

RESPONSE TO ZUCKER'S LETTER REGARDING LEGAL FEES REIMBURSEMENT!

We constantly remind our members that the Board uses “**FAKE NEWS**” at every opportunity. Not reporting [all of the Judge's findings](#) in the May 22, 2019 letter to the membership makes it “**FAKE NEWS**” in our opinion. **The so called winnings never mentioned the important missing facts.** Mark Zucker reported the Judge's decision about attorney fees in the light most favorable to Delaire. The judge basically called it a tie. If we want any other outcome we will have to appeal the decision. We are preparing the appeal as this article is posted. The [judge's full decision](#) was conveniently withheld in the Zucker letter which was as follows; ***“In accord with the above, the Court concludes that neither party is the prevailing party in this action”.*** The reimbursement of attorney fees, necessitated for not receiving documents to satisfy Mr. Brecker's requests by the Club, forced the litigation. Had the Club abided by the law everyone would have saved money. The issues now in play would not have to be contended with. The irony is that the Club, at the end of the day, did forward the documents, to prevent this case from coming to trial. It was too late to prevent “**prevailing party**” litigation. **The club remained silent on the final words of the Judge's 7 page findings which makes the Zucker letter nothing but “gibberish”.** Zucker echoing the judges comment; *“that the documents demand was not based on our belief that Mr. Brecker lacked a proper purpose for his demand”, is not applicable unless he reports the rest of the story.* Zucker failed to mention the full story. The Club spent thousands of dollars on this skirmish which could have been prevented if the Club gave the requested documents in the first place. The Judge will be reversed based on the Law, making this conflict a costly venture.

Bringing professional management to Delaire will prevent incompetence and save our resident-members money by understanding of Clubs regulatory requirements and their Fiduciary Responsibilities in future dealings with members.

The above incident is a continuation of waste by a naïve board which has outlived its usefulness. [Read: May 6 2019 Delaire can have a brighter future](#)

The May 1, 2019 decision on “**FIRING TRENT SQUIRE**” as the General Manager is a perfect example of gross negligence and incompetent management decision. **The whole scenario is unbelievable.** How can the Board **rehire the failed General Manager after terminating him in a public forum and promise him a most generous bonus to stay on until they get his replacement.** Conferring with Mark Zucker regarding his May 1, 2019 message, we were advised that neither he nor any Board member were able to take on the responsibility of running the club. That prompted their reason for offering Trent Squire a generous bonus to let him remain until they find his replacement. **Why did they fire him without a replacement in the first place? That decision makes every Board member ineligible for being on the Board.** If the Board members cannot be relied on to run the club during an emergency, then they

ABOLISH MANDATORY MEMBERSHIP

should not be members of the Board. How can they determine what is right or wrong with the decisions made by the General Manager if none have a clue as to what it takes to be the General Manager? How can they hire a general manager without full knowledge of the job requirements? **Rehiring him and enticing him to stay is what greenhorns do. We have over one hundred employees at Delaire without leadership in place.** Employee morale is very low!

These are the immediate Delaire problems needing professional guidance for our survival. **Underground infrastructure failures costing \$1 to \$2 million dollars, securing a General Manager, resident members abandoning homes to builders, cutting mandatory membership below sustainable levels, facing a Multi- Million dollar litigation, losing property values creating the Catch 22 of abandonments, requiring new kitchen facilities and restructuring the club house and infrastructure as per the 5 year Strategic Plan for \$8 million dollar financing, having the Club House balloon of \$8 million dollar coming due in 2021. These are just a few of the problems facing us into 2019.** The Board has let us know they cannot be relied on once they state that they cannot run the club. Even the ex-officios have declined the required leadership. What does that say for our future? **We need the Professionals ASAP!!!**

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BEFORE IT'S TOO LATE!**