

**PHOENIX**

1400 E. Southern Ave.  
Suite 400  
Tempe, AZ 85282-5691  
T 480-991-6949  
F 480-991-7040



**CARPENTER HAZLEWOOD**  
Carpenter, Hazlewood, Delgado & Wood, PLC  
ATTORNEYS AT LAW

e-mail: [jasons@carpenterhazlewood.com](mailto:jasons@carpenterhazlewood.com)

**TUCSON**

2807 E. Broadway Blvd.  
Tucson, AZ 85716-5309  
T 520-744-9480  
F 520-744-9402

December 14, 2010

**Via First Class and Electronic Mail ([sfg@cimlaw.com](mailto:sfg@cimlaw.com))**

**PRESCOTT**

1550 Plaza West Dr.  
Prescott, AZ 86303-0001  
T 928-443-0775  
F 928-445-9220

Stewart F. Gross, Esq.  
Cheifetz Iannitelli Marcolini, P.C.  
1850 N. Central Ave., 19<sup>th</sup> Floor  
Phoenix, AZ 85004

**RE: Sunland Village Community Association and  
Haruff/Worbington**

**ADDITIONAL OFFICES**

Albuquerque  
Santa Fe

Dear Mr. Gross:

**NATIONWIDE**

T 800-743-9324  
F 800-743-0494

We are writing on behalf of the Board of Directors of Sunland Village Community Association. In order to avoid a protracted and expensive debate over the attorneys' fees issue, the Board wishes to inform you that it is withdrawing its claim for attorneys' fees. However, if your clients ever file a lawsuit over any of the issues raised in your original letter, the Association reserves the right to seek recovery of all of its attorneys' fees related to the issues in the lawsuit, including any pre-litigation attorneys' fees.

**ATTORNEYS**

James D. Atkinson III  
Joshua M. Bolen  
Kellie J. Callahan  
Scott B. Carpenter  
Javier B. Delgado†  
James H. Hazlewood  
Mark A. Holmgren  
Chad P. Miesen  
Jason N. Miller  
Nikita V. Patel  
Mark K. Sahl  
Jason E. Smith  
Adam W. Watters‡  
Andrea E. Watters‡  
J. Roger Wood

This should be the final chapter in this dispute. Please advise your clients to bring their issues directly to the board or management in the future. Alternatively, rather than writing a 7 page letter on issues you have not personally investigated, perhaps you could give us a call to sort out these issues in a less formal and less confrontational manner, especially as you would have quickly learned that there was no merit to the claims you spent so much time (and money) writing about.

Respectfully,

Jason E. Smith, Esq.

for

CARPENTER, HAZLEWOOD, DELGADO & WOOD, PLC

Cc: Sunland Village Community Ass'n

† Also Licensed  
In New Mexico

‡ Of Counsel