

December 4, 2007
Via Email and USPS

Attorney Victor Ascolillo

4 School Street # 2
Westfield, MA 01089
413-568-9770
vascolillo@hotmail.com

RE: Notice of Investigation of Doverbrook Board of Trustees

Attorney Victor Ascolillo,

I am writing to you as a representative of the Unit Owners of Doverbrook Impeachment Committee.

It is our understanding that you have been recommended to represent legal council for the Doverbrook Condominium Trust by Rosemary Costa, who also serves as Chairman of the Doverbrook Board of Trustees.

It is also our understanding that you have represented legal council for Rosemary Costa in the past.

We have been informed at a meeting of the Doverbrook Board of Trustees (12-3-2007) that you have been asked to formulate a legal opinion on the legal position of the Doverbrook Condominium Trust Bylaws and/or the Massachusetts 183A Condominium Laws as pertains to architectural modifications, and additional opinions on matters that are yet unknown.

It would seem that Doverbrook Board of Trustees have allowed architectural modification changes to be made to an unknown number of Doverbrook Unit Owners in violation of the Massachusetts 183A Condominium Laws and the Bylaws of the Doverbrook Condominium Trust.

It appears in hindsight, that the Board of Trustees are now asking for a written legal opinion to justify their actions retroactively.

In the past, the Doverbrook Condominium Trust has always been represented by law firms that specialize in condominium law and this issue of "architectural modifications" has always been very clear. It would seem that current Board of Trustees are looking to circumvent the law by what Rosemary Costa justifies and describes as "Quality of life." issues.

Because of the actions of the Doverbrook Board of Trustees, the undersigned committee has been formed to investigate allegations of willful misconduct and breach of fiduciary responsibility by the Doverbrook Board of Trustees.

As such, it is our intention to notify you of the existing problems within the Doverbrook Condominium Trust that need to be resolved to the satisfaction of the law.

Finally, I have enclosed a copy of a letter submitted to the Doverbrook Board of Trustees entitled "Investigation of Doverbrook Board of Trustees" for your review. This letter clearly states the position and intentions of our committee.

Best regards,

Douglas Lyman

Unit Owners of Doverbrook Impeachment Committee
Doverbrook Unit Owners

CC:

Rosemary Costa
Robert Clary
Lori Reynolds
Steve Lamanis
Robert Bens
Michael Wright, Property Manager

File:

November 26, 2007

Vie Email and Hand Delivered

Board of Trustees
Doverbrook Condominium Trust
50 Doverbrook Rd
Chicopee, MA 01022

RE: Investigation of Doverbrook Board of Trustees

Board of Trustees,

Interested Unit Owners from the Doverbrook Condominium Trust conducted a preliminary meeting to form a committee to be named, which was held on Saturday, November 10, 2007, at 9:00 AM.

The purpose of the meeting was a discussion to form a committee of unit owners to investigate the actions of the Board of Trustees, and their alleged willful misconduct and breach of their fiduciary responsibilities as pertaining their responsibility to the Units Owners of Doverbrook Condominium Trust.

It is the intent of this preliminary Impeachment Committee to hold the Doverbrook Board of Trustees responsible for its willful misconduct, breach of fiduciary responsibility, and self dealing while performing its obligations in the performance of serving the Doverbrook Unit Owners.

Reasons as follows:

- 1. Failure of Fiduciary Responsibility to Unit Owners;**
- 2. Failure to Enforce Governing Documents;**
- 3. Failure to provide adequate safety measures for Unit Owners;**
- 4. Failure to consider professional recommendations and reports from Committees; and**
- 5. Failure to maintain the common area.**

A second meeting was held on November 21, 2007 at 6:30 PM for the same purpose, and to formulate a plan of action. To that end, the name of the committee was determined to be Unit Owners of Doverbrook Impeachment Committee, and the objectives of the committee are as follows:

1. To return fiduciary responsibility and accountability to the Doverbrook Board of Trustees;
2. To return the rule of law whereby the Massachusetts Condominium 183A laws, and the Doverbrook Bylaws are enforced according to the laws as written.
3. To inform the Doverbrook Unit Owners of the actions of the Board of Trustees which constitute willful misconduct, breach of fiduciary responsibility, and self dealing by the Trustee(s).
4. Re-Institute the Landscaping Committee as disbanded by the Doverbrook Board of Trustees.

5. Provide information to the Doverbrook Unit Owners as needed to inform Unit Owners of information pertinent to the best interest of the Unit Owners.
6. Exercise the utmost of good faith towards the Unit Owners, fairly and equally.
7. Additional objectives as determined by the Unit Owners of Doverbrook Impeachment Committee from time to time.

A total of 4 open meetings of the Unit Owners of Doverbrook Impeachment Committee have been held to date.

The investigation will proceed immediately.

Please be advised that the consequences of a finding of breach of fiduciary duty can be severe. First, the offending board member will be held personally liable in money damages for all pecuniary losses sustained as a result of his misconduct. Such judgments (and the attendant legal fees) are not covered by directors and officer's liability insurance. In addition, courts are not shy about assessing punitive damages against those board members who breach this most exacting of moral obligations.

To this end, and as a part of the investigation, the Doverbrook Impeachment Committee will contact and inform any and all Doverbrook Legal Counsel(s) of the pending investigation, and will inform the legal counsel of it obligations to the Court in reporting any breach of law or misconduct, including breach of fiduciary responsibility.

Respectfully submitted,

Ken White, Chairman

Unit Owners of Doverbrook Impeachment Committee
Doverbrook Unit Owners

CC:

Rosemary Costa

Robert Clary

Lori Reynolds

Steve Lamanis

Robert Bens

Michael Wright, Property Manager

File: