



May 10, 2021

Eastbluff Homeowners

**Re: Election of Directors; Ballot Error Regarding Cumulative Voting;
New Annual Meeting Date.**

Dear Eastbluff Homeowner:

This is to advise you that we discovered an error in the voting instructions and ballot (“ballot”) for the Annual election of directors. As a result, a new ballot will be sent to each owner and the Annual Meeting and ballot count for the election of directors must be postponed to June 22, 2021.

The ballot you received states that cumulative voting is **not** permitted. The Inspector of Elections prepared the ballot based upon the Association’s Elections Rules prepared by our office which state “Cumulative voting **is not** permitted.” This is an error. The Elections Rules should state “Cumulative voting **is** permitted,” which is consistent with the Association’s bylaws. We apologize for this inadvertent error and any inconvenience this has caused.

Under current law, whether or not cumulative voting is permitted is governed by the bylaws. Any change in cumulative voting must be made by an amendment to the bylaws which is not contemplated by the current Board. At this time, cumulative voting is permitted and the ballot must be corrected to reflect that.

With cumulative voting, each owner is still allowed one vote for each open director seat but that owner may cast all their votes for one candidate or is able to cast his or her votes among the candidates in any combination; however, fractional voting is prohibited.

Shortly, you will receive a new ballot and voting instructions with the corrected voting procedures. Any ballots previously cast and submitted are invalid and will be discarded unopened.

Thank you for your understanding.

Very truly yours,
RICHARDSON | OBER | DeNICHILLO

Matt D. Ober
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