

July 15, 2014

Mr. Bob Steck  
Election Committee Chair  
LA JOLLA COMMUNITY PLANNING ASS'N  
P.O. Box 889  
La Jolla, CA 92038

**VIA FIRST-CLASS MAIL & EMAIL:**  
***Bob.Steck@edwardjones.com***

Re: La Jolla Association v. La Jolla Community Planning Association  
Solomon Ward Seidenwurm & Smith File Number 33141.002

Dear Mr. Steck:

As you may know, this law firm represents the La Jolla Association ("LJA"). On behalf of LJA, we write to you in your capacity as the Election Committee Chair of the La Jolla Community Planning Association ("LJCPA") to challenge a "special election" held by LJCPA on July 3, 2014. This letter is written in the context of the following chronology of events:

- On March 6, 2014, LJCPA conducted its annual election of Trustees.
- On March 11, 2014, LJA filed an election challenge outlining voting irregularities and questioning several candidates' qualifications.
- On March 25, 2014, LJCPA's officers summarily determined the LJA election challenge had no merit. However, on March 26, 2014, Joe LaCava, the purported current President of LJCPA, acknowledged that his bid to return as an elected Trustee had been unsuccessful.
- On May 16, 2014, this firm asked the Mayor of the City of San Diego to investigate LJCPA's March 2014 election of Trustees.
- On May 29, 2014, LJA's attorneys further requested that Mayor's office postpone LJCPA's July 3, 2014 special election, due in large part to the sequence of improper events outlined in LJA's original election challenge.
- On June 26, 2014, the City of San Diego responded in writing to LJA's election challenge, acknowledging several irregularities in LJCPA's March 2014 election of Trustees.

Mr. Bob Steck  
LA JOLLA COMMUNITY PLANNING ASS'N  
July 15, 2014  
Page 2

LJCPA's July 3, 2014 special election has only exacerbated the problems described in LJA's March 2014 election challenge. The special election has further confused the community about who was duly elected in March 2014, and created uncertainty now as to who should have been elected in the special election. Notwithstanding the City of San Diego's June 26, 2014 response to LJA's election challenge, significant factual and legal questions concerning which LJCPA Trustees have been properly elected remain unresolved.

At its July 9, 2014 meeting, LJCPA and its putative Trustees only intensified the community's confusion by manipulating the publicly-posted agenda and refusing to address the election challenge and the City's written response. First, the Trustees moved consideration of the special election from agenda item 14 (out of a total of 16) to the top of the agenda, at the beginning (rather than the end) of the meeting. Then, instead of openly discussing issues pertaining to the special election, the Trustees approved a motion offered by Rob Whittemore – whose own eligibility to become a Trustee is in question – to postpone discussion of the election challenge to LJCPA's August 2014 meeting.

In light of the events described above, as well as the issues outlined in LJA's prior election challenge and correspondence with the City of San Diego, this letter constitute LJA's formal challenge to LJCPA's July 3, 2014 special election. The special election cannot be certified until resolution of the numerous issues surrounding the March 2014 election and questions concerning the current composition of LJCPA's Board of Trustees, all as outlined in our prior correspondence.

Our community regrets that LJCPA's actions require filing a second election challenge. However, the community truly believes the integrity of the organization is more important than the political aspirations of any individual, and hopes that rational and sound-minded Trustees will review the merits of our appeals, comply with San Diego City Council Policy 600-24, honor LJCPA's bylaws, and prevent costly and divisive legal action.

Very truly yours,



Stephen L. Schreiner  
SOLOMON WARD SEIDENWURM & SMITH LLP

P:00881923:33141.002

cc: La Jolla Community Planning Ass'n (via email: [info@lajollacpa.org](mailto:info@lajollacpa.org))  
Ms. Lesley Henegar (via email: [Lhenegar@sandiego.gov](mailto:Lhenegar@sandiego.gov))