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5 *Attorneys for Trilogy at Power Ranch Community Association*

6 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
7 **IN AND FOR THE COUNTY OF MARICOPA**

8 **TRILOGY AT POWER RANCH**
9 **COMMUNITY ASSOCIATION, AN**
10 **ARIZONA NONPROFIT CORPORATION,**

11 **Plaintiff,**

12 **vs.**

13 **Steve Berman; and Marc Herbener,**

14 **Defendants.**

Case No. CV2025-036771

15 **FIRST AMENDED**
16 **COMPLAINT FOR DECLARATORY**
17 **JUDGMENT AND INJUNCTIVE**
18 **RELIEF**

15 Plaintiff Trilogy at Power Ranch Community Association (“Plaintiff” or “Association”)
16 files this Complaint against Steve Berman (“Berman”) and Marc Herbener (“Herbener”) for
17 declaratory judgment and injunctive relief. Plaintiff alleges that Berman, acting individually and
18 through multiple email accounts under his ownership and control, engaged in a coordinated course
19 of conduct that violates Plaintiff’s governing documents and Arizona law. Plaintiff further alleges
20 that Herbener, acting independently through a separate email account, engaged in related conduct
21 that likewise interfered with Plaintiff’s operations and violated Arizona law. Plaintiff seeks
22 declaratory and injunctive relief enjoining Defendants’ unlawful conduct moving forward. The

1 emails described in this Complaint were authored, sent, or caused to be sent by Berman, either
2 personally or through email accounts he controlled, including but not limited to the following:

3 trilogynews@trilogynewspm.me, trilogynews@proton.me, trilogyreporter@gmail.com,
4 trilogyfacts@gmail.com, trilogyrevealed@gmail.com, and trilogyvoice@gmail.com.

5 Certain additional communications described herein were authored and disseminated by
6 Defendant Marc Herbener through the email account unofficialnews@gmail.com. Those
7 communications are pleaded separately.

8 **PARTIES**

9 1. This Court has jurisdiction pursuant to A.R.S. § 12-123 and Rule 3, Arizona Rules
10 of Civil Procedure.

11 2. Venue is proper in Maricopa County pursuant to A.R.S. § 12-401 because the acts
12 or omissions giving rise to this claim occurred in Maricopa County.

13 3. Plaintiff Trilogy at Power Ranch Community Association (“T@PR”) is an Arizona
14 nonprofit corporation that is the planned community association, as defined by A.R.S. § 33-1802,
15 for the master planned active adult community in Gilbert, Arizona.

16 4. Defendant Berman is an individual who, at all relevant times, acted individually and
17 through multiple email accounts and aliases under his ownership or control, and who authored,
18 directed, or caused to be sent the communications described herein, which form the basis of
19 Plaintiff’s claims.

20 5. Defendant Marc Herbener is an individual who, at all relevant times, authored and
21 disseminated communications to members of T@PR through the email account
22 unofficialnews@gmail.com, and whose conduct forms the basis of Plaintiff’s claims against him.

1 trilogyrevealed@gmail.com, and trilogyvoice@gmail.com. Additional emails were sent using an
2 email account controlled by Herbener, namely, unofficialnews@gmail.com.

3 10. On May 20, 2025, Berman, acting through the email account
4 trilogynews@proton.me, sent an email to an email distribution list that included most or all
5 members of T@PR. This email is attached as Exhibit O and is referred to herein as Email #1.

6 11. On June 6, 2025, Berman, acting through the email account
7 trilogynews@trilogynewspm.me, sent an email to an email distribution list that included most or
8 all members of T@PR. This email is attached as Exhibit A and is referred to herein as “Email #2.”

9 12. On June 17, 2025, Berman, acting through the email account
10 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
11 members of T@PR. This email is attached as Exhibit B and is referred to herein as “Email #3.”

12 13. On June 27, 2025, Berman, acting through the email account
13 trilogyfacts@gmail.com, sent an email to an email distribution list that included most or all
14 members of T@PR. This email is attached as Exhibit C and is referred to herein as “Email #4.”

15 14. On July 4, 2025, Berman, acting through the email account
16 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
17 members of T@PR. This email is attached as Exhibit D and is referred to herein as “Email #5.”

18 15. On July 12, 2025, Berman, acting through the email account
19 trilogyrevealed@gmail.com, sent an email to an email distribution list that included most or all
20 members of T@PR. This email is attached as Exhibit E and is referred to herein as “Email #6.”
21
22

1 16. On July 16, 2025, Berman, acting through the email account
2 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
3 members of T@PR. This email is attached as Exhibit F and is referred to herein as “Email #7.”

4 17. On July 16, 2025, Defendant Marc Herbener, acting through the email account
5 unofficialnews@gmail.com, sent an email to an email distribution list that included most or all
6 members of T@PR. This email is attached as Exhibit G and is referred to herein as “Email #8.”

7 18. On July 24, 2025, Berman, acting through the email account
8 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
9 members of T@PR. This email is attached as Exhibit H and is referred to herein as “Email #9.”

10 19. On July 25, 2025, Berman, acting through the email account
11 trilogyrevealed@gmail.com, sent an email to community manager Michele Ray-Brethower. This
12 email is attached as Exhibit I and is referred to herein as “Email #10.”

13 20. On July 30, 2025, Defendant Marc Herbener, acting through the email account
14 unofficialnews@gmail.com, sent an email to an email distribution list that included most or all
15 members of T@PR. This email is attached as Exhibit J and is referred to herein as “Email #11.”

16 21. On August 2, 2025, Berman, acting through the email account
17 trilogyvoice@gmail.com, sent an email to an email distribution list that included most or all
18 members of T@PR. This email is attached as Exhibit K and is referred to herein as “Email #12.”

19 22. On August 13, 2025, Berman acting through the email account
20 trilogyreporter@gmail.com, sent an additional email to an email distribution list that included
21 most or all members of T@PR. This email is attached as Exhibit L and is referred to herein as
22 “Email #13.”

1 23. On August 22, 2025, Berman acting through the email account
2 trilogyreporter@gmail.com, sent an additional email to an email distribution list that included
3 most or all members of T@PR. This email is attached as Exhibit M and is referred to herein as
4 “Email #14.”

5 24. On September 16, 2025, Berman acting through the email account
6 trilogyreporter@gmail.com, sent an additional email to an email distribution list that included
7 most or all members of T@PR. This email is attached as Exhibit N and is referred to herein as
8 “Email #15.”

9 25. On October 3, 2025, Berman acting through the email account
10 trilogyreporter@gmail.com, sent an additional email to an email distribution list that included
11 most or all members of T@PR. This email is attached as Exhibit P and is referred to herein as
12 “Email #16.”

13 26. On November 17, 2025, Berman acting through the email account
14 trilogyrevealed@gmail.com, sent an additional email to an email distribution list that included
15 most or all members of T@PR. This email is attached as Exhibit Q and is referred to herein as
16 “Email #17.”

17 27. On December 29, 2025, Berman acting through the email account
18 trilogyreporter@gmail.com, sent an additional email to an email distribution list that included
19 most or all members of T@PR. This email is attached as Exhibit R and is referred to herein as
20 “Email #18.”

21 28. On January 18, 2026, Berman acting through the email account
22 trilogyfacts@gmail.com, sent an additional email to an email distribution list that included most

1 or all members of T@PR. This email is attached as Exhibit T and is referred to herein as “Email
2 #19.”

3 29. On October 23, 2025, Berman acting through the email account
4 trilogyvoice@gmail.com, sent an additional email to an email distribution list that included most
5 or all members of T@PR. This email is attached as Exhibit U and is referred to herein as “Email
6 #20.”

7 30. On November 4, 2025, Berman acting through the email account
8 trilogyvoice@gmail.com, sent an additional email to an email distribution list that included most
9 or all members of T@PR. This email is attached as Exhibit V and is referred to herein as “Email
10 #21.”

11 31. On December 15, 2025, Berman acting through the email account
12 trilogyfacts@gmail.com, sent an additional email to an email distribution list that included most
13 or all members of T@PR. This email is attached as Exhibit W and is referred to herein as “Email
14 #22.”

15 32. The foregoing emails, Email #1–7, #9–10, and #12-22, sent by Berman formed part
16 of a coordinated campaign to interfere with the Association’s operations, undermine confidence
17 in its governance, disparage its employees and volunteers, and disrupt its relationship with its
18 members. Berman intentionally used multiple email accounts and aliases to conceal authorship,
19 evade accountability, and create the false impression that the communications originated from
20 independent sources. Berman routinely uses the names “Jerry W” and “Terry Johnson”
21 interchangeably in connection with the same email accounts.
22

1 **COUNT I – Steve Berman**

2 **Tortious Interference with Business Operations**

3 37. Plaintiff T@PR has valid and ongoing business relationships with its Board of
4 Directors, committee volunteers, employees, and members pursuant to its recorded governing
5 documents and Arizona law.

6 38. Defendant Steve Berman was aware of Plaintiff’s contractual and business
7 relationships with its members, volunteers, and governing bodies.

8 39. Defendant Steve Berman intentionally interfered with Plaintiff’s business
9 operations by authoring and disseminating Email #1, acting through the email account
10 TrilogyNews@proton.me, which accused named volunteers, staff, and Board members of
11 misconduct and bylaw violations; disparaged Plaintiff’s governance and enforcement processes;
12 and employed inflammatory and demeaning language designed to undermine confidence in
13 Plaintiff’s leadership and operations. Such interference is including but not limited to the
14 statements reflected in Exhibit O.

15 40. Berman’s interference was intentional, improper, and unjustified. The conduct was
16 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

17 41. As a direct and proximate result of Berman’s conduct in disseminating Email #1,
18 Plaintiff T@PR suffered harm, including loss of member confidence, disruption of committee and
19 staff operations, diversion of staff and volunteer time, and the incurrence of legal fees and related
20 expenses.

21 **COUNT II – Steve Berman**

22 **Publication of Injurious Falsehood**

1 42. Defendant Steve Berman published Email #1 by sending and disseminating it,
2 through the email account TrilogyNews@proton.me, to all or substantially all of the
3 approximately 2,035 members of Plaintiff T@PR on or about May 20, 2025.

4 43. The statements contained in Email #1 were false and misleading.

5 44. Defendant Steve Berman made the false statements in Email #1 with the intent to
6 harm Plaintiff T@PR's pecuniary and operational interests, or with knowledge and reckless
7 disregard of the likelihood that such harm would result.

8 45. As a direct and proximate result of the publication of Email #1, Plaintiff T@PR
9 suffered damages, including diversion of staff and volunteer time, disruption of Association
10 operations, and the incurrence of legal fees and related expenses.

11 **Allegations Against Steve Berman Regarding Email #2**

12 46. On June 6, 2025, Defendant Steve Berman, acting through the email account
13 trilogynews@trilogynewspm.me, sent an email to an email distribution list that included most or
14 all members of Plaintiff Trilogy at Power Ranch Community Association ("T@PR"). This email
15 is attached as Exhibit A and is referred to herein as "Email #2."

16 **COUNT I – Steve Berman**

17 **Tortious Interference with Business Operations**

18 47. There is a valid and ongoing business relationship between T@PR, the Board of
19 Directors, and all of its owners, members, and residents pursuant to the restrictive covenants
20 recorded with the Maricopa County Recorder and pursuant to Arizona law.

21 48. Defendant Steve Berman was aware of the contractual and business relationship
22 between Plaintiff T@PR and the 2,035 owners and members of T@PR [2,035 Lots].

1 49. Defendant Steve Berman intentionally interfered with the business operations of
2 Plaintiff T@PR by authoring, directing, sending, and/or causing to be disseminated Email #2,
3 acting through the email account trilogynews@trilogynewspm.me, which contained
4 statements defaming committee volunteers and questioning the stability of the ongoing
5 business of Plaintiff T@PR. Such interference is including but not limited to:

6
7 **Why Are These Haters Still on Trilogy Committee's?**

8

Julie Harris Governing Doc	Jim Iacobazzi Finance	Scott Bean Governing Doc	Jan Hillyard Volunteer Services	Gene Edwards ACC	Dave BernerACC
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12 50. The interference by Berman was intentional, improper, and unjustified. The conduct
13 was not privileged, was not protected speech, and exceeded any lawful or permissible expression.

14 51. As a direct and proximate result of Berman's conduct in disseminating Email #2
15 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
16 members in the Plaintiff's ability to conduct its business properly pursuant to the standard required
17 by its governing documents and Arizona law.

18 **COUNT II – Steve Berman**

19 **Publication of Injurious Falsehood**

20 52. Defendant Steve Berman published Email #2 by sending and disseminating it,
21 through the email account trilogynews@trilogynewspm.me, to all or substantially all of the 2,035
22 members of Plaintiff T@PR on or about June 6, 2025.

1 53. The statements contained in Email #2 were false and misleading.

2 54. Defendant Steve Berman made the false statements in Email #2 with the intent to
3 harm Plaintiff T@PR's pecuniary interests, or with knowledge and reckless disregard of the
4 likelihood that such statements would cause financial and reputational harm, and should have
5 recognized that Email #2 was likely to do so.

6 55. As a direct and proximate result of the publication of Email #2, Plaintiff T@PR
7 suffered financial loss, including but not limited to diversion of staff time, related payroll costs,
8 and the incurrence of legal fees and expenses.

9 **Allegations Against Steve Berman Regarding Email #3**

10 56. On June 17, 2025, Defendant Steve Berman, acting through the email account
11 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
12 members of Plaintiff Trilogy at Power Ranch Community Association ("T@PR"). This email is
13 attached as Exhibit B and is referred to herein as "Email #3."

14 **COUNT I – Steve Berman**

15 **Tortious Interference with Business Operations**

16 57. There is a valid and ongoing business relationship between T@PR, the Board of
17 Directors, and all of its owners, members, and residents pursuant to the restrictive covenants
18 recorded with the Maricopa County Recorder and pursuant to Arizona law.

19 58. Defendant Steve Berman was aware of the contractual relationship between Plaintiff
20 T@PR and the 2,035 owners and members of T@PR [2,035 Lots].

21 59. Defendant Steve Berman intentionally interfered with the business operations of
22 Plaintiff T@PR by authoring, directing or causing to be disseminated Email #3, acting through

1 the email account trilogyreporter@gmail.com, which contains statements defaming Plaintiff
2 T@PR's employees, Plaintiff T@PR employees' family members, disparaging Plaintiff T@PR's
3 business efforts and questioning the stability of the ongoing business of Plaintiff T@PR. Such
4 interference is including but not limited to:

5 The recent recall election highlighted the need for another information source for our
6 community. The current forms of information are simply not impartial. San Tan Press
7 pretends impartiality, but its editor is Ian Welch's mother-in-law. Trilogy at Power Ranch
8 Face Book Page feigns impartiality, but it was the primary vehicle to promote recall, as
9 it was used to direct readers to the recall site 'Trilogy Truth.' Next Door is the worst;
10 they have a couple of local "leads" that can and do remove any posts that do not suit
11 their opinions. Some posts opposing the recall were available for only a matter of
12 minutes. The pro-recall attacks are still posted. There will be several contributors to
13 our newsletter, everyone is invited to submit. We believe there will be no true
14 community healing until all truth is told and the people who brought this horrible blight
15 on our community are identified and their motives exposed. Let's look at the purported
16 reasons for the recall.

17 60. Berman's interference was intentional, improper, and unjustified. The conduct was
18 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

19 61. As a direct and proximate result of Berman's conduct in disseminating Email #3,
20 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
21 members in Plaintiff's ability to conduct its business in accordance with its governing documents
22 and Arizona law.

COUNT II – Steve Berman

Publication of Injurious Falsehood

23 62. Defendant Steve Berman published Email #3 by sending and disseminating it,
24 through the email account trilogyreporter@gmail.com, to all or substantially all of the 2,035
25 members of Plaintiff T@PR on or about June 17, 2025.

1 the email account trilogyfacts@gmail.com, which contained statements defaming Plaintiff's
2 employees and directors, disparaging Plaintiff's business efforts, and questioning the stability of
3 Plaintiff's ongoing business operations. Such interference is including but not limited to:

4 CAN-SPAM ACT which sets the rules for Commercial Email. The e-mails from Trilogy
5 News are not commercial, they are simply Political Free Speech which is highly
6 protected by the First Amendment.

7 **Transparency in Trilogy?**

8 I have lived in Trilogy since 2005, and this is the least transparent Board we have ever
9 had. The Board was asked for Adrian's resume, and we have been told it is
10 "confidential". This man has owned in Trilogy less than a year, does not live in Trilogy
11 full time. He was appointed by the Board after the application process was closed.
12 Don't we have a right to know a little about someone who was not elected by us but will
13 be making decisions that affect all of us?

14 70. Berman's interference was intentional, improper, and unjustified. The conduct was
15 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

16 71. As a direct and proximate result of Berman's conduct in disseminating Email #4,
17 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
18 members in Plaintiff's ability to conduct its business in accordance with its governing documents
19 and Arizona law.

20 **COUNT II – Steve Berman**

21 **Publication of Injurious Falsehood**

22 72. Defendant Steve Berman published Email #4 by sending and disseminating it,
through the email account trilogyfacts@gmail.com, to all or substantially all of the approximately
2,035 members of Plaintiff T@PR on or about June 27, 2025.

73. The statements contained in Email #4 were false and misleading.

1 74. Defendant Steve Berman made the false statements in Email #4 with the intent to
2 harm Plaintiff T@PR's pecuniary interests, or with knowledge and reckless disregard of the
3 likelihood that such statements would cause financial and reputational harm.

4 75. As a direct and proximate result of the publication of Email #4, Plaintiff T@PR
5 suffered financial loss, including but not limited to diversion of staff time, related payroll costs,
6 and the incurrence of legal fees and expenses.

7 **Allegations Against Steve Berman Regarding Email #5**

8 76. On July 4, 2025, Defendant Steve Berman, acting through the email account
9 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
10 members of Plaintiff Trilogy at Power Ranch Community Association ("T@PR"). This email is
11 attached as Exhibit D and is referred to herein as "Email #5."

12 **COUNT I – Steve Berman**

13 **Tortious Interference with Business Operations**

14 77. There is a valid and ongoing business relationship between Plaintiff T@PR, its
15 Board of Directors, and all of its owners, members, and residents pursuant to the restrictive
16 covenants recorded with the Maricopa County Recorder and pursuant to Arizona law.

17 78. Defendant Steve Berman was aware of the contractual and business relationship
18 between Plaintiff T@PR and its approximately 2,035 owners and members.

19 79. Defendant Steve Berman intentionally interfered with the business operations of
20 Plaintiff T@PR by authoring, directing, or causing to be disseminated Email #5, acting through
21 the email account trilogyreporter@gmail.com, which divulged confidential or sensitive
22 compensation information regarding Plaintiff's employees, disparaged Plaintiff's business efforts,

1 and questioned the stability of Plaintiff's ongoing business operations. Such interference is
2 including but not limited to:

3 **How Did We Get Here?**

4 We were originally managed by a professional management company. The community
5 manager was Ian Welch, who reported to the management company. Ian approached
6 the then Board of Directors with a great idea "Hire him directly, fire his employer and he
7 would save us lots of money and we would have more control". None of that was true,
8 especially the last part. Ian, whose back ground was as a Tennis Pro, knew what was
9 good for him, not necessarily the community. He hired his friends as vendors, without
going through the bid process. He built our current organization to suit himself. He
created the Executive Director (ED) position for himself and the Community Manager
position for someone to manage the community, so he could take long vacations to
Australia.

10 80. Berman's interference was intentional, improper, and unjustified. The conduct was
11 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

12 81. As a direct and proximate result of Berman's conduct in disseminating Email #5,
13 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
14 members in Plaintiff's ability to conduct its business in accordance with its governing documents
15 and Arizona law.

16 **COUNT II – Steve Berman**

17 **Publication of Injurious Falsehood**

18 82. Defendant Steve Berman published Email #5 by sending and disseminating it,
19 through the email account trilogyreporter@gmail.com, to all or substantially all of the
20 approximately 2,035 members of Plaintiff T@PR on or about July 4, 2025.

21 83. The statements contained in Email #5 were false and misleading.
22

1 and questioned the stability of Plaintiff's ongoing business operations. Such interference is
2 including but not limited to:

3 organizational structure. There is no need for a Community Manager and an Executive
4 Director; the positions are redundant for our size of an organization. We are not a
5 family-owned business where we need to find jobs for all the relatives and not worry
6 about the cost, which is how Ian and Ursula treated the organization. Ian Welch
7 created our current structure to include a community manager who would do the day-to-
8 day work of managing the community; he was then free to "executive direct". We were
9 paying him \$165,000 per year and Ursula \$90,000 per year. \$255,000 per year to
10 manage eight low-tech positions, between them. When Ursula became Executive
11 Director, she created a new position so she could hire her best friend, Tammy. To give
12 her something to do she took responsibilities away from Robin. This left Robin with not
13 enough to do, so she took responsibility away from Joel. She put Joel at the front desk
14 to take the place of the ladies who walked off the job after they were publicly
15 reprimanded and humiliated. She also cut Joel's pay by \$8,000 per year. It gets

9 90. Berman's interference was intentional, improper, and unjustified. The conduct was
10 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

11 91. As a direct and proximate result of Berman's conduct in disseminating Email #6,
12 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
13 members in Plaintiff's ability to conduct its business in accordance with its governing documents
14 and Arizona law.

15 **COUNT II – Steve Berman**
16 **Publication of Injurious Falsehood**

17 92. Defendant Steve Berman published Email #6 by sending and disseminating it,
18 through the email account trilogyrevealed@gmail.com, to all or substantially all of the
19 approximately 2,035 members of Plaintiff T@PR on or about July 12, 2025.

20 93. The statements contained in Email #6 were false and misleading.
21
22

1 94. Defendant Steve Berman made the false statements in Email #6 with the intent to
2 harm Plaintiff T@PR's pecuniary interests, or with knowledge and reckless disregard of the
3 likelihood that such statements would cause financial and reputational harm.

4 95. As a direct and proximate result of the publication of Email #6, Plaintiff T@PR
5 suffered financial loss, including but not limited to diversion of staff time, related payroll costs,
6 and the incurrence of legal fees and expenses.

7 **Allegations Against Steve Berman Regarding Email #7**

8 96. On July 16, 2025, Defendant Steve Berman, acting through the email account
9 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
10 members of Plaintiff Trilogy at Power Ranch Community Association ("T@PR"). This email is
11 attached as Exhibit F and is referred to herein as "Email #7."

12 **COUNT I – Steve Berman**

13 **Tortious Interference with Business Operations**

14 97. There is a valid and ongoing business relationship between Plaintiff T@PR, its
15 Board of Directors, and all of its owners, members, and residents pursuant to the restrictive
16 covenants recorded with the Maricopa County Recorder and pursuant to Arizona law.

17 98. Defendant Steve Berman was aware of the contractual and business relationship
18 between Plaintiff T@PR and its approximately 2,035 owners and members.

19 99. Defendant Steve Berman intentionally interfered with the business operations of
20 Plaintiff T@PR by authoring, directing, or causing to be disseminated Email #7, acting through
21 the email account trilogyreporter@gmail.com, which disparaged Plaintiff's business efforts,
22

1 questioned the stability of Plaintiff’s ongoing operations, and accused or implied wrongdoing by
2 Plaintiff’s Board members and volunteers. Such interference is including but not limited to:

3 The negative effect of the recall will last for a long time in Trilogy. Why haven’t the
4 committee members who used our community Facebook page to promote the recall
5 been removed by the Board? It is a clear violation of the Committee Charter. Board
6 members Steve Loney and Lori Larson discreetly expressed their support for the recall,
while Liz Ridge and Lisa Gurtler have faced recall threats from Ernie Nervegna. Future
boards will all live under the threat of recall, because we now know it can happen.

7 100. Berman’s interference was intentional, improper, and unjustified. The conduct was
8 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

9 101. As a direct and proximate result of Berman’s conduct in disseminating Email #7,
10 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
11 members in Plaintiff’s ability to conduct its business in accordance with its governing documents
12 and Arizona law.

13 **COUNT II – Steve Berman**

14 **Publication of Injurious Falsehood**

15 102. Defendant Steve Berman published Email #7 by sending and disseminating it,
16 through the email account trilogyreporter@gmail.com, to all or substantially all of the
17 approximately 2,035 members of Plaintiff T@PR on or about July 16, 2025.

18 103. The statements contained in Email #7 were false and misleading.

19 104. Defendant Steve Berman made the false statements in Email #7 with the intent to
20 harm Plaintiff T@PR’s pecuniary interests, or with knowledge and reckless disregard of the
21 likelihood that such statements would cause financial and reputational harm.
22

1 105. As a direct and proximate result of the publication of Email #7, Plaintiff T@PR
2 suffered financial loss, including but not limited to diversion of staff time, related payroll costs,
3 and the incurrence of legal fees and expenses.

4 **Allegations Against Marc Herbener Regarding Email #8**

5 106. On July 16, 2025, Defendant Marc Herbener, acting through the email account
6 unofficialnews@gmail.com, sent an email to an email distribution list that included most or all
7 members of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”). This email is
8 attached as Exhibit G and is referred to herein as “Email #8.”

9 107. The email sent by Herbener was separate and distinct from the email accounts
10 alleged to be owned or controlled by Defendant Steve Berman and is pleaded independently as to
11 Herbener.

12 **COUNT I – Marc Herbener**

13 **Tortious Interference with Business Operations**

14 108. There is a valid and ongoing business relationship between Plaintiff T@PR, its
15 Board of Directors, and all of its owners, members, and residents pursuant to the restrictive
16 covenants recorded with the Maricopa County Recorder and pursuant to Arizona law.

17 109. Defendant Marc Herbener was aware of the contractual and business relationship
18 between Plaintiff T@PR and its approximately 2,035 owners and members.

19 110. Defendant Marc Herbener intentionally interfered with the business operations of
20 Plaintiff T@PR by authoring and disseminating Email #8, which disparaged Plaintiff’s business
21 efforts, questioned the stability of Plaintiff’s ongoing operations, and accused members and
22 volunteers of misconduct. Such interference is including but not limited to:

1 The negative effect of the recall will last for a long time in Trilogy. Why haven't the
2 committee members who used our community Facebook page to promote the recall been
3 removed by the Board? It is a clear violation of the Committee Charter. Board members
4 Steve Loney and Lori Larson discreetly expressed their support for the recall, while Liz
Ridge and Lisa Gurtler have faced recall threats from Ernie Nervegna. Future boards will
all live under the threat of recall, because we now know it can happen.

5 111. Herbener's interference was intentional, improper, and unjustified. The conduct was
6 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

7 112. As a direct and proximate result of Herbener's dissemination of Email #8, Plaintiff
8 T@PR suffered damage, including but not limited to loss of confidence among its members in
9 Plaintiff's ability to conduct its business in accordance with its governing documents and Arizona
10 law.

11 **COUNT II – Marc Herbener**

12 **Publication of Injurious Falsehood**

13 113. Defendant Marc Herbener published Email #8 by sending and disseminating it,
14 through the email account unofficialnews@gmail.com, to all or substantially all of the
15 approximately 2,035 members of Plaintiff T@PR on or about July 16, 2025.

16 114. The statements contained in Email #8 were false and misleading.

17 115. Defendant Marc Herbener made the false statements in Email #8 with the intent to
18 harm Plaintiff T@PR's pecuniary interests, or with knowledge and reckless disregard of the
19 likelihood that such statements would cause financial and reputational harm.

20 116. As a direct and proximate result of the publication of Email #8, Plaintiff T@PR
21 suffered financial loss, including but not limited to diversion of staff time, related payroll costs,
22 and the incurrence of legal fees and expenses.

1 **Allegations Against Steve Berman Regarding Email #9**

2 117. On July 24, 2025, Defendant Steve Berman, acting through the email account
3 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
4 members of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”). This email is
5 attached as Exhibit H and is referred to herein as “Email #9.”

6 **COUNT I – Steve Berman**

7 **Tortious Interference with Business Operations**

8 118. There is a valid and ongoing business relationship between Plaintiff T@PR, its
9 Board of Directors, and all of its owners, members, and residents pursuant to the restrictive
10 covenants recorded with the Maricopa County Recorder and pursuant to Arizona law.

11 119. Defendant Steve Berman was aware of the contractual and business relationship
12 between Plaintiff T@PR and its approximately 2,035 owners and members.

13 120. Defendant Steve Berman intentionally interfered with the business operations of
14 Plaintiff T@PR by authoring, directing, or causing to be disseminated Email #9, acting through
15 the email account trilogyreporter@gmail.com, which disparaged Plaintiff’s business efforts,
16 questioned the stability of Plaintiff’s ongoing operations, and improperly disclosed or referenced
17 employee compensation information. Such interference is including but not limited to:

1 conservation. The Town of Gilbert sends a report called *The*
2 *Water Fluence Report* to all the large private water users every
3 month. Our report went to Ursula, and according to The Town of
4 Gilbert, she **did not open or read** the report in over two years!
5 Apparently, Trilogy is the largest private water user in Gilbert. We
6 are not the biggest HOA, just the most wasteful. You all just got
7 the biggest water bill of your lives from Gilbert. Wait until you see
8 Trilogy's water bill. We could be in for a rather large dues increase
to pay for it. Fortunately, we have a man in Trilogy who can solve
that problem for us: Wayne Norlie, a former Board President and
schoolteacher. He stated clearly at a Board meeting that he knew
much more about water management than the former President of
the Arizona Municipal Water Users Association. Let's ask Wayne
to help us out on this. Keep in mind under his leadership, our
Reserve funds began their steep drop from 83% to our current
34%.

9 121. Berman's interference was intentional, improper, and unjustified. The conduct was
10 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

11 122. As a direct and proximate result of Berman's conduct in disseminating Email #9,
12 Plaintiff T@PR suffered damage, including but not limited to loss of confidence among its
13 members in Plaintiff's ability to conduct its business in accordance with its governing documents
14 and Arizona law.

15 COUNT II – Steve Berman

16 **Publication of Injurious Falsehood**

17 123. Defendant Steve Berman published Email #9 by sending and disseminating it,
18 through the email account trilogyreporter@gmail.com, to all or substantially all of the
19 approximately 2,035 members of Plaintiff T@PR on or about July 24, 2025.

20 124. The statements contained in Email #9 were false and misleading.
21
22

1 trilogyrevealed@gmail.com, which disparaged Plaintiff's management, questioned internal
2 personnel decisions, and sought to undermine the authority and effectiveness of Plaintiff's staff.

3 Such interference is including but not limited to:

4 Ursula was pleasant enough on a personal level, but she was a terrible manager. She made it clear who her favorites were, and
5 the rest of the staff knew better than to come to Ursula with a complaint. She told everyone who would listen that she would resign
6 if Lisa Gurtler was elected, obviously trying to sway the election. It was well known Ursula would criticize Mike Morris and Steve
Berman to the employees in the break room.

7 132. Berman's conduct was intentional, improper, and unjustified. The communication
8 was not made for any legitimate business purpose, exceeded any permissible grievance or
9 complaint process, and was designed to disrupt Plaintiff's operations and management
10 relationships.

11 133. As a direct and proximate result of Berman's interference, Plaintiff T@PR suffered
12 harm, including disruption of its management operations, diversion of staff time, erosion of
13 confidence in its administrative authority, and the incurrence of legal fees and related expenses.

14 **COUNT II – Steve Berman**

15 **Publication of Injurious Falsehood**

16 134. Defendant Steve Berman published Email #10 by transmitting it to Plaintiff's
17 community manager, a third party, on or about July 25, 2025.

18 135. The statements contained in Email #10 were false and misleading.

19 136. Defendant Steve Berman made the false statements in Email #10 with the intent to
20 interfere with Plaintiff's operations and to harm Plaintiff's pecuniary and professional interests,
21 or with knowledge and reckless disregard of the likelihood that such harm would result.
22

1 137. Berman’s communication exceeded any legitimate or conditionally privileged
2 purpose, was not made in good faith, and constituted an abuse of any conditional privilege that
3 might otherwise apply.

4 138. As a direct and proximate result of the publication of Email #10, Plaintiff T@PR
5 suffered damages, including diversion of management time, increased administrative burden,
6 disruption of operations, and the incurrence of legal fees and related expenses.

7 **Allegations Against Marc Herbener Regarding Email #11**

8 139. On July 30, 2025, Defendant Marc Herbener, acting through the email account
9 unofficialnews@gmail.com, sent an email to an email distribution list that included most or all
10 members of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”). This email is
11 attached as Exhibit J and is referred to herein as “Email #11.”

12 140. Email #11 was widely disseminated to Association members and concerned the
13 Association’s governance, committees, and enforcement authority.

14 **COUNT I – Marc Herbener**

15 **Tortious Interference with Business Operations**

16 141. Plaintiff Trilogy at Power Ranch Community Association (“T@PR”) has valid and
17 ongoing business relationships with its Board of Directors, its committee volunteers, its
18 employees, and its members pursuant to its recorded governing documents and Arizona law.

19 142. Defendant Marc Herbener was aware of Plaintiff’s contractual and business
20 relationships with its members, volunteers, and governing bodies.

21 143. Defendant Marc Herbener intentionally interfered with Plaintiff’s business
22 operations by authoring and disseminating Email #11, which disparaged Plaintiff’s governance

1 processes, accused the Association and its volunteers of corruption and misconduct,
2 mischaracterized the Association's enforcement authority, and questioned the legitimacy and
3 stability of Plaintiff's ongoing operations. Such interference is including but not limited to:

4 **Corruption in the Architectural Control Committee (ACC) Selection**
5 **Process**

6 You likely don't care about who or how anyone gets on TPR committees. You
7 should care about this one. The ACC decides when you must paint your
8 house, what color choices you have and how many plants you may or must
9 have in your yard. If you do not comply with the rules *they* set (it is not a
community vote) you can be fined, if you don't pay your fine, your house can
be foreclosed on.

10 144. Herbener's interference was intentional, improper, and unjustified. The
11 communication was not privileged, was not protected speech, and was designed to undermine
12 confidence in Plaintiff's governance and to disrupt its operations.

13 145. As a direct and proximate result of Herbener's interference, Plaintiff T@PR suffered
14 harm, including loss of member confidence, disruption of committee operations, diversion of staff
15 and volunteer time, and the incurrence of legal fees and related expenses.

16 **COUNT II – Marc Herbener**

17 **Publication of Injurious Falsehood**

18 146. Defendant Marc Herbener published Email #11 by sending and disseminating it,
19 through the email account unofficialnews@gmail.com, to all or substantially all of the
20 approximately 2,035 members of Plaintiff T@PR on or about July 30, 2025.

21 147. The statements contained in Email #11 were false and misleading.
22

1 email account trilogyvoice@gmail.com, which disparaged Plaintiff's governance and committee
2 processes, mischaracterized the Association's authority and operations, and sought to undermine
3 confidence in Plaintiff's leadership and enforcement efforts. Such interference is including but
4 not limited to:

5 **Did you know?**

6 We have no retirement plan for our employees. Not even matching 401K.
7 The Myth that Ian Welch retired is just that; myth. He was fired and had to
8 find a new job; we are told at East Mark. Why did Greg Bell, Ron Kisicki and
9 MaryAnn Crutchfield feel the need to lie to the community about that? We
10 know he was given a "wink, wink" consulting contract to train Ursula (Who
11 worked for him for five years) we just don't know how much. We have been
12 told it was a year. He was paid \$165,000 per year. We also have no idea
13 where the money came from. Ursula resigned, but the Board still authorized a
14 nice \$60,000 going away gift. You can thank Gary Shaunassey and Lori
15 Larson for that one. Ursula was an unfair, abusive and incompetent manager
16 and should have been fired, but she wasn't. Again, where did the money
17 come from to pay Ursula to go away? Lori Larson has bragged that she
18 knows how to hide the money in the budget, so the residents of Trilogy won't
19 be able to figure out where it is hidden. So, we will never know.

11 155. Berman's interference was intentional, improper, and unjustified. The conduct was
12 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

13 156. As a direct and proximate result of Berman's conduct in disseminating Email #12,
14 Plaintiff T@PR suffered harm, including loss of member confidence, disruption of committee and
15 volunteer operations, diversion of staff time, and the incurrence of legal fees and related expenses.

16 **COUNT II – Steve Berman**

17 **Publication of Injurious Falsehood**

18 157. Defendant Steve Berman published Email #12 by sending and disseminating it,
19 through the email account trilogyvoice@gmail.com, to all or substantially all of the approximately
20 2,035 members of Plaintiff T@PR on or about August 2, 2025.

21 158. The statements contained in Email #12 were false and misleading.
22

1 **Did you know?¶**

2 Mike Flemming is known as “Psycho Mike,” to his friends.° He posts on our Facebook page
3 as Reid Flarris.° They call him “Psycho Mike” because he was given an early retirement
4 from the police dept in Canada because he was deemed mentally unfit to carry a gun.° He
5 wanders around Trilogy with his therapy dog, which we hope works, because he looks
6 scary.° His most obvious unhinged act is living with Julie Harris, aka Julie Powers, aka Julie
7 Cassavila, aka Julie Bishop, aka Julie Ames.° She has four ex-husbands, and a bad record
8 of monogamy.¶

9 165. Specifically, Defendant engaged in a pattern of unwelcome conduct directed at
10 residents of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”) on the basis of
11 sex and perceived disability.

12 166. Defendant disseminated communications to members of the residential community
13 that contained degrading, humiliating, and sexually derogatory statements directed
14 disproportionately at female residents, including statements attacking women by name,
15 referencing their marital histories, sexual morality, and personal character, and labeling them with
16 demeaning and gender-based epithets.

17 167. Defendant further disseminated communications falsely asserting that a male
18 resident was mentally unstable, mentally unfit, or dangerous, including claims that the resident
19 had been forced into early retirement due to mental incapacity and the use of derogatory mental-
20 health-related labels. These statements portrayed the resident as impaired and unfit to participate
21 in community life and were based on a perceived mental disability.

22 168. Defendant’s statements were widely distributed within the residential community
and were not isolated or incidental. Rather, they were part of a coordinated course of conduct
intended to intimidate, stigmatize, and isolate targeted residents, discourage their participation in

1 Association governance and community activities, and subject them to ridicule, fear, and social
2 exclusion.

3 169. Defendant's conduct was severe and pervasive and created an intimidating, hostile,
4 and offensive living environment for the targeted residents, particularly women and residents
5 perceived as having mental impairments.

6 170. As a direct and proximate result of Defendant's conduct, affected residents were
7 interfered with, intimidated, and deterred in the exercise and enjoyment of their housing rights,
8 including their ability to participate in Association meetings, committees, and the use of common
9 facilities, in violation of the Act.

10 171. Defendant's actions were intentional, willful, and undertaken with reckless
11 disregard for the federally protected rights of Plaintiff's residents.

12 172. Plaintiff and its members have suffered and continue to suffer harm as a result of
13 Defendant's conduct, including but not limited to disruption of community governance, loss of
14 residents' sense of safety and belonging, diversion of staff resources, and the need for legal
15 intervention to prevent further harassment.

16 **Allegations Against Steve Berman Regarding Email #13**

17 173. On August 13, 2025, Defendant Steve Berman, acting through the email account
18 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
19
20
21
22

1 members of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”). This email is
2 attached as Exhibit L and is referred to herein as “Email #13.”

3 174. Email #13 was disseminated broadly to Association members and concerned the
4 Association’s governance, enforcement authority, and internal operations.

5 **COUNT I – Steve Berman**

6 **Tortious Interference with Business Operations**

7 175. Plaintiff Trilogy at Power Ranch Community Association (“T@PR”) has valid and
8 ongoing business relationships with its Board of Directors, its committee volunteers, its
9 employees, and its members pursuant to its recorded governing documents and Arizona law.

10 176. Defendant Steve Berman was aware of Plaintiff’s contractual and business
11 relationships with its members, volunteers, and governing bodies.

12 177. Defendant Steve Berman intentionally interfered with Plaintiff’s business
13 operations by authoring, directing, or causing to be disseminated Email #13, acting through the
14 email account trilogyreporter@gmail.com, which disparaged Plaintiff’s governance and
15 enforcement processes, mischaracterized the Association’s authority, and questioned the
16 legitimacy and stability of Plaintiff’s ongoing operations. Such interference is including but not
17 limited to:

18 **Jules Rules and Pscho Mike**

19 *We got some push back about revealing what everyone already
20 knew about Julie Harris’s multiple husbands. This doesn’t bother
21 Psycho Mike because he and Julie were married to other people
22 when they began their relationship. We don’t know how many
husbands she has had, we just wanted to let everyone know that
four of them were hers. Julie enjoyed sharing the details of
Bermans divorce during the recall we are sure she wouldn’t mind
our sharing hers.*

1 178. Berman’s interference was intentional, improper, and unjustified. The conduct was
2 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

3 179. As a direct and proximate result of Berman’s conduct in disseminating Email #13,
4 Plaintiff T@PR suffered harm, including loss of member confidence, disruption of governance
5 and committee operations, diversion of staff and volunteer time, and the incurrence of legal fees
6 and related expenses.

7 **COUNT II – Steve Berman**

8 **Publication of Injurious Falsehood**

9 180. Defendant Steve Berman published Email #13 by sending and disseminating it,
10 through the email account trilogyreporter@gmail.com, to all or substantially all of the
11 approximately 2,035 members of Plaintiff T@PR on or about August 13, 2025.

12 181. The statements contained in Email #13 were false and misleading.

13 182. Defendant Steve Berman made the false statements in Email #13 with the intent to
14 harm Plaintiff T@PR’s pecuniary and operational interests, or with knowledge and reckless
15 disregard of the likelihood that such harm would result.

16 183. As a direct and proximate result of the publication of Email #13, Plaintiff T@PR
17 suffered damages, including diversion of staff and volunteer time, disruption of Association
18 operations, and the incurrence of legal fees and related expenses.

19 **Allegations Against Steve Berman Regarding Email #14**

20 184. On August 22, 2025, Defendant Steve Berman, acting through the email account
21 trilogyreporter@gmail.com, sent an email to an email distribution list that included most or all
22

1 members of Plaintiff Trilogy at Power Ranch Community Association (“T@PR”). This email is
2 attached as Exhibit M and is referred to herein as “Email #14.”

3 185. Email #14 was disseminated broadly to Association members and addressed the
4 Association’s governance, enforcement authority, and internal decision-making processes.

5 **COUNT I – Steve Berman**

6 **Tortious Interference with Business Operations**

7 186. Plaintiff Trilogy at Power Ranch Community Association (“T@PR”) has valid and
8 ongoing business relationships with its Board of Directors, its committee volunteers, its
9 employees, and its members pursuant to its recorded governing documents and Arizona law.

10 187. Defendant Steve Berman was aware of Plaintiff’s contractual and business
11 relationships with its members, volunteers, and governing bodies.

12 188. Defendant Steve Berman intentionally interfered with Plaintiff’s business
13 operations by authoring, directing, or causing to be disseminated Email #14, acting through the
14 email account trilogyreporter@gmail.com, which disparaged Plaintiff’s governance and
15 enforcement processes, mischaracterized the Association’s authority, and questioned the
16 legitimacy and stability of Plaintiff’s ongoing operations. Such interference is including but not
17 limited to:

1 **On a Light Note**

2 We always offer our neighbors the opportunity to add to the conversation or be removed
3 from our mailing list, if they wish. Last week we got a hostile, threatening letter saying
4 we were not researching our facts only relying on hearsay and rumor. The letter also
5 said they were going to use Google to find out who we really are and publicly expose
6 our real identity. The letter went on to say it was cowardly not to sign our “real names”
to our News letters. Ironically the letter was signed VIPER. The sending email address
was . We did our research and learned that Viper is none other than
Kathleen Ann Green. Originally from Brooklyn, she moved to Trilogy from Ahwatukee in
2022. She also signed the recall petition, based entirely on what someone told her, no
personal research. Our research surfaced a lot of really interesting facts about Kathy,
that we don’t have space to reveal at this time. “Judge not lest ye be judged” Kathy.

7 189. Berman’s interference was intentional, improper, and unjustified. The conduct was
8 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

9 190. As a direct and proximate result of Berman’s conduct in disseminating Email #14,
10 Plaintiff T@PR suffered harm, including loss of member confidence, disruption of governance
11 and committee operations, diversion of staff and volunteer time, and the incurrence of legal fees
12 and related expenses.

13 **COUNT II – Steve Berman**

14 **Publication of Injurious Falsehood**

15 191. Defendant Steve Berman published Email #14 by sending and disseminating it,
16 through the email account trilogyreporter@gmail.com, to all or substantially all of the
17 approximately 2,035 members of Plaintiff T@PR on or about August 22, 2025.

18 192. The statements contained in Email #14 were false and misleading.

19 193. Defendant Steve Berman made the false statements in Email #14 with the intent to
20 harm Plaintiff T@PR’s pecuniary and operational interests, or with knowledge and reckless
21 disregard of the likelihood that such harm would result.
22

1 legitimacy, stability, and integrity of Plaintiff’s ongoing operations. Such interference is including
2 but not limited to:

3 **Is Lori Larsen Lying ...Again?**

4 In our last Trilogy News we stated our Repair and Replacement Fund is
5 supposed to be 60%. The national average is 70%. Lori Larsen in her recent
6 San Tan Press Article stated that the 60% number we cited was simply “a
7 goal”. Who can you trust to be telling you the truth, Lori or Trilogy News? In
8 Trilogy’s Policy and Procedures List under Repair and Replacement Policy
2022.10.26, sixth paragraph says: Target Threshold Funding Level: The Board
sets the R&R Reserve target threshold funding level between 60% and full
funding. If the Board believes the R&R Reserve will fall below or exceed its
target threshold for an extended period, the Board may take actions such as
suspending new capital asset expenditures. *There is nothing in there about a
goal, Lori isn’t telling the truth.* Look it up for yourself if you want to know who
to believe.

9 200. Berman’s interference was intentional, improper, and unjustified. The conduct was
10 not privileged, was not protected speech, and exceeded any lawful or permissible expression.

11 201. As a direct and proximate result of Berman’s conduct in disseminating Email #15,
12 Plaintiff T@PR suffered harm, including loss of member confidence, disruption of governance
13 and committee operations, diversion of staff and volunteer time, and the incurrence of legal fees
14 and related expenses.

15 **COUNT II – Steve Berman**

16 **Publication of Injurious Falsehood**

17 202. Defendant Steve Berman published Email #15 by sending and disseminating it,
18 through the email account trilogyreporter@gmail.com, to all or substantially all of the
19 approximately 2,035 members of Plaintiff T@PR on or about September 16, 2025.

20 203. The statements contained in Email #15 were false and misleading.
21
22

Publication of Injurious Falsehood

1
2 213. Defendant Steve Berman published Email #16 by sending and disseminating it,
3 through the email account trilogyreporter@gmail.com, to all or substantially all of the
4 approximately 2,035 members of Plaintiff T@PR on or about October 3, 2025.

5 214. The statements contained in Email #16 asserting that the Association violated its
6 governing documents by failing to obtain required bids, that Association funds were improperly
7 expended, and that an Association vendor engaged in overcharging and substandard performance
8 were false and misleading.

9 215. Defendant Steve Berman made the false statements in Email #16 with the intent to
10 harm Plaintiff T@PR's pecuniary and operational interests, or with knowledge and reckless
11 disregard of the likelihood that such harm would result.

12 216. As a direct and proximate result of the publication of Email #16, Plaintiff T@PR
13 suffered damages, including diversion of staff and Board resources, disruption of vendor
14 relationships, increased administrative burden, and the incurrence of legal fees and related
15 expenses.

Allegations Against Steve Berman Regarding Email #17

16
17 217. On November 17, 2025, Defendant Steve Berman, acting through the email account
18 trilogyrevealed@gmail.com, sent an email to an email distribution list that included most or all
19 members of Plaintiff Trilogy at Power Ranch Community Association ("T@PR"). This email is
20 attached as Exhibit Q and is referred to herein as "Email #17."

21 218. Email #17 was disseminated broadly to Association members and addressed the
22 Association's governance, proposed Code of Conduct, staff authority, committee appointments,

1 contracting practices, employee compensation, use of Association funds, and Board decision-
2 making.

3 **COUNT I – Steve Berman**

4 **Tortious Interference with Business Operations**

5 219. Plaintiff T@PR has valid and ongoing business relationships with its Board of
6 Directors, its management staff, its employees, its committee volunteers, its vendors and
7 consultants, and its members pursuant to its recorded governing documents and Arizona law.

8 220. Defendant Steve Berman was aware of Plaintiff’s business and contractual
9 relationships with its Board, staff, volunteers, vendors, and members.

10 221. Defendant Steve Berman intentionally interfered with Plaintiff’s business
11 operations by authoring and disseminating Email #17, acting through the email account
12 trilogyrevealed@gmail.com, which falsely asserted that the Association and its Board lacked
13 authority to adopt and enforce a Code of Conduct; accused Association staff of bias, misconduct,
14 and failure to perform their duties; called for the termination of named staff members; alleged that
15 the Association violated its governing documents by approving contracts and expenditures
16 without required competitive bidding; disparaged the competence and integrity of Board members
17 and committee appointees; and urged members to oppose Board actions through coordinated
18 pressure, including correspondence and public meetings. Such interference is including but not
19 limited to:

1 **Greg Bells Record of Financial Decisions for Trilogy**

2 Greg Bell voted to give Ian Welch a consulting contract after he was fired. How much was the contract for? It is a secret. How long is it for? It is a secret. What are the deliverables? It is a secret. Why did he do it? Another secret. Estimates are \$85,000.

3 Greg Bell voted to give Michael Frank Consulting a contract for \$75,000 without a bid, which is required by our bylaws.

4 Greg Bell voted for a 9% increase and then a 8% pay increase for our employees in successive years, **but none of our employees ever received an additional penny.**

5 Greg approved getting a conventional loan not a construction loan for the Ball Room and Pickleball Courts improvements, costing us an additional \$80,000 in interest money.

6 Greg oversaw our Repair and Replacement Fund dropping for 83% of full replacement to 34% of full replacement.

7 Greg and MaryAnn Crutchfield kept the fact that Jennifer Taylor was being paid 35% below Dept of Labor mid-range standard for her job description from the rest of the Board of Directors.

8 222. Berman's conduct was intentional, improper, and unjustified. The communication
9 was not privileged, was not protected speech, and was designed to undermine confidence in
10 Plaintiff's governance, disrupt staff and volunteer operations, interfere with vendor and consultant
11 relationships, and impair the Association's ability to conduct its affairs in an orderly and lawful
12 manner.

13 223. As a direct and proximate result of Berman's dissemination of Email #17, Plaintiff
14 T@PR suffered harm, including disruption of Board and staff operations, damage to relationships
15 with employees, volunteers, and vendors, diversion of management and volunteer time, loss of
16 member confidence, and the incurrence of legal fees and related expenses.

17 **COUNT II – Steve Berman**

18 **Publication of Injurious Falsehood**

19 224. Defendant Steve Berman published Email #17 by sending and disseminating it,
20 through the email account trilogyrevealed@gmail.com, to all or substantially all of the
21 approximately 2,035 members of Plaintiff T@PR on or about November 17, 2025.
22

1 **COUNT I – Steve Berman**

2 **Tortious Interference with Business Operations**

3 230. Plaintiff T@PR has valid and ongoing business relationships with its Board of
4 Directors, its management staff, its employees, its committee volunteers, its vendors and
5 consultants, and its members pursuant to its recorded governing documents and Arizona law.

