

Original Lawsuit Remains Under Review by Judge Chavez

The original lawsuit was filed by the AAFPO board in October, 2020. One purpose is to gain access to the database of members that is being withheld by the Resort. Keep in mind that the data base belongs to AAFPO.

The lawsuit also calls for the Resort to release the data that shows how it spends annual dues every property owner must pay. According to the terms of the 1995 bankruptcy settlements, this information must be provided to AAFPO. Transparency of the Resort's expenditures of property owners' dues was central to the settlement that governs the resort's obligations.

A paper list of members was provided by the Resort on December 20, 2020. We have since learned that it is incomplete based on communications from members who are not receiving notice. The paper list's accuracy could not be confirmed because it does not include complete contact information, member numbers, and lot/dwelling information.

The requirement for one vote per property cannot be validated using the list provided by the Resort. Moreover, the paper list appears to include ineligible voters. Only actual and deeded property owners are entitled to vote. One property, one vote.

Because the Resort has refused to turn over the database, which rightfully belongs to AAFPO, the Board is unable to attest to the eligibility of voting members. Moreover, the Board cannot communicate fully with its members because it does not have access to its own database.

On July 19th, AAFPO filed a motion with the judge to obtain immediate access to the database so voter validation can begin promptly. Judge Chavez has scheduled a hearing for August 17th.

The link below contains AAFPO's motion for immediate access to the database.

[MOTION-FOR-PRELIMINARY-INJUNCTION-FOR-ACCESS-TO-ELECTION-DATABASEDownload](#)

Watch for more News on AAFPO.org in the coming days about the status of the next election.