

An Important Message from FRMD Nos 2 & 3:

November 2, 2017 - As outlined in the October 27, 2017, release, the parties (FRMD Nos 2 & 3 and Brookfield) had their Status Conference with Judge Oeffler on Thursday, November 2, 2017. Half the members of Board of Directors from FRMD Nos 2 & 3 were present, along with members of our Community.

Judge Oeffler heard extensive argument from the attorneys for the parties regarding FRMD Nos 2 & 3's Emergency Motion to compel Brookfield to advance the funds to pay the outstanding invoices for operations and services to the community. Judge Oeffler agreed with FRMD Nos 2 & 3 that Brookfield was not complying with the terms of the stipulation and was required to advance the funds to pay all outstanding invoices. Judge Oeffler offered the parties the alternative of the Court issuing an order requiring Overlook Property Management to pay the invoices directly from FRMD No 1's operating account and to reimburse Brookfield for the funds it had advanced to pay expenses in August. The parties agreed to this approach. Judge Oeffler stated she would sign an order directing Overlook Property Management to: 1) reimburse Brookfield for the advance it provided on the first round of invoices in August, 2) pay the current round of invoices, and 3) pay future invoices until such time as the matter regarding who controls FRMD No. 1 is settled. This is good news for FRMD Nos 2 & 3, as it removes the impediment that Brookfield had placed in the ability to use our funds to pay Vendors for services they provide to our Community. Once the Order is signed and filed by the Judge, it will be posted on Solterra-Connect.

In the matter of who will assume control of FRMD No. 1, Judge Oeffler made it clear that she had received all the pleadings and arguments from the parties that she needed and she would issue her written ruling before the end of the year, with intent to rule before the end of November; however, she is not beholden to a specific timeline.

There will be a Special Meeting of the FRMD Nos 2 & 3 Board of Directors to be held on Tuesday, November 7, 2017 at The Retreat at Solterra, 15260 W. Evans Ave, Lakewood, CO 80228 at 6:00pm. Board will immediately enter into Executive Session and regular meeting will begin at 6:30 pm. Agenda items are being collected and will be available 72 hours prior to the meeting.