
Subject: Corrections to recent neighborhood mailing

From: Clifton Park Trustees (nancyg75@cox.net)

To: rloje@sbcglobal.net;

Date: Wednesday, February 25, 2015 4:15 PM

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CLIFTON PARK TRUSTEES
TRUSTEES OF LAND RESERVED FOR PARK PURPOSES

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John S. Pyke, Jr.	

February 26, 2015

Dear Neighbor,

We wish to discuss the February 20, 2015 letter to Clifton Park Residents seeking contributions to support the lawsuit against the Clifton Club.

It presents significant misstatements of fundamental facts.

The February 20 letter correctly reports that historically the Club members have been allowed to access Clifton Beach by annual permission of the Trustees in exchange for a substantial contribution to the Trustees' operating budget. The letter's statement that the Trustees and the Club are attempting to change this historical practice is false. While the Trustees cannot speak for the Club, we strongly affirm that we have continued this annual practice and intend to continue it in the future. It is the plaintiffs who seek to change this historical treatment of the Club and its members.

In fact, the Trustees intervened in the lawsuit to protect the Trust and the Trustees' rights to establish regulations for the use of the Beach. It is the Trustees who have maintained the Trust for over a century and who seek to preserve the Trust for future generations. The plaintiffs, not the Trustees, seek a fundamental change in the Trust operations.

It is most unfortunate that the plaintiffs have spent \$165,000 in legal

expenses on this misguided lawsuit. Add to that dollar amount the legal expenses of the Trustees, the Club and individual resident defendants who have retained counsel and the cost of this unnecessary litigation becomes truly staggering.

The February 20 letter alleges that the Trustees and the Club have engaged in “legal delay tactics”. That allegation is not true. At the start of the litigation the Trustees’ counsel asked the plaintiffs to resolve the issues by engaging in mediation, and the Trustees’ counsel have repeated this request on numerous occasions, as recently as last month. The plaintiffs have refused in each instance. The Trustees’ counsel has urged plaintiffs’ counsel to agree to a schedule for ending discovery, filing dispositive motions and setting a trial date, but plaintiffs’ counsel has refused. The Club recently filed a motion with the Court to establish such a schedule but plaintiffs have yet to respond.

It is difficult to comprehend how \$165,000 can be invested over a two and a half years in a lawsuit without reaching any resolution and without any result in sight. And yet Mr. Feser and plaintiffs seek to have certain of their neighbors (not all Clifton Park residents received the letter) fund the continuation of this baseless lawsuit.

The Clifton Park Trustees

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Our mailing address is:
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