6 231. Defendant Steve Berman was aware of Plaintiff’s business and contractual
7 relationships with its Board, staff, employees, volunteers, vendors, and members.

8 232. Defendant Steve Berman intentionally interfered with Plaintiff’s business
9 operations by authoring and disseminating Email #18, acting through the email account
10 trilogysreporter@gmail.com, which falsely asserted that Association staff and Board members
11 engaged in misconduct, intimidation, and censorship; accused the Association of misusing
12 member funds and violating governing documents and state law; alleged regulatory and safety
13 violations involving Association amenities; disparaged Board members and committee appointees
14 by attributing improper motives and unethical conduct; and urged members to oppose Board
15 actions, support recall efforts, and pressure the Association through coordinated action. Such
16 interference is including but not limited to:

17 **Public Outcry in opposition to putting Greg Bell on the Finance Committee**

18 Greg Bell is a former Board Member and former Board President and current most hated person in Trilogys. There was huge public opposition to appointing Greg to the Finance
19 Committee and there was also the issue that he didn’t have an accounting degree was one of the requirements of being selected to the committee. How did our Board deal
20 with these two obstacles? Easy, first they removed the accounting degree requirement that everyone else had to meet and then they voted for Greg in with a secret ballot, so no
one would know for sure who voted for him.

21 233. Berman’s conduct was intentional, improper, and unjustified. The communication
22 was not privileged, was not protected speech, and was designed to undermine confidence in

1 Plaintiff's governance, disrupt staff and volunteer operations, interfere with vendor and employee
2 relationships, and impair the Association's ability to conduct its affairs in an orderly and lawful
3 manner.

4 234. As a direct and proximate result of Berman's dissemination of Email #18, Plaintiff
5 T@PR suffered harm, including disruption of Board and staff operations, damage to relationships
6 with employees, volunteers, and vendors, diversion of management and volunteer time, loss of
7 member confidence, and the incurrence of legal fees and related expenses.

8 **COUNT II – Steve Berman**

9 **Publication of Injurious Falsehood**

10 235. Defendant Steve Berman published Email #18 by sending and disseminating it,
11 through the email account trilogyreporter@gmail.com, to all or substantially all of the
12 approximately 2,035 members of Plaintiff T@PR on or about December 29, 2025.

13 236. The statements contained in Email #18 asserting that the Association and its Board
14 engaged in censorship, intimidation, financial misconduct, unlawful contracting, regulatory
15 violations, misuse of Association funds, and improper recall-related actions were false and
16 misleading.

17 237. Defendant Steve Berman made the false statements in Email #18 with the intent to
18 harm Plaintiff T@PR's pecuniary and operational interests, or with knowledge and reckless
19 disregard of the likelihood that such harm would result.

20 238. As a direct and proximate result of the publication of Email #18, Plaintiff T@PR
21 suffered damages, including disruption of Association operations, diversion of Board and staff
22

1 resources, impairment of employee and volunteer relationships, interference with vendor
2 relationships, and the incurrence of legal fees and related expenses.

3 **Allegations Against Steve Berman Regarding Email #19**

4 239. On January 18, 2026, Defendant Steve Berman, acting through the email account
5 trilogifacts@gmail.com and using the alias “Terry Johnson,” sent an email to an email distribution
6 list that included most or all members of Plaintiff Trilogy at Power Ranch Community Association
7 (“T@PR”). This email is attached as Exhibit T and is referred to herein as “Email #19.”

8 240. Email #19 was disseminated broadly and, among other things, accused Board
9 members and Association leadership of misconduct, illegality, secrecy, incompetence, favoritism,
10 and corruption, asserted that Board actions violated Arizona law and alleged misuse of executive
11 sessions.

12 **COUNT I – Steve Berman**

13 **Tortious Interference with Business Operations**

14 241. Plaintiff T@PR has valid and ongoing business relationships with its Board of
15 Directors, committee members, employees, managing agents, vendors, and Association members
16 pursuant to its governing documents and Arizona law.

17 242. Defendant Steve Berman was aware of Plaintiff’s business and contractual
18 relationships with its Board, staff, employees, volunteers, vendors, and members.

19 243. Defendant Steve Berman intentionally interfered with Plaintiff’s business operations
20 by authoring, forwarding, endorsing, and disseminating Email #19, which accused the Board of
21 unlawful conduct and secret decision-making; disparaged and demeaned individual directors,
22 committee members, and residents by name; asserted that Association committees were illegally

1 constituted and acting improperly; and alleged financial mismanagement, governance failure, and
2 regulatory violations without factual basis. Such interference is including but not limited to:

3
4 **Greg Bells appointment to the Finance Committee**

5 We now know that despite unprecedented protests from the community, and the fact he lacked the required credentials, Greg
6 Bell was appointed to the finance committee. The appointment was done via a secret ballot also unprecedented. The vote was
7 three in favor, one opposed, and one abstention. Abstain? Arizona's open meeting law requires all members of governing
8 boards to vote on every agenda item, UNLESS there is a conflict of interest. In that case the Board member must state what the
9 conflict is before the vote is taken. That didn't happen so Greg Bell's appointment was done with an illegal vote. We demand a
10 revote, done in accordance with state law.

11 244. Berman's conduct was intentional, improper, and unjustified. The communication was
12 not privileged, was not protected speech, and was designed to undermine confidence in Plaintiff's
13 governance, disrupt staff and volunteer operations, interfere with vendor and employee
14 relationships, and impair the Association's ability to conduct its affairs in an orderly and lawful
15 manner.

16 245. As a direct and proximate result of Berman's dissemination of Email #19, Plaintiff
17 T@PR suffered harm, including disruption of Board and staff operations, damage to relationships
18 with employees, volunteers, and vendors, diversion of management and volunteer time, loss of
19 member confidence, and the incurrence of legal fees and related expenses.

20 **COUNT II – Steve Berman**

21 **Publication of Injurious Falsehood**

22 246. Defendant Steve Berman published Email #19 by sending and disseminating it,
through the email account trilogyfacts@gmail.com, to all or substantially all of the approximately
2,035 members of Plaintiff T@PR on or about January 18, 2026.

247. Email #19 contained false and misleading statements, including but not limited to
assertions that the Board conducted illegal executive sessions; Board votes and committee

1 appointments violated Arizona law; the Association was being mismanaged, unlawfully governed,
2 and controlled by improper factions; Association leadership caused a “crisis” threatening long-
3 term recovery; and Association actions directly caused declining property values and increased
4 home listings.

5 248. Defendant Steve Berman made the false statements in Email #19 with the intent to
6 harm Plaintiff T@PR’s pecuniary and operational interests, or with knowledge and reckless
7 disregard of the likelihood that such harm would result.

8 249. As a direct and proximate result of the publication of Email #19, Plaintiff T@PR
9 suffered damages, including disruption of Association operations, diversion of Board and staff
10 resources, impairment of employee and volunteer relationships, interference with vendor
11 relationships, and the incurrence of legal fees and related expenses.

12 **Allegations Against Steve Berman Regarding Email #20**

13 250. On October 23, 2025, Defendant Steve Berman, acting through the email account
14 trilogyvoice@gmail.com and using the alias “Terry Johnson,” sent an email to an email
15 distribution list that included most or all members of Plaintiff Trilogy at Power Ranch Community
16 Association (“T@PR”). This email is attached as Exhibit U and is referred to herein as “Email
17 #20.”

18 251. Email #20 was disseminated broadly and contained false, misleading, and
19 inflammatory statements regarding Plaintiff’s Board of Directors, Association management,
20 employees, committee members, vendors, and individual residents, the natural and foreseeable
21 effect of which was to disrupt governance relationships and undermine confidence in Plaintiff’s
22 operations.

1 **COUNT I – Steve Berman**

2 **Tortious Interference with Business Operations**

3 252. Plaintiff T@PR has valid and ongoing business and contractual relationships with
4 its employees, Board members, committee volunteers, managing agents, vendors, and members
5 pursuant to its governing documents and Arizona law.

6 253. Defendant Steve Berman was aware of Plaintiff’s business and contractual
7 relationships with its Board, staff, employees, volunteers, vendors, and members.

8 254. Defendant Steve Berman intentionally interfered with Plaintiff’s business
9 operations by authoring and disseminating Email #20, which accused Association management
10 and named Board members of intentionally underpaying an employee and lying about
11 compensation, falsely attributed the employee’s resignation to improper recall-related motives,
12 disparaged vendors and committee participants as engaging in self-dealing and improper
13 appointments, and portrayed Plaintiff’s governance as corrupt, dysfunctional, and financially
14 mismanaged. Such interference is including but not limited to:

15 **Welcome Home Jennifer**

16 We have all received multiple notices that Jennifer Taylor has returned to Trilogy. If you haven’t met Jennifer, you may have asked yourself “What’s the big deal about an
17 employee returning to Trilogy”. If you have met Jennifer, you know what the big deal is, it is Jennifer, SHE IS A BIG DEAL. She is charming, high energy, is committed to her
18 profession and truly cares about the people in her classes. Like many of us she was offered a “too good to be true job” which turned out to be not what she had hoped.
19 Pretty simple, but here is the back story. Jennifer was paid about \$25,000 under the mid-range for her position, according to the Dept. of Labor. Ursula Mancuso lied to her
20 and told her she was at the top of her pay range and would never get a raise. Greg Bell and Maryann Crutchfield knew she was underpaid, so did Tom Pizza and Linda
21 Merchant. They allowed it to happen. The rest of the Board Members chose not to know what anyone was paid, so they can claim ignorance. Bad, yes, but it gets worse.
22 Not wanting to let a perfectly good crisis go to waste Jim Icobazzi and Richard White decided to blame Jennifers leaving on Mike Morris and Steve Berman to add fuel to the
recall against them. Mike Morris has never met Jennifer and Steve Berman had a good enough relationship to invite Jennifer and her husband to his wife’s 70th Birthday
dinner party. Jennifer told everyone at her final classes that her leaving had nothing to do with Mike or Steve. Can it get any worse? Yes! After Jennifer resigned, we are told
Steve Berman approached Lori Larsen and Lisa Gurtler about making Jennifer a counter offer to keep her. Lori said that Jennifer was being paid exactly what she deserved.
Lisa just had her legendary “deer in the headlights look” and would not support the counteroffer. We are fortunate to have Jennifer back and we urge you all to meet her if
you haven’t met her yet. She can help keep you healthy and stay in your home longer.

20 255. Berman’s conduct was intentional, improper, and unjustified. The communication
21 was not privileged, was not protected speech, and was designed to undermine confidence in
22 Plaintiff’s governance, disrupt staff and volunteer operations, interfere with vendor and employee

1 relationships, and impair the Association’s ability to conduct its affairs in an orderly and lawful
2 manner.

3 256. As a direct and proximate result of Berman’s dissemination of Email #20, Plaintiff
4 T@PR suffered harm, including disruption of Board and staff operations, damage to relationships
5 with employees, volunteers, and vendors, diversion of management and volunteer time, loss of
6 member confidence, and the incurrence of legal fees and related expenses.

7
8 **COUNT II – Steve Berman**

9 **Publication of Injurious Falsehood**

10 257. Defendant Steve Berman published Email #20 by sending and disseminating it,
11 through the email account trilogyvoice@gmail.com, to all or substantially all of the approximately
12 2,035 members of Plaintiff T@PR on or about October 23, 2025.

13 258. Email #20 contained false and misleading statements, including but not limited to,
14 assertions that Association management knowingly underpaid an employee and misrepresented
15 her compensation and prospects for raises, that the employee’s resignation was caused
16 by misconduct and recall-related scapegoating attributable to specific individuals, that Board
17 members, committee members, and vendors engaged in corruption, self-dealing, and other
18 improper conduct, and that Plaintiff’s governance and financial management were incompetent,
19 dishonest, and harmful to the community.

20 259. Defendant Steve Berman made the false statements in Email #20 with the intent to
21 harm Plaintiff T@PR’s pecuniary and operational interests, or with knowledge and reckless
22 disregard of the likelihood that such harm would result.

1 265. Defendant Steve Berman intentionally interfered with Plaintiff's business
2 operations by authoring and disseminating Email #21, which accused Association management of
3 abusive and unlawful employment practices, including coercive pay reductions, surveillance, and
4 retaliation against employees; falsely attributed employee resignations to misconduct by specific
5 individuals rather than lawful management decisions; disparaged Board members, committee
6 members, and volunteers by accusing them of corruption, favoritism, intimidation, religious
7 discrimination, and misuse of authority; accused vendors and committee participants of self-
8 dealing, improper appointments, and violations of governing rules; and portrayed Plaintiff's
9 governance as corrupt, dysfunctional, financially mismanaged, and unlawfully operated. Such
10 interference is including but not limited to:

11 **Trilogy News**

12 Michele continues to do the right thing and undo some of the terrible things Ursula did. Ursula wanted to get rid of one of our most popular employees but never had
13 grounds for termination, so she did what a sneak in power always does, she tried to force him to resign. How? She cut his salary by 20% and said, "take it or leave it".
14 Fortunately for all of us he endured the humiliation and stayed. Ursula was nasty when it came to people she managed. Did you know she installed two cameras in the front
desk area so she could watch Jenn and Jackie work? She also assigned Jackie to spy on Jenn and document any mistakes she made and turn them over to her so she could
build the case to fire her. Ursula eventually ran out of patience and had Terry Hagan publicly humiliate the two ladies in front of some residents, which is why both walked
out and quit without notice. Can you blame them? I didn't know Jenn well, but Jackie Cobb was a retired Registered Nurse and deserved to be treated with some dignity, of
course, we all do. Michele is as wonderful as Ursula was miserable. She restored the loyal employees' salary. Another win for Trilogy was Michele was able to rehire
Vanessa Dunmire as a fitness instructor. As much as we love Jennifer, getting Vanessa back is just as big.

15 266. Berman's conduct was intentional, improper, and unjustified. The communication
16 was not privileged, was not protected speech, and was designed to undermine confidence in
17 Plaintiff's governance, disrupt staff and volunteer operations, interfere with vendor and employee
18 relationships, and impair the Association's ability to conduct its affairs in an orderly and lawful
19 manner.

20 267. As a direct and proximate result of Berman's dissemination of Email #21, Plaintiff
21 T@PR suffered harm, including disruption of Board and staff operations, damage to relationships
22

1 with employees, volunteers, and vendors, diversion of management and volunteer time, loss of
2 member confidence, and the incurrence of legal fees and related expenses.

3 **COUNT II – Steve Berman**

4 **Publication of Injurious Falsehood**

5 268. Defendant Steve Berman published Email #21 by sending and disseminating it,
6 through the email account trilogyvoice@gmail.com, to all or substantially all of the approximately
7 2,035 members of Plaintiff T@PR on or about November 4, 2025.

8 269. Email #21 contained false and misleading statements, including but not limited to,
9 assertions that Association management engaged in coercive and abusive employment practices,
10 unlawfully reduced employee compensation, surveilled and retaliated against staff, and caused
11 employees to resign; that Board members, committee members, and volunteers engaged in
12 corruption, favoritism, religious discrimination, intimidation, and misuse of authority; that
13 vendors and committee participants engaged in self-dealing and improper conduct; and that
14 Plaintiff’s governance and financial management were incompetent, dishonest, unlawful, and
15 harmful to the community.

16 270. Defendant Steve Berman made the false statements in Email #21 with the intent to
17 harm Plaintiff T@PR’s pecuniary and operational interests, or with knowledge and reckless
18 disregard of the likelihood that such harm would result.

19 271. As a direct and proximate result of the publication of Email #21, Plaintiff T@PR
20 suffered damages, including disruption of Association operations, diversion of Board and staff
21 resources, impairment of employee and volunteer relationships, interference with vendor
22 relationships, and the incurrence of legal fees and related expenses.

1 **Allegations Against Steve Berman Regarding Email #22**

2 272. On or about December 15, 2025, Defendant Steve Berman, acting through the email
3 account trilogyfacts@gmail.com, and using the alias “Terry Johnson,” sent an email titled
4 “Trilogy Newsletter” to an email distribution list that included most or all members of Plaintiff
5 Trilogy at Power Ranch Community Association (“T@PR”). This email is attached as Exhibit W
6 and is referred to herein as “Email #22.”

7 273. Email #22 was disseminated broadly and contained false, misleading, and
8 inflammatory statements regarding Plaintiff’s Board of Directors, Association management,
9 employees, committee members, vendors, and individual residents, the natural and foreseeable
10 effect of which was to disrupt governance relationships and undermine confidence in Plaintiff’s
11 operations.

12 **COUNT I – Steve Berman**

13 **Tortious Interference with Business Operations**

14 274. Plaintiff T@PR has valid and ongoing business and contractual relationships with
15 its Board members, officers, employees, committee volunteers, managing agents, vendors, and
16 members pursuant to its governing documents and Arizona law.

17 275. Defendant Steve Berman was aware of Plaintiff’s business and contractual
18 relationships with its Board, officers, staff, volunteers, vendors, and members.

