

Law Offices  
AYRES, JENKINS, GORDY & ALMAND, P.A.  
6200 COASTAL HIGHWAY, SUITE 200  
OCEAN CITY, MARYLAND 21842  
www.ajgalaw.com

GUY R. AYRES, III (1945-2019)  
M. DEAN JENKINS  
JAMES W. ALMAND  
WILLIAM E. ESHAM, III  
MARK SPENCER CROPPER  
BRUCE F. BRIGHT  
HEATHER E. STANSBURY  
RYAN D. BODLEY  
VICTORIA O'NEILL

EMAIL ADDRESS:  
jalmand@ajgalaw.com

(410) 723-1400  
FAX (410) 723-1861

January 8, 2020

White Horse Park Community Association, Inc.  
C/o Melissa Peters, President, via email

Re: Raymond v. Worcester County  
C-23-CV-19-000350

Dear Melissa:

I am writing in response to recent misleading letters and other communications, including the December 30, 2019 letter from Susan Naplachowski. I suggest that you share this letter with all White Horse Park owners.

I recommended to the Board that White Horse Park intervene in the above-referenced case because White Horse Park has a vested interest in the outcome of the case and should have been a party at the outset. Contrary to the assertions of Ms. Naplachowski and other advocates for year-round residency in the Park, the pending lawsuit is **not** limited to "the elderly, handicapped, fixed income residents living year-round in the park."

The Plaintiffs in the case (Raymond, Kravitz, Rosenbaum, Gibson, Connolly, and Naplachowski) are seeking from the Circuit Court for Worcester County an order declaring that Worcester County cannot levy fines or attempt to evict "the Plaintiffs **or other permanent or fulltime residents** at White Horse Park" (emphasis supplied). This means that, if the Plaintiffs are successful, anyone could be a "permanent or fulltime resident" at the Park.

In addition to the County law prohibiting year-round occupancy in the Park, the recorded Declaration that established the Park prohibits year-round occupancy, and the Board has the fiduciary obligation to enforce that Declaration, even if previous Boards may have failed to do so. Therefore, in my opinion, the Park should be a party in the pending case so that its voice can be heard.

With respect to Ms. Naplachowski's concern with the cost of the litigation, she and the other Plaintiffs can stop that cost by terminating the lawsuit. Assuming the case proceeds as litigation typically does in the Circuit Court, I estimate that my fees for the litigation will cost each lot owner \$25 to \$30, which is a small price to pay to stop the attempts by Ms. Naplachowski and others to make the Park a year-round community contrary to the developer's intention, the recorded Declaration, and County law.

Very truly yours,

  
James W. Almand