



McCall Area Timeshare Association

P.O. Box 1767 McCall, Idaho 83638

September 24, 1985

Dear Homeowner:

Based upon discussions with the Aspens Homeowners' Association regarding the assessments for the roofs of the Aspens Condominiums, as outlined in our letter to you of August 16, 1985, the interest and penalty for September 1985 ONLY on those unpaid assessments has been waived.

However, the Aspens Homeowners' Association (not M.A.T.A.) Board of Directors have reserved the right to assess a penalty and interest on any unpaid assessments. Therefore, any amounts unpaid as of October 1, 1985, will be charged an 18% per annum interest on the remaining unpaid balances.

To avoid these charges being made to your account, please govern yourselves accordingly and remit your assessment amount to this office immediately.

Sincerely,

Landen R. Blair
Treasurer

LRB/ms



McCall Area Timeshare Association

P.O. Box 1767 McCall, Idaho 83638

Dear Timeshare Owner:

Enclosed is a copy of a letter dated April 4, 1986, to the Aspens Condominium Owners' Association from the law offices of Meuleman and Miller. This letter contains the time table for our legal action against the defendants as outlined. We will try to keep you abreast of these events and any changes as we learn of them.

At the annual meeting of the homeowners, held April 5, 1986, a motion was approved to file a lien on any owner who has not yet paid the special roof assessment. This was to be filed this week. Your Board of Trustees was able to prevail on the Board of Directors to delay any lien on the timeshare owners until May 3, 1986.

In brief, this letter is the final request for payment of the special roof assessment of \$300 plus interest at 18% from October 1, 1985.

To prevent a lien (plus the extra costs involved) from being placed on your week(s) of ownership, please send your check for \$ plus \$ interest for a total of \$ to the M.A.T.A. office.

Your cooperation is greatly appreciated.

Sincerely,

Board of Trustees

BT/ms

Enclosure

LAW OFFICES
MEULEMAN & MILLER
CONSTRUCTION LAW CENTER
700 WEST WASHINGTON
POST OFFICE BOX 955
BOISE, IDAHO 83701

APR 04 1986
RECEIVED

WAYNE V MEULEMAN
ROBERT L. MILLER
JAY F. ROSENTHAL
ANTHONY G. HALL
STEPHEN W. FRENCH

BOISE (208) 342-6066
IDAHO FALLS (208) 529-0580

April 4, 1986

HAND DELIVERED

The Aspens Condominium Owners
Association, Inc.
Boise, Idaho

Gentlemen:

The Board has asked this office for a report on the status of the litigation filed on behalf of the Homeowners' Association against various defendants to recover for losses that have been suffered to the The Aspens Condominiums. We understand the purpose of this letter is to serve as a basis for a report by the Board to the Homeowners, and we also understand the Board intends to make copies of this letter available to individual homeowners. Consequently, we anticipate this letter will be available to defendants in the litigation.

At the present time, a calendar of the future events scheduled in the litigation is as follows:

1. Motions to add parties were required to be filed by April 1, 1986.
2. Fact discovery depositions shall be completed by May 14, 1986.
3. Expert witnesses shall be designated by May 30, 1986.
4. Expert witness depositions shall be completed by July 1, 1986.
5. All discovery shall be completed on or before August 16, 1986.
6. Pretrial motions shall be filed on or before September 2, 1986.
7. Jury trial is set to commence November 4, 1986, at 1:30 p.m. Trial is set for two weeks.

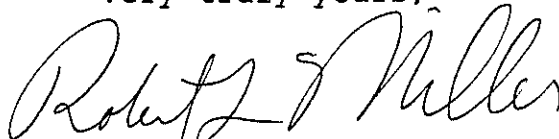
To date, the most active participants in the litigation besides the Association as plaintiff have been Monier (the manufacturer of the roof tile) and the group comprised of the developer-builders, including Sundance Construction, Mr. Anderson and Mr. Phillips. Substantial efforts are now being devoted by all attorneys in the litigation to taking detailed depositions from various parties to the action. A substantial part of discovery with respect to Monier is now underway. Depositions of Mr. Anderson and Mr. Phillips and Homeowners' Association representatives are scheduled for April and May. Depositions of persons who will testify as experts in the litigation are scheduled for June. We are using every effort to keep matters on schedule and to preserve the trial date that is set in this matter. Obviously, defendants have no interest in seeing the matter go to trial and will, to the extent possible, attempt to find reasons to postpone the trial date.

We have added claims to the Homeowners' complaint for punitive damages as was discussed with the Board of Directors during the winter. The claims were added, because after a substantial amount of discovery had been done, the conduct of the defendants in this matter was such as to justify under appropriate Idaho law an award of punitive damages. In substance, punitive damages are an additional award of money over and above the actual losses suffered and are intended to deter such conduct in the future.

The defendants have filed motions recently to add Valley Truss Co., Ashby Framing and Western Tile Roof Applicators as additional defendants. The additional defendants were added at the last possible time and we anticipate that the additional defendants may seek to obtain a postponement of the trial. We intend to strongly resist any attempt to postpone the trial.

In general, we remain confident that the Association has a meritorious case. The final resolution, however, is likely to be determined by a jury unless reasonable settlement is reached. At the present time, we have received no serious communications from the defendants leaning towards settlement.

Very truly yours,



Robert L. Miller

RLM/joy