



**ROBERTS | FREEBOURN, PLLC**

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March 19, 2024

Reflection Lake Community Association  
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**Re: Reflection Lake Community Association – Derivative Demand**

All:

We represent Robert Lee a member of the Reflection Lake Community Association (“RLCA”). James Boothby, Sandra Bennett and Charles Bennett have taken actions and engaged in inactions which violate their duties owed as Board Members and have caused significant damages to RLCA. These include but are not limited to violating the by-laws of the association, taking actions beyond the scope of their powers (such as signing the merger agreement), violating the fiduciary duties owed to the association and failing to follow Court Orders, all actions which have caused significant damages and attorney fees to the RLCA. Pursuant to RCW 25.15.386 and RCW 23B.07.400, Robert Lee, as a member, requests RLCA initiate suit against James Boothby, Sandra Bennett, and Charlie Bennett personally for the damages they have caused to the RLCA. If confirmation is not received within fourteen (14) days of the date of this letter, Robert Lee will proceed with a shareholder derivative action to pursue the damages on behalf of RLCA.

James Boothby, Sandra Bennett, and Charlie Bennett violated their fiduciary duties and acted in their own self-interest which has caused RLCA damages by failing to adhere to the Mediated Settlement Agreement entered into between Charlie Bennett, Gary Long, Sandi Bennett, Joe Dickinson, James Boothby, and Bill Pease (collectively “RLCA Signors”) and Robert Lee, James Powers, Susan Emry, Neal Kimball, and Russ Bishop in an effort to resolve the causes of action in Spokane County Superior Court, Case No. 20-2-03213-32 (the “Action”). On May 31, 2022, in the Action, the Court ordered that the November 9, 2021 Mediated Settlement Agreement between the parties was an enforceable agreement with the parties being bound by its terms. The terms of the Mediated Settlement Agreement included that assessments for maintenance of the private roads on the east side of the lake shall be allocated evenly among those lots fronting on the private roads (including those lots owned by RLCA), RLCA would obtain and maintain D&O insurance to cover, among other things, breach of fiduciary duties by RLCA Board members and agreed to make a good faith effort to resolve mediation any subsequent dispute over the meaning of, or a party’s compliance with the Mediated Settlement Agreement.

After two years the RLCA, at the direction of James Boothby, Sandra Bennett, and Charlie Bennett, have failed to transfer ownership or operation of the Reflection Lake eastside water system to a third party and has failed to assess the maintenance costs to be evenly allocated among the lots fronting on the private roads on the east side of the lake which are in a deplorable state. As of February 17, 2024, RLCA has failed to obtain D&O insurance as required by the Mediated Settlement Agreement and has only made minimal efforts to possibly obtain the D&O insurance. Further, James Boothby, Sandra Bennett, and Charlie Bennett failed to follow the Mediated Settlement Agreement by agreeing to a water merger, not maintaining the east side roads adequately, not following bylaws and covenants, making disparaging remarks about members, and not being transparent with the financial matters of RLCA.

In accordance with the Mediated Settlement Agreement, Robert Lee requested mediation with RLCA on February 18, 2024 to discuss RLCA’s failure to comply. After receiving no response to his request, Mr. Lee followed up with a second request for mediation on February 22, 2024 in which no date or time was established nor discussion on mediators to move forward with mediation in compliance with the Mediated Settlement Agreement, only further stalling. James Boothby, Sandra Bennett, and Charlie Bennett’s failure to comply with the Mediated Settlement Agreement and the Court’s Order and breach of their fiduciary duties has caused significant damages to Mr. Lee and RLCA including attorney fees and costs RLCA has incurred and will continue to incur.

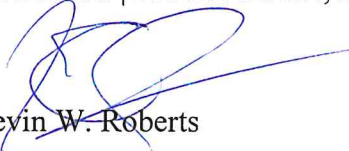
The above Board members also have violated the bylaws by signing a merger agreement without authority to act as required by the bylaws. This has also caused significant damage to the RLCA.

There is currently a Motion to Compel and for Contempt relating to the Mediated Settlement Agreement pending and the attorney fees and costs these Board members have caused the RLCA to needlessly incur will increase.

All the above identify the basis for claims against James Boothby, Sandra Bennett, and Charlie Bennett. Robert Lee requests confirmation that these claims will be pursued immediately. If they are not, my client will proceed with a derivative action.

Regards,

ROBERTS | FREEBOURN, PLLC



Kevin W. Roberts

cc: Client (via email)