

ROBERT E. FRANK

**DIRECTOR, SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC.
2450 HAMPTON ROAD, HENDERSON, NV 89052
OCTOBER 30, 2007**

**SCA CAI BOARD OF DIRECTORS AND COMMUNITY MANAGER
ATTN: MR. MICHAEL DIXON, PRESIDENT, AND ALL OTHER SCA BOARD MEMBERS
2450 HAMPTON ROAD, HENDERSON, NV 89052**

MR. DIXON, OTHER SCA BOARD MEMBERS, AND Ms. DASILVA:

I AM REQUIRED BY THE OFFICE OF THE OMBUDSMAN (LETTER DATED OCTOBER 18, 2007, ATTACHED) TO RESPOND TO AN AFFIDAVIT WHICH YOU FILED WITH THE STATE OF NEVADA ON SEPTEMBER 7, 2007. BECAUSE I AM REQUIRED TO DEFEND MYSELF AGAINST THE FORMAL ACCUSATIONS YOU HAVE MADE AGAINST ME, I FIND IT NECESSARY TO RETAIN THE SERVICES OF AN ATTORNEY EXPERIENCED IN THE HANDLING OF NRS CHAPTER 116, NAC CHAPTER 116, AND RELATED MATTERS.

NORMALLY, I WOULD EXPECT THE CURRENT SCA CAI ATTORNEY, MR. JOHN LEACH, TO ASSIST ME WITH LEGAL SERVICES CONCERNING MY NEEDS AS A SCA DIRECTOR. BUT, MR. LEACH CONFIRMED AT A BOARD OF DIRECTORS MEETING ON AUGUST 21, 2007, WHEN YOU CONDUCTED A SECRET HEARING OF COMPLAINTS AGAINST ME, AND BARED ME FROM ATTENDING, THAT I HAVE A RIGHT TO SELECT AN ATTORNEY OF MY CHOOSING ON THIS MATTER, AND TO BE INDEMNIFIED AND REIMBURSED BY THE ASSOCIATION FOR MY LEGAL DEFENSE COSTS.

THEREFORE, I HEREBY SEEK INDEMNIFICATION FROM THE SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC. FOR MY LEGAL DEFENSE COSTS PURSUANT TO THE SECOND AMENDMENT TO THE AMENDED AND RESTATED BYLAWS OF SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC., ARTICLE III, SECTION 3.4(F). THE DUTY OF THE ASSOCIATION TO INDEMNIFY ME IN THIS MATTER IS ALSO SET FORTH AT NRS 116.31036.3. I ALSO REQUEST THE PAYMENT OF A \$10,000 RETAINER FEE TO AN ATTORNEY OF MY SELECTION TO BE ISSUED NOT LATER THAN NOVEMBER 30, 2007.

ACCORDINGLY, I RESPECTFULLY REQUEST THAT YOU CONFIRM IN WRITING NOT LATER THAN NOVEMBER 6, 2007, THAT THE ASSOCIATION WILL, IN FACT, INDEMNIFY ME FOR MY LEGAL DEFENSE COSTS IN RESPONDING TO THE ACCUSATIONS YOU HAVE MADE AGAINST ME WITH THE STATE OF NEVADA. AND, I HEREBY REQUEST COPIES OF THE 106 PAGES YOU HAVE FILED WITH YOUR COMPLAINT WITH THE OFFICE OF THE OMBUDSMAN. ALL OF THESE ITEMS ARE NEEDED BEFORE I CAN EFFECTIVELY RESPOND TO THE NOVEMBER 9, 2007 DEADLINE SET BY THE OMBUDSMAN'S LETTER.

THANK YOU FOR YOUR ANTICIPATED COOPERATION.


**ROBERT E. FRANK
SCA CAI DIRECTOR**

1 ATCH: OCTOBER 18, 2007 LETTER FROM THE NEVADA OMBUDSMAN OFFICE