The Boulders
Members Association

At our Annual Meeting, Corbin McNeill and his lead attorney in the lawsuit, Michael Ross, provided a status report on the lawsuit following several months of unsuccessful mediation. In addition to noting that the lawsuit would continue under a recent scheduling order from Judge McNamee, it was announced that we would continue to pursue settlement offers to the owners from both Mr. McNeill and the BMA outside of the mediation process. We would like to provide an update on the status of those efforts.

On March 13, Mr. McNeill submitted a proposal based on the principles of **RIP**:

- **Restore** the rights and privileges that had been taken away
- **Invest** in the Club
- **Prevent** this from happening again

Specifically, Mr. McNeill proposed that The Boulders:

- Restore his (and therefore) members' ability to play both golf courses
- Restore member discounts
- Replace the irrigation system and re-grass the fairways
- Upgrade the tennis and pickleball courts with a post-tension concrete base
- Preserve the protections afforded to 2008 members under Section 7.3(G) of the 2008 Bylaws
- Reimburse Mr. McNeill $600,000 in attorney's fees

Settlement discussions were unsuccessful even though the owners offered a substantial monetary payment if Mr. McNeill resigned his membership and, therefore, his right to bring legal action against the Club.

BMA Proposal

Since Mr. McNeill must seek remedies for himself alone, BMA separately, on March 13, proposed that it would seek approval from the 2008 resident members for future dues increases, and Mr. McNeill would dismiss his lawsuit, if CP Boulders agreed to the following:

- Restore members' ability to play both golf courses
- Allow members to play the Resort Course on days they are scheduled to play the Members Course when tee times are available
- Restore member discounts
- Preserve the protections afforded to 2008 members under Section 7.3(G) of the 2008 Bylaws
- Upgrade the tennis and pickleball courts with a post-tension concrete base
- Install water and ice stations on both golf courses
- Replace the irrigation system and re-grass the fairways
- Adopt reasonable, widely accepted standards for golf course maintenance
- Address invasive plant growth affecting the golf courses
- Resurface the Members' Pool
- Upgrade equipment in the Members Gym

If approved by a majority of the 2008 resident members, the proposal also contemplated:

- Increasing member dues to 2023 levels over time as agreed-upon improvements were completed
- Adopting the 2023 methodology for future dues increases
- Allowing members age 80 or older with at least 20 years of membership to offset dues increases through a reduction in their initiation fee refund
- Freezing dues for Social and Clubhouse members for a defined period

After receiving no response from the owners, BMA resubmitted this proposal to CP Boulders on April 10.

Throughout discussions, BMA maintained two fundamental positions:

1. Any settlement must satisfy the principles of RIP—Restore, Invest, and Prevent.
2. Before members could be asked to support higher dues, ownership would need to provide substantially more than simply restoring benefits that were removed in February 2023.

Subsequent Discussions

Since the April 10 settlement offer, there has been a counteroffer, the details of which required further explanation and evaluation. In the counteroffer, BMA found several issues that required additional information before BMA could responsibly make a recommendation to the membership. CP Boulders responded but failed to answer several key questions.

BMA asked that the information be provided by May 28 or else BMA would consider the settlement dialogue closed. CP Boulders has not provided the requested information and so BMA concluded CP Boulders was not serious about resolving these matters.

Outstanding Issues

The principal unresolved issues included:

- The Boulder's proposal to increase the number of golf memberships. Based on both the 2023 vote and a recent membership survey, BMA advised that members would not support such an increase.
- The Boulder's proposed partial solution to the golf course irrigation issues. After review by an industry expert, BMA concluded that the proposal did not adequately address the problem.
- The Boulder's refusal to commit to cleaning up and actively maintaining the desert property.
- The Boulder's refusal to commit to maintaining the pickleball courts in a safe and playable condition.
- The Boulder's refusal to commit to restoring the alternating-course play practice that had been in place for more than 20 years before 2008 members were restricted to a single course.
- The Boulder's proposed revisions to the annual agronomy report requirements were unacceptable to BMA.

What Happens Next?
Following the unsuccessful mediation in March, Mr. McNeill instructed his attorneys to proceed with trial preparation.

Several motions have already been filed, and additional motions are expected before the Court's June 5, 2026, deadline. Responses to those motions are due by July 24, 2026. Afterward, decisions will be made regarding additional discovery, including depositions and document requests.

BMA and Mr. McNeill have consistently sought a fair and reasonable resolution through settlement discussions. Unfortunately, based on the positions taken by CP Boulders and its unwillingness to provide the information necessary to evaluate its proposals, ownership has effectively chosen litigation as the path forward.

Mr. McNeill remains committed to pursuing the case through trial, and BMA will continue to keep the membership informed as developments occur.

Visit the BMA Website

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