

**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](mailto:TheMtnsVoice@aol.com)

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

**DATE: JANUARY 30, 2022**

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## NOTICE OF POTENTIAL LITIGATION & DEMAND TO PRESERVE DOCUMENTS

To whom it may concern,

I am writing this letter to request that you immediately cease and desist from any destruction of documents that may pertain to any of the following:

- 1) Any and All copies of Big Canoe Property Owner Association ("BCPOA") Minutes of Meetings. This should include all Minutes or Notes of Board Meetings, Work Sessions, Special meetings, or other Meetings of the Board of Directors. This should include Minutes or Notes of all Committee or Sub-Committee Meeting Minutes or Notes of Meetings. This request includes all written, print, digital, audio, video or other representations of the aforementioned.
- 2) Any and all copies of BCPOA Financial Documents, Contracts, Bids, Reports, Studies, Evaluations, Communications or other documents (in any format, be it written, print, audio, video, digital, text, pictorial, recording etc) that are relevant to the Operations or Management of the BCPOA.
- 3) All documents of any nature (written, print, audio, video, email, digital, text, pictorial, recording etc) that pertain to the permitted operation or maintenance of Lake Petit Dam.

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

- A) That myself or a group of property owners (members of the BCPOA) may file litigation to review the finances and certain documents that are legally available to said members as afforded to them under Georgia Law, and that such litigation would determine the scope of such production of documents, and that any attempt on the part of any entity, or legal counsel of the BCPOA to predetermine the scope of that access, and to subsequently destroy such documentation, may forever damage a BCPOA Members right to access that information.
  
- B) It is reasonably foreseeable that litigation regarding the BCPOA’s failure to maintain their regulatory requirements to operate and maintain Lake Petit Dam may occur. As the publisher of a local newspaper, I have written extensively on these matters, and have often directly sent documentation to members of the Board of Directors, General Manager. The majority of these articles on the matter can be found here:  
<https://bigcanoe.themountainsvoice.com/tag/lake-petit-dam/>
  
- C) Due to extreme financial losses in recent years, and the BCPOA’s inability to properly explain the financial losses, it is reasonably foreseeable that litigation may extend beyond production of financial documents to members, and may include a broader scope of negligence of duty related to currently unknown employees or other entities that have fiduciary responsibilities to the members of the BCPOA.
  
- D) Evidence exists that Documents are being destroyed in a manner in which members “will soon permanently lose access” to certain files, access of which is legally their right under Georgia Law as members of the non-profit entity, the Big Canoe Property Owners Association. See examples of current documents that are disappearing, some being represented to members as “will soon permanently lose access”, some showing that they have already been deleted. It is unknown whether backup copies exist, but the language indicates deletion of a PERMANENT nature, and this would be a clear violation of law in regards to members rights to access some of these documents.

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

Sincerely,

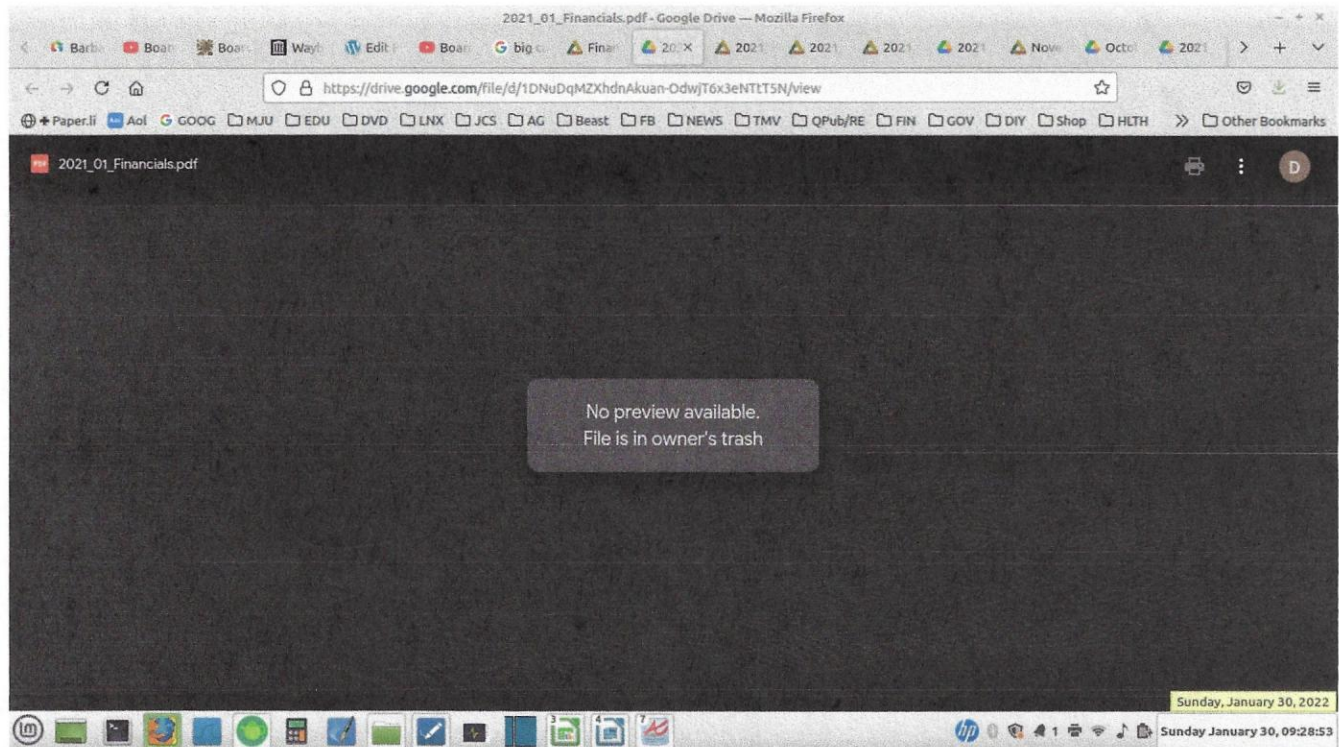
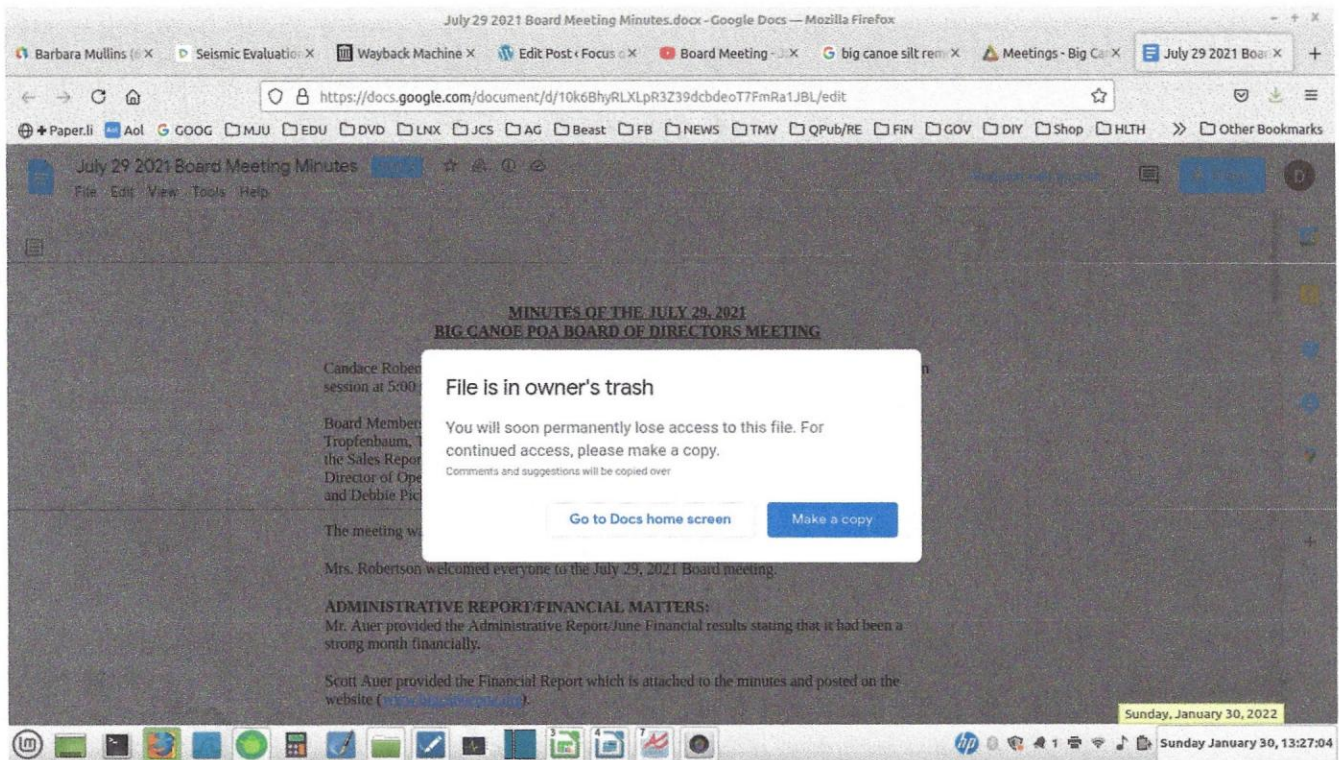


-david hopkins / Lot 4002

10887 Big Canoe; Big Canoe, GA 30143

[themtnsvoice@aol.com](mailto:themtnsvoice@aol.com)





These are just 2 of almost 100 already identified (and screenshot saved) documents that already have been identified as deleted, or marked for permanent loss of access). Some are very clearly NOT random, and appear specific to limited topics / time frames, as if intentional attempt to delete specifically targeted information is occurring.