

Summary of Remarks by Corbin McNeill and Mark Warnquist April 25, 2024

Immediately following the adjournment of the Boulders Members Association annual meeting, Corbin McNeill and Mark Warnquist, one of his volunteer legal advisors, updated their fellow members on Corbin's lawsuit against the owners of the Boulders, Columbia Sussex ("owner" or "CS"). Here is a summary of their remarks.

Corbin recounted the reasons he chose to become the plaintiff in this action. He concluded his initial comments by stating that the value, prestige, and cache of our memberships and community depend upon having the first-class courses and facilities required under our contract. We must fight to reclaim them.

Mark Warnquist provided an update on Corbin's lawsuit, first explaining how and why the case was moved from Maricopa County's Business Court to Federal Court and that it was not unexpected.

Mark outlined the positions CS took in their Motion to Dismiss the lawsuit and Corbin's responses to those arguments. Corbin and his lawyers and advisors are confident about the strength of their arguments versus CS and their chances on the judge's decision on the Motion.

The hearing on the Motion to Dismiss before Judge McNamee is on Friday, May 3rd at 11:00 a.m. at the Federal courthouse in downtown Phoenix. The hearing is open to the public and Mark acknowledged that many members are very interested in it. **However, Corbin's lawyers advise against having a large audience for this initial opportunity to be heard, so the plan is to have only some members of BMAC and Corbin's team attend the hearing.** We intend to provide a full update via BMAC email within 24 hours. A ruling from the judge is not expected at the hearing.

Mark and Corbin responded to a few questions from the membership.

Corbin thanked the members for their patience with the pace of the legal process. He thanked those who have contributed to the contract enforcement fund. Anyone wishing to contribute can find instructions to do so on the BMA website under the Lawsuit heading.

Finally, Corbin cautioned members not to be misled by the owner's half-attempts to correct their many maintenance deficiencies. They have not undertaken the major investment necessary to achieve the first class club they committed to provide.

If you would like more information about what we heard from Corbin and Mark, please contact a member of the BMAC Executive Committee: Matt Lobas, David Johnston, Greg Barnum or Jenny Murray.