

To: KIMBERLY C. GADDIS / GADDIS & LANIER,LLC
3330 Cumberland Blvd.; Suite 500
Atlanta, Georgia 30339

Cc: General Manager Scott Auer
Board of Directors: Amy Tropfenbaum, Candace Robertson, Tim Moran,
Bob Littell, Regis Falinski, Elton Gogolin, Mike Zeigler

From: David Hopkins
Owner of Lot 4002
10887 Big Canoe
Big Canoe, GA 30143
TheMtnsVoice@aol.com

**DELIVERED VIA FIRST CLASS MAIL TO ATTORNEY GADDIS;
& CC EMAIL TO REMAINDER (kgaddis@gaddislanier.com, sauer@bigcanoepoa.org,
atropfenbaum@bigcanoepoa.org, crobertson@bigcanoepoa.org, tmoran@bigcanoepoa.org,
blittell@bigcanoepoa.org, rfalinski@bigcanoepoa.org, egogolin@bigcanoepoa.org,
mzeigler@bigcanoepoa.org)**

DATE: JANUARY 31, 2022

ADDENDUM TO NOTICE OF POTENTIAL LITIGATION & DEMAND TO PRESERVE DOCUMENTS (SENT ON JANUARY 30, 2022)

To whom it may concern,

I am writing this letter as an Addendum to my earlier Notice & Demand, included by reference. Please add the following specific instruction to the previous Demand to Preserve documents:

- 4) Retain and preserve any and all Computer Server and Individual Computer Reports, Logs and Data that are used or stored in, or on, the Internet, Intranet, Computer, Communications or Network equipment of the Big Canoe Property Owners Association, to further include any and all external or internal databases of all kinds, website data of all kind, storage data of all kind, Application (App) or other similar data of all kinds, and which may be accessible by any means. This request includes all written, print, digital, electronic, audio, video, text, email, pictorial and all other representations of the aforementioned.

“Litigation Is Reasonably Foreseeable” in regards to the following matters:

- A) Earlier on this date, January 31, 2022, the General Manager of the BCPOA, Scott Auer replied to my initial Notice in a manner that while polite, was not remotely believable, nor offering of a reasonable explanation, and was instead indicative that Mr. Auer is

dismissive of this matter and does not take this matter seriously. In addition to all examples previously provided in which "Litigation is Reasonably Foreseeable", it is added that in any of those events, it would be expected that access to the above data may be sought through discovery, and I wish to make it clear that destruction of, or failure to retain and protect such information under all scenarios, including your upcoming and/or ongoing computer and network upgrades, rebuilds or data merges, would be a violation of Georgia Spoliation laws.

Failure to maintain these records will result in permanent and irreversible damages to property owner rights, and may constitute Criminal Activity as well.

Please find below a textual representation of the aforementioned reference email sent by Scott Auer.

*****begin email representation*****

From: sauer@bigcanoepoa.org,

To: themtnsvoice@aol.com, kgaddis@gaddislanier.com, atropfenbaum@bigcanoepoa.org,

Subject: Re: NOTICE OF POTENTIAL LITIGATION & DEMAND TO PRESERVE DOCUMENTS


Date: Mon, Jan 31, 2022 10:07 am

Hello David. Thank you for bringing this to my attention. In the process of building our new website, some links to previous files were inadvertently broken. Those links are being restored this morning.

Please let me know if you experience any other technical issues.

Scott Auer
Big Canoe General Manager

*****end email representation*****


Sincerely,

-david hopkins / Lot 4002

10887 Big Canoe; Big Canoe, GA 30143

themtnsvoice@aol.com