

COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO
PROBATE DIVISION

ARTHUR P. DUECK, et al.) CASE NUMBER: 2012ADV179424
)
) Plaintiffs)
) JUDGE ANTHONY J. RUSSO
v.)
)
THE CLIFTON CLUB COMPANY, et al.) PAST CLIFTON PARK TRUSTEE MARY
) ANNE CRAMPTON'S ANSWERS AND
) OBJECTIONS TO DEFENDANT JEFF
Defendants) MANSELL'S FIRST SET OF COMBINED
) DISCOVERY REQUESTS

INTERROGATORY NO. 1:

How long have you been a Clifton Park Sublot Owner?

ANSWER:

Since 1990.

INTERROGATORY NO. 2:

For what years were you a Clifton Park Trustee?

ANSWER:

1997 until December 31, 2012.

INTERROGATORY NO. 3:

When you resigned as a Trustee, did you return all copies of the Trust records?

ANSWER:

No, I did not have them.

INTERROGATORY NO. 4:

Identify all records you have regarding or related to the issue of the rights of the Club's members to have Beach access presently before the Probate court in the above captioned case.

ANSWER:

I have no Trust records.

INTERROGATORY NO. 5:

Identify all records of the Trust you have in your possession.

ANSWER:

I have no Trust records.

INTERROGATORY NO. 6:

During your tenure as a Trustee, identify all public and confidential agreements either written and/or oral made between the Trustees and the Clifton Club.

ANSWER:

There were oral understandings each year as to beach access, rules, and assessments.

INTERROGATORY NO. 7:

Identify the years you or your family have been Club members.

ANSWER:

Never a member.

INTERROGATORY NO. 8:

Identify any financial interest you or any of your family had or have in the club or its property?

ANSWER:

None.

INTERROGATORY NO. 9:

Were you invited to a meeting of Clifton Park lot owners hosted by Ms. Connie Mansel at her house on July 18, 2011, to discuss their concerns regarding the Beach overcrowding?

ANSWER:

I do not remember.

INTERROGATORY NO. 10:

Did you attend the meeting referenced in Interrogatory No. 9?

ANSWER:

No, although I do not remember whether or not I was invited.

INTERROGATORY NO. 11:

If you did not attend the meeting referenced in Interrogatory No. 9, identify what efforts you made to contact Ms. Mansell to learn what the concerned lot owners thought about the Beach overcrowding problem.

ANSWER:

I met with Jack Rupert, not Ms. Mansell.

INTERROGATORY NO. 12:

During all meetings with lot owners concerned with the beach crowding during 2011, did you state at any time that the Club's members were all beneficiaries?

ANSWER:

Not that I remember.

INTERROGATORY NO. 13:

During those same meeting referenced in Interrogatory No. 12, did you include in your responses to questions from lot owners that the club's members were entitled to use the beach as they were one of the beneficiary groups?

ANSWER:

Objection. This Interrogatory is ambiguous.

INTERROGATORY NO. 14:

An attached letter written by the Trustees to only Clifton Park residents on June 12, 2001, starts "The Clifton Park Trustees would like to use this opportunity to give **you – the**

beneficiaries of the Park Trust - an accurate and" (emphasis added). Your name is present as a Trustee. Did you concur with that statement at that time?

ANSWER:

I concur that Clifton Park residents were beneficiaries of the Trust.

INTERROGATORY NO. 15:

When did you change your position that the residents were the only beneficiaries of the Clifton Park Trust to include the Club's members?

ANSWER:

Objection. I did not change my position.

INTERROGATORY NO. 16:

Did you attend a meeting at the Yacht Club in December 2011 with other Trustees and Dennis Butler, Mike Polito, Rhonda Loje and Arthur Dueck?

ANSWER:

Yes.

INTERROGATORY NO. 17:

At that meeting referenced in Interrogatory No. 16, did you indicate that you did not know if the Trustees had the right to limit the number of Club members allowed to use the beach?

ANSWER:

No.

INTERROGATORY NO. 18:

Did all 5 Trustees attend a meeting with Jack Rupert and Arthur Dueck in May of 2012 at the Blackbird bakery?

ANSWER:

No, not in May 2012.

INTERROGATORY NO. 19:

At the meeting referenced in Interrogatory No. 18, did you state that the Trustees position was that the Club's members were all beneficiaries of the Trust?

ANSWER:

Not applicable.

INTERROGATORY NO. 20:

At the meeting referenced in Interrogatory No. 18, were Jack Rupert and Arthur Dueck told that the Trustees would not respond to any more letters, e-mails or other communication requests from those residents questioning the Club's members' beach use rights?

ANSWER:

Not applicable.

INTERROGATORY NO. 21:

At the meeting referenced in Interrogatory No. 18, were Jack Rupert and Arthur Dueck told that if they were not satisfied with the stated position of the Trustees, they should take their concerns to the court?

ANSWER:

Not applicable.

INTERROGATORY NO. 22:

At the meeting referenced in Interrogatory No. 18, did any of the other Trustees in any way disagree with the comments you made?

ANSWER:

Not applicable.

INTERROGATORY NO. 23:

Were you aware that at the meeting referenced in Interrogatory No. 18, there was both a Lakewood news reporter and a former Trustee sitting at tables close by?

ANSWER:

Not applicable.

INTERROGATORY NO. 24:

When you became a Trustee, was it your opinion that the Trustees had the authority to limit the number of Club members using the beach?

ANSWER:

Yes.

INTERROGATORY NO. 25:

Describe in detail, why that opinion referenced in Interrogatory 24 changed.

ANSWER:

It has not changed.

INTERROGATORY NO. 26:

Why did you resign as a Trustee after the above captioned case was filed in Probate Court?

ANSWER:

I resigned for personal reasons not related to the lawsuit in Probate Court.

INTERROGATORY NO. 27:

Did your resignation have anything to do with you avoiding any financial loss exposure from the results of the above captioned case?

ANSWER:

No.

INTERROGATORY NO. 28:

Are you still in communication with the current Trustees regarding issues relating to the Trust or the above captioned case?