

Kalapana Seaview Estates Community Association
RR 2 Box 4537 Pahoa, HI 96778
February 11, 2013 BOD Meeting Minutes

The Board of Directors did not have a meeting in February as there was not a quorum present. Explanation follows:

Pat Rocco, through his private attorney, Brian De Lima, in his letter to board and association members, threatened lawsuits if the board proceeded without him. (We read this to mean, if we held regular monthly board meetings without his approval, he would start a lawsuit to stop the board from having the meetings. (See attached letter from attorney, Brian De Lima.)

In spite of the threats the Board attempted to have their regular monthly board meeting in February, but to no avail. The letter and it's threats were intimidating enough to stop the functioning of the Board. At the monthly Board meeting in February a quorum could not be assembled, the Board meeting was not held and no official business was done.

Due to the February Board meeting failure, the Board of Directors decided not to hold their regular monthly board meetings, that could cost the association thousands of dollars in legal fees, until they could follow Brian De Lima's advice to elect new board members and officers at the April Annual General Membership (AGM) meeting.

Brian De Lima's letter contains numerous errors of fact and it was clear that only a court of law would be able to resolve the dispute. Challenging Pat Rocco's alleged facts in court would be time consuming and expensive, therefore resolving the dispute by electing new directors and officers at the April AGM meeting seemed to be the wisest choice even though it meant not having board meetings in March and April. January's meeting was already scheduled by the Board of Directors when the board received the letter and it was conducted properly and without incident.

Submitted by James McRae, Scribe