

MANFRED BRECKER

4430 LIVE OAK BLVD

DELRAY BEACH FL.33445

December 20, 2017

DELAIRE COUNTRY CLUB
4645 WHITE CEDAR LANE
DELRAY BEACH FL. 33445

VIA FAX 499-8625

ATTENTION: MR. RICHARD ABBEY CHAIRMAN OF THE GRIEVANCE
COMMITTEE

Dear Mr. Abbey,

Pursuant to Article XIV of the Delaire Country Club's Bylaws, this letter is a formal complaint from this Mandatory Member and partial owner of Delaire Country Club Inc. against President Curtis Karpel and the Board members that have approved the *[Depletion of our Capital Improvement Fund in the amounts exceeding their authority as stipulated in Article VI (G)]*. Such a recklessness has been reported by Mr. Karpel as he was moderating the Membership Meeting of November 12th (recorded). The violation arose in funding the Beautification Program during the summer of 2017 as related by Mr. Karpel during the meeting. Continuing with his enlightenment he further stated that the transactions were approved by other board members as recorded and on the CD which h will be made available during the hearing. In doing so without the required membership vote, both President Karpel and the board members that approved such an illegal expenditure have engaged in conduct improper, likely to endanger the welfare, harmony and the congeniality of the members and are in violation of the code of misconduct as described . Article VI (G) states the following:

G. Make expenditures for capital projects out of funds designated on the balance sheet as "Reserve for Capital Improvements and Debt Service" limited as follows: Subject to sub-paragraph (1) below, not to excess of \$50,000 for any single project and not in excess of \$200,000 in the aggregate in any fiscal year for all projects unless either or both of such expenditures are approved by a written consent executed by a majority of

the members voting or by resolution adopted at a meeting of the club membership by a vote of the majority members voting either in person or by mail ballot such meeting shall be duly called upon written notice specifying the nature and amount of the proposed expenditure.

On November 14 2017, this complainant forwarded a letter to Mr. Karpel and the Board, making a request for documentation authorizing such an expenditure. Up to this writing I have not been favored with a reply. Therefore I must assume there is *no authorization for such an expenditure*. With the advice of my outside counsel, that leaves me without any other alternative but to charge President Karpel & Co. with the above referred to grievance complaint. The grievance charge must be adjudicated within the prescribed rulings of Article XIV as to the violation of Article VI (G) without further delay. I am submitting the letter as an exhibit to our complaint. I am further requesting that this grievance charge against the named in the above be treated with the utmost “*ASSIDUOUSNESS*”. Mr. Karpel has already confessed of his wrongdoing to the entire membership and the involvement of others. The punishment to such an unlawful indiscretion must be met with a duplication of the punishment bestowed onto this writer of a 1 year suspension for an infraction that never took place. See the adjudication of the WIPO. It must further be realized that the entire matter of Brecker v. Delaire is soon to be adjudicated with a requested Jury trial, a trial date to be forthcoming within the next 6 month. Should your decision be found in the negative by not accepting this grievance charge, it will be an admission that Selective Enforcement (*illegal in the state of Florida*) at Delaire is in practice, such an inappropriate conclusion will be subject to an amended complaint to my pending litigation.

Hoping that the recipients of this communication will accept my remarks within the spirit of co-operation they have been written.

Sincerely,

MANFRED BRECKER