

“An attack on one Delairean is an attack on all Delaireans.”

Moreover, some members will now have a legitimate fear of going into the dining room and bar. Acts of violence cannot be ignored or languish without consequences. A grievance needs to be filed against the offending member. If this vicious and senseless act goes unpunished, then other people may get the idea that it's simply the Wild West and department doesn't count. Manny Brecker

Brecker's reply to Judy Singer

From: mb3217@aol.com

To: admin@delaire.org

Sent: 10/25/2018 9:00:15 AM Eastern Standard Time

Subject: Re: Message from the Delaire Grievance Committee

Judy Singer, Chair, Delaire Grievance Committee,

I am in receipt of your 10/24/2018 e-mail referring to my Edelman Grievance charge dated 10/20/2018 which you have denied with your proverbial "*Your complaint does not rise to the level of a grievance*". Your explanation how you came to such a conclusion is in direct contravention of the By-Laws and the Rules & Regulations of Delaire as written. Your self-serving edicts will be listed below and shall become a valuable part of our record depicting "**Selective Enforcement**" being practiced by the grievance committee and approved by the Board of Governors.

1. You and your committees interpretation of *Article XII, Section 1*. do not pass the test of correctness. Your interpretation requires a member to be present and actually witness an alleged act of misconduct to be deemed an "*aggrieved member*" eligible to file a grievance complaint. You include "**hearsay**" as insufficient evidence to deny my grievance complaint. Your description of "**hearsay**" is not defined making it mute. In simple terms your denials are totally **contradicted by the written Rules & Regulations of Delaire as follows:**

III. GRIEVANCES

A. *The member shall be responsible for the conduct of such member's guests, significant other, renter, employees, family, and any member may file a grievance against said member* for the actions of any of the aforesaid class of people.

C. *The membership of a member is subject to termination if the member or spouse of a member(or family member interpretation) is guilty of creating a "**HOSTILE work environment**" "involving the staff of Delaire Country Club, Inc. or any of the employees working at Delaire.*

BY-LAWS ARTICLE XII SECTION 1 STATES:

A complaint alleging misconduct on the part of, or attributed to a member or member's family or guest may be filed by an aggrieved member. They say nothing about a member having to be present.

DEFINITION OF AGGRIEVED:

1: Troubled or distressed in spirit

2 a: suffering from an infringement or denial of legal rights aggrieved minority groups

2 b: showing or expressing grief, injury, or offense an aggrieved plea

SYNONYMS FOR AGGRIEVED:

discontent, discontented, disgusted, displeased, dissatisfied, malcontent

HEARSAY ALLEGATION:

A Police report was included with my grievance charge of 3 pages signed by the investigating officer reporting **Name of the victim, Ray our bartender, Date and time of the incident, Saturday 10/06/2018 22:10, CRIME Battery-Simple. WEAPONS/TOOLS HANDS/FEET/FIST/TEETH. A INCIDENT/INVESTIGATION REPORT** taken by a police officer cannot be considered **HEARSAY** by reasonable people. However, your statement says it all that **SELECTIVE ENFORCEMENT** is used in the decision making of the grievance committee and bears-out a bias against this member past, present and future.

CONCLUSION:

Snubbing the attack on an employee doing his job by a **DRUNKEN BULLY** is violating the section in our By-Laws of: "*welfare, harmony, decorum or good reputation of the club or otherwise interferes with pleasant friendly and congenial social relationships*". Why were these unanimous expressions included in our by-laws if they are not acted on unanimously toward all members? I as a Resident member was held to the **Selective Enforcement** standards as written which were not substantiated by the Florida Statutes 617.0607, 6170202 which are now subject to the litigation of Brecker v. Delaire. I was falsely suspended for 1 year with all dues and assessments to be paid during my suspension.

Edelman is not held to such standards! The club is protecting him beyond all reasons and in full denial that the incident ever happened, regardless if they made a settlement among-st the perpetrator and the victim for their self-serving purposes. The club was injured by the incident and the club is duty bound to act. By not acting the Club is showing favoritism toward Non-Resident members should they "GO WRONG". They would have to be expelled with a loss of \$18,418 dues or be suspended with a loss of dues. That makes the Resident-Members easy targets as well as being discriminated against for economic reasons. That said, brands non-residents not being CAMARADERIE with the Resident-members and is another reason for the Resident-mandatory members to vote-out the Mandatory mandate.

Having said all of the above, it leaves open the question of how my punishment of 1 year suspension for the use of my "Freedom of Speech" as approved by the WIPO, can be justified in the eyes of any beholder as subjecting the Club of an alleged misconduct on my part. When a vicious criminal act by a drunken member attacks one of our club employees with Fists/ Hands/Feet/ Teeth doing his job, is not considered worthy of a grievance and allowing the guilty member a free GET OUT OF JAIL PASS! That reasoning often repeated is one of the main reasons Delaire properties have been found unattractive to potential purchasers. It has never been the website of www.delairegovernance.com

Respectfully submitted,

MANFRED BRECKER