

EXHIBIT 41

March 24, 2015

To: Anthem Highlands Community Association
Terra West Management Services
www.terrawest.com
Phone: 702-856-3743
Fax: 702-749-6174

Ref: Harassment & Discrimination

On February 16, 2015 we requested two architectural changes with all the proper documentation to improve the value and safety of our property located on 2744 Kildrummie St. On March 03/11/2015 both requests were approved by Anthem Highlands Community Association.

On 03/23/15 Sierra Masonry started the wall project, the next morning we found pieces of the new construction had been removed and thrown on the ground. The blocks were removed from their original position and repositioned in order to place a note with red letters stating "WALL MUST TO STOP HERE". We also found a long note taped to our front door with the signature of our neighbor Penny who lives at (2740 Kildrummie St) and who is currently holding the president position for Earlstone Association.

Earlstone President Association, Mrs. Penny has no right to be on our property without our authorization, damaging and destroying our new construction. On 03/24/15 we received two phone calls from Earlstone Association harassing us to stop the wall before we are penalized, they asked us to follow their conditions or we had to deal with the consequences.

Our request for the wall was 28 feet long which is well within the Disclosure Documents guidelines, both neighbors were on agreement to extend the wall 28 feet. Now, Mrs. Penny notes and phone calls from Earlstone are asking us to build a wall only 10 feet which is not what we requested. There several homes within Earlstone that has extended their wall without the conditions we were told of by Mrs. Penny. In fact there are several homes that has moved there wall all the way to the front of the home which is a violation of the minimum of five feet from the front of home.

The wall we are building is to protect the safety our family as well as the safety of our pool pumps that has been burglarized twice already according to Mrs. Penny and her husband. We took pictures and talked to all the neighbors in our community that has previously built walls and no one received any type of condition like we have. We noticed that two neighbors in our community violated the Disclosure Documents guidelines on their wall construction but they have not received any phone calls, notes or letters from Earlstone Association or Mrs. Penny.

We are not only receiving very strict and ridiculous conditions but also harassment and discrimination to build our wall. Mrs. Penny should be an example to this community for her position as president of Earlstone association. It's clearly recommended to split the costs of a wall by both neighbors but again Mrs. Penny refused to cooperate on this project, now she is interfering with our construction, acting unprofessional and disrespectful to our personal and property. She is abusing her power.

Now today 03/25/2015, Penny's husband which I believe his name is Tom comes home and completely starts interfering with the construction guys. He began yelling at them and telling them to stop and knock the wall down. I went out to try and talk with him and he continued yelling. He tells me that he has been living there for eight years and I can't come here and start bullying them around. After several minutes of him yelling and being irate. I began to walk off and he said "We are going to

fine you for that oil spot on your driveway". So now he's threatening me with fines as if he owns Earlstone association. This behavior is completely unacceptable and unprofessional for anyone to act, especially the President.

We would appreciate it if Terra West Management acknowledges Mrs. Penny behavior and abuse of power. We will be seeking legal counsel in this matter of Harassment and Discrimination against Earlstone Association.

Thank You.

Sonia and Laurence Watterson

702-644-9258

L5933W@gmail.com

EXHIBIT 42

Clark County Justice Court

HENDERSON TOWNSHIP
243 WATER STREET
HENDERSON, NEVADA 89015

9-18-18
PENNIE
POHLE

SAM BATEMAN
Justice of the Peace
Department I

STEPHEN L. GEORGE
Justice of the Peace
Department II

DAVID S. GIBSON, SR.
Justice of the Peace
Department III

NOTICE

**APPLICATION FOR TEMPORARY PROTECTIVE ORDER MUST BE COMPLETELY FILLED OUT.
IF NOT, APPLICATION IS SUBJECT TO BEING DENIED.**

**BEFORE YOU FILL OUT THE APPLICATION FOR A TEMPORARY PROTECTIVE ORDER,
PLEASE CHECK THE FOLLOWING IF IT APPLIES TO YOUR SITUATION:**

- ☐ You have a child or children in common with the Adverse Party
- ☐ You are married, or have been married to the Adverse Party
- ☐ You are living with the Adverse Party in a domestic partnership or familial relationship

**IF YOU HAVE CHECKED ANY OF THE ABOVE, YOU NEED TO APPLY FOR A
TEMPORARY PROTECTIVE ORDER THROUGH FAMILY COURT.**

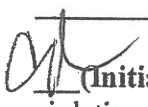
Family Court is located at:

601 North Pecos Road
Las Vegas, Nevada
(Corner of Pecos and Bonanza)

Have you ever previously had a restraining order issued against any party or parties named as an Adverse Party in this request for a restraining order, or has anyone named as an Adverse Party in this request ever had a restraining order against you?

☐ Yes ☒ No

If yes, list the date(s) of any applicable restraining order(s), the court(s) in which any applicable restraining order was obtained, and whether you were the Applicant or the Adverse Party.

 (Initials) You have been notified that both parties have the sole responsibility to avoid or refrain from violating the terms of a temporary protective order.

**HENDERSON JUSTICE COURT WILL ONLY ACCEPT AN APPLICATION FOR TPO
IF THE INCIDENT OCCURRED OR THE PARTIES LIVE IN CLARK COUNTY
AND IF NOT PREVIOUSLY DENIED BY ANOTHER COURT.**

Case No. _____
Dept. No. _____

IN THE JUSTICE COURT OF HENDERSON TOWNSHIP
COUNTY OF CLARK, STATE OF NEVADA

Christine Damalas)

Applicant(s))

vs.)

Pennie Mossett-Puhek)

Adverse Party(s))

APPLICATION FOR ORDER FOR
PROTECTION AGAINST STALKING,
AGGRAVATED STALKING, OR
HARASSMENT (NRS 200.591)

STALKING - A person commits the crime of stalking when, without lawful authority, that person willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed, and that actually causes the victim to feel terrorized, frightened, intimidated or harassed. (NRS 200.575 (1))

AGGRAVATED STALKING - A person commits the crime of aggravated stalking when that person commits the crime of stalking and, in conjunction therewith, threatens the person with the intent to cause him to be placed in reasonable fear of death or substantial bodily harm. (NRS 200.575 (2))

HARASSMENT - A person commits the crime of harassment when (a) that person, without lawful authority, knowingly threatens: (1) to cause bodily injury in the future to the person threatened or to any other person; (2) to cause physical damage to the property of another person; (3) to subject the person threatened or any other person to physical confinement or restraint; or (4) to do any act which is intended to substantially harm the person threatened or any other person with respect to his physical or mental health or safety; and (b) the person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. (NRS 200.571)

PLEASE TYPE OR PRINT CLEARLY.

COMPLETE THE APPLICATION TO THE BEST OF YOUR KNOWLEDGE.

