly investigated every allegation and based on THE LAW HB 1058 they have sufficient evidence to prove the charges made against four individuals. The case references what " they have already done. It doesn't matter if someone agrees or disagrees, It's not their call and the State is not interfering or making judgements about how the HOA members governs themselves.

There is no conversation that changes the fact that laws were broken. It doesn't matter what anyone thinks about it because it's not conditional upon popular support. They do not answer to us or make decisions, change their minds or stop defending the law because we don't work hard enough or we don't have a convincing majority of support to back them up. They have done their due diligence and they speak for the law. We stand to benefit from successful prosecution but we are not an influencing factor.

It is wrong for anyone to presume to speak on their behalf or claim to "know" what they will or will not do. Their actions were not intended to be interpreted as a huge favor. "They" did not give us bullets, the "law" gives us the ammunition we need to demand the protection that the law allows.

There is not an ounce of truth in any statement or implication that the State's ability to successfully defend their case is predicated upon an equal and convincing number of supporters.

There is no indication that the State would or intends to "plead out". They didn't get into it to "plead out" I'm afraid that the information in your email is terribly misleading.

On Sep 25, 2012, at 8:30 PM, Betty Cantrell wrote:

Part of the AG's case, a very small part, is where they would petition the court to remove the board for us. It's a small part of their settlement and they would probably need us to support it when the time is right.

There is nothing in our Declaration that states a convicted felon cannot sit on our board. They are getting people in here already to petition the court in our case and could use them down the road with the AG's pretrial hearings too. They can petition that any particular part of the AG's suit be thrown out or declared moot since so many people support

them today with signed Affidavits. That could come at the initial AG court hearing (in a month or so?).

Owners can certainly petition the court in the AG's case that they do not agree with the part concerning who can and cannot serve on our Board, that is our decision to make as owners and members of our Association through the ballot box.

IF enough people agree or sign petitions that they love these people as long as the sun shines and the water flows down the river, then the judge could certainly rule (on that small part) and let them continue to be on the Board due to the member's support. They could even serve on our board from their jail cell I guess, there's nothing that says they can't.

The AG's case is much larger than "us", it's mortgage fraud etc, they did us a huge favor by throwing us in there too as a bottom line..... just in case we didn't do that favor for ourselves early on. This is the "early on", right now, today to help ourselves with the bullets that they gave us. The bullets are 250 pages and they are a deadly force.

The AG's case will take a long, long time to hear unless they plead out relatively soon based on the discovery and the squeeze. Their case will never go to trial, they will eventually plead out, but we can help ourselves today. Who wouldn't want that? Are we prepared for that to happen?

Betty C.

On Sep 25, 2012, at 7:35 PM, Kathy Bupp wrote:

Any discussion to settle should only be heard if all conditions of the suit are met. PERIOD. They have a way of calling a case is "settled" outside of court a "victory". It is a sign that they recognize weakness in their defense of the petition and also likely to be used as a way of showing their so-called reasonable action attempted to satisfy unreasonable people. They will try to blame the high cost of legal representation charged to HOA funds on the "unreasonable" people who were unwilling to work out some kind of resolution. It is my opinion that there should be NO compromise that would allow anything but full compliance with the request made in the filing. Enough is enough.

Chuck or Nora

Is it possible to get a copy of the petition that the employees were asked to sign or is it the same one that Chuck took a picture of? Is there anyway to prove that the employees were threatened that they would lose their jobs if they did not sign? Is there any way to know who initiated and wrote the petition? It looks very similar to the one in support of removing the three. How is it possible that one person does not want to run for another term but is afraid that stepping down would imply guilt. Where is that idea coming from? I could guess. If someone

could verify that Kevin wrote it and or initiated it, it would have significant influence on proving that he "was" using scare tactics to intimidate employees and any other current or former board members

He is trying to hide behind the support of enough people that will pledge to his sainthood. Any way to find out how many people have signed the petition besides the usual ones. I'm guessing that they will use percentages to make their case instead of head count.

Again, the AG's office is here to protect and defend the law, not "us". Any implication that they can not help us if we don't help ourselves is based on a false premise. The "State's" case is in no way subject to the success or defeat of the current action filed by Larry Wilder. The "State's" case is NOT conditional based on any action or inaction taken by homeowners and nothing done by our supporters good or bad, will leave them with "egg on their face".

It has nothing to do with the numbers!!! They are on their own, handling their own case, without regard for anything but the law that allowed them to file charges against four people that violated "that" law HB 1058. There is no chance that they would make a decision to drop the case if they thought that there wasn't enough support by the homeowners. Their case is predicated upon the preponderance of evidence that they have obtained over a three and a half year period of prudent investigation supporting their case. It DOES NOT MATTER who has a larger number of supporters in regard to the "State's" case. The problem getting any action in the past against the people responsible for fraud, etc, was that there were only a "few" crying out in the wilderness. if the "state" relied pom numbers the lawsuit they filed would never have happened. The law is not a respecter of public opinion.

Betty, you have been a trusted source of accurate and sound information. Please clarify your statements in the email about needing support and participation as a condition of the State moving forward with their case.

On Sep 25, 2012, at 11:34 AM, Charles Fugate wrote:

<BOD-Petition-Sept 25-1.pdf>

EMAIL 035

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Wednesday, September 26, 2012 1:15 PM
To: Beller, Jennie; Miller, Sally
Subject: Fwd: USE OF 'REPLY' AND 'FORWARD'

I am sending you several emails that I have found disturbing. I want you to be aware and if any information is incorrect please advise. You have my word that our correspondence will be "classified" and never shared or seen by anyone. I am not asking for any information that I understand, you are not permitted to disclose with anyone. What I am asking for is accurate factual information concerning the procedure

involved so that "i" can set the record straight. I do not intend to reveal that you were consulted or that I went straight to you for verification. I've been trying to let people know that you do not need every little problem reported in an email. This is the first email I am sending you that was my response to some rattlings that led me to believe there was still confusion amongst a lot of people. In the additional email messages please make any corrections to information that is incorrect. Thank you for your continued good work!

Begin forwarded message:

From: Kathy Bupp <kathybupp1@yahoo.com>
Subject: Re: USE OF 'REPLY' AND 'FORWARD'
Date: September 25, 2012 5:51:14 PM EDT
To: Betty Cantrell <bettycan@insightbb.com>
Cc: pagetwo <pagetwo@bellsouth.net>, Greg Biel <gbielefe@gmail.com>, Louis Bornwasser <louisborn@aol.com>, Louise Bornwasser <weezeeb@aol.com>, David Finnegan <dfinne4735@aol.com>, Chuck Fugate <chuck@chuckfugate.com>, Sheila Rudder <sheilarudder@yahoo.com>, Marty Haley <patokapirate@gmail.com>, Keith Hillman <hillmank@hotmail.com>, Becky Ledogar <rledogar@insightbb.com>, Robin Meshew <peak12r@excite.com>, Tom Pike <THOMASHPIKE@cs.com>, "Charles chuck@chuckfugate.com" <Chuck@chuckfugate.com>, "Greg gbielefe@gmail.com" <gbielefe@gmail.com>, "Debbie debbiezp@gmail.com" <debbiezp@gmail.com>, Wade Morgan <morgan@morganmfgeng.com>, "Nora B pagetwo@bellsouth.net" <pagetwo@bellsouth.net>, "Marty patokapirate@gmail.com" <patokapirate@gmail.com>, "phila3224@bellsouth.net" <phila3224@bellsouth.net>, Thomas H Pike <thomashpike@cs.com>, Debbie Z Pullen <debbiezp@gmail.com>, Paul Ranney <blackdodgeviper@insightbb.com>, Sandy Snodgrass <flamingosandy@rocketmail.com>, Glenn Thomas <glenn@hartcountyrealty.com>, Phyllis Thomas <phyllis@hartcountyrealty.com>

Just a thought and a word of caution to all. This is how to keep the "States" case and the case Larry Wilder filed for Betty separate. Don't talk about the case filed by the "State" on August 30, 2012. They have obtained the information necessary to file charges and while we are excited by the fact that there has been sympathetic action taken, the "State's" loyalty is only to the law. They don't need anything from us to make their case. They are capably equipped to successfully make their case.

Do NOT comment, make assumptions, give opinions or presume to "know" anything about the States" case. They are two unrelated cases. The "State" is not representing us. The "State" represents the law and we do not have access to the legal team's information, strategy or status. Any comments have the potential to cause a severe blow to the "States" case. The case was investigated by the "State" when homeowners provided sufficient evidence that the BOD was not performing it's fiduciary duty to the homeowners. The civil action will attempt to recoup money for the association for their breach.