19 276. Defendant Steve Berman intentionally interfered with Plaintiff’s business
20 operations by authoring and disseminating Email #22, which accused the Board of Directors of
21 incompetence and long-term damage to the community; falsely characterized proposed
22 Association policies as unlawful and unconstitutional; accused the Board of selective enforcement

1 of rules, misuse of Association funds, and engaging in retaliatory litigation; alleged lack of
2 transparency, improper executive sessions, and unlawful or improper Board appointments; and
3 misrepresented the Association’s legal rights and obligations regarding elections and recall
4 procedures. Such interference is including but not limited to:

5 **We Need a Fresh Start**

6 We are initiating a recall election today. The rules for recall in an HOA are loose. There is no specific starting date, or completion date. If you have collected recall
7 petitions in the past for any of these Board members, those signatures are still good. Just scan them and send them to the address on this email. When the prescribed
8 number of signatures are collected, they can be turned in. Once they are turned in the Association will have a few days to confirm the signatures are valid. The Board
9 then has ten days to call an election. If they don't call an election within ten days, they are all removed from office. To sign the petition, just print it out, sign it, scan it,
10 and email it back, or take a picture of it with your phone and email them to the address on this email. The second page of our newsletter will include a recall petition
11 listing all five Board Members. Please sign next to the names of any members you wish to recall. Our plan is to coordinate submitting the petitions so that everything will
12 coincide with our regularly scheduled election in March. The March election would then have three seats available for a two-year term, and four seats available for a one
13 year term. Unlike the previous recall we are not going to approach you at the pickleball court or at our clubhouse. You will be able to sign the petition in the privacy of
14 your own home. You can print it, scan it, and send it back to our email address. Not everyone gets our emails, so please forward this to everyone on your private email
15 list. If you'd like to help someone else sign, you can either forward the email with the petition or print it out so they can sign it, then scan and return it to us.

16 277. Berman’s conduct was intentional, improper, and unjustified. The communication
17 was not privileged, was not protected speech, and was designed to undermine confidence in
18 Plaintiff’s governance, interfere with elections and policy enforcement, disrupt Board and
19 committee operations, induce members to act outside established governance processes, and
20 impair the Association’s ability to conduct its affairs in an orderly and lawful manner.

21 278. As a direct and proximate result of Berman’s dissemination of Email #22, Plaintiff
22 T@PR suffered harm, including disruption of Board and committee operations, interference with
election administration, diversion of management and volunteer time, erosion of member
confidence, increased legal exposure and expense, and the incurrence of legal fees and related
costs.

23 **COUNT II – Steve Berman**
24 **Publication of Injurious Falsehood**

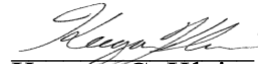
- 1 B. A permanent injunction enjoining Defendant Steve Berman from authoring, sending, or
2 causing to be sent communications to Plaintiff's members, volunteers, employees, or
3 management through any email account or alias that falsely purports to represent
4 independent news, reporting, or community commentary concerning Plaintiff or its
5 operations, and from otherwise engaging in the unlawful conduct alleged herein.
- 6 C. A permanent injunction enjoining Defendant Marc Herbener from authoring, sending, or
7 causing to be sent communications to Plaintiff's members, volunteers, employees, or
8 management through the email account unofficialnews@gmail.com, or any successor or
9 substitute account, that disparage Plaintiff's governance, misrepresent its authority or
10 operations, or otherwise interfere with Plaintiff's business relationships.
- 11 D. An award of Plaintiff's reasonable attorneys' fees and costs incurred in bringing this
12 action, to the extent permitted by law and Plaintiff's governing documents.
- 13 E. Such other and further relief as the Court deems just and proper.
- 14

15 RESPECTFULLY SUBMITTED this 26th day of January 2026.

16

17 **CARPENTER LAW FIRM**

18 By:


Keegan C. Klein, Esq.
Scott B. Carpenter, Esq.
355 E. GERMANN RD. Suite 250
Gilbert, Arizona 85297
*Attorneys for Trilogy at Power Ranch
Community Association*

From: Terry trilogynews@trilogynewspm.me
 Subject: Why are they still here?
 Date: Jun 6, 2025 at 3:20:21PM
 To: adrian@gordonfarms.com

EXHIBIT A

Why Are These Haters Still on Trilogy Committee's?

Julie Harris Governing Doc	Jim Iacobazzi Finance	Scott Bean Governing Doc	Jan Hillyard Volunteer Services	Gene Edwards ACC	Dave BernerACC
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Serving on a Trilogy Committee is a privilege that not many get. As with most privileges in life it comes with obligations and rules. Association rules and committee charters are clear as to how committee members can use social media. A member was asked to leave the Communication Committee, not because she attacked anyone, but because she responded to a Facebook post. That post on our community Facebook page should have been taken down by staff, but it wasn't. The haters used social media in a campaign of hate that has changed the very nature of our community. What they did wasn't just an attack on Morris and Berman, it was an **attack on all of us; our community, friendships, and neighbors**. They didn't just use their personal Facebook page, they used our community Facebook to support the recall and spread the lies and hate. Why did our staff not stop these abuses as they were happening? These haters used our community Facebook page to direct people to the vicious and untrue 'Trilogy Truth' website written by Scott Bean and Greg Bell. Why haven't they all been removed from their committees? The Board saying "we just want to calm everything down, let's just move forward" is like saying that a person who just killed their parents is entitled to mercy, because he is now an orphan. The Imperious statement by Liz Ridge "we will speak no more of this" is pompous. She may not talk about it, but the rest of us won't be through until the Haters are removed. Steve Looney has been adamant about the ills of the use of social media by committee members and demanded they be removed based on current by laws and charters; but to date the only member has been pushed out, why is that and what is the Board doing about this?

I would like to welcome our new Board Member Adrian, but would like to know "Where did he come from?" He was not in the original group of applicants and as far as I know the Board never reopened the interview process for the rest of us to be able to apply if we chose to do so. So how did this happen? Why were none of the original applicants notified that they were not selected? That would have been the only decent professional thing to do. But they didn't.

Why is the Board of Directors hiring Michael Franks to supervise our road construction, once again, without going out for any bids. Our bylaws require three bids. Where are they? Michael Frank has overcharged us and done substandard work in the past, so why are we hiring him again?

The four newly elected Board Members owe their election to the fact their names weren't Greg Bell or Tom Pizza, the two most hated Board Members in Trilogy history. They were never recalled because their enemies are not as vicious and mean spirited as these two very small men.

This leaves the final question, if the Current Board of Directors doesn't follow our bylaws and rules, do we have the right people on our Board of Directors?

This newsletter is written by your neighbors who due to the vicious environment Trilogy has become, they do not want to be identified. Do you blame them?

From: Jerry W trilogyreporter@gmail.com
Subject: Trilogy Newsletter
Date: Jun 17, 2025 at 10:25:50 PM

Welcome to Trilogy Newsletter

EXHIBIT B

The recent recall election highlighted the need for another information source for our community. The current forms of information are simply not impartial. San Tan Press pretends impartiality, but its editor is Ian Welch's mother-in-law. Trilogy at Power Ranch Face Book Page feigns impartiality, but it was the primary vehicle to promote recall, as it was used to direct readers to the recall site 'Trilogy Truth.' Next Door is the worst; they have a couple of local "leads" that can and do remove any posts that do not suit their opinions. Some posts opposing the recall were available for only a matter of minutes. The pro-recall attacks are still posted. There will be several contributors to our newsletter, everyone is invited to submit. We believe there will be no true community healing until all truth is told and the people who brought this horrible blight on our community are identified and their motives exposed. Let's look at the purported reasons for the recall.

Were People Bullied? You Judge.

Richard White and Jim Iacobazzi claimed there was a mass exodus because Mike and Steve were bullies. Let's look at the facts:

Jennifer Taylor, Fitness Director, made it clear to all her classes that she was not leaving because of being bullied. She was told she was at the top of her pay range; the truth is she was paid \$25,000 per year under mid-range of her job classification according to the Dept of Labor. She left because Ursula and Greg Bell horribly underpaid her.

Lori Goodman, Board Member, resigned. Did not own the home listed as her residence in the directory, because of this she was not eligible to serve in the first place!

Ron Kisicki, did not run for election, was appointed to his only term, never elected.

Mary Ann Crutchfield, appointed to finish an unexpired Board term, ran unopposed to win one term. Never won a contested election, and it was unlikely she could.

Gary Shaunassey. Lost his first election, ran unopposed second election, won his third election by 26 votes, far behind Mike and Steve. Wanted to be Board President, was not elected, resigned 10 days later. Airbnb's are forbidden in Trilogy; Gary was named a "Super Host" by Airbnb for having over 100 reviews for renting out his casita in Trilogy in one year. His resignation seems to be staged to encourage the recall.

Ursula Mancuso. She resigned AFTER the recall paperwork was filed. Her resignation was scheduled to take effect after the recall results were announced, she

then intended to rescind her resignation. For security reasons the lawyer recommended she be removed from her position upon receipt of her resignation. It was clear her resignation was designed to fuel the recall. You will learn much more about Ursula in future newsletters.

None of the above people ever stated they were bullied by anyone.

It seems only Greg Bell felt he was bullied.

FACT: Richard White and Jim Iacobazzi lied to you to get you to support the recall

From: Terry trilogyfacts@gmail.com

Subject: Trilogy News

Date: Jun 27, 2025 at 12:22:46 AM

EXHIBIT C

Our Board of Directors has taken a decisive stand against the "Inaccurate and Misleading Information in Trilogy News", by providing each of us with Inaccurate and misleading information on how to stop it. File a complaint with the FTC. No one expects Steve Loney to know what FTC stands for (it is the Federal Trade Commission, Steve) but the three ladies who claimed to be accountants ought to know. The FTC has nothing to do with the internet. Certainly, our IT expert, Ryan, ought to know. The Federal Communications Commission regulates the internet. The FCC enforces the CAN-SPAM ACT which sets the rules for Commercial Email. The e-mails from Trilogy News are not commercial, they are simply Political Free Speech which is highly protected by the First Amendment.

In fairness the Board had other suggestions, like "Speak at a Board Meeting". We have seen others try that only to be heckled by people in the audience by people like Cindy Halvorsen, Sandy Browne, MaryAnne Crutchfield and Cindy White. No thank you. It wouldn't matter anyway, Liz Ridge has already stated "You can ask questions, but don't expect any answers, we'll get back to you later."

A culture of Secrecy and Information Suppression

We talked to all the candidates during the election and Ridge and Gurtler pledged to be Champions of Transparency. We asked Larson about Transparency and she said, "Transparency is Good". I tried to explain Transparency to Steve Loney; to be honest I don't think he understands the concept. The Board isn't transparent so we are being transparent for them.

Transparency in Trilogy?

I have lived in Trilogy since 2005, and this is the least transparent Board we have ever had. The Board was asked for Adrian's resume, and we have been told it is "confidential". This man has owned in Trilogy less than a year, does not live in Trilogy full time. He was appointed by the Board after the application process was closed. Don't we have a right to know a little about someone who was not elected by us but will be making decisions that affect all of us?

Arizona's Open Meeting Law says the business of the people must be done in public.

The executive session is an exception to the law that allows a very limited number of items to be discussed behind closed door. These items are lawsuits, employee issues like health, evaluations, and discipline. That is about all. Why have the new Board had more Executive (secret) Sessions in the last three months than the previous board did in 2024? What are they hiding from us?

Self Management or Management Company

We are now told the Board will be making a decision about moving to a management company, which allows us to share resources with a larger group of HOAs. Do we need to pay for a full-time accountant, special projects person, or whatever Tammy Does?

Do we need 40 hours a week from all of these people? Why not share? As ill prepared as this Board is to manage, previous Boards weren't much better. Our Org Chart is a perfect example of what is wrong with Trilogy. All employee's report to the community

manager and the community manager reports to the Executive Director. Why do we need both at the combined cost of \$250,000 per year. Our longest tenured employee is also our community manager. We are paying her to do the job, let's let her do it. After 19 years of faithful service, does anyone think a newcomer with a few initials after their name knows more about Trilogy than she does? Eliminate the job title Executive Director, Let our current community manager do her job and save us \$150,000 per year. This would allow us to give much deserved raises to our long-suffering employees. If we had done this six months ago, Jennifer Taylor might still be with Trilogy. A management company, would still need a community manger, and we have a good one to recommend.

Will We Be Voting On The Best System For Trilogy?

The Board says no, they feel they know what is best for us. Five people who in their entire careers have never been decision makers or advanced to a management position. They have been on our Board of Directors for three months and now know more than the rest of us combined?

Is Trilogy News Accurate?

That is always our goal. Where do we get our information? The staff at Trilogy have been mistreated but have had no one to complain to. That environment always produces whistle blowers; they now have a place to come.

R&R Fund Committee

Putting Bob Davis on that committee is like letting Jefferey Epstien chaperone the Junior Prom. When Bob first got his hands of the R&R fund it was at 84% it is now at 32%. If he is on the committee he will have the opportunity to cover his tracks and justify his blunders. We need new eyes on this project, the kind that was promised by Ridge and Gurtler when they were running.

Can't We All Just Forget About The Recall and Forgive One Another?

Not until the people who violated the terms of their committee charter to help bring this hate into our community are held accountable. This wasn't a standard election it was a campaign of hate and personal destruction. We are not going to let this go until the Board of Director does the right thing and punishes their buddies who broke the rules. This is our community, we have already lost a lot of it because of the Haters. Don't let them destroy what is left.

Terry J, and friends

From: Jerry W trilogyreporter@gmail.com
Subject: Trilogy News Board of Director's
Meeting Monday
Date: Jul 4, 2025 at 6:07:09 PM

EXHIBIT D

Welcome Aboard...The Titanic

The Board of Directors is about to make a Titanic mistake, and we are going to pay for it. How many employees do we have? That is a secret, but what isn't? However we can figure it out. There are nine employees shown in the San Tan Press, we have a hand-full of Maintenance people who report to Chris Clinton, a couple of gate guards and a couple of part-timers at the front desk who report to Terry Hagen. How many highly paid managers does this group need?

How Did We Get Here?

We were originally managed by a professional management company. The community manager was Ian Welch, who reported to the management company. Ian approached the then Board of Directors with a great idea "Hire him directly, fire his employer and he would save us lots of money and we would have more control". None of that was true, especially the last part. Ian, whose back ground was as a Tennis Pro, knew what was good for him, not necessarily the community. He hired his friends as vendors, without going through the bid process. He built our current organization to suit himself. He created the Executive Director (ED) position for himself and the Community Manager position for someone to manage the community, so he could take long vacations to Australia.

Doubt me?

Look at the Organization Chart he built. Everyone reported to the Community Manager, Ursula and she was the only person who reported to Ian. What is wrong with this? We were paying the Executive Director \$165K and Community Manager \$90K. \$255,000 per year to manage this tiny organization? Ursula quitting gives us the opportunity to allow our community manager to do the job she was hired for and paid to do. This would allow Ursula's \$150,000 salary as ED to be reallocated to raises for our other employees. Nearly all our employees are being paid far below Department of Labor Standards for Arizona. When Jennifer Taylor quit nearly everyone was upset. Nearly everyone? Greg Bell had lied to her about being at the top of her pay range when she was actually \$25,000 below mid-range for her job description. Lori Larson refused to even make a counter offer to keep her. It was much easier for the Haters to blame Jennifer's leaving on Morris and Berman.

What Can You Do about It?

E Mail the Board at board@mytpr.com TODAY Tell them not to hire anyone until we have a consultant group help us right-size our organization. Do we need an executive director and community manager? Do we need a full-time accountant? Do we need a full-time special projects person, or should our Maintenance team be doing what Dave

Brown is doing for \$55,000 per year? Now is the best time to determine if we need to restructure; hiring an ED is premature. We paid Ian Welch for months after he left and made a huge offer to Ursula, and we did not fire her. Firing people isn't cheap.

Pay attention now, or just pay later

Terry Johnson

From: Terry trilogyrevealed@gmail.com
Subject: Trilogy News Welcomes our new
Executive Director

Date: Jul 12, 2025 at 9:28:54 PM

EXHIBIT E

The Team at Trilogy News would like to welcome our new Executive Director, Michele Ray-Brethower and encourage all of you to do the same. We felt hiring a new Executive Director before a staffing analysis was done was premature. That being said, Michele seems to be very qualified for the position. Our concern remains the organizational structure. There is no need for a Community Manager and an Executive Director; the positions are redundant for our size of an organization. We are not a family-owned business where we need to find jobs for all the relatives and not worry about the cost, which is how Ian and Ursula treated the organization. Ian Welch created our current structure to include a community manager who would do the day-to-day work of managing the community; he was then free to "executive direct". We were paying him \$165,000 per year and Ursula \$90,000 per year. \$255,000 per year to manage eight low-tech positions, between them. When Ursula became Executive Director, she created a new position so she could hire her best friend, Tammy. To give her something to do she took responsibilities away from Robin. This left Robin with not enough to do, so she took responsibility away from Joel. She put Joel at the front desk to take the place of the ladies who walked off the job after they were publicly reprimanded and humiliated. She also cut Joel's pay by \$8,000 per year. It gets better; you all remember the two years in a row that the budget process included 8% raises for all of our employees. No one ever got a penny. When asked at a budget meeting where the money went, Ursula said she used it to hire Dave Brown, at \$55,000 per year. Ok? He is now doing things we are paying Chris Clinton \$87,000 per year to do. End result, we lost the best employee in Trilogy, Jennifer Taylor, when she found out she is not at the top of her pay range, she is \$25,000 below mid-range. More employees are on their way out and now they can't blame Berman and Morris.

Some say you can't fix stupid. You can, but it is going to hurt. It is not going to take Michele long to recognize that our organizational structure is not sustainable and tough decisions need to be made. When she makes those decisions, we all need to support her as I expect she will get more than a little push back. You can thank former Board Presidents Greg Bell, Tom Pizza and Wayne Norley for this mess, they had the opportunity to correct it but didn't.

Ryan, our IT guy gave everyone advice on how to stop getting Trilogy News if you don't want it. My favorite was call the email provider and complain. Good plan, call Google and tell them you don't like the email you got and demand they do something about it.

Ryan forgot the obvious and easiest is simply request to be taken off our mail list. The caveat is once you are off, we won't be able to put you back on. A few people asking to be taken off will not cause us to stop sending Trilogy News, they just won't know what everyone else is learning.

For Trilogy News,

Terry Johnson

From: Jerry W trilogyreporter@gmail.com

Subject: Trilogy News

Date: Jul 16, 2025 at 5:57:41 PM

EXHIBIT F

Trilogy News would like to recognize the hard work and courage of Liz and Doug Choi for trying to lift the terrible clouds the recall has brought on our community. They took the time and effort to produce YouTube videos with the 'other side to the story' allowing the maligned Board members to finally be able to tell the truth. The videos were recently posted on TPR Facebook, and Trilogy Admin has since removed them.

People like Cindy Lou White, Marion Johnson Schafer, Sandra Taescher Browne, Teresa McCarthy and Sherry Johnson Baker may not have started the recall, but they provided the hate and lies to keep it going. Does anyone think Trilogy is better off after the recall? No one in Trilogy sees our community the same way we did prior to the recall. The perpetrators would like to get away with what they did and are now preaching "forgive and forget" "move on and let the community heal". I am sure the people who participated in the anti ICE riots in L.A. would like us all to "forgive and forget". Those injured or whose lives and property were affected likely have a different perspective.

The negative effect of the recall will last for a long time in Trilogy. Why haven't the committee members who used our community Facebook page to promote the recall been removed by the Board? It is a clear violation of the Committee Charter. Board members Steve Loney and Lori Larson discreetly expressed their support for the recall, while Liz Ridge and Lisa Gurtler have faced recall threats from Ernie Nervegna. Future boards will all live under the threat of recall, because we now know it can happen.

"If Board Members Don't Do Anything Wrong-They have nothing to fear". Sounds Good, just isn't true. The YouTube videos posted by Liz and Doug show a very different side to the recall than what was presented to us during the recall. Starla Solberg, who moved to Trilogy from Montana in 2022 said "The People Have Spoken". The videos show that the people were lied to. The Trilogy News editorial team has investigated the various accusations against Mike and Steve and were amazed they could not find anything anyone could prove. No first-person witness or testimony, just "I heard from a friend I trust," (but where did they hear it?) How do you prove you didn't do something that never happened?

A good example is Berman was accused of calling Jan Hillyard a liar at the April 2024 Board Meeting. Six of us watched the meeting together several times, and none of us heard him say that. If you don't believe us, watch it yourself. He said she didn't tell the truth when applying for her fourth consecutive term on the election committee, clearly, she didn't.

Hillyard knew she was term limited to two consecutive terms but said she and Jerry Carolan asked to be reappointed because *there were only five members on the*

committee and Cathy Kelly and Fran Banks had resigned, and 'Nancy French was incompetent' leaving us with no committee if she and Carolan were not allowed to exceed established term limits. Despite their best recruitment efforts, they said there were no applicants for the committee.

The Truth: Cathy Kelly and Fran Banks did not resign in 2024. Nancy is not incompetent and there were seven applicants for that committee including a former BOD member, a former Gilbert Town Council member, a former election committee member, and an instructor at Chandler Gilbert Community College; none of whom were selected.

Jan Hillyard never denied lying, she objected to being *called a liar*. To make things even more interesting at the Board Meeting in question, Ron Kisicki asked why Jan's lying was a problem. It was pointed out that it was a matter of character and integrity; both concepts appeared to be a mystery to Ron.

We have all heard "If you don't learn from History, you are doomed to repeat it". The YouTubes being posted by Liz and Doug are incredibly valuable to our community and we encourage you to take the time to watch them, ask your friends to forward them to you if you haven't seen them.

As always, if you want to be removed from our mailing list, just ask.

Terry Johnson, Jerry Williams and the Trilogy News Team

From: Purpon Twitchell <unofficialnews@gmail.com>

Date: July 16, 2025 at 4:01:50 PM MST

Subject: Trilogy News

EXHIBIT G

Trilogy News would like to recognize the hard work and courage of Liz and Doug Choi for trying to lift the terrible clouds the recall has brought on our community. They took the time and effort to produce YouTube videos with the 'other side to the story' allowing the maligned Board members to finally be able to tell the truth. The videos were recently posted on TPR Facebook, and Trilogy Admin has since removed them.

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exceed established term limits. Despite their best recruitment efforts, they said there were no applicants for the committee.

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We have all heard "If you don't learn from History, you are doomed to repeat it". The YouTubes being posted by Liz and Doug are incredibly valuable to our community and we encourage you to take the time to watch them, ask your friends to forward them to you if you haven't seen them.

As always, if you want to be removed from our mailing list, just ask.

Terry Johnson, Jerry Williams and the Trilogy News Team

From: Jerry W trilogyreporter@gmail.com

Subject: Trilogy News

Date: Jul 24, 2025 at 12:09:50 PM

EXHIBIT H

Did You Miss the March BOD Recall Meeting?



This is what you missed. Think we are exaggerating? The next Board meeting the staff requested Gilbert Police presence; how often does that happen? Nothing Board Members Berman and Morris were accused of could explain or justify the kind of hate our neighbors showed that afternoon. I think most of us were shocked to see the level of viscousness our neighbors were capable of. What it said about us, as a community, is shameful. The women were acting like a geriatric version of high school "mean girls", and the men acted like drunk blue-collar punks. Loud, disrespectful out of order and certainly disgraceful for people our age. We ought to know better. It showed a side of Trilogy that most of us don't like to admit exists.

Can't we just let it go? NOPE, the people responsible for destroying the image, if not the reality of Trilogy need to be exposed. Supreme Court Justice Brandies said the best disinfectant is sunlight, and Trilogy News is going to shine that light on those responsible. Jan Hillyard, who was one of the chief haters and the subject of our last letter, has resigned from her position on the volunteer committee, after her role in the recall was exposed.

Our Board could have helped things by enforcing the rules on the use of our community Facebook page for political posts during the recall. They didn't but made it very clear that the rules would be strictly enforced when they get recalled!

Our new Executive Director has begun the discussion about water

conservation. The Town of Gilbert sends a report called *The Water Fluence Report* to all the large private water users every month. Our report went to Ursula, and according to The Town of Gilbert, she **did not open or read** the report in over two years! Apparently, Trilogy is the largest private water user in Gilbert. We are not the biggest HOA, just the most wasteful. You all just got the biggest water bill of your lives from Gilbert. Wait until you see Trilogy's water bill. We could be in for a rather large dues increase to pay for it. Fortunately, we have a man in Trilogy who can solve that problem for us: Wayne Norlie, a former Board President and schoolteacher. He stated clearly at a Board meeting that he knew much more about water management than the former President of the Arizona Municipal Water Users Association. Let's ask Wayne to help us out on this. Keep in mind under his leadership, our Reserve funds began their steep drop from 83% to our current 34%.

Trilogy News wants to be on your side. If there is anything you want to know about or if you have any information you would like to share, just respond to this email. We don't have everyone's email address so please feel free to forward this to anyone who might be interested.

Thanks

Terry

Subject: Re: Trilogy News
Date: Friday, July 25, 2025 at 20:39:21 Mountain Standard Time
From: Terry <trilogyrevealed@gmail.com>
To: Michele Ray-Brethower <michele@tprcoa.com>
Attachments: image.png, image001.png

EXHIBIT I

Hi Michele-

Reaching out to me confirms one of the many nice things I have heard about you. I don't think our meeting is likely because I don't want you to ever appear to be validating anything in Trilogy News. A couple of things you are probably wondering. Are we using the association directory for our mailing? No, I believe it would be allowable under the published rules which seem to restrict commercial use, and our newsletter is not commercial. We are using a commercially available email list, many of which are available on the internet. Every time you sign up for a shopper card at Frys, Safeway, Sam's Club, Verizon or anywhere else and give your email address it is likely to end up on an email list. Somewhere in the text that no one reads give the person with the list the right to send emails. Is our newsletter a violation of the CAN-SPAM act of 2024? No, the law only applies to commercial usage, and we are heavily protected by political free speech. Our list does not have everyone in Trilogy on it, and we do remove names upon request. We average about 2 or 3 requests to be removed from the list at each mailing. We also get requests from people who are not on the mailing list to be included.

Trilogy News is a small group of people who discuss issues and decide what we should address. We also solicit information from the community. The recall has had a terrible effect on the community and the healing won't start until the people responsible are held accountable and get to experience the same public shaming that Mike Morris and Steve Berman had to endure. You weren't involved with the recall at any level and if you had been the executive director at the time, it likely would not have happened. You would be wise to stay away from the recall issue, but for your own edification you might ask your employees, when you have your one on ones with them, if they are ever bullied or treated inappropriately by either Morris or Berman. I would be surprised if anyone said yes. That was one of the major driving forces of the recall, that Morris and Berman bullied the staff.

Ursula was pleasant enough on a personal level, but she was a terrible manager. She made it clear who her favorites were, and the rest of the staff knew better than to come to Ursula with a complaint. She told everyone who would listen that she would resign if Lisa Gurtler was elected, obviously trying to sway the election. It was well known Ursula would criticize Mike Morris and Steve Berman to the employees in the

break room.

Trilogy News felt hiring an Executive Director before an outside consultant did a time and motion study to see if our staff was properly constructed was premature. Under Ian's leadership the entire staff reported to Ursula, and she alone reported to Ian. Ian was paid \$165,000 and Ursula \$90,000. Others on the staff were being paid well below DOLETA ranges for Gilbert. The Community Manager and Executive Director positions are redundant. Ursula tried to make adjustments to keep her friends employed. She took responsibility away from Robin to justify hiring Tammy, took responsibility away from Joel so Robin would have something to justify her large salary. I have no doubt you can make the appropriate adjustments, but I am sorry you have to do it. I think you have been put in a very difficult situation. Right sizing the staff should have been done before you were hired.

The recall was made possible in large part by the use of the Trilogy Facebook page. There was a website created by Scott Bean and Greg Bell called Trilogy Truth which as a pure attack piece with distorted and untrue information on it. The good news is no one knew it existed....until the haters behind the recall put up posts on Facebook attacking Mike and Steve and directing them to the website. The same thing happened with Next Door, posts attacking Berman and Morris, then directing people to the hate website. I am not saying Ryan and Sabrina didn't take the posts down. They certainly took the posts defending Berman and Morris down. But it wasn't timely. I know you have no control over Next Door, but our community monitors are Julie Harris and Shawn Goodwin, both very active in the recall.

The recall took an incredibly nasty position regarding former Mayor Steve Berman. Berman went through a particularly difficult divorce from his wife of 10 months. She seemed driven to accuse him of anything she could think of that would hurt his reelection chances. It worked. The newspapers loved it and printed every absurd thing she accused him of. It is our understanding, after the election all of her accusations were investigated by the Gilbert Police Dept, County Sheriff and the Maricopa County Attorney's Office and not one was proven to be true, no charges ever filed. That was 17 years ago, but people like Marion Schafer felt the need to send links of the horrible stories to anyone who attempted to defend Berman during the recall. Everyone has a secret and Trilogy News plans to share Marion's, as well as others who were particularly vicious. You may or may not know this, but we have three registered sex offenders in Trilogy.

BTW I took my name out of the directory years ago, after someone drove their car on the sidewalk to hit someone they had an issue with.

Trilogy News, again welcomes you to Trilogy and wishes you every success.

Terry J

From: Michele Ray-Brethower <michele@tprcoa.com>
Sent: Thursday, July 24, 2025 11:29 AM
To: trilogyrevealed@gmail.com <trilogyrevealed@gmail.com>
Subject: FW: Trilogy News

Hi Terry:

I have received your email. I hope we can move forward and would be happy to meet with you to discuss, the recall caused a huge community division. There is a misstatement in your email I just want to correct. I have pulled how many posts were pulled from the Trilogy FB page during the recall. There were 330 posts removed.

I cannot do anything about the recall, but I can only look to the future and try to work with all community members to rebuild, and hope prevent it from ever happening in the future.

Let me know what would work for you if you would be willing to meet.

Thank you,



**Michele Ray-Brethower, CPM, CMCA, LSM,
PCAM**
Executive Director
Trilogy at Power Ranch Community
4369 East Village Parkway | Gilbert, AZ 85298
Phone 480.279.2058
www.mytpr.com

-----Forwarded Message-----

From: Terry <trilogyrevealed@gmail.com>
Sent: Jul 24, 2025 10:31 AM
Subject: Trilogy News

Did You Miss the March BOD Recall Meeting?



This is what you missed. Think we are exaggerating? The next Board meeting the staff requested Gilbert Police presence; how often does that happen? Nothing Board Members Berman and Morris were accused of could explain or justify the kind of hate our neighbors showed that afternoon. I think most of us were shocked to see the level of viscousness our neighbors were capable of. What it said about us, as a community, is shameful. The women were acting like a geriatric version of high school “mean girls”, and the men acted like drunk blue-collar punks. Loud, disrespectful out of order and certainly disgraceful for people our age. We ought to know better. It showed a side of Trilogy that most of us don’t like to admit exists.

Can’t we just let it go? NOPE, the people responsible for destroying the image, if not the reality of Trilogy need to be exposed. Supreme Court Justice Brandies said the best disinfectant is sunlight, and Trilogy News is going to shine that light on those responsible. Jan Hillyard, who was one of the chief haters and the subject of our last letter, has resigned from her position on the volunteer committee, after her role in the recall was exposed.

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Our new Executive Director has begun the discussion about water conservation. The Town of Gilbert sends a report called *The Water Fluence Report* to all the large private water users every month. Our report went to Ursula, and according to The Town of Gilbert, she **did not open or read** the report in over two years! Apparently, Trilogy is the largest private water user in Gilbert. We are not the biggest HOA, just the most wasteful. You all just got the biggest water bill of your lives from Gilbert. Wait until you see Trilogy’s water bill. We could be in for a rather large dues increase to pay for it. Fortunately, we have a man in Trilogy who can solve that problem for us: Wayne Norlie, a former Board

President and schoolteacher. He stated clearly at a Board meeting that he knew much more about water management than the former President of the Arizona Municipal Water Users Association. Let's ask Wayne to help us out on this. Keep in mind under his leadership, our Reserve funds began their steep drop from 83% to our current 34%.

Trilogy News wants to be on your side. If there is anything you want to know about or if you have any information you would like to share, just respond to this email. We don't have everyone's email address so please feel free to forward this to anyone who might be interested.

Thanks

Terry

From: Purpon Twitchell <unofficialnews@gmail.com>
Date: July 30, 2025 at 10:47:27 AM MST
Subject: Trilogy News

EXHIBIT J

Corruption in the Architectural Control Committee (ACC) Selection Process

You likely don't care about who or how anyone gets on TPR committees. You should care about this one. The ACC decides when you must paint your house, what color choices you have and how many plants you may or must have in your yard. If you do not comply with the rules *they* set (it is not a community vote) you can be fined, if you don't pay your fine, your house can be foreclosed on.

How are the people selected for this committee? Here is a letter that has been floating around the community for several months. One of our readers sent this to Trilogy News to be shared. We agreed it was important.

From: Dr. Michelle Swanson
Sent: Wednesday, February 26, 2025 6:58 PM
Cc: Robin Dastrup <Robin@tprcoa.com>; Joel Schopp <Joel@tprcoa.com>
Subject: ACC - interview practices

Hello;

I am writing to you as one of December 2024, applicants for the ACC at TPR.

I interviewed on Monday, Dec. 16th, at 10:15 a.m.

I was alarmed when I got up to leave and you all started to discuss how the next applicant was already in the room (Julie Harris) as she was a current ACC member reapplying for another term.

You can imagine my concern when I realized that another applicant had SAT THROUGH my interview. She heard all of the questions before her turn. She also heard all my answers (I am assuming she sat through others as well).

The absence of decorum, lack of respect for conflicting interests, and absence of all professional respect in this instance is completely unacceptable. Moreover, I seriously believe you have violated AZ Statute 33.

Here are the inherent professional and legal problems with the situation, as it occurred:

- **Conflict of Interest**

All parties should be asked to clarify any conflict of interest at the onset of any interviews/meetings. A conflict should be declared before any business matters are discussed or deliberated. Any contract or decisions entered into in violation of subsection 33-1243 is/are void and unenforceable.

- **Sharing Sensitive Information:**

Parties may discuss sensitive information, candidate details, or even personal opinions during the interview process. Allowing other applicants to witness these discussions could lead to a breach of confidentiality and potentially expose decisions/data.

- **Unintentional Disclosure:**

Applicants might inadvertently overhear information that could be used to their advantage or to the detriment of other candidates.

- **"Tailored" Responses:**

Knowing what other candidates are saying, applicants might alter their responses to appear more competitive or to align with what they perceive as the desired answers.

- **Unequal Playing Field:**

Applicants who have the opportunity to hear other interviews might gain an unfair advantage, as they have access to information that others do not.

- **Maintaining Neutrality:**

Interviewers might feel pressured to treat some applicants differently, which could lead to a less natural and ineffective interview process.

- **Unnecessary Tension:**

Applicants might feel uncomfortable or tense knowing they are being observed by other candidates, which could negatively impact on the overall interview experience.

To summarize, allowing applicants to sit in at other interviews can create any number of the above problems that compromise the fairness, confidentiality, legality and effectiveness of your decision-making process. In addition to the interview process being conducted inappropriately, I found out later that the candidate seeking re-election ALSO sat in on the DECISION MAKING PROCESS. This is equally unacceptable. I was also told that when you all realized that she (Julie Harris, applicant seeking re-election) was in the room, you asked her to leave and then re-started your conversation/deliberation. That is the most absurd, unprofessional, and unethical process. At the eventual point where conflict was finally realized, the entire process should have been terminated, and the entire application and interview process began again without violation and conflict. Due to this breach of ethical practices, the TPR board should, at this time, find the results of your application/interview process null and void. The entire process is lacking in the values of proper professional etiquette, transparency, and rules of order. **The applications for 2 vacant ACC positions should begin again -- this time in accordance with appropriate rules.**

Furthermore, I would appreciate a written APOLOGY. An explanation and apology should also be given to the entire TPR community. People need to know that this occurred and should be assured that it (a) is not a common practice, and (b) will not happen again. Steps to ensure avoiding these practices in the future should be laid out for all to comprehend.

Personally, I am not interested in re-applying for any open positions currently. Your practices have currently turned me away from desiring participation. I hope I see professional improvement at TPR in the future and may wish to explore options for involvement down the road.

Lastly, this email is not based on the results of your process. I STILL have not officially heard of the results of the interview "process" and the two names selected. Only verbal rumors. The delay in communicating with all applicants (of over 2 months) is also very unprofessional. These facts are also no personal offense to Julie. She was placed in a very uncomfortable situation.

I loo forward to hearing from you - and hearing of future efforts toward avoiding these practices in TPRs future.

Michelle Swanson -

CC: Robin (administrator present at interview), Joel (present at interview)

Did Dr. Swanson receive satisfaction? Not even an acknowledgement. When it came to light, Board President Greg Bell did/said nothing. Lori Goodman, chairperson on the Committee and Board Vice President, who allowed this to happen, resigned and the ACC called for a new vote. They didn't re- interview, just revoted. The results of the new vote were the same as the first vote; David Berner, Gene Edwards and Mary Davis took care of their buddy Julie Harris.

All committees interview and select new committee members and submit those they want to the Board. The Board **ALWAYS blindly** appoints the committee candidates submitted to them and never knows who else applied. This has resulted in Committee inbreeding, no new ideas or perspectives, closed-mindedness, and lack of vision at the Committee level. Julie Harris is the worst about swaggering around the community bragging about the variances she has been able to get for herself or her friends with her position on the ACC. Julie Harris, Dave Berner, and Gene Edwards also violated ACC charter by attacking Board Members Morris and Berman on the TPR Facebook page during the recall. Our bylaws call for their removal from the ACC for this; Liz Ridge refuses to abide by our bylaws.

If there is anything you think the community needs to know about, let Trilogy News be your voice. You might know 'Behind the Gates' has been banned from the Trilogy Facebook page for submitting information and videos the administration/Board did not like. The videos created are extremely informative; we have received several inquiries about how to access the videos. You can view them at: <https://youtube.com/@behindthegates2025?si=tPcEj5CSyQlx1-T9>.

Watch them and form your own questions.

This is your community, if you don't like the way it is being run, use your voice and your vote.

Terry Johnson

From: Terry J <trilogyvoice@gmail.com>
Date: August 2, 2025 at 11:20:05 PM CDT
Subject: Did You Know

EXHIBIT K

Did You Know?

Terry Johnson is my real name, and I have lived in Trilogy since 2005. I took my name out of the directory years ago, like many others have. If you think you don't know me, you will recognize me when you see me at fitness classes, at the dances or by the pool. You just don't know me by name. How many people do you know by sight in Trilogy, but don't know their name? Time to reintroduce yourself.

Did you know?

There is no water line for the coffee machines in the Club House, so every night the maintenance crew brings buckets of water from the kitchen. I have no idea what else they use that bucket for.

Did you know?

Mike Flemming is known as "Psycho Mike," to his friends. He posts on our Facebook page as Reid Flarris. They call him "Psycho Mike" because he was given an early retirement from the police dept in Canada because he was deemed mentally unfit to carry a gun. He wanders around Trilogy with his therapy dog, which we hope works, because he looks scary. His most obvious unhinged act is living with Julie Harris, aka Julie Powers, aka Julie Cassavila, aka Julie Bishop, aka Julie Ames. She has four ex-husbands, and a bad record of monogamy.

Did you know?

That the local monitors for Next Door are Shawn Goodwin and Julie Harris. They have the authority to take down any posts they don't like and leave the ones they agree with? That was never more obvious or abused than during the recall election.

Did you know?

Ryan Knobloch and Sabrina Smith decide what gets posted on our TPR Facebook page and what comes down. This was critical during the recall election. They never banned rampant abusers like Marion Schafer, Jan Hillyard and Jim Iacobazzi. They did ban "Behind the Gate" for posting positive interviews from previous board members. Those posts can be found at <https://youtube.com/@behindthegates2025?si=tPcEj5CSyQlx1-T9>.

Did you know?

We have no retirement plan for our employees. Not even matching 401K. The Myth that Ian Welch retired is just that; myth. He was fired and had to find a new job; we are told at East Mark. Why did Greg Bell, Ron Kisicki and MaryAnn Crutchfield feel the need to lie to the community about that? We know he was given a "wink, wink" consulting contract to

train Ursula (Who worked for him for five years) we just don't know how much. We have been told it was a year. He was paid \$165,000 per year. We also have no idea where the money came from. Ursula resigned, but the Board still authorized a nice \$60,000 going away gift. You can thank Gary Shaunassey and Lori Larson for that one. Ursula was an unfair, abusive and incompetent manager and should have been fired, but she wasn't. Again, where did the money come from to pay Ursula to go away? Lori Larson has bragged that she knows how to hide the money in the budget, so the residents of Trilogy won't be able to figure out where it is hidden. So, we will never know.

Did you know?

You won't always agree with Trilogy News and on occasion we may offend you. The Truth hurts sometimes. If we write anything that you believe is untrue send the proof to us and we will send out a correction and retraction. As always you always have the option to ask to be removed from our mailing list. We are your voice to the community please share anything you think the rest of us should know.

Terry Johnson

From: Jerry W trilogyreporter@gmail.com

Subject: Muddy Water?

Date: Aug 13, 2025 at 1:39:45 PM

EXHIBIT L

Muddy Water in the Coffee Machine?

Don't you hate it when two information sources give conflicting information? Last week Trilogy news revealed that the coffee machines in the Club House don't have a direct water supply, and the water is brought in buckets by the maintenance people after hours. Trilogy Facebook poster Jan Hillyard said the water brought in was bottled water because the permit from the Town of Gilbert to tap into existing water lines was excessively expensive. The cost of getting the water line permit from the Town of Gilbert is \$92; you can Google this fact. Ursula spent more than that to put the surveillance camera over the coffee machines so we wouldn't steal the sugar packets. We have witnesses that saw the maintenance people bringing in water in buckets. We also know a complaint was filed with the Maricopa County Health Department over this. Is Hillyard lying again? Trilogy News relies on information from your neighbors and staff members. We must keep our staff member sources confidential to protect them. Have they changed the water source? We hope so.

Jules Rules and Pscho Mike

We got some push back about revealing what everyone already knew about Julie Harris's multiple husbands. This doesn't bother Psycho Mike because he and Julie were married to other people when they began their relationship. We don't know how many husbands she has had, we just wanted to let everyone know that four of them were hers. Julie enjoyed sharing the details of Bermans divorce during the recall we are sure she wouldn't mind our sharing hers.

The Pickle Ball Purge

One of our contributors took the time to transcribe the names on recall petitions so they are readable. They also put a P next to the names of people who are members of the Pickleball Club. There were 240 signatures on the recall petitions, only about 210 were valid. Interestingly 61 of the names on the petition were Pickleball members. What does that mean? Without the Pickleball outsized participation, there would have been no recall. Who are these people? Much like the high schoolers at the "cool kids table", no

shortage of self esteem or entitlement. They pushed through the votes to commit to all our borrowing capacity for things like the Pickleball Court. We all pay extra \$120 per year for this. Problem is, we all don't have equal access to the Pickleball Courts. During the prime playing time, in the morning, when it is cool, The Pickleball Club has exclusive use of the courts. You want to play in the morning, join the club, drink the Kool-Aid, pay your fees and then you can play.

Here is the list, look for your friends so you can thank them. As always, feel free to contribute to the dialogue, let us know if you want on or off the mailing list.

last Name	First Name	Email	Pickle Ball
Adams	Ed	adamsed36@gmail.com	P
Arangio	Edward	earango101@gmail.com	P
Axman	Marie	steveaxman@yahoo.com	P
Balk	Catherine	sbbalk811@aol.com	P
Banks	Francis	fran.banks@gmail.com	P
Bell	Gregory	gregbell5125@gmail.com	P
Bergendahl	Bart S.	desertsnow1@comcast.net	P
Beshk	Rosie	rbeshk@gmail.com	P
Bronner	Michael	mike.bronner@icloud.com	P
Bumgarner	Shelly	bumgarnerbecky@gmail.com	P
Bush	Kimberly A	mkbush@charter.net	P
Carolan	Geri	gcarolan@msn.com	P
Coffin	Richard	julieandrichard@msn.com	P
Colligan	Sharon	sharoncolligan@icloud.com	P
Cotton	Joyce	cotton2@icloud.com	P
Davis	Robert L.	rlnldavis1982@gmail.com	P
Dickey	David F	dave@dickeytransport.com	P
Dillard	Gaye	gayedillard@msn.com	P
Eraer	Mike	mreer@sio.midco.net	P

Espesth	Julie	quietacres87@hotmail.com	P
Gaston	Debera	debbiegaston5@gmail.com	P
Gibby	Susan	suegibby@yahoo.com	P
Gjellstad	Jacqueline	jrgjellstad@hotmail.com	P
Gontko	Larry	lgontko48603@yahoo.com	P
Goodman	Lori	lagooodman63@gmail.com	P
Gosney	Alan	algosney@comcast.net	P
Green	Kathleen	kathyuop@aol.com	P
Groudan	Kimberly	kcgroudan@yahoo.com	P
Halvorsen	Cindy	ckpedsrn@yahoo.com	P
Hanson	Mark J	mhans2310@gmail.com	P
Harnisch	Gena	genaharnish1@msn.com	P
Harris	Julie	missjulieharris@gmail.com	P
Hass	James	jimhass@hotmail.com	P
Herro	Ronald	rdherro@comcast.net	P
Hessen	Rocky R	rockyrhessen@gmail.com	P
Hill	Debra	stevehillaz@gmail.com	P
Hirsh	Patty	hirschmeister@centurylink.net	P
Jarrett	Desna	dwallin@uga.edu	P
Johnson	Kevin	kpjohm11@gmail.com	P
Keyes	Sharon	sharik214@msn.com	P
Kiely	Donna	dkiely2127@icloud.com	P
King	Sherry	sherrandallan@yahoo.com	P
Lasala	Joseph	katherinelasala@comcast.net	P
Loughran	Michael	mloughran@g.com	P
Merchant	Linda	lkmerchant09@gmail.com	P
Miller	James	mr.jim.k.miller@gmail.com	P
Mount	Janet K	redgarmount@gmail.com	P

Pachkofsky	Dave	davepachkofsky@email.com	P
Pachkofsky	Jenny	actionadv@gmail.com	P
Pakiz	David	pakiz@gmail.com	P
Patten	Linda	lindapatten@comcast.net	P
Phillips	Sheryl	sheryKirk3@gmail.com	P
Pizza	Thomas	tpizza1@icloud.com	P
Reid	Staci	staci.sr@gmail.com	P
Reynolds	Lillian	lilreynolds10@gmail.com	P
Reynolds	Michelle	myreynoldsonline@gmail.com	P
Robinson	Londa	londarobinson11@gmail.com	P
Rose	Jennifer	jjjrose@msn.com	P
Sansone	Virginia	ginny.sansone@yahoo.com	P
Sauve	Bonnie	vjsauve@comcast.net	P
Scharp	Arlan	adschaap@outlook.com	P
Schiele	Kathy	kathy2sch@gmail.com	P
Shaughnessy	Leslie	leslie.shaughnessy@gmail.com	P
Skogens	Geraldine	bgskogen@brainerd.net	P
Soffa	Susan	susansoffa@yahoo.com	P
Stowe	Lisa	stoweandy68@gmail.com	P
Thiel	Elaine	thielteacher@yahoo.com	P
Tholkes	Ron	t.tholk@gmail.com	P
Volpe	Daniel	volpe2840@comcast.net	P
White	Cindy Lou	cindylou.1022@yahoo.com	P

Terry Johnson

Begin forwarded message:

EXHIBIT M

From: Jerry W <trilogyreporter@gmail.com>

Date: August 22, 2025 at 3:22:14 PM CDT

Subject: Trilogy News

Trilogy News

Is Trilogy at Power Ranch a CA (community association) or HOA (home owners association)? What is the difference?

Legally there is no difference. Nationally, the name HOA had a negative connotation and there was no way to recover. The solution? Call it by a different name, CA. I believe most government documents still use the name Home Owners Association.

What exactly is a R&R fund, Contingency Fund, Rainy Day Fund or Reserve Fund?

Same thing, different name for our community savings account. Every HOA has some community owned assets. The community is liable for the maintenance of those items. For some communities it is just a monument sign designating their neighborhood. We all think of our club house, fitness center and swimming pool as community assets. We sometime forget about assets like gates, sidewalks, roads, dry wells and landscaping.

How much money should we keep in the Reserve Fund?

That is established by determining the cost to repair or replace all the community assets. The national standard is 70% to repair and replace everything. Where are we? Our Bylaws call for 60%. Before Wayne Norlie, Tom Pizza and Greg Bell served as Board Presidents our fund was at 83%, it is now around 34%. Bob Davis contends we have insurance to cover everything so we don't need much in the reserve fund. We all know that isn't true. You can't buy sewer line insurance. We are responsible for the sewer lines once they cross into our property. If you go to the Town of Gilbert website you will see there have been numerous sewer line failures this year. The line failure at Greenfield and Queen Creek cost \$2,000,000 to repair.

It would be impossible to underestimate our current Board of Directors *BUT*

We need to be fair. Dave Brown has identified thousands of dollars of deferred maintenance items that Greg Bell, Tom Pizza, Wayne Norlie, and Ursula ignored for years. Greg Bell, Maryann Crutchfield, Tom Pizza, Bob Davis and Ursula hid how poorly most of our employees were paid for years. No one paid attention until we lost fitness director Jennifer Taylor. She was told she was at the top of her pay range, with no possibility of a pay increase. The truth is she was paid \$25,000 under mid range for her position, according to DOLETA standards. We will never get Jennifer back, but we understand the pay issue is being addressed by Michele. Why didn't we say "The Board"? Because they have voted once again not to let each other know what the employees are paid. Why? Steve Looney said he didn't want to know what the employees are paid. Again, Why? I guess because you can't be held accountable for what you don't know. All of this combined with bringing our reserve funds to a safe and responsible level is going to cost money. We predict a major dues increase. The current Board is left holding the bag on this. Please don't blame them for dues increases resulting from the poor management decisions of people like Ron Kisicki, Gary Shaunessey, Bob Davis, Linda Merchant, MaryAnn Crutchfield, and the ever vigilant Finance Committee.

On a Light Note

We always offer our neighbors the opportunity to add to the conversation or be removed from our mailing list, if they wish. Last week we got a hostile, threatening letter saying we were not researching our facts only relying on hearsay and rumor. The letter also said they were going to use Google to find out who we really are and publicly expose our real identity. The letter went on to say it was cowardly not to sign our "real names" to our News letters. Ironically the letter was signed VIPER. The sending email address was viper250@aol.com. We did our research and learned that Viper is none other than Kathleen Ann Green. Originally from Brooklyn, she moved to Trilogy from Ahwatukee in 2022. She also signed the recall petition, based entirely on what someone told her, no personal research. Our research surfaced a lot of really interesting facts about Kathy, that we don't have space to reveal at this time. "Judge not lest ye be judged" Kathy.