I am applying for protection (check all that apply):

☒ For Myself

☐ On behalf of another person(s)

1 Applicant states the following facts under penalty of perjury:

2 I reasonably believe that the Adverse Party has committed and/or is committing the
3 crime of stalking, aggravated stalking or harassment as defined above. The acts occurred as
4 follows:

5 **(NOTE: BE SPECIFIC AS TO WHO COMMITTED WHAT ACT OR ACTS, AGAINST**
6 **WHOM, WHEN, WHERE, WHETHER COMMITTED OR THREATENED; INDICATE**
7 **APPROXIMATE DATE(S) AND LOCATION(S).)**

8 **THIS FORM IS A PUBLIC RECORD**

9 Please See Attached #1
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23 **NOTE: PLEASE DO NOT WRITE ON THE BACKS OF ANY PAGES;**
24 **CHECK BOX IF YOU ARE USING ADDITIONAL PAGES.**

25 ☒ **Check if you use a continuation page (to be incorporated by reference)**

1 This matter does not have to be reported to law enforcement; however, has a report ever been
2 filed? ☐ Yes ☒ No

3 If yes, approximate date(s):

4 _____
5 Name of law enforcement agency:

6 _____
7 Case/Event number if known:

8 **(NOTE: IT IS NOT NECESSARY TO FILE A LAW ENFORCEMENT REPORT,**
9 **BUT IF YOU HAVE ONE AVAILABLE, PLEASE ATTACH A COPY OR BRING IT**
10 **TO THE COURT HEARING.)**

11 For purposes of this form, a "TPO Action" is defined to include the following **Justice Court**
12 actions:

13 (1) An Order for Protection Against Stalking and Harassment (NRS 200.591);

14 (2) An Order for Protection of Children (NRS 33.400);

15 (3) An Order for Protection Against Harassment in the Workplace (NRS 33.270). A

16 "TPO Action" is also defined to include the following **Justice/Family/District Court** action:

17 (a) An Order for Protection Against Domestic Violence (NRS 33.020)

18 **Please Check the Appropriate Box Below:**



20 In the last 2 years, Applicant or any party seeking protection has not filed a TPO
21 action against the Adverse Party anywhere in the State of Nevada, and the Adverse
22 Party has not filed a TPO action against Applicant or any party seeking protection
23 anywhere in the State of Nevada.



25 In the last 2 years, the following TPO action(s) in the State of Nevada have been filed
involving Applicant and the Adverse Party:

Case # (if known)	Court (Justice/Family)	Place of Filing	Approx. Date Filed	Outcome (TPO granted, denied, rescinded, etc.)

Applicant must be at least 18 years of age. If not 18 years of age, consult with the Clerk.

1. a) Applicant's Name

Age

Damalas Christine LOUISE
(Last) (First) (Middle)

60

b) Applicant's relationship to Adverse Party: Neighbor - Prior Board Member

c) Provide names below of those for whom you are seeking protection, including yourself, minors or household members that need this protection. Indicate the relationships of all persons listed to yourself and to the Adverse Party (e.g., spouse, intimate partner, friend, roommate, neighbor, relative, acquaintance, co-worker, stranger):

NAME	AGE	RELATIONSHIP TO APPLICANT	RELATIONSHIP TO ADVERSE PARTY
Christine Damalas	60	Self (if applicable) "SELF"	NEIGHBOR, PRIOR BOARD MEMBER

Explain why protection is needed for the individuals listed above:

PLEASE SEE ATTACHED #2

(NOTE: YOUR APPLICATION WILL NOT BE DENIED BASED UPON A PARTICULAR RELATIONSHIP. HOWEVER, DEPENDING UPON YOUR RELATIONSHIP, YOU MAY ALSO BE ELIGIBLE TO APPLY FOR AN ORDER OF PROTECTION AGAINST DOMESTIC VIOLENCE PURSUANT TO NRS CHAPTER 33.)

2. Has the Adverse Party ever lived with any Party listed above? ☐ Yes ☒ No

If so, for how long? _____

3. Is anyone listed above living with the Adverse Party now? ☐ Yes ☒ No

If so, who? _____

4. Date of separation (if applicable): _____

5. Are there children involved? ☐ Yes ☒ No If so, how are they involved?

6. Has the Adverse Party ever been involved in any other relevant Court actions (e.g.,
eviction, divorce, custody, criminal, etc.)?

☒ Yes ☐ No If yes, please explain: PLS SEE ATTACHED DOCUMENTATION
MAZZED vs. GIBBONS = CASE NO. 2.08 CV-01387-RLH, PAL
ANTHEM HIGHLANDS HOA = CASE 2015-291 (FILED BY NRS)
NUMEROUS COMPLAINTS FILED BY "AP" WITH THE DIVISION

7. Residence(s) where protection is needed:

☐ CONFIDENTIAL (If confidential, check and move to the next question) or,

☒ If not confidential, list address, city, state and zip code:

2765 CULZEAN PL Henderson, NV 89044

8. Place(s) of employment where protection is needed:

☐ CONFIDENTIAL (If confidential, check and move to the next question) or,

☐ If not confidential, list name, address, city, state and zip code:

DNA

9. Location of school(s) where protection is needed:

☐ CONFIDENTIAL (*If confidential, check and move to the next question*) or,

☐ If not confidential, list name, address, city, state and zip code:

DNA

10. Other specific locations frequented where protection is needed (i.e., sports, extra-curricular activities, church, employment, after-school activities, etc.):

☐ CONFIDENTIAL (*If confidential, check and move to the next question*) or,

☒ If not confidential, list name, address, city, state and zip code:

Solera CLUBHOUSE- 2401 Somersworth, Henderson
PSR- ARVILLE OFFICE, LAS VEGAS, NV

11. If there are persons other than those listed on page 4 that the Adverse Party should be directed not to contact, please name the individuals and explain why these precautions are needed: DNA

12. If there are any other safety concerns that the Court should know (e.g., firearms, etc.), please briefly explain:

NO

RELIEF REQUESTED

THEREFORE, I REQUEST that a Temporary Order be issued against the Adverse Party requiring the Adverse Party to refrain from contacting, intimidating, threatening or otherwise interfering with me and/or other persons identified in this application, either directly or through an agent.

I FURTHER REQUEST that the Court require the Adverse Party to stay away from the places listed above.

I FURTHER REQUEST the following other conditions:

NO CONTACT AT ANTHEM HIGHLAND HOA MEETINGS
AND EVENTS.

NO CONTACT AT EARLSTONE HOA MEETINGS

I ACKNOWLEDGE that if I wish to apply for an Extended Order of Protection, I must wait until 3 weeks after the date the Temporary Order is served before a Motion to Extend can be filed with the Court.

I ACKNOWLEDGE that an Extended Order may only be granted after notice of the petition for the Order and of the Hearing thereon is served upon the Adverse Party pursuant to the Rules of Civil Procedure, and a hearing is held on the petition.

DECLARATION
(NRS 53.045)

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT: (1) I AM THE APPLICANT HEREIN, (2) I HAVE READ THE STATEMENTS CONTAINED HEREIN OR HAVE HAD THEM READ TO ME, (3) I BELIEVE THESE STATEMENTS TO BE TRUE, AND (4) THE REQUESTED ORDER IS NEEDED.

Dated: 9-18-18

Christine Damalos
APPLICANT'S SIGNATURE

Christine Damalos
PRINT NAME

ATTACHMENT #1:

APPLICANT STATES THE FOLLOWING FACTS UNDER PENALTY OF PERJURY:

On September 12, 2018 I attended the Anthem Highlands HOA monthly meeting which I participate in on a regular basis as a homeowner. Additionally, since being newly retired from the City of Henderson and wanting to get involved in community, I volunteered to serve on the Earlstone HOA Board which is a subdivision of the master Anthem Highlands.