The only way their would be a criminal case filed by the "State" is that through the process of discovery, they determine their was illegal criminal activity associated with the management of HOA funds and /or conspiracies to knowingly and willingly participate in a cover up to allow the perpetrators to continue. The meeting that a few of us were invited to attend was done merely as a courtesy of the investigative team to acknowledge that the years of hard work and frustration in getting valuable legal assistance was complete. In essence, they were saying, "good job and we'll take it from here". Our job is done. We don't know anything they are doing or new information they have discovered and they are bound by law NOT to discuss their findings with anyone. So, my point is, "Don't talk about the "States" case anymore". When you hear names like Larry Wilder or change of venue or "the board's lawyer, Dawn Elston, you will know with certainty that the case being discussed is in regard to the petition to have the three board members named in the "States" case, to be removed from all dealings involving matters concerning the HOA.

Their are very good reasons for taking a proactive position, but the "State" did not endorse, support or encourage a lawsuit by an individual homeowner. The only statement made by their office was that any effort taken by an individual or group of homeowners doing what they believe is necessary for future matters of the HOA will not interfere or harm their case. It is wrong to assume that their statement was an endorsement or in any way legal counsel or encouragement to proceed. Again, what homeowners choose to do is none of their concern. The only thing that they are concerned with can be found in the case and the charges against four individual people. There are no charges against the BOD or the Homeowners Association. Their action was taken because of a breach of fiduciary duty against the people named in the suit "while they were serving on the BOD of an HOA".That is the only common denominator.

The assumption is that the "State's" case is substantial enough to warrant concern of the homeowners to take action to remove them from their ability to participate in any matters concerning the HOA and their representation of it's members by the authority they are given as members of the BOD. There is the possibility of potential harm to it'smembers and thus until the matter is resolved the members filing the suit and supporters of their effort, are asking for protection from future harm by removing them from their positions. A perfectly legitimate concern, which would NOT have to be brought before the court if they had stepped down on their own. Any HOA funds used to prevent those actions can be attributed to "THREE PEOPLE REFUSING TO STEP DOWN AS THEY SHOULD" Stubborn haughtiness on their part is to blame and unfortunately it is my "opinion" that one person is insisting that all three stick together, even if one or more would rather drop out of the process. I know for a fact that one person does not want to run but she is afraid that if she steps down it will imply that she is guilty. It sounds to me that Kevin is filling their heads with whatever it takes to keep his hold on their ability to think and act freely. Remember he has assured them all these years that he is a capable and trustworthy leader and that he is their friend and would never lead them to do anything wrong. They are older single women that can be easily manipulated for any number of reasons.

If there is even a remote possibility that information posted in private emails is being intercepted or forwarded to the adversary's then it is critical to keep the FACTS straight and opinions identified as such. Control any impulse to criticize a supporting member of the group. If you have a legitimate concern with another member of the group, go to the person and talk it out. If you can't work it out then keep it to yourself. If the other person is doing or saying something offensive or damaging, chances are others will notice it too and then all of you can agree to have a civilized adult conversation to resolve the issue. There is a saying in the Bible that says, "Don't give the devil a foothold" or a modern day translation, "don't let him get his foot in the door". When there is a hint of division in thought or action it becomes fertile ground for dissension and discord. Remember, "A house divided shall not prevail"!

EMAIL 036

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Tuesday, June 05, 2012 1:46 PM
To: Miller, Sally
Cc: Beller, Jennie

Did you receive a copy of the financial report requested by Walter Kindler. The cover page says

"Supplemental Information for the Finance Committee"
In support of 4Q11 Financials compiled by [former property manager] and forwarded 2/18/2012 with 4Q11 Budget Comparison Unaudited Statements

I will pass it along if you have not received it yet. Apparently Walter asked for a financial statement and some invoices and this is a copy of the "financial" statement he was given. It was also accompanied by an 11 page copy of all the bank statements for the money market accts. for the month of February.

Let me know!

EMAIL 037

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Tuesday, June 05, 2012 1:27 PM
To: Miller, Sally
Cc: Beller, Jennie
Subject: Fw: Unit 1103

I didn't even try to answer him back on this one.