Final Thoughts

We have heard only positive reports about our new Executive Director. Michele inherited a financial mess not of her making. Worse yet, some things were deliberately hidden. Think we are bluffing? Trilogy News challenges anyone to send us the budget entry to account for paying Ian Welch or Ursula Mancuso well over \$100,000, **after** they left. Our fear is that once a few of the haters, like Julie Harris, feel they can't control Michele she will be blamed

for our financial problems and the inevitable painful solutions. This is not a club, hobby or game for Michele, it is her career and she deserves every opportunity to be successful. Please Support Michele, she is going to need your help.

Terry Johnson

From: Jerry W <trilogyreporter@gmail.com>
Date: September 16, 2025 at 4:07:43 PM CDT
Subject: Trilogy News

Trilogy News

EXHIBIT N

Is Lori Larsen Lying ...Again?

In our last Trilogy News we stated our Repair and Replacement Fund is supposed to be 60%. The national average is 70%. Lori Larsen in her recent San Tan Press Article stated that the 60% number we cited was simply "a goal". Who can you trust to be telling you the truth, Lori or Trilogy News? In Trilogy's Policy and Procedures List under Repair and Replacement Policy 2022.10.26, sixth paragraph says: Target Threshold Funding Level: The Board sets the R&R Reserve target threshold funding level between 60% and full funding. If the Board believes the R&R Reserve will fall below or exceed its target threshold for an extended period, the Board may take actions such as suspending new capital asset expenditures. *There is nothing in there about a goal, Lori isn't telling the truth.* Look it up for yourself if you want to know who to believe.

Good News For Non Pickleball Club Members

The Pickleball Club has just released the times when the rest of us, who are paying \$30 per month special assessments for remodeling the pickleball among other things, will be allowed to use the pickleball courts. We can use them after 12:00 noon every day. From 8:00 until 12:00 the Pickleball Club has exclusive use of the courts. The assessment covers updates to the Tennis court and Ball Room, but they are open to the rest of us, without restriction. I guess the good news is from 8:00 to 12:00 the rest of us peasants can see how the game is supposed to be played.

If Ignorance is Bliss, We must have the happiest Board of Directors in Gilbert

It is amazing how quickly being elected to the Board of Directors goes to some people's heads. When Greg Bell was Board President, he wanted to institute a Code of Conduct that allowed the Board to SUE other Board Members. If the Board sues someone the association pays the Boards attorney fees. If a Board member is sued, the association pays the Board members attorney fees. In other words, the association (us) pays for both sides of a lawsuit. One of the reasons cited for recalling Morris and Berman was because they would not vote for Greg Bells Code of Conduct, now you know why. Liz Ridge and the current Board have their own ideas on how to deal with a Board member they don't agree with. They want to change the rules to allow the Board to vote someone off the Board. They want to be able to overturn your votes. Fortunately, that would violate Arizona

State Law. The ironic thing is the first person who would be voted off the Board would probably be Liz Ridge. We get a lot of feedback from our readers and one of the most consistent complaints is from people who voted for Liz Ridge and regret it. We have not heard from one person who voted for her that would vote for her again. What we have heard has ranged from disappointment to actual anger. We can't say we disagree. Liz lost her first election for the Board and was unable to even get appointed to any of our committees. Mike Morris worked very hard to help Liz get elected, helped coach her on how to respond at the candidate forum so she wouldn't get caught in a lie like the first time she ran. He worked so hard for her that everyone assumed she shared Mike's views and would support him. That assumption helped get her elected and Mike recalled. Liz didn't get more votes than Greg Bell, she tied him and won by a card draw. Without Mike's individual vote Liz would not have won. Surprise, Surprise! Liz's first chance to show her loyalty to Mike was when the Board selected its vice-president. Liz voted for Gary Shaunassey, who campaigned and voted against her instead of Mike. The frosting on the cake? When Mike later voted for Lori Larsen instead of her for Treasurer, Liz was offended. Liz's record as Board President? Announced that she would not be enforcing the rule about Committee Members using social media to attack people, at least not this time, next time (when she gets recalled) they will strictly enforce the rules. She then decreed "We shall not speak of this again". She stated at an open meeting that people were free to ask questions, but they would not be answered. Far too many Executive (secret) Sessions where no one is allowed to know what is happening. She did not formally reopen the interview process of selecting someone to replace Shaunassey. She selected a "snowbird" who has owned Trilogy less than a year. Despite his newness to the community, and lack of being elected Adrian has no problem telling long term residents they are "ruining" Trilogy.

AS Always

If you would like to be taken off our mailing list, just ask. If you think we have misrepresented *ANYTHING*, send us proof. If we are wrong, we will write a retraction and apology. We make this offer in every letter and we now have more people on our mailing list than we started out with. Thanks for your support and trusting us.

Terry Johnson

EXHIBIT O

On May 20, 2025, at 10:04 AM, TrilogyNews <TrilogyNews@proton.me> wrote:

Why Are These Haters Still on Trilogy Committee's?

<p>Julie Harris Governing Doc</p> 	<p>Jim Iacobazzi Finance</p> 	<p>Scott Bean Governing Doc</p> 	<p>Jan Hillyard Volunteer Services</p> 	<p>Gene Edwards ACC</p> 	<p>Dave Berner ACC</p> 
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Serving on a Trilogy Committee is a privilege that not many get. As with most privileges in life it comes with obligations and rules. Association rules and committee charters are clear as to how committee members can use social media. Susan Berman was asked to leave the Communication Committee, not because she attacked anyone, but because she responded to a Facebook attack on her husband during the recall. That post on our community Facebook page should have been taken down by staff, but it wasn't. The haters used social media in a campaign of hate that has changed the very nature of our community. What they did wasn't just an attack on Morris and Berman, it was an **attack on all of us; our community, friendships, and neighbors**. They didn't just use their personal Facebook page, they used our community Facebook to support the recall and spread the lies and hate. Why did our staff not stop these abuses as they were happening? These haters

used our community Facebook page to direct people to the vicious and untrue 'Trilogy Truth' website written by Scott Bean and Greg Bell. Why haven't they all been removed from their committees? The Board saying "we just want to calm everything down, let's just move forward" is like saying that a person who just killed their parents is entitled to mercy, because he is now an orphan. The Imperious statement by Liz Ridge "we will speak no more of this" is pompous. She may not talk about it, but the rest of us won't be through until the Haters are removed. Steve Looney has been adamant about the ills of the use of social media by committee members and demanded they be removed based on current by laws and charters; but to date the only member removed is Susan Berman, why is that and what is the Board doing about this?

I would like to welcome our new Board Member Adrian, but would like to know "Where did he come from?" He was not in the original group of applicants and as far as I know the Board never reopened the interview process for the rest of us to be able to apply if we chose to do so. So how did this happen? Why were none of the original applicants notified that they were not selected? That would have been the only decent professional thing to do. But they didn't.

Why is the Board of Directors hiring Michael Franks to supervise our road construction, once again, without going out for any bids. Our bylaws require three bids. Where are they? Michael Frank has overcharged us and done substandard work in the past, so why are we hiring him again?

The four newly elected Board Members owe their election to the fact their names weren't Greg Bell or Tom Pizza, the two most hated Board Members in Trilogy history. They were never recalled because their enemies are not as vicious and mean spirited as these two very small men.

This leaves the final question, if the Current Board of Directors doesn't follow our bylaws and rules, do we have the right people on our Board of Directors?

with [Proton Mail](#) secure email.

EXHIBIT P

From: Jerry W <trilogyreporter@gmail.com>

Date: October 3, 2025 at 5:23:22 PM CDT

Subject: Trilogy News

Correction to Last Week's News Letter

Last week we posted that the Pickleball Club had exclusive use of the Pickleball Courts from 8:00 to 12:00 Monday through Friday. I got several e-mails from our readers who are proud members of the "you pay so we can play club" telling me the information was inaccurate and demanded a retraction and apology. We were misinformed and apologize. The Pickleball Club has exclusive rights to use the Pickleball Court from 6:00 am until 1:00 pm. Several of our readers wrote that if one club has exclusive use of any of our amenities they should pay for it. Other amenity rich communities charge their pickleball club members \$25 per month for that exclusive use. In our case those funds could be directed to paying off the assessment for the Pickleball Court renovation. Sounds fair to me. If the Trilogy Singers or Band of Angles demanded exclusive use, every day of an amenity I bet they would be charged for it. If you agree send letters to the Board or speak up at a Board meeting.

Village Parkway tore up again

If my memory serves me correctly Village Park has been ripped up for the third time in five years. We have a different management team, a different Board of Directors and even different contractors. What is consistent? Our road consultant Michael Franks. Without going to bid (which is required by our governing documents) we paid them \$75,000 this year to consult (whatever that is) on our roads. I challenge you to name another section of road in Gilbert that has had extensive repair work like Village Parkway in the last several years. This is made even more egregious when you consider the relatively light traffic this

road gets. No school buses, Garbage Trucks once a week, and rare Fire Engine traffic. Our Board of Directors isn't paying attention, and we are paying for it.

You get what you pay or vote for

We are all old enough to know there are some things in life we just have no control over. We do have control over who serves on our Board of Directors. That is driven by who agree to run for the Board of Directors. They have a saying in the computer business "garbage in-garbage out". When you elect someone like Steve Loney to the Board of Directors, what do you think you are going to get. Loney is without a doubt the least qualified member of the Board. We wish he was the only one, but they are all inept. What happened to Bob McC? He used to be the "voice of the loyal opposition" calling out the Board, respectfully, for their lapses in judgment. Now he is praising their transparency. You kidding me? When we asked for the resume of Adrian Gordon, Liz Ridge responded "It is confidential". The previous board budgeted \$20,000 for legal expenses this year, and we have already spent over \$40,000 in one half a year. What did we spend the money on? What is going on behind closed doors at all the executive sessions? Sorry Bob, that is not transparency.

Our Money Back Guarantee

As always, we will remove your name from our mailing list if you ask. We will add your name if we can. We strive to be 100% accurate, if we miss the goal let us know. If there is something you would like us to share, send it in. If we can verify it, we will pass it along.

Terry Johnson

EXHIBIT Q

From: Terry <trilogyrevealed@gmail.com>

Date: November 17, 2025 at 10:17:56 AM MST

Subject: Trilogy News

Trilogy Newsletter

Code of Conduct?

What is in that bottle they are drinking on the dais at the Board meeting? We elected them to set policy for the operations of our HOA and now they have decided they need to tell us how to behave and what we can say. Greg Bell tried to force a code of conduct on the Board of Directors a year and a half ago. That version would have given virtually all the authority of the Board to the Board President (Greg Bell) and limit Board members authority to attending Board meetings only. It was a massive power grab by Bell. Mike Morris raised the alarm initially but eventually even Greg Bell's lap dog, Ron Kisicki, voted against it. Many of the other provisions ranged from dumb, to illegal, to unconstitutional. That Code of Conduct was rejected by a six to one vote, Mike Morris and Steve Berman were "blamed" for its defeat. Now our new Board wants to tell us how to behave and give themselves the power to punish us, without any due process, if we don't obey. Is this what you want from your HOA? Who on the Board of Directors do you feel comfortable judging your behavior? Keep in mind, one of those Board members, was not voted on by any of us, has lived in Trilogy less than a year and according to Liz Ridge his resume is "confidential". So far, this Board has said "you are allowed to speak at Board meetings, but don't expect an answer". They have already denied us the right to comment on this issue on "Facebook." The behavior of people like Jim Iacobazzi, Dave Berner, Julie Harris, Jan Hillyard, Scott Bean and Gene Edwards during the recall was

deplorable and they all violated the conditions of their charters. Were they removed from their committee assignments as called for in the bylaws? Nope. The new code is driven by Steve Looney and fully supported by Liz Ridge. The proposed Code of Conduct also gives some staff members the power to levy fines based on behavior, with no provisions for due process. What if you refuse to pay your fine? Last year HOA's foreclosed on 3,000 homes in Arizona for nonpayment of fines. Do you really want this? This is our Association, and this only happens if we allow it.

Can we trust the staff to do the right thing?

Can we trust the staff to impartially enforce our code of conduct? Let's look at how they handled the recall election. All recall election posts were forbidden on our Facebook page. They should have been taken down and the poster blocked, but that never happened. The haters used Facebook to not only attack Morris and Berman, but to direct readers to the hater's website. Jan Hillyard was particularly prolific in writing Facebook posts to direct people to the Trilogy Truth page. Without the TPR Facebook Page there would have been no vehicle for the haters to get their message out or direct people to their website. Sabrina Smith and Ryan Knochloch should both be terminated for enabling the recall and failing to keep the recall off our Facebook.

Bad Behavior in Trilogy

It is said "with age comes wisdom". Apparently sometimes it comes alone. The behavior of many of our neighbors in the recent recall election was nothing short of disgusting. Most of us were surprised there was that much pent-up hate in our little community. What some don't realize is Trilogy is getting a reputation that none of us would be proud of. We are now known for pettiness and cliques. How did this suddenly happen? Maybe it didn't just happen, perhaps the ugliness was always there, but it took the recall to bring it to the surface. The "mean girls" like Jan Hillyard, Jeri Carolan and Shawn Goodwin have abused members of the Mahjongg Club members and others for years. The "Mormon Mafia" is much more active than most of us realized. People like Marion Schaffer, Leslie Shaunessy, Linda Merchant and Scott Bean contributed a disproportionate amount of hate during the recall. More about the Mormons in a future Trilogy News. The venerable insiders like Bob Davis, Dave Berner, Ernie Neverga, Wayne Norlie, Tom Pizza and Greg Bell have always been afraid their financial

blunders in office would be exposed. They needed to stop the people who were going to expose them. Nothing, not even the truth, was going to get in their way. So, what do we do? The only way to get these people to change their behavior is to shun them. They need influence and if they learn that their poor behavior will cost them the influence they crave, they will adjust their behavior.

Greg Bell is scheduled for appointment to the finance committee.

You might wonder how this is even possible. Does he even have an accounting degree which is a requirement to be on the committee? The committee appointment system is broken and if Bell is appointed it will be one more example of how bad it is.

Greg Bells Record of Financial Decisions for Trilogy

Greg Bell voted to give Ian Welch a consulting contract after he was fired. How much was the contract for? It is a secret. How long is it for? It is a secret. What are the deliverables? It is a secret. Why did he do it? Another secret. Estimates are \$85,000.

Greg Bell voted to give Michael Frank Consulting a contract for \$75,000 without a bid, which is required by our bylaws.

Greg Bell voted for a 9% increase and then a 8% pay increase for our employees in successive years, **but none of our employees ever received an additional penny.**

Greg approved getting a conventional loan not a construction loan for the Ball Room and Pickleball Courts improvements, costing us an additional \$80,000 in interest money.

Greg oversaw our Repair and Replacement Fund dropping for 83% of full replacement to 34% of full replacement.

Greg and MaryAnn Crutchfield kept the fact that Jennifer Taylor was being paid 35% below Dept of Labor mid-range standard for her job description from the rest of the Board of Directors.

Greg is incompetent and lies about his credentials. He was an office manager for Badger Meter (a water meter manufacturer) not a CFO of an advertising firm. What about his character? He ran for

re-election to the Board of Directors and lost. The only person he was able to beat was another insider the community is tired of, Tom Pizza. The night Greg lost he did the “manly” thing and said, “The people have spoken”. The next day he did the “Greg Bell” thing and started the recall. He initially stated he had “nothing to do with the recall. After it was pointed out his name was one of two listed on the recall website, he had the name taken off. During the recall he attended the Board Meetings and whined “I was bullied by those guys”, never giving specifics just sounding like a wimpy little kid with hurt feelings. The financial cost of Greg’s recall to Trilogy is around \$80,000, it is hard to quantify because everything involving money is kept from all of us, of course a secret. The cost to our sense of community is inestimable. He helped kill what was once the most precious part of Trilogy. Demand the Board deny his appointment.

Why isn’t Terry Johnson in the directory?

A fair question. Many people are not listed in the directory, for a variety of reasons. Barbara Silverman, Sandy Sawatsky, Tara Holt, Judy Bergdahl and Lonnie Pilar to name a few. Some have written to us saying “I don’t know you” Actually, you would recognize me, just not by name. How many of the 2,700 residents of Trilogy how many can you put a name to the face with? Maybe 5% that would be 135 people. Can you write down the names of 135 people you know? Most can’t. That would still leave 95% you don’t know by name.

What Can I Do About The Pending Code Of Conduct?

Write the Board members directly, attend the Board Meeting, speak, and ask your friends and neighbors to do the same. The Board has blocked our ability to our Facebook page to comment against the proposed code. So much for the Transparency promised by Liz Ridge and Lisa Gurtler. If you send me your comments, keep them brief, printable and accurate and we will try to send out a special newsletter before the meeting. You don’t need to sign them, if you are shy. As always if we have misstated something or if you want to go on or off the list let us know.

Terry Johnson

EXHIBIT R

From: Jerry W <trilogyreporter@gmail.com>
Sent: Monday, December 29, 2025 at 12:34:36 PM MST
Subject: Trilogy News

Trilogy News

Why aren't you in the Directory?

A lot of us are not in the Directory, for a variety of reasons. If you attended the March Board Meetings, which looked more like a vigilante lynch mob than a gathering of thoughtful senior citizens, you will know why I am not in the directory. Do you think I am exaggerating? After the first of