

From: Tolp, Bud Bud.Tolp@gcinc.com  
Subject: FW: THIA Lot Owner Notification Letter (Attorney Client Privileged)  
Date: Sep 4, 2018 at 3:04:35 PM  
To: Diana Cole desertrock85@gmail.com, Tonto\_C  
Tonto\_CK@yahoo.com, kathleen kuchta kathleenkuchta@msn.com

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Ladies.

See below opinion from Beth Mulcahy re: TH Lot Owner Notification Letter (attached). We can proceed with sending letter to all TH property owners.

Thanks, Bud

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**From:** Brandon Bethell [mailto:bbethell@mulcahylawfirm.com]  
**Sent:** Tuesday, September 04, 2018 2:57 PM  
**To:** Tolp, Bud <Bud.Tolp@gcinc.com>  
**Subject:** FW: THIA Lot Owner Notification Letter (Attorney Client Privileged)  
**Importance:** High

Bud:

Pursuant to my review of your proposed letter, it appears to be factual in nature. As such, I do not believe it would prejudice board member, Steve Rensel, or represent an abuse of power. I recommend that the Board treat this particular proposal just as it would treat any other proposal and make a decision based on the provisions of the Governing Documents and what a majority of the Board determines to be in the best interests of the community.

Please let me know if you have any further questions. Thank you.

*/s/ Beth Mulcahy*

Sincerely,

Beth Mulcahy, Esq.



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**From:** Tolp, Bud <[Bud.Tolp@gcinc.com](mailto:Bud.Tolp@gcinc.com)>  
**Sent:** Tuesday, September 04, 2018 1:27 PM  
**To:** Beth Mulcahy <[BMulcahy@mulcahylawfirm.com](mailto:BMulcahy@mulcahylawfirm.com)>  
**Cc:** Jennifer Young <[jyoung@mulcahylawfirm.com](mailto:jyoung@mulcahylawfirm.com)>; Diana Cole <[desertrock85@gmail.com](mailto:desertrock85@gmail.com)>; 'Tonto\_C' <[Tonto\\_CK@yahoo.com](mailto:Tonto_CK@yahoo.com)>; kathleen kuchta <[kathleenkuchta@msn.com](mailto:kathleenkuchta@msn.com)>  
**Subject:** RE: THIA Lot Owner Notification Letter (Attorney Client Privileged)

Beth,

I need you to review the subject notification I sent to you 8/29 as we need to send out to TH property owners before our next Board meeting which is 8/10/18. Please review and get back to me with any changes by COB today.

Thank you, Bud Tolp

**Bud Tolp**

*Project Executive  
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**From:** Beth Mulcahy [<mailto:BMulcahy@mulcahylawfirm.com>]  
**Sent:** Wednesday, August 29, 2018 1:11 PM  
**To:** Tolp, Bud <[Bud.Tolp@gcinc.com](mailto:Bud.Tolp@gcinc.com)>  
**Cc:** Jennifer Young <[jyoung@mulcahylawfirm.com](mailto:jyoung@mulcahylawfirm.com)>  
**Subject:** RE: THIA Lot Owner Notification Letter (Attorney Client Privileged)

Hi Bud: We will look at this right away.

Sincerely,

Beth Mulcahy, Esq.



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**From:** Tolp, Bud <[Bud.Tolp@gcinc.com](mailto:Bud.Tolp@gcinc.com)>  
**Sent:** Wednesday, August 29, 2018 1:07 PM  
**To:** Beth Mulcahy <[BMulcahy@mulcahylawfirm.com](mailto:BMulcahy@mulcahylawfirm.com)>  
**Cc:** 'Tonto\_C' <[Tonto\\_CK@yahoo.com](mailto:Tonto_CK@yahoo.com)>; Diana Cole <[desertrock85@gmail.com](mailto:desertrock85@gmail.com)>; kathleen kuchta <[kathleenkuchta@msn.com](mailto:kathleenkuchta@msn.com)>

**Subject:** THIA Lot Owner Notification Letter (Attorney Client Privileged)

Beth,

Further to our discussion and your 8/14/18 email communication with Cheryl Kaufman, attached is a notification letter we plan to send (mail USPS) to all Tonto Hills property owners. Can you please review to ensure this action cannot be seen as THIA Board acting with prejudice or abuse of power as relating to Board member Steve Rensel and his pursuit to enter into a contract with Desert Mountain for equipment storage on one of his commercial lots which the Board and community believes is a violation of our D of R's.

For your info, we held a special Board meeting on 8/20/18 for the purpose to go into Executive Session and recuse Board member Steve Rensel ("SR") so the Board could discuss legal review and options to deal with his proposed usage of commercial Lot #18 and potentially other commercial lots that Board member SR owns. SR refused to leave the Executive Session stating he is Board Member in good standing, could provide valuable input, and believes he only needs to recuse himself from voting on this matter. In Executive Session, we put forth a motion that SR does not attend any Executive Session having to do with commercial lots that he owns based on THIA attorney legal opinion and a conflict of interest as set forth in our THIA Bylaws. The Motion passed. SR refused a second time to leave the Executive Session.

Thank you, Bud Tolp, THIA President

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**From:** Diana Cole [<mailto:desertrock85@gmail.com>]

**Sent:** Thursday, August 23, 2018 7:59 AM

**To:** Tolp, Bud <[Bud.Tolp@gcinc.com](mailto: Bud.Tolp@gcinc.com)>

**Subject:** Lot owner Letter re emails

Bud,

Here is the cleaned up version of the letter from last night on our letterhead for you to discuss with Beth.

Diana

