

EXHIBIT 1 OVERVIEW

This part of the IA provides the required extended details to support the Intervention Affidavit (Form 530) filed on December 5, 2008 against Sun City Anthem (SCA) Board President Rosalyn Berman and SCA VP Carl Weinstein by Louise Kay Frank, SCA Homeowner and Robert E. Frank, SCA Director/homeowner.

Exhibit 1 contains the following documents:

- a. Notification letter of the allegations. As required by Form 530, our letter, dated July 7, 2008, provides specific details of the willful and frequent statute violations of NRS 116.31085 and NRS 116.31183 by Ms. Berman and Mr. Weinstein on June 26, 2008. This letter was delivered by hand and by Certified Mail/RRR on July 7, 2008. It was received--as shown in section f. (below).
- b. Independent Summary & Analysis of the violations by SCA member Ron Johnson who witnessed the entire affair. This third-party paper written and published for the entire community can be considered a highly useful tool for quickly understanding the nature, extent and significance of the violations of these two directors.
- c. Comments by Kay Frank about Ron Johnson's analysis--to supplement his summary. This paper provides important background and extended information concerning the case.
- d. Transcripts of the key sections of the June 26, 2008 Board Meeting where the multiple cases of statute violations by Ms. Berman and Mr. Weinstein were committed in front of hundreds of SCA homeowners at the June Board Meeting. These are shown to be flagrant violations that were made willfully and often. It is also clear from the transcript that neither respondent was even slightly remorseful or embarrassed by their willful misconduct.

Although Mr. Weinstein attempted (just before the meeting was adjourned and after he had had over two hours after the violations were made to think about the situation) to offer a half-hearted apology for losing his temper, he has never apologized for his hateful insults to Kay Frank or the hundreds of other members in attendance.

In other words, the transcripts clearly show that the respondents were not making ignorant mistakes. Moreover, while the transcript record proves both officers were totally wrong in their actions, neither one has ever admitted to making errors nor to have recognized they violated the statutes.

No, it is clear that Board President Berman and Vice President Weinstein coldly and calculatedly abused their power when they denied Kay Frank her right to use member comment time as provided by statute, and they viciously retaliated

against her, in front of the community, for daring to talk about a policy matter they considered damaging to their images.

The transcript proves that both respondents completely failed to listen to what Kay Frank was actually saying. They made no attempt to understand that she was only reading and quoting from a lawyer's affidavit statement.

Instead, the transcript shows that Berman and Weinstein were so prejudiced against whatever Kay Frank does that they were prepared to disrupt, intimidate and retaliate against whatever she was intending to say.

The transcript clearly shows the two senior Board Officers loudly interrupted and disrupted Kay Frank 7 times during her Board-limited, 2-minute comment time. And, when the two Officers were reminded by Director Bob Frank of their statute violations when interrupting a homeowner during Member Comment Period, you will see they summarily dismissed and ignored his attempts to help.

Instead, both respondents continued to flagrantly violate the statutes, aggressively harass and disrupt Kay Frank. A truly disgusting and unlawful display of crass self-interest, retaliatory behavior and abuse of authority! **Their own words prove this is a classic case of retaliation by directors acting in their own self-interest as specifically prohibited by NRS 116 and NAC 116.**

- e. This item is an Independent Analysis of a bogus "interview" written by David Berman (spouse of Rosalyn Berman) published on the Berman Blog on June 29, 2008 to try to spin the facts and defuse the public complaints against Rosalyn Berman's and Carl Weinstein's gross misconduct. Also included is an email showing that Rosalyn Berman did not consider her spouse's "interview" to be accurate enough to be used as an "official" statement.

An analysis by Ron Johnson is included again in this area to help the NV Real Estate Division better understand the behavior and possible motivations behind the violations committed by Berman and Weinstein. His somewhat independent views should be helpful in understanding the issues in a case like this.

- f. Confirmation of receipt of the complaint letters submitted to Ms. Berman and Mr. Weinstein. Also included are their written responses to the allegations. The Division will notice that both of their replies were unresponsive to the allegations, they denied all fault, and indicated no remorse for their gross misconduct. This is their typical behavior. They almost never admit mistakes and take actions to avoid repeats.
- g. Transcript of a SCA Board Seminar conducted by Attorney Roger Grant on September 7, 2007. This transcript shows that Ms. Berman is/was very knowledgeable of the details in NRS Chapter 116 and NAC Chapter 116. She absolutely knew that she was violating statutes by her behavior on June 26, 2008. For specific examples of such evidence see the green highlighted areas

on pages 2 thru 9 of this seminar transcript.

- h. Copy of the SCA Code of Conduct Rules referenced in the allegations. These rules were subsequently rescinded by a majority of the Board Members after Ms. Berman and Mr. Weinstein were able to convince their friends to dismiss our charges. Since the Division is only responsible for statute violations, the violations of community governance rules are only included for clarity in this affidavit--which is necessarily focused on violations of NRS 116 and NAC 116.
- i. Copy of a September 2008 email between Robert Frank and Chef Neal Salvino who is a bidder for a lease for the SCA Trumpets restaurant. This email shows that Mr. Weinstein has a nasty and retaliatory nature about many things he does on the Board. This is typical of many retaliatory statements he makes in his speech and his writings against Kay and Robert Frank, as well as their associates. There are just too many to include all in this IA.

In this case, acting as the Association Vice President, Carl Weinstein tells Chef Neal that his business proposal is "*terrible and so far from anything I foresee as being acceptable that I basically had ruled you out...*". But, in fact, the proposal was excellent and very well presented.

In another case in recent postings to the Las Vegas Review Journal blogs, http://www.lvrj.com/blogs/sherm/More_Las_Vegas_HOA_scrutiny_coming.html Carl Weinstein retaliated by posting: "*To put things in perspective, Anthemvoice.org is controlled by Mr Bob Frank, a Board member currently under investigation by the Ombudsman and the State Attorney General. His comments and those he allows on the Blog are designed to stir up things. The SCAVIEW.org is run by a disgruntled resident and contains derogatory comments from approximately 6 activists who have had all their questions answered regarding finances, reserves, et al.*"

*Carl Weinstein
Vice President, SCA Board of Directors"*

On another day, on the same blog, Mr. Weinstein posted: "*My apologies to Ron Johnson who is a friend. The word disgruntled was in reference to the residents who often post on his blog and not to Ron. And by the way, you can see comments from those same residents on this blog. **It's funny, if you spread a few breadcrumbs on the kitchen floor, the desert roaches come out to feed right away!** Written by: Carl Weinstein on Tuesday, Sep. 30, 2008 at 9:01 AM."*

In other words, Carl Weinstein's calling Kay Frank a "liar" in front of hundreds of SCA homeowners is not a rare sort of misconduct for him. In spite of his claims to have been employed as an HR manager for many years, Mr. Weinstein's everyday behavior often shows a dark, nasty, vindictive side.

And, it must be remembered that he (and Ms. Berman) never apologized or indicated any remorse or embarrassment for yelling at and calling a SCA homeowner a "liar". Even though he was proven to be 100% wrong. That is

gross misconduct and a clear violation of the statutes by a HOA director that is clearly needing punishment by the NV Division.

In conclusion, while there are many objectionable actions by Ms. Berman and Mr. Weinstein on a daily basis that may not rise to the level of deserving punishment by the NV Real Estate Division, the statute violations described in this IA should be sufficiently well documented to stimulate the Division to move quickly to punish the alleged misbehavior and to deter the continuance of such in the future.