----- Forwarded Message -----
From: "kzipperle@win.net" <kzipperle@win.net>
To: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Friday, March 30, 2012 6:13 PM

Subject: Re: Unit 1103

If you're considering buying 1104 and 1105 and combining them, you're talking serious money as you probably know. My guess is those two condos cost \$500K before you even start work. At least \$100K, probably close to \$200K to finish them to the right standard.

If you want that much square footage, you're financially better off buying where you are or buying both 1103 and 1104 from me, IF I could get 1104. Based on what everyone's asking for combo units, my price would fall in line with the Hilbs', \$600-650K. That may be more than you want to pay, but it's in line with the market.

That's of course conditional on my being able to acquire 1104. Let me know if that's something you want to think about. Good luck...KZ

Quoting Kathy Kennedy <kathybuppl@yahoo.com>:

Kevin,

Kenny will be in tomorrow and we are meeting with our real estate agent as we are interested in several of the units including the one we are in. We are going to purchase, just not sure which one yet. We are likely to start out with this unit, but without a full kitchen or bathroom vanity cabinets on one side it is unlikely that Hilb will acknowledge that his unit is worth less than the \$650,000 that he is asking for it. Second, will be 1105, with the intention of purchasing 1104 when it's ready to go. My preference from day one has been to purchase 1103/1104.

Please let me know of your plans for the unit as that combination has always been my preference. If you are interested in leasing 1103 until 1104 is completed let me know. If 1103 was purchased for you to keep then we will likely lean towards 1105. Let me know.

Best Regards,
Kathy Bupp

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Version: 2015.0.5577 / Virus Database: 4213/8591 - Release Date: 11/18/14

EMAIL 038

From: Kathy Kennedy <kathybuppl@yahoo.com>
Sent: Wednesday, May 02, 2012 2:28 AM
To: sheilalrudder@yahoo.com; Sandy Snodgrass; Sue Gerdes; Chris Arnheiter; Chuck Fugate; Linda Dornbush; Glenn Thomas; Bill Thomas; Debbie Zoeller-Pullen; bettycan@insightbb.com; Marty Haley; hillmank@hotmail.com; hyrank89@yahoo.com; leepage@insightbb.com; gbielefe@gmail.com; kelly08131956@aol.com; KYDERBYBOB@YAHOO.COM; dfarnsley@stites.com; Louis & Louise

Cc: Miller, Sally; Beller, Jennie; Miller, David; Virginia Hernandez Ocasio; Linda Lamping
Subject: Re: Community~
Attachments: 1104 115.JPG; 1104 115.JPG; 1104 116.JPG; 1104 121.JPG; 1104 123.JPG

Kevin Zipperle seems dead set on "being right" even when he is wrong. He has carte blanche when it comes to filing lawsuits. He continues to initiate frivolous lawsuits without discernment or common sense. Has there ever been criteria established for HOA lawsuits? Are there several board members that follow a checklist of qualifiers that participate in the decision to file lawsuits. Kevin appears to be the only person making these decisions. With his memory of convenience, Kevin reports on the legal updates that he wants the homeowners to know(though it is generally slanted or completely untrue), yet there is never mention of the lawsuits he files and loses. Is he free to do whatever he wants? The man continues to demonstrate that he has psychological problems and his judgement is seriously impaired. In the meantime thousands of dollars are being wasted at homeowners expense. As a side note, I would love to get him to swear under oath that the association is not paying for [former maintenance manager's] legal fees for his criminal defense. The HOA is not responsible to pay for employees legal fees when the employee is charged with a criminal act. Kevin Zipperle does not protect and defend what is in the best interest of the homeowners. He has profited by his clandestine transactions and continues to treat The Harbours with a pseudo-proprietary arrogance. He has always assumed that he is smarter than the "commoners" that live here and that he is above reproach. It is inevitable that he will overlook something that will lead to his conviction, no matter how clever he thinks he is. His purchase of Unit 1103 is representative of his unscrupulous practices. I have attached photos of Unit 1104, the unit that was foreclosed and is now owned by FANNIEMAE. I'll let you draw your own conclusions as to what he and Frank Prell are up to when you look at a wall (loosely termed) that is supposed to separate the two. It has never been two separate units, but Frank Prell had a first mortgage on two separate deeds. The Harbours BOD according to it's by-laws is required to file by amendment anytime that two units are combined. Eight years later, it has never been done on 1103/1104 and 1015/1016 both owned by Frank Prell. It is hard to overlook when every single questionable financial transaction in the last 8 years has ONE common denominator, Kevin Zipperle. Couple that with the fact that though he appears to be a capable healthy man he has not been gainfully employed since he has graced the doors of this community. It leads one to believe that he has found his income opportunities at the expense of the naive homeowners who continue to let this fox in the henhouse. The lengths he has taken to conceal his actions over the years is a complex yet revealing insight into a purely dishonest greedy opportunist.....Kevin Zipperle. He hides behind the front of his so-called years of tireless"voluntary" labor.....all for the good of.....! Fill in the blank. We must all develop a commitment to identifying, targeting and resolving the problems that have plagued this community. If conventional means set forth in your governing documents have been compromised, then alternative actions must be considered. Our mission is to present a clear, convincing and conclusive argument that supports the allegation of internal fraud and

all other criminal acts inflicted on the homeowners here at the Harbours. Our mission is not to be hateful or inflammatory. When you represent the cause of truth the documented facts are all that is needed. Be above reproach and refuse to be provoked or comprimised. It will be harder than you may expect. Remember that it is a common cause for the benefit of all the homeowners to restore a financially sound, safe and peaceful place to call home. Refrain from negative outbursts, cursing and name calling. We are representing a righteous noble cause and our conduct must reflect that our character is consitant with our cause. I am calling for an agreement to meet weekly or bi-weekly to assign a person or persons specific topics of concern to research, manage and document to be shared collectively. Let's get some feedback on this and get to work!

Best Regards!

-----Original Message-----

From: sheilalrudder@yahoo.com
Date: Tue, 1 May 2012 15:44:09
To: Harbours Manager<sdaugherty@win.net>
Reply-To: sheilalrudder@yahoo.com
Subject: Community~

Stacye,

I think if owners could meet each other & get to know each other it would help. We used to have gatherings but zipperle stopped them to keep owners from comparing their experiences.

Mrs. Quiggins does not know me yet her attacks are poisonous & totally outrageous. Precipitated by zipperle & staff. If staff would NOT be allowed to discuss Owners to Owners it would help.

Many owners & renters have told me unconscionable things [former maintenance manager] & [former property manager] have said about me that have created hostility against me; and created a violent hostile environment at The Harbours.

If our employees treated all owners with respect & worked for all owners who paid their salaries it would create harmony.

During Developer Transition in 2004, I along with 27 owners, requested a review of Condo vs. Apartments need for employees. We ask how many employees we had, job descriptions, qualifications, salaries & benefits? Fair question as we all pay the bill.

At the meeting, [former maintenance manager] viciously attacked me in front of 2 owners. He is set on people like a mad dog, in my observation & personal experience. Police Reports & Video Tapes Available.

I do not keep a car here due to past vandalism. I drive Dr. Stone's car & Barry Gates' car when I am in the Building. Shameful!

All these petty lawsuits paid for with our HOA Fees create hostility & harm to our Community. Instead of sitting down with owners & saying, what can we do to make this place right, Board constantly files Law Suits based on unfounded accusations at zipperle & [former property manager's] instigation. Latest Law Suit Hearing, Lee Page & [former maintenance employee] did not act like they knew what they were doing in court? It was SO sad & a waste of thousands of HOA \$. FOR WHAT?

Eliminate Libel against owners sent out In Harbours News Letters. If there is a legitimate problem, talk with owners one on one. Find out the facts. Eliminate the problem. Address issues professionally; and, confidentially.

I used to be afraid to come to the office just to pay my bill due to the anger & hostility.

I used to dread opening my door, as there would be threatening notes or letters on Harbours Stationery by zipperle or [former property manager] accusing me of something I had not done. That is why I put a strip under my door.

Since you have come, the above 2 issues have stopped which is a big step.

The above are my suggestions, based on PROVEN facts for building a financially healthy, safe & fun place to live, work & play...

This Community should be & COULD be a WONDERFUL place to live if operated for the benefit of all paying the tab.

Respectfully,
Sheila L. Rudder
502-592-4544
Sent via BlackBerry by AT&T

From: "sheilalrudder@yahoo.com" <sheilalrudder@yahoo.com>
To: Sandy Snodgrass <flamingosandy@rocketmail.com>; Sue Gerdes <suegerdes@msn.com>; Chris Arnheiter <chris_arnheiter@yahoo.com>; Chuck Fugate <Chuck@chuckfugate.com>; Linda Dornbush <linda.dornbush@firstliberty.net>; Glenn Thomas <glenn@hartcountyrealty.com>; Bill Thomas <anthomas7@att.net>; Debbie Zoeller-Pullen <debbiezp@gmail.com>; Kathy <kathybuppl1@yahoo.com>; bettycan@insightbb.com; Marty Haley <patokapirate@gmail.com>; hillmank@hotmail.com; hyrank89@yahoo.com; leepage@insightbb.com; gbielefe@gmail.com; kelly08131956@aol.com; KYDERBYBOB@YAHOO.COM; dfarnsley@stites.com; Louis & Louise <louisborn@aol.com>
Cc: Sally Miller <Sally.Miller@atg.in.gov>; Jennie Beller <jennie.beller@atg.in.gov>; David Miller <David.Miller@atg.in.gov>; Virginia Hernandez Ocasio <vhernandez-ocasio@icrc.in.gov>; Linda Lamping <llamping@co.clark.in.us>; Paul Kiger <paulkigerhomes@gmail.com>
Sent: Tuesday, May 1, 2012 12:18 PM
Subject: Fw: Community~

Stacye is trying. Please send her your suggestions...

Sent via BlackBerry by AT&T

EMAIL 039

-----Original Message-----

From: sdaugherty@win.net

Date: Tue, 01 May 2012 09:01:24

To: <sheilalrudder@yahoo.com>

Subject: Re: [The Harbours... Can you believe this stuff?] It was brought to my attention the unit Kathy...

Sheila,

Good Morning!! How are you??

I would love to stop it but I am not sure how.

Alot of these issues started before I got here and keep getting brought up.

I wish there was a way to just wrap it all up and say no more and just have everyone be positive and courtesy to one another. Or at the least ... just dont say anything at all.

You have to remember that old Sunday school rule, "treat others the way you wanna be treated" I think somehow as we've grown up, that rule stopped and people started acting different. I dont understand all the backlashing that goes on here but I would love to stop it.

Do you have any ideas??

Quoting sheilalrudder@yahoo.com:

Stacye, I know you inherited this outrageous craziness. But; Anything you can do to end it, would be to the betterment of The Harbours Community. And a benefit to all... Thank you for your courtesy, fair & kind management attempts!

Sheila L. Rudder

502-592-4544

Sent via BlackBerry by AT&T

-----Original Message-----

From: "Sheila Rudder" <notification+zj4o4ft64yz9@facebookmail.com>

Date: Mon, 30 Apr 2012 14:38:13

To: The Harbours... Can you believe this stuff?<167624100012422@groups.facebook.com>

Reply-to: Reply to Comment

<g+409b2ss000zg51pv8c4002cqniolq0n001nflg57yx221y46@groups.facebook.com>

Subject: Re: [The Harbours... Can you believe this stuff?] It was brought to my attention the unit Kathy...

Sheila Rudder commented on Martin Dale Haley's post in The Harbours...
Can you believe this stuff?

Slander - Defamation - Personal & Professional Harm. . .

If you read Mr. & Mrs. Quiggins' OWN postings, you see in their rantings, they continually contradict themselves.

I know nothing of anthrax. If these people could get something that dangerous, we would all be dead.

I have had urine & other crap in my Unit in a secured building. Pictures & Police Reports Available.

Quiggins IS on video tape stealing from 1005. He WAS arrested. Police Report > & Court House Records for Criminal Conversion Hearings Available.

He says himself he took Court House Parking Space Documents from Unit 1005, in his own written words, that the HOA directors did not want that owner to have?

Bill Thomas & Syed Kazmi went to put their ballots under door at 1005. Quiggins was in front of Unit 1005 door. The two gentlemen were interviewed by Channel 41. They told this on Channel 41 News Google News Segment.

How many thousands of dollars did our HOA give Quiggins for his old car, that never moved, when he ALLEGED sugar in his gas tank? A vandal would have done his new car.

Was that money exhortated to help the President of the month with his legal fees instigated by his leader? What happened to that car? Was it really repaired? Where, if so? Was it in the parking garage after repair?

If I were as bad as they say, I would be suing the Quiggins. I can provide Court Documents, Police Reports & > Video Tapes to prove my statements.

On the other hand; Their slander against me is outrageous & hearsay. Enough!

Sheila L. Rudder
502-592-4544
Sent via BlackBerry by AT&T

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