

**From:** themtnsvoice@aol.com,

**To:** sauer@bigcanoepoa.org, kgaddis@gaddislanier.com, atropfenbaum@bigcanoepoa.org,

**Bcc:** crobertson@bigcanoepoa.org, tmoran@bigcanoepoa.org, blittell@bigcanoepoa.org, rfalinski@bigcanoepoa.org, egogolin@bigcanoepoa.org, mzeigler@bigcanoepoa.org,

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

**Date:** Mon, Jan 31, 2022 11:00 am

---

You are probably not aware of my background in technology, and for that you are forgiven. Regardless, because of my background in technology I understand how things actually work. "Moved to trash folder" is NOT an "inadvertently broken" link...it is a link that points to a previous file that has been moved to trash, which is the result of **an intentional action**, which is not the same as a broken link caused by changes in code settings, as you are implying. Further, a broken link caused by code changes due to website redesign wouldn't be offering separate sets of messages due to the broken link.... they would be static, which these "broken links" are not, offering different levels of "message". **Your explanation simply doesn't reflect the reality of how things work.** If you honestly believe what you are saying, my opinion is that someone is lying to you. IF the files are currently back in place, then the explanation is simple..... someone most likely clicked a "Restore Deleted Files" button. I am again suggesting that you look into this at the File Server level, and see WHO moved the files to trash in the first place, WHEN it occurred, and then ask that person WHY it occurred. I will follow this up with a formal "Ask The POA" in regards to these matters as well, due to the extremely bad optics in this, and my belief that the community deserves clarity and transparency on this matter.

**And to be clear, again.... while your characterization of this as "broken" links is technically correct, your characterization that this was "inadvertant" is not.** A broken link is defined as a link that doesn't go to where it says it should - correct. However, the link is "broken" because **someone intentionally moved the files into the trash** and marked them for permanent deletion. Period. As I explained in my article, the randomness, and the timeline of certain file combinations further doesn't support your explanation of "inadvertent" action.

Honestly, you are either being lied to and are simply too ignorant to understand how these things work, or you are simply lying and spinning and attempting to avoid providing a transparent and truthful explanation as has been requested, and as property owners deserve. If it was an honest mistake, explain it, own it, put a name to it. If it was not, then we need to know. **The implausible characterization of your explanation simply fuels further suspicion..**

**With all of that said, you are on notice to retain documents for all the reasons stated in the communication,** and that alone is sufficient to my goals at this point, and I am actually happy for the opportunity having been presented to deliver such Notice, as you never know what could be just around the corner.

**I will add a note to my Notice to include that the Association should immediately take steps to ensure that any Computer Server Activity Records and Logs should be retained (and backed up) as well,** as their loss could cause permanent and irrevocable damage to any litigatory discovery process.

Sincerely,  
- david hopkins  
lot 4002

-----Original Message-----

From: Scott Auer <sauer@bigcanoepoa.org>

To: themtnsvoice@aol.com; Kim Gaddis <kgaddis@gaddislanier.com>; Amy Tropfenbaum <atropfenbaum@bigcanoepoa.org>

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

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

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

On Sun, Jan 30, 2022 at 10:24 PM <[themtnsvoice@aol.com](mailto:themtnsvoice@aol.com)> wrote:

Greetings,

**I have attached a copy of my "Notice of Potential Litigation & Demand to Preserve" letter, which I have also placed in 1st Class Mail to the POA Attorney. The letter is also publicly linked in a new FOBC Article which was released today.** Publicly stating that Association Minutes or Financial documents are being deleted, and that subsequently members are to be denied "Permanent" access to said Association documents, is a **serious legal matter**. Hopefully this is simply just another exercise in extremely poor judgement, poor communication, and non-transparency that the community has come to expect from it's Board of Directors and General Manager, and nothing more legally negligent.

Following is a link to the article, and attached to this email is my Notice letter.:

<https://bigcanoe.themountainsvoice.com/big-canoe-financial-documents-being-digitally-shredded-notice-of-litigation-sent/>

**PS.... it is my understanding that the family of the man that died a few weeks ago (Jeff Mullins) has been ginned up to pursue litigation for wrongful death. You all should probably extend that Preservation of Documents to anything related to that as well....** internal and external emails, memos or other communications. Word is that there are some disturbing statements being made internally, including employees being told to "be careful what they say" to OSHA Investigators. Hopefully this isn't true.

Peace,

- david hopkins / publisher / property owner of lot 4002

Focus on Big Canoe, GA

[www.BigCanoe.org](http://www.BigCanoe.org)

... a publication of The Mountains Voice

10887 Big Canoe

Big Canoe, GA 30143

706-265-0010

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