

From:
Subject:

Date: Jan 24, 2022 at 6:59:20 PM
To:

Cc:

Good evening. Please disseminate to all residents.

Marvin Lebovitz has now cost the association \$165,000 in a legal settlement wherein he admitted liability.

Marvin used the Association newsletter to slander and defame a resident.

The resident sued the association, Marvin and Regina (she was the editor who printed the defamatory statements).

Our board settled the lawsuit because if we went to trial and lost, the punitive damages would have been high.

They would have been high because Marvin has engaged in this type of behavior in the past while on the board. I shall now seek all emails wherein he defamed or denigrated anyone while he was a board member.

The board (especially Mark Braun, Louise Rudnik, Regina Goldfein and others ignored his behavior) failed to take any action despite warnings from me, both in person and in emails.

As part of the settlement Regina agreed to step down from the board.

You can add this settlement to the \$1.2 million settlement caused by Marvin's harassment of a resident and another \$140,000 for harassment of a separate resident and a \$25,000 HUD fine and consent degree.

Lebovitz has been a scab on this association and he has cost us money. He and Braun recommended Capital which has now settled their lawsuit against us without fulfilling the quality and quantity of work promised.

We should consider a suit for breach of Lebovitz's fiduciary duties while a board member. I am told that he has no money so that might be futile.

The board should hold a meeting to explain this travesty committed by the negligent and reckless behavior of this goon.

-A. Milian

When was this item scheduled? Has there ever been a vote by the board on this issue? **This item was scheduled when the budget was prepared and approved in a duly noticed board meeting last June, see attached.**

Was the board ever called upon to vote on this item? I want to see the minutes. **The board voted on approving the budget in its entirety, which included this line item, as the asphalt overlay had 2 years of life remaining, according to the Reserve Study conducted back in 2020.**

Was the manager ever tasked with seeking bids from qualified contractors? Give me a written response. **No**

Was there ever a request for proposal (RFP)? I want to see it. **No**

Was it ever placed on the calendar? Was it ever voted on? Give me a written response. **No**

Who placed it on the agenda? When? **Marvin Lebovitz did – Thursday 12/30/2021**

Did the board ever vote on it? When? **The agenda was sent to all board members with the question on whether they are available to attend: Regina Goldfein, Elizabeth Ayoub and Mario Cuadros all replied that they were available. Once majority was reached, a board meeting was officially noticed.**

Who chose the bidders? Written response. **Marvin Lebovitz**

Did any board member have an ex-parte conversation with potential bidders? Written response. **No. When I notified Daniel Epstein, he asked me to obtain another bid (which I am trying to do today and hoping I can get someone here), in addition to calling one of the two bidders and asking them to be here today at 2:30 so he can meet with them.**

Did they ever have a standard (parameters of bidding)? Written response. **Not, to the best of my knowledge, as both bidders received all their information from Marvin Lebovitz.**

Did any board member have an ex parte conversation with the bidders? Written response. **Not, to the best of my knowledge.**

Who decided to set it for a vote? Written response. **Marvin Lebovitz**

These questions raise questions about self-dealing, conflict of interest, transparency, corruption and tampering.

Marvin has a long history of pushing his friends and allies for projects that require little or no scrutiny.