

Friends of Newberry Springs

P.O. Box 484
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March 4, 2020

Newberry CSD
P.O. Box 206
Newberry Springs, CA 92365
NewberryCSD@gmail.com

Sent via e-mail and
USPS certified mail

Gentlemen,

Re: Newberry Community Services District / Friends of Newberry Springs vs. County of San Bernardino, et al.

I wish to voice for the record my displeasure of being misrepresented on the "Special Meeting Board Minutes" for February 12, 2020.

On Agenda item 2(a), Public Comments, General Public, prior to the Board retiring into Closed Session with Legal Counsel, I specifically requested the Board as co-Plaintiffs and co-Petitioners to request Counsel to recognize me, Kathy Ridler, Bob Berkman "and others" as representatives of the Friends of Newberry Springs. Said Counsel is failing to acknowledge the Friends of Newberry Springs despite Counsel being the "Friends" attorney of record.

At the end of the CSD's Closed Session on February 12, 2020, the CSD Board intentionally failed to provide to the public and the representatives of the Friends of Newberry Springs a synopsis of the Closed Session as requested by myself and others in the audience. No information was provided other than the meeting was a closed session with Counsel.

The wilful and wanton inaction of the CSD Board to communicate with the community's Friends of Newberry Springs, the total secretness of the Board's actions, and apparent interference with Counsel to keep the Friends of Newberry Springs uninformed of material events, has intentionally prevented the Friends of Newberry Springs knowledge of, and involvement in, a Mandatory Settlement Meeting that is now believed to have taken place on February 20, 2020.

The Friends of Newberry Springs, as identified by the hundreds of signatures signed in opposition to a settlement allowing the Daggett Solar Power project, and who are co-Plaintiff and co-Petitioner in the related civil action, will hold the CSD, and its directors severally liable, for damages should the CSD attempt to independently settle its civil action illegally without the full consent of the community's Friends of Newberry Springs.

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The failure and negligence of Counsel to respond to my earlier communication as a representative of the Friends of Newberry Springs, and failure to communicate and provide proper notices, appears as a very serious breach of fiduciary duty in which the CSD appears to have conspired in.

Rather than be at odds, the Friends desire to be allied with the CSD working for the mutual benefit of Newberry Springs. We strongly suggest that Board representatives meet with representatives of the Friends prior to the Mandatory Settlement Conference on March 9, 2020.

Cordially,

TS

Ted Stimpfel, representative
Friends of Newberry Springs

cc: Kathy Ridler, representative, Friends of Newberry Springs
Bob Berkman, representative, Friends of Newberry Springs
Robert Shaw, representative, Friends of Newberry Springs
Linda Snively, representative, Friends of Newberry Springs