

COURT OF COMMON PLEAS
PROBATE DIVISION
CUYAHOGA COUNTY, OHIO

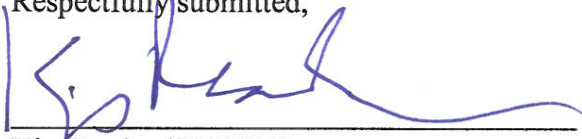
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|----------------------------------|---|---|
| ARTHUR P. DUECK, et al. |) | CASE NO. 2012 ADV 179424 |
| |) | |
| Plaintiffs |) | JUDGE ANTHONY J. RUSSO |
| |) | |
| v. |) | |
| |) | |
| THE CLIFTON CLUB COMPANY, et al. |) | <u>TRUSTEES' RESPONSE TO</u> |
| |) | <u>SECONDARY PARTIES' MOTION</u> |
| Defendants |) | <u>TO HAVE THE CURRENT</u> |
| |) | <u>CLIFTON PARK TRUSTEES</u> |
| |) | <u>REMOVED</u> |

The issues in this lawsuit, namely the beach access afforded to the Clifton Club and the continued service of the Trustees, are matters to be determined by the interpretation and application of the legal deeds, lease, and trust, and 100-year history of beach access, and of the law, and are not issues to be determined by a tally of the opinions of the current subplot owners at Clifton Park.

Although approximately 130 Clifton Park residents have submitted a Motion to Have the Current Clifton Park Trustees Removed, it should be understood that that number represents less than one-half of the sublots in Clifton Park. There are approximately 206 sublots in Clifton Park. The 130 residents are owners of about 80 lots, so the majority of the subplot owners have not joined the Secondary Parties' Motion.

The Trustees, accordingly, rely on their Brief in Opposition to the Motion to Remove for their response to the Secondary Parties' Motion.

Respectfully submitted,



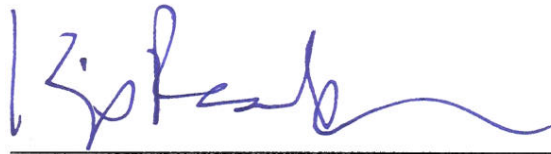
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CERTIFICATE OF SERVICE

A copy of the foregoing Trustees' Response to Secondary Parties' Motion to Have the Current Clifton Park Trustees Removed has been filed this 29th day of December, 2014, and served by regular U.S. Mail, upon:

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