

Randall K. Roger & Associates, P.A.
Attorneys at Law

Randall K. Roger
J. Steven Hudson
Katherine C. Nuckolls
Luis D. Carreja
Gerard S. Collins
Joseph J. Rosen
David Y. Klein

Broward: (954)236-8818
Boca Raton: (561)988-5598
Toll-Free: (866) 988-5598
Facsimile: (561)988-1318

Please Reply to Main Office
One Park Place
621 NW 53rd Street, Suite 300
Boca Raton, Florida 33487

Satellite Office
1776 North Pine Island Road, Suite 326
Fort Lauderdale, Florida 33316

Satellite Office
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480

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VIA EMAIL: plazaeastmanager(S>yahoo.com

Plaza East Association, Inc.
Attn: David Bestwick, Property Manager
4300 N Ocean Blvd.
Fort Lauderdale, FL 33308

Re: Annual Meeting of the Membership; Board Concern as to Propriety of Election Integrity

Dear Members of the Board:

You have indicated that, for a variety of reasons, documented in correspondence to the undersigned by the Association's Manager, David Bestwick, concern exists as to the integrity of the election process. As a consequence, request has been made of Counsel to contact the Ombudsman's Office for the State of Florida concerning the election, the propriety in suspending same and reissuing ballots and collecting same under a different format. Please allow Counsel to respond to the inquiries presented.

Initially, it has been identified by Mr. Bestwick that a variety of events and occurrences have occurred, all documented, as follows:

1. Any number of owners have been observed, through the video camera system, "inspecting" the ballot box, including tipping, shaking and peering into such box at various times;
2. Various members of the Association have requested duplicative ballots, in significant number, without identification or explanation as to the parties to receive same, notwithstanding requests for and promises to deliver such information;
3. Several premarked ballots were found on the floor of the mail room; and

4. Election "issues" occurred at the 2008 Annual Meeting, including questions as to the propriety of signatures on several of the envelopes submitted.

Given the foregoing, the Board of Directors has expressed its concern with the integrity of the election process. As such, the question was presented to Counsel as to the permissibility of the Board suspending the election, so as to require same be held at a later date, with appropriate safeguards and protections to prevent any subsequent challenge to the integrity of the election and the results thereof. Accordingly, Counsel has spoken with Monica Hidalgo of the Florida Ombudsman's Office.

Ms. Hidalgo is the Ombudsman Representative scheduled to attend the Annual Meeting of the Membership on February 20, 2009. Ms. Hidalgo has asked for, and we have received, approval from the Association's Manager, for delivery of the most recent communication from the Manager addressing the various events transpiring concerning the ballot box. Ms. Hidalgo has responded to such communication, indicating that the Board has the authority to suspend the election and, further, offering the Ombudsman's services to regulate the ballot distribution and collection. As such, Counsel offers to the Board of Directors consideration of such proposal.

Ms. Hidalgo has suggested that the Board of Directors has the authority to suspend the meeting, such that it not be held February 20, 2009. Rather, at such time, notice be issued to the Membership that due to election issues, the election process shall be renoticed and new ballots distributed to the Membership to vote for candidates to serve on the Board. As such, the renoticed election would not require the full sixty (60) days, as those candidates which have previously and timely submitted their names would have already been determined. Consequently, the election process would start with the distribution of ballots, notification of the meeting and the actual election tally on the meeting date.

To address concerns concerning the propriety of ballots cast, it was suggested by Ms. Hidalgo that the Ombudsman secure a post office box to which all ballots would be mailed, except those hand delivered at the date of the Annual Meeting. As such, no opportunity would be presented to members of the Community to tamper with the ballot box. The ballots would be picked up the day of the election by the Ombudsman Representative and brought to the meeting. Thereafter, hand delivered ballots would be accepted by the Ombudsman's Representative and logged into the Association's records. Consequently, the election process, itself, may be elongated, requiring substantial time for the registration of the ballots.

In addition, it was suggested that all ballots carry the corporate seal, the embossed stamp which exists in limited number, i.e. a singular embossing device, alone. All ballots would then be distributed to the Membership for vote and, for those owners requiring a replacement, they, themselves, must present themselves to the Ombudsman's Representative to secure a duplicate. The Board would not have multiple duplicates available. Moreover, for individuals attending the meeting who did not receive or have misplaced their ballots, they would present themselves to the Ombudsman's Representative at the Annual Meeting for a replacement document.

Any ballot cast which would not carry the appropriate embossed seal would be marked "disregard"

and not counted. In such manner, the Association could assure that every owner received a single ballot for each unit owned and, additionally, individuals could not "create" ballots for a fraudulent vote.

Presuming the Association wishes to move forward with such process, we have asked Ms. Hidalgo if she would furnish a letter to the Board indicating the propriety of such action. Given time constrains, it is uncertain whether same will be received timely, or at all. As such, Counsel shall be meeting with the Board, this evening, at an emergency session, to discuss content of this letter and the issues presented.

We trust the above brings the matter current. Should you have any questions or wish to discuss this matter further, please feel welcome to contact the undersigned.

Sincerely,

RANDALL K. ROGER

RKR/rm