

Canning, Kevin

From: Robert Labbé <rlabbe@labbecompany.com>
Sent: Thursday, February 16, 2023 6:01 PM
To: Canning, Kevin
Subject: Re: FW: PA22-0104 (52 Emerald Bay)

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Kevin:

By way of update, the Grovers did not resolve their dispute with the EBCA at the February 6th Mediation. However, since that time I've been in communication with EBCA's Attorney, Jillisa O'Brien and have informed her that I am preparing a revised Request for Resolution pursuant to California Civil Code Section 5935 (the "Revised Request for Resolution") which Ms. O'Brien has agreed will be presented to the EBCA Board of Directors for review at their next scheduled meeting on Tuesday, March 7, 2023.

Furthermore, although all post-Mediation communications are strictly privileged and confidential, I am able to inform you that I have had post-Mediation settlement conversations this week with our Mediator, Hon Stephen J. Sundvold (Ret.) on behalf of the Grovers and I also know that Judge Sunvold has been in communication with the Applicant's attorney, Stephen Scheck this week.

In light of the above post-Mediation activities, and especially since the EBCA Board of Directors meeting is not until March 7, 2023, I plan on attending the March 2, 2023 ZA Hearing to request a short continuance on behalf of the Grovers to a date after the March 7, 2023 Board Meeting.

Please therefore accept this as the Grovers written request for an additional continuance to the March 16, 2023 ZA Hearing based upon all of the above good faith efforts at resolution.

Sincerely,

Robert L. Labbé, Esq.

Admitted in California and New York

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