On the above noted date, the Anthem Highlands HOA meeting became very contentious with the same four people (Pennie Puhek, Frank Capello, Ken Brensinger & Sydney Woo) who have all been prior Anthem Highlands board members. This group is relentless in their verbal assaults, harassment, false accusations, intimidating threats and will take every opportunity to berate the board members. This group will also treat homeowners who are in the audience in the same aggressive manner should a homeowner not agree with their position and with the Board on various issues. Since attending the meetings for approximately 2 years I have purposefully restrained myself from responding back with disrespectful comments and responses. I have personally been verbally assaulted as a homeowner by this group at the Anthem Highlands HOA meetings and additionally as an Earlstone HOA board member at the Earlstone meetings.

At this most recent Anthem Highlands HOA meeting, Ms. Pennie Puhek announced that she "would be video-taping this meeting" which the Anthem Highlands board acknowledged was allowed. Instead of moving on after getting approval, Ms. Puhek took the opportunity to aggressively demean me in front of everyone by aggressively turning around, pointing her finger towards me and stating that "Chris Damalas, who is an Earlstone board member, denied her right to video tape the last Earlstone HOA meeting." I never responded with words or even a reaction; however, Anthem Highlands President Mark West did stop Ms. Puhek from making any further comments towards me.

All four in the group individually took their turn during the Homeowner Open Forum – Agenda Items Only to rant and berate the board, but more specifically to verbally assault President West for every item that was on the agenda. President West and the board never responded to their verbal assaults and disrespectful manner. After each had taken their turn, the meeting continued onto the specific agenda items. The meeting proceeded according to the agenda with the group of four conducting themselves in similar fashion as they do - by interrupting and shouting out of turn.

The last and final agenda item is the Homeowner Open Forum and this portion of the meeting is devoted to homeowner's comments and discussion, which allows for a homeowner to speak and comment on community issues and ideas. Again, the group of four individually took their swipe at the board collectively and went as far as calling the board members "liars" and various other accusations. During Mr. Brensinger's time I saw him reading from a scripted paper and he was so angry that he and the paper he was holding was shaking uncontrollably. After each of the four had taken their turn to speak, President West hit the gavel and the meeting was adjourned.

****The reason for my detailed account of the aggressive behaviors and inflammatory remarks that were made by the group of four at the onset of the meeting, during the meeting and at the end of the meeting is to substantiate the "mob mentality" of this group. I could sense that even before the meeting started, the group as a whole were agitated and this agitation grew into a very uncomfortable, intimidating environment, and quite frankly – unsafe.**

After the meeting, I attempted to speak to another homeowner Ms. Nancy Cleveland about low water pressure she was experiencing at her home which she had mentioned during Homeowner Open Forum. I previously worked in Utilities for several years so I was attempting to give her advice and/or solutions to her problem. I also was going to offer to contact someone in Meter Services for her, but someone was shouting so loud that Ms. Cleveland could not hear me and I couldn't hear myself think because of all the commotion even though Ms. Cleveland and I were sitting right next to each other. Neither of us had moved from where we originally sat down during the meeting. Because we couldn't hear each other, I looked up to see who was yelling. I noticed that it was Mr. Ken Brensinger who was doing the yelling

and then I realized he was directing his anger towards me. Please note, that Mr. Brensinger is and has been part of Ms. Puhek's group since I've been attending these meetings and Mr. Brensinger has also been a prior Anthem Highlands board member. Mr. Brensinger was standing outside of the entry/exit double doors of the meeting room which is several yards away from where I was sitting. Mr. Brensinger was yelling so loud at me that it was actually inaudible. Ms. Cleveland and I, who were sitting right next to each other, could not hear ourselves talk to one another due to Mr. Brensinger screaming towards me. Ms. Cleveland and I were both so frustrated because of Mr. Brensinger screaming that I shouted to Mr. Brensinger, "Shut up." That's when Mr. Brensinger charged at me and got approximately a foot away from me and said, "What did you say?" I looked at him and he said again, "What did you say?" Mr. Brensinger's aggressive bodily reaction was so pronounced that another homeowner felt she needed to get in between Mr. Brensinger and myself. Both the homeowner and I felt that Mr. Brensinger was going to physically assault me. I felt threatened and "scared to death" that if I didn't move away from where I was, Mr. Brensinger's aggressive behavior was going to escalate further. I tried to get out of the area in which I felt trapped in and I was able to move to the sign in counter area against the wall, but just when I thought I had gotten away from Mr. Brensinger, I turned around and he was right back in my face screaming an accusation that "I had inside information that I accused him of misappropriating funds when he was on the board." I had NO IDEA whatsoever he was referring to as I have only lived in Anthem Highlands for a little over 24 months. At this point, I was now totally frightened and in fear for my personal safety. I moved away from the sign in counter to get away from him. At this point, Ms. Puhek was now standing up on the dais shouting and berating the board members on how "the board mismanages the community, hurled accusations at the board members for their illegal actions, etc. The board members were trying to gather their personal belongings to leave the meeting room when Ms. Puhek then turned her back against the board table and began a verbal tirade against me. The most unnerving and frightening part of this situation was that she was standing up, looking down at me as she is standing over me on the dais. Ms. Puhek once again was harassing me with her words and her body language was just as aggressive as Mr. Brensinger's had been. For a split second I thought it was strange that Ms. Puhek would have anything to say to me because I knew that I had purposely ignored her and her comments during this meeting. It honestly struck me that there should be nothing that Ms. Puhek should say to me, so it crossed my mind *"she is really just out to get me"* *"she is trying to incite me to the point of a physical confrontation."* Now I am standing between Mr. Brensinger to the right side of me and Ms. Puhek standing over me from the dais and I felt like I was going to be physically harmed by both of them. I felt rather trapped from where I was standing.

Fortunately, at this time President Mark West came down from the dais and came along side me and escorted me to exit through the double doors of the meeting room. I told President West that what just happened was uncalled for and that I couldn't believe what had just taken place. My daughter, Amy Jeffreys, who has been elected to the board, had also been verbally attacked by Ms. Puhek, so I was concerned for her safety too, but President Mark West assured me that he would also get my daughter out of the meeting room safely.

I left the Clubhouse main lobby by myself and I was walking to my car on a diagonal path. As I was walking, Ms. Puhek, who was standing at the opposite exit with some of the members known to be from her group, shouted out to me sarcastically, "Have a nice evening." I responded, "You too." As I responded, Ms. Puhek started to briskly walk towards me heading me off at a common area within the parking lot. As she is crossing over towards me her body language appeared that she wanted to physically hurt me. As she was coming closer and closer to me, she kept shouting, "You fucking bitch." "You fucking bitch." She got as close as foot away from me and started yelling and screaming and acting literally "crazy." I told Ms. Puhek, "You better stay away from me." She came closer. I told her again, "You better stay away from me or I'm going to call the police." I had my cell phone in my hand and she sarcastically said, "Go ahead." Ms. Puhek at this point was "in my face" yelling all kinds of things that I actually can't remember at this point was in fear again for my personal safety. My daughter then came running up to help me. My daughter told Ms. Puhek to "leave my mother alone." And Ms. Puhek referred to my daughter as my "crazy kid" and that I needed "my crazy kid to protect me."

Due to my daughter, our community manager and another board member and the board member's husband, a physical altercation that Ms. Puhek had initiated towards me was thankfully averted. However, during this moment and the moments I described that took place inside the meeting room with both Ms. Puhek and Mr. Ken Brensinger I felt frightened and very much harassed, so much to the point that I stated to those who helped me to my car "that I was going to submit my resignation as an Earlstone HOA board member." This harassment, fear of retaliation and physical assaults are not worth volunteering for, even though I truly wanted to be involved in my community. I officially resigned my position as of 9/13/18 at 7:30 AM out of fear and retaliation.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christine Damalas". The signature is written in dark ink and is positioned below the "Respectfully submitted," text.

Christine Damalas

P.S. There are 2 witnesses that have reached out to me personally and have offered to make statements on their belief that I was going to be physically assaulted by Mr. Brensinger in particular. Most people were still inside of the meeting room when the incident in the parking lot with Ms. Puhek occurred

ATTACHMENT #2:

EXPLAIN WHY PROTECTION IS NEEDED FOR THE INDIVIDUALS LISTED ABOVE:

I am requesting protection from this Adverse Party due to the fact that I have endured constant verbal attacks, harassment, false accusations and most recently her attempt to incite a physical altercation with me as I was walking to my car after the Anthem Highlands HOA meeting of 9/12/18. I reside in viewing distance from her residence and I no longer feel comfortable with just ignoring her irrational behavior. It scares me, I am frightened by her and I want to ensure that she is aware that I do not want to have any contact with her at any time or in any form of communication. I have received threatening emails, she has photographed my house when she feels I have alleged violations, she has used vulgar language towards me, has questioned my integrity for volunteering for the HOA board and the list goes on. I have a **3-ring binder full of harassing emails and threats** that she has sent me and the Earlstone Board and property manager. I would be glad to provide the binder if you would like.

Note: On 9/13/18 I "officially" resigned as an Earlstone HOA board member due to my fear of being intimidated and physically assaulted by Ms. Puhek.

Please refer to the many legal cases and complaints Ms. Puhek has been involved with. I believe Ms. Puhek has been involved in more legal cases than the average citizen or homeowner. The most profile case Ms. Puhek was in the center of is: **Mazzeo vs. Gibbons. Case No.: 2:08-cv-01387-RLH-PAL**. The allegations are typical of how Ms. Puhek conducts herself and when others get in her way. **Refer to Case Nos. 2015-291** that involves NRS and at a time when Ms. Puhek served on the Anthem Highlands Board. Again, she uses disparaging remarks about others on social media, her behavior has been described as juvenile, she threatens and harasses other homeowners and the legal fees she has cost her own community should be unacceptable and shameful. In fact, Nextdoor, which is a neighborhood social media platform has "suspended" Ms. Puhek indefinitely because of her unacceptable posts and behavior on their website. Also, to prove how disruptive Ms. Puhek is to our community, please review Anthem Highlands **HOA complaints that have been filed against her or by her with the NRS ("Division")**. I realize that these prior cases, complaints and documentation have absolutely nothing to do with me personally. I am however, providing this additional information as support to my claim and the claim of many others who feel threatened by her. Ms. Puhek has been allowed to hold communities, board members, neighbors and property managers "hostage" due to her unacceptable and disrespectful demeanor, but now speaking for myself, Ms. Puhek has gone beyond just "irrational" behavior and has displayed a terrorizing behavior towards me so I respectfully request protection from her.

EXHIBIT 43



Anthem Community Council, Inc.

May 19th, 2021

Mrs. Pennie Mossett-Puhek
2740 Kildrummie Street
Henderson, NV 89044

Dear Mrs. Mossett-Puhek,

The following letter comes to you, not from any particular director of the Anthem Community Council, but rather from your six fellow directors of the Council. As you are aware, membership on the Council is voluntary. This should not undermine the significance of the position or the importance of fostering a collaborative effort among its directors.

The By-Laws state:

- “The Council's purpose and function shall be to carry out the goals set forth in the Background Statement of the Community Covenant. The Council serves as a unifying entity for the Anthem community and is charged with organizing, funding, and administering such activities, services, and programs designed to build and enhance the sense of community within Anthem, as the Board deems necessary, desirable, or appropriate.”

We believe the operative term in the above statement is “a unifying entity”. The individual directors must work together and collaborate on Council issues as a team, rather than creating conflict and contention. Although you have proven yourself quite knowledgeable in certain areas, you frequently address other directors with an adversarial tone and contentious demeanor.

The other Council members are honest volunteers, trying to do their best to provide a quality experience for all the residents of the Anthem community. We have no ulterior motives. We don't mind disagreements. Those are part of the governance process. But we will not tolerate any suggestion that we are unethical.

The Pennie we have witnessed has been combative. It started before you attended your first Council meeting. You continue to write emails berating board members and attacking and insulting them if they do not agree with your position. As a new board member, it appears you are not satisfied unless you dictate the Council's actions and its manner of doing business. That is not how a board should work, and it is now how this Council will operate. You have some great ideas, but you demonstrate a lack of tact and respect for people in general. There is always more than one way to express yourself.

Your negative emails will not accomplish anything. The Council makes decisions based on a “majority rule,” and the other directors cannot relate to someone whose objective seems to be to provoke the individual directors and disrupt harmony in the community. If you could use your boundless energy in a positive manner, the Council would be able to accomplish its vision and goals with harmony and respect. Those two words are key in being a TEAM member. We are not saying you always have to agree with everyone. You are entitled to your opinion. However, you must respect the opinions of others as well, and accept the majority rule.

We are requesting you consider the consequences of your words and actions before you speak or write demeaning emails. We are all volunteers who want what is best for our community, and we deserve to be treated with respect. Let us attempt to unite our short and long term goals for the betterment of our community.

Currently, your conduct suggests you do not have the best interests of Anthem Community Council in mind. For example, last year before you joined the Council, the landscape committee inspected the condition of our trees, shrubs and plants, and recommended a course of action. The Board, acting on the committee's recommendation, prepared and distributed an RFP for landscaping services. After considering the bids, Brightview was terminated fairly and for good cause, and Par3 was selected as the new landscaper. The Council has entered into a contract with Par3. The process is over. Par3 is off to a good start. We need to work with them collectively, and perform a reasonable level of monitoring, to succeed. However, you seem committed to doing your utmost to undermining the relationship and interfering with Par3's performance.



Arville Office

nevada.fsrconnect.com/anthemcommunitycouncil

8290 Arville Street | Las Vegas, NV | 89139

phone: 702.737.8580 fax: 702.737.3360

ACC00244 999
P00988



Anthem Community Council, Inc.

The other six directors serving on the Council wish to proceed with our work in an expeditious, respectful and professional manner. This can only be achieved through collaboration and good will between all directors. This does not require that all directors be in agreement at all times. However, we do not believe this can be accomplished with ongoing and continuous conflict.

It is the Board's hope that you will address these issues and work with, rather than against, the Board. If not, the Board will take appropriate steps under our By-Laws and rules for your removal.

Sincerely, the Anthem Community Council Board of Directors,

President – Larry Orlov

Director - Alan Dees

Treasurer - Arthur Schuetz

Director – Ricki Englehaupt

Secretary – Shirley Iodice

Director – Joe Lightowler



Arville Office

nevada.fsrconnect.com/anthemcommunitycouncil

8290 Arville Street | Las Vegas, NV | 89139

phone: 702.737.8580 fax: 702.737.3360

ACC00245 1000
P00989



ESTABLISHED FOR THE REGION: 1977 702.233.7310

LANDSCAPE DESIGN

7/15/2021

Anthem Council
c/o: Rechele Hagle
Henderson, NV

Regarding: Anthem Council 10-year Plan Budgetary Cost

This document is for a Rough Order of Magnitude (ROM) purposes only and will differ when generating actual proposal on approved areas. This estimated acreage includes all areas total 72.10 acres, of which only 80.56 % (57.10 acres) are irrigated landscaping areas. It's our opinion that 10%-20% can be reverted to native landscaping and possible be removed off of the irrigation system.

Pennie Puhek

President

Anthem Highlands Community Association

702-808-8917

On Aug 4, 2021, at 9:33 AM, Larry Orlov <larry.orlov@anthemcommunitycouncil.com> wrote:

Ms Puhek

You have crossed the line in harassing Rechele and placing the ACC Board in a position to be sued by FSR for harassment. Either provide Rechele with the document your referring to or cease and desist the conversation immediately.

Larry Orlov

President

Anthem Community Council

Email: larry.orlov@anthemcommunitycouncil.com

Sent from Mail for Windows 10

From: Pennie Mossett-Puhek
Sent: Tuesday, August 3, 2021 7:32 PM
To: Rechelle Bogle
Cc: Larry Orlov; Joe Lightowler; Ricki Englehaupt; Alan Dees; Shirley Lodice; Arthur Schuetz
Subject: Re: Par 3s 25 Million Dollar Proposal over 10 years

It's addressed to you Rechelle on July 15th. What are you hiding? I have always been suspicious about your undisclosed communications with Par 3 and your refusal to provide the bids for the landscape contract. Now it's even more concerning that you're denying getting anything from them.

Like I said before, something is rotten in Denmark and it will rear its ugly head at some point.

Oh, and I'm wrong the total 10 year price is actually closer to 26 million.

Pennie Puhek

President

Anthem Highlands Community Association

702-808-8917

On Aug 3, 2021, at 7:21 PM, Rechelle Bogle
<Rechelle.Bogle@fsresidential.com> wrote:

Pennie, I don't have any document from Par3 that is a proposal for 25 million. I have no idea what you are talking about.

I will happy to review whatever you have.

Rechelle Bogle

Community Manager

8861 W Sahara Ave. Suite 215

Las Vegas NV 89117

Email : Rechelle.bogle@fsresidential.com

Ph: 702-932-6838

Customer Care Ph: 702-737-8580

www.fsresidential.com

On Aug 3, 2021, at 7:06 PM, Pennie Mossett-Puhek <pennieahca@gmail.com> wrote:

Rechelle, you have the document so I'm not sure why you're asking me for it. My question is why is it being hidden from the board? How can the budget committee finalize a budget without seeing this document if you don't have it?

Pennie Puhek

President

Anthem Highlands Community Association

702-808-8917

On Aug 3, 2021, at 12:48 PM, Rechelle Bogle <Rechelle.Bogle@fsresidential.com> wrote:

Pennie,

Please forward the document you are looking at to review.

The Budget committee is finalizing the budget to present for the next meeting and will be in the Board packet for your review. I will have the Board packet ready this Friday and emailed to the Directors.

Sincerely,

RECHELLE BOGLE, CMCA®
Community Manager

8861 W. Sahara Ave. Suite 215 | Las Vegas, NV 89117
PH: 702.215.5077 ext 11398 24-hour
Ph: 702.737.8580
Email
Rechelle.Bogle@fsresidential.com
www.fsresidential.com

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[LinkedIn](#) | [YouTube](#)

From: Pennie Mossett-Puhek
<pennieahca@gmail.com>
Sent: Tuesday, August 3, 2021 7:05 AM
To: Rechelle Bogle
<Rechelle.Bogle@fsresidential.com>
Cc: Larry Orlov
<larry.orlov@anthemcommunitycouncil.com>; Joe Lightowler
<jlightowler921@gmail.com>; Ricki Englehaupt <englehr@gmail.com>; Alan Dees <alandeeshoa@gmail.com>; Shirley Lodice
<siodice1341@hotmail.com>; Arthur Schuetz
<arthur.schuetz@anthemcommunitycouncil.com>
Subject: Par 3s 25 Million Dollar Proposal over 10 years

Rechelle,

I have recently been provided with the Par 3 proposal for an upgrade plan that would cost our homeowners 25 million over 10 years if implemented... and that is just budgetary which we know it will exceed in final costs. . Did you send this to the board to evaluate and be prepared to ask questions at the meeting or were you going to wait until the day before the meeting and slip it in the board packet?

Pennie Puhek

President, AHCA

Robin Callaway

From: Larry Orlov <larry.orlov@anthemcommunitycouncil.com>
Sent: Wednesday, December 7, 2022 1:23 PM
To: Ryan Reed
Subject: FW: Sham Executive Session

From: Pennie Mossett-Puhek
Sent: Wednesday, August 18, 2021 9:46 AM
To: Larry Orlov
Cc: rechelle.bogle@fsresidential.com; ted@boyacklaw.com; chauer@lkglawfirm.com; Carmen; sydneyahca@gmail.com
Subject: Sham Executive Session

All,

I still have not been provided any information about your sham lynching. I'm sure it's taking time for you to attempt to come up with some coherent thoughts and produce evidence that any statements I have made are not factual or my opinion. For Pete's sake, you had to change the bylaws several times and waste money on an attorney just to try and block me from exposing your conduct.

Nonetheless, circumstances have changed and I need to focus my time on the the things that matter. It's not you! Your mob of uneducated and rubber stamp board members and what I feel are completely incompetent management and failed leadership ship will unfortunately be allowed to go on because I simply don't have the time to call you out on your lies, secrecy, and unethical conduct. My final resolution with this will be a statement of fact against the manager license. Yes, NRED still has control over her conduct.

Therefore, I am resigning from the Council board effective today. I am still trying to find a homeless person or renter that will actually be able to stomach the outrageous conduct and incompetence that is on display at meetings and through your emails. Still no takers as of yet on my board of directors. Our manager will keep you posted.

I did want to mention that I also plan to file a complaint with the state regarding the lack of mask wearing at the last meeting. You assured me that everyone would be required to wear masks mainly because it's the law. The manager Rochelle did not wear a mask the entire meeting. Larry, the board president, had his down underneath his chin the entire meeting. The treasurer took his off at various times during the meeting to speak even though he had a microphone. Your lack of respect and violation of law could've endangered many people attending including myself. I have no doubt if I reported this to Solera, that it would be brushed under the table since First Service manages them.

There are so many conflicts of interest with First Service managing the council that I will detail in my statement of fact.

Thank you and I will be in touch.

Pennie Puhek
President
Anthem Highlands Community Association
702-808-8917

EXHIBIT 44



Tim Elson <tim@elsonlawoffices.com>

Fwd: 2822 Culloden :Preservation Of Evidence

From: Pennie Mossett-Puhek <pennieahca@gmail.com>
Date: June 18, 2021 at 4:00:56 PM PDT
To: Tim Elson <tim@elsonlawoffices.com>
Cc: Katherine Matheson <kmatheson@terrawest.com>, Deborah Ogilvie <dogilvie@terrawest.com>, Carmen Eassa <ceassa@terrawest.com>
Subject: Re: 2822 Culloden :Preservation Of Evidence

Mr. Elson,

I am really sick of your ridiculous and uninformed threats. Please learn HOA law before you start spouting nonsense. You clearly do not understand it which should be a surprise and a disservice to your client. This is a governing document issue. Potential means nothing. I potentially want to fly to the moon, but the chance of that happening is little to none, just like any claim you may want to bring. This is a governing document matter which can only be addressed through ADR with NRED prior to any claim being filed in a court. File away and keep wasting your clients money. I can send you the application if you like. Our position is rock solid. Additionally, I can make unilateral decisions regarding the management of the HOA. I refer you to the bylaws of the association where it specifies my powers as president. I also recommend that you read the ARC guidelines where the ultimate discretion is given to the committee when determining what to approve and what is in the best interest of the community. They are guidelines (see dictionary for the definition), not a complete list of what is allowed or disallowed.

All your client needs to do is change plant material and you are making a federal case of it. I bet the Nevada State Bar would think your conduct is reprehensible and unbecoming as an officer of the court. You are not immune just because you are an attorney. In fact, you are held to a higher standard. Your client has not been fined yet and you have been given plenty of opportunity to cure the violation. Your constant emails attacking myself and management are creating a hostile environment.

ONCE AGAIN... I AM BEGGING YOU TO STOP YOUR HARASSMENT AND BULLYING OR I WILL TAKE IT UP WITH THE STATE BAR AND FILE A COMPLAINT ALLEGING VIOLATIONS OF NRS 116.31184 (YES, I CAN DO THAT UNILATERALLY AS WELL).

On Fri, Jun 18, 2021 at 9:08 AM Tim Elson <tim@elsonlawoffices.com> wrote:

Ms. Mossett-Puhek,

Thank you for your email. We also do not plan to engage you in an email campaign so we may not respond to any future correspondence should you respond. If we do not respond, this should not be construed as an admission or acquiescence as to anything set forth in your emails.

With that said, your email is problematic for a variety of reasons. Anthem has now been put on notice of a potential claim, which carries potential ramifications if Anthem does not proceed in a proper manner. Notice of a claim carries with it different obligations in addition to what Chapter 116 sets forth, some of which are set forth in more detail in our letter. While Anthem is free to disregard our letter requesting preservation of evidence, Anthem's decision to do so may carry with it certain penalties set forth under the Nevada Rules of Civil Procedure to the extent litigation is pursued, which is looking more probable.

Even more problematic is that it appears you unilaterally made a decision to disregard the letter, which violates Chapter 116. As you are aware, HOAs are heavily regulated by Chapter 116. You are not in a position to unilaterally make any decision for the HOA. Furthermore, HOAs must typically make these types of decisions at properly noticed board meetings or as otherwise set forth within the governing documents. The fact that Terra West is allowing you to act in this manner is problematic for Terra West as well (along with some of the other procedural issues I've documented), which is why I've now copied upper management at Terra West.

We appreciate your email, which indisputably confirms these violations of Chapter 116. We will likely address that with the ombudsman in due course. We also appreciate your email that confirms that Anthem is intentionally not preserving any evidence, which may carry adverse consequences to the extent that evidence is lost or destroyed. Lastly, this is not a threat or harassment, as preservation letters are extremely common as parties conduct investigations and approach litigation. We hope Anthem (and Terra West) starts to appreciate the severity of the different violations that are occurring within the Anthem Community. We anticipate issuing future correspondence in the near future that addresses these issues.

Best,

Tim Elson

CAUTION: PRIVILEGED AND/OR CONFIDENTIAL COMMUNICATION

THE INFORMATION CONTAINED IN THIS INTERNET E-MAIL MESSAGE AND THE ATTACHMENTS, IF ANY, ARE PRIVILEGED, CONFIDENTIAL AND INTENDED SOLELY FOR THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR REPRODUCTION OF THIS COMMUNICATION, OR ANY PART HEREOF, IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE LAW OFFICES OF TIMOTHY ELSON BY TELEPHONE (702) 874-8600 AND DELETE THE ORIGINAL MESSAGE.

On Thu, Jun 17, 2021 at 3:46 PM Pennie Mossett-Puhek <pennieahca@gmail.com> wrote:

Mr. Elson,

Thank you for your email. You cannot direct management to do anything so please cease and desist doing so. State law dictates what we preserve and what we don't and absent a court order we will not adhere to your demands. I understand that you feel these harassing tactics may get the association attorney involved, but it will not. The board has made a determination that there were violations of the governing documents and gave your client the opportunity to correct them prior to a fine being imposed. Frankly, you should be working with your client to cure these violations instead of putting her in financial jeopardy. The association has followed the law and our governing documents and will provide proof should it become necessary. If you have a complaint or proof that the association violated any state law or its governing documents, please feel free to file a complaint with the Nevada Real Estate Division. Until then, please cease and desist your harassment.

NO RESPONSE WANTED OR REQUIRED. THANK YOU.

Pennie Puhek
President, AHCA

EXHIBIT A

1 Timothy P. Elson, Esq.
Nevada State Bar # 11559
2 **THE LAW OFFICES OF TIMOTHY ELSON**
8965 S. Eastern Ave., Suite 382
3 Las Vegas, Nevada 89123
Tim@ElsonLawOffices.com
4 (702) 874-8600

5 Attorneys for Plaintiff ANDREA COLLIER, as
trustee of the JACT TRUST

6 **DISTRICT COURT**
7
8 **CLARK COUNTY, NEVADA**

9
10 ANDREA COLLIER, as trustee of the JACT
TRUST,

11 Plaintiff,

12 v.

13 PENNIE MOSSETT-PUHEK, individually;
14 ANTHEM HIGHLANDS COMMUNITY
ASSOCIATION, a Nevada Non-Profit Corporation;
15 CARMEN EASSA, an individual; K.G.D.O.
HOLDING COMPANY, LLC d/b/a TERRA
16 WEST MANAGEMENT SERVICES, a Nevada
limited liability company; DOES I through X and
ROE BUSINESS ENTITIES I through X,
17 inclusive,

18 Defendants.

Case No.: A-22-852032-C
Dept.: 8

DECLARATION OF ANDREA COLLIER

19 I, Andrea Collier, do declare, affirm, and state as follows:

20 1. I am the named plaintiff in this action. I am the trustee of the JACT Trust. I am
21 competent to testify to the matters set forth in this Declaration, and will do so if called upon. Unless
22 otherwise noted herein, I have personal knowledge of the matters stated herein, and if called upon
23 could and would testify competently thereto.

24 2. On December 31, 2015, I purchased the Property, which is a single-family, two story
25 residence that is approximately 2,462 square feet on 0.17 acres. I take great pride in maintaining the
26 Property at all times, as well as the surrounding neighborhood.

27 3. For years, I never had any issues with Anthem. I did not receive any notices of any
28 alleged violations from Anthem given that my Property was properly maintained.

1 4. Over time, I noticed a decline in the Anthem Community, becoming extremely
2 frustrated with the increase in crime, unkept landscaping, improper parking related to commercial
3 vehicles and inoperable vehicles. I discussed these issues with members of the board and management
4 at different times. After Mossett-Puhek was elected to the board, I reached out to Ms. Mossett-Puhek
5 around June 2020. I offered my support.

6 5. Thereafter and over the next seven to eight months, Mossett-Puhek and I became
7 friends and worked together to address issues within Anthem. We socialized together at a Dinner
8 Party, which I hosted, ate at an expensive restaurant, which I paid for, and otherwise continued to
9 develop a friendship. The facts pertaining to these issues are set forth in detail in the Amended
10 Complaint.

11 6. Around March 2021, I decided to open the lines of communication directly with the
12 management company, speaking to Eassa of Terra West. Eassa informed me this was the first she was
13 hearing of many of my concerns. This surprised me the assurances by Mossett-Puhek that she had
14 internally addressed these issues.

15 7. For whatever reason, Mossett-Puhek became upset after I reached out to Eassa and
16 Terra West. Our relationship drastically changed. *Id.* Mossett-Puhek no longer conversed with
17 Collier in a friendly manner. Instead, significant animosity appeared to exist from Mossett-Puhek
18 toward me.

19 8. Almost immediately after my relationship with Mossett-Puhek soured, I became the
20 subject of an unfair and intense investigation by Mossett-Puhek and Anthem. That is, I believe
21 Mossett-Puhek improperly utilized her power to inappropriately target me.

22 9. One of the issues I addressed with Mossett-Puhek before our relationship soured was a
23 southwest gas truck, which is a commercial vehicle, that was improperly parked on the residential
24 street. I understand that Anthem opened up a violation proceeding against the owner of the southwest
25 gas truck, which Mossett-Puhek told me about in secret. Ultimately, I understand that Anthem's legal
26 counsel was involved, as well as legal counsel for southwest gas, and that some type of agreement was
27 reached about the parking of the commercial vehicle. Despite this agreement, the southwest gas truck
28 still parks on the residential street, which I discussed more fully at my deposition. I believe the

1 reporting of this violation, which was done in good faith, and the fall out stemming from it between
2 Mossett-Puhek and myself may also have motivated Mossett-Puhek and Anthem to pursue this
3 inappropriate investigation against me.

4 10. On May 5, 2021, via my counsel, I first requested records from Anthem regarding their
5 improper harassment. Additional records requests were made thereafter. I believe these requests,
6 which were done in good faith, fueled the harassment conduct against me as these requests produced
7 records that demonstrated that the investigation into me was not warranted.

8 11. As a result of Defendants' conduct, which includes retaliation, harassment, threats, and
9 intimidation, I have suffered harm and serious emotional distress. As a result of this harm and
10 emotional distress, I have treated with mental health professionals. I am in constant fear of what
11 Mossett-Puhek may do next or how she may further pursue her vendetta against me. This has created
12 a hostile environment for me in my home as I fear for my safety. Compounding my fears is that I am
13 aware of Mossett-Puhek's history, including her constant threats and abuse of others. I'm also aware
14 of her comments that she is attempting to unnecessarily drive up litigation costs, which also causes
15 me stress and anxiety. It is also frustrating as I understand that Mossett-Puhek has not paid a dime to
16 defend herself.

17 12. The oleanders at issue in this litigation have been planted in the front yard for several
18 years before I received the first courtesy notice from Anthem. In fact, the oleanders had been present
19 on the Property even before they were moved to the side of the front yard. I submitted ARCs for the
20 backyard work that was done at this time. I understand that Anthem and members of the board / ARC
21 inspected my home following completion of this work.

22 13. After Anthem rejected by ARC submission for the flagpole, I obtained a building
23 permit from the City of Henderson pertaining to it (true and correct copies of these records are attached
24 hereto as **Exhibit 7**).

25 14. Attached hereto as **Exhibit 27** are sample photographs of various view obstructions
26 throughout Anthem that existed at or near the time that Anthem alleged a view obstruction against my
27 property. I took these photographs.

28 ///

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

FURTHER, AFFIANT SAYETH NAUGHT:

Executed on August 2nd, 2024

By: /s/Andrea Collier
ANDREA COLLIER

EXHIBIT B

1 Timothy P. Elson, Esq.
 Nevada State Bar # 11559
 2 **THE LAW OFFICES OF TIMOTHY ELSON**
 8965 S. Eastern Ave., Suite 382
 3 Las Vegas, Nevada 89123
 Tim@ElsonLawOffices.com
 4 (702) 874-8600

5 Attorneys for Plaintiff ANDREA COLLIER, as
 trustee of the JACT TRUST

6 **DISTRICT COURT**
 7
 8 **CLARK COUNTY, NEVADA**

9 ANDREA COLLIER, as trustee of the JACT
 TRUST,

Case No.: A-22-852032-C
 Dept.: 8

10 Plaintiff,

**DECLARATION OF TIMOTHY ELSON,
 ESQ.**

11 v.

12 PENNIE MOSSETT-PUHEK, individually;
 ANTHEM HIGHLANDS COMMUNITY
 13 ASSOCIATION, a Nevada Non-Profit Corporation;
 CARMEN EASSA, an individual; K.G.D.O.
 14 HOLDING COMPANY, LLC d/b/a TERRA
 WEST MANAGEMENT SERVICES, a Nevada
 15 limited liability company; DOES I through X and
 ROE BUSINESS ENTITIES I through X,
 16 inclusive,

17 Defendants.

18
 19 I, Timothy Elson, Esq., do declare, affirm, and state as follows:

20 1. I am an attorney at THE LAW OFFICES OF TIMOTHY ELSON, PLLC, and am duly
 21 licensed in the State of Nevada. I am competent to testify to the matters set forth in this Declaration,
 22 and will do so if called upon. Unless otherwise noted herein, I have personal knowledge of the matters
 23 stated herein, and if called upon could and would testify competently thereto. I am an attorney of
 24 record representing Plaintiff ANDREA COLLIER, as trustee of the JACT TRUST, in the subject
 25 lawsuit.

26 2. Throughout this lawsuit, I have discussed with Derek Noack, Esq., that Mossett-
 27 Puhek's course and scope is a factual issue as Collier alleges that Mossett-Puhek acted outside of the
 28 course and scope at times to warrant punitive damages against her.

1 3. I do not recall conducting any meet and confers with Mr. Noack or other counsel
2 pertaining to our objections on the timing of the contention interrogatories.

3 4. The Parties have engaged in significant meet and confer efforts to address a variety of
4 discovery issues. While some of the issues are resolved, many of the issues remain and will be the
5 subject of forthcoming motion practice.

6 5. Some of the most significant discovery issues relate to Anthem's compliance as it
7 relates to violations similar to Collier's, such as view obstructions, health safety welfare, paint
8 schemes, flagpoles, etc. To this day, Anthem has not produced all required records that address
9 compliance and what actions were taken when Anthem deemed a homeowner to not be in compliance.
10 For example, it is our understanding that many homes in Anthem did not have ARCs for their flagpoles
11 at the same time as Collier's flagpole, but Anthem did not pursue corrective measures against these
12 other unit owners, just Collier. We also believe the same is true as it relates to the other alleged
13 violations. Making matters worse, Anthem inappropriate redacts information on certain records that
14 they produce while not redacting similar information on other records. I have offered to enter into a
15 protective order (which already exists in this case) as it pertains to this information.

16 6. These are not the only discovery issues that exist. There are numerous deficiencies
17 with answers to interrogatories and other requests for production. To this day Terra West has not
18 responded to the RFPs that Collier served on May 8, 2024, *i.e.*, nearly three months ago.

19 7. I have also believe that Defendants, including Mossett-Puhek, are concealing emails
20 and other communications, as we recently received emails from former board member Sydney Woo
21 that produced communications that were not previously produced in this action.

22 8. While this Court may deny Defendants' motions, given that they lack legal merit, I
23 respectfully request that this Court stay or otherwise continue any ruling granting these motions until
24 these discovery issues are heard by the Discovery Commissioner. Collier currently has a motion to
25 address the discovery deadlines pending on August 15, 2024, which will be heard before the instant
26 Motion. Collier plans to address these discovery issues in more detail with this Court before the
27 hearing on the instant Motions.

28 ///

1 9. A true and correct copy of Defendant Pennie Mossett-Puhek's Response to Plaintiff's
2 First Set of Interrogatories that were produced in this action is attached hereto as **Exhibit 1.**

3 10. A true and correct copy of Jason Esau's deposition transcript is attached hereto as
4 **Exhibit 2.**

5 11. A true and correct copy of Code Enforcement Case No. 22-625625 reflecting Andrea
6 Collier was not in violation of any code provision regarding her oleander bushes is attached hereto as
7 **Exhibit 3.**

8 12. A true and correct copy of Anthem Highlands Community Association's Response to
9 Plaintiff Andrea Collier's First Set of Interrogatories that were produced in this action is attached
10 hereto as **Exhibit 4.**

11 13. A true and correct copy of Shirley Breeden's deposition transcript is attached hereto as
12 **Exhibit 5.**

13 14. A true and correct copy of Sydney Woo's deposition transcript is attached hereto as
14 **Exhibit 6.**

15 15. True and correct copies of meeting minutes that I received from Ms. Eassa are attached
16 hereto as **Exhibit 8.**

17 16. A true and correct copy of Mossett-Puhek's candidate statement that I received from
18 Ms. Eassa is attached hereto as **Exhibit 9.**

19 17. A true and correct copy of the Third NRED Claim regarding Eassa and TerraWest is
20 attached hereto as **Exhibit 10.**

21 18. A true and correct copy of the TPO application produced by FSR in response to a
22 subpoena duces tecum is attached hereto as **Exhibit 11.**

23 19. A true and correct copy of the Reply to Respondent Pennie Puhek's Opposition to
24 Motion for Summary Judgment and Opposition to Request for Time to Conduct Discovery per NRC
25 56(f) filed in Case Nos. 2015-291 is attached hereto as **Exhibit 12.**

26 20. A true and correct copy of Carmen Eassa's deposition transcript is attached hereto as
27 **Exhibit 13.**

28 ///

21. A true and correct copy of Exhibit 3 to Eassa's Deposition Transcript DFT1615 through DFT1616 is attached hereto as **Exhibit 14**.

22. A true and correct copy of Exhibit 4 to Eassa's Deposition Transcript DFT1658 is attached hereto as **Exhibit 15**.

23. A true and correct copy of Exhibit 9 to Eassa's Deposition Transcript DFT1673 through DFT1674 is attached hereto as **Exhibit 16**.

24. A true and correct copy of Pennie Mossett-Puhek's deposition transcript is attached hereto as **Exhibit 17**.

25. A true and correct copy of Ashleigh Grove's deposition transcript is attached hereto as **Exhibit 18**.

26. A true and correct copy of Katherine Matheson's deposition transcript is attached hereto as **Exhibit 19**.

27. A true and correct copy of Chrislin Helton's deposition transcript is attached hereto as **Exhibit 20**.

28. A true and correct copy of Andrea Collier's deposition transcript is attached hereto as **Exhibit 21**.

29. A true and correct copy of the notice of hearing is attached hereto as **Exhibit 22**.

30. A true and correct copy of the photographs pertaining to the trimmed oleanders are attached hereto as **Exhibit 23**.

31. A true and correct copy of the letter from June 8, 2021 is attached hereto as **Exhibit 24**.

32. A true and correct copy of the photograph pertaining to the trimmed oleanders is attached hereto as **Exhibit 25**.

33. A true and correct copy of the board meeting minutes from December 2021 is attached hereto as **Exhibit 26**.

34. A true and correct copy of the email exchange between Andrea Collier and Sydney Woo in April 2021 is attached hereto as **Exhibit 28**.

///

1 35. A true and correct copy of Defendant Pennie Mossett-Puhek's Amended Responses to
2 Plaintiff's Third Set of Interrogatories that were produced in this action is attached hereto as **Exhibit**
3 **29.**

4 36. A true and correct copy of the email exchange from May 2021 is attached hereto as
5 **Exhibit 32.**

6 37. A true and correct copy of the executive meeting minutes from July 2021 is attached
7 hereto as **Exhibit 33.**

8 38. A true and correct copy of the email dated October 28, 2021 is attached hereto as
9 **Exhibit 34.**

10 39. True and correct copies of the examples of flagpoles following the enforcement against
11 Andrea Collier are attached hereto as **Exhibit 36.**

12 40. A true and correct copy of Plaintiff Andrea Collier's First Set of Requests for
13 Production of Documents to K.G.D.O. Holding Company is attached hereto as **Exhibit 37.**

14 41. A true and correct copy of Exhibit 5 to Eassa's Deposition Transcript DFT1658 is
15 attached hereto as **Exhibit 38.**

16 42. A true and correct copy of correspondence regarding Natalia Dubois is attached hereto
17 as **Exhibit 39.**

18 43. A true and correct copy of the Board of Directors meeting minutes and related
19 documents from 2016 through 2017 are attached hereto as **Exhibit 40.**

20 44. A true and correct copy of the 2015 letters from the Wattersons are attached hereto as
21 **Exhibit 41.**

22 45. A true and correct copy of the 2018 Damales temporary protective order application is
23 attached hereto as **Exhibit 42.**

24 46. True and correct copies of the excerpts of documents received from Master HOA are
25 attached hereto as **Exhibit 43.**

26 47. A true and correct copy of an email dated June 18, 2021, is attached hereto as **Exhibit**
27 **44.**

28 ///

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Executed on August 2nd, 2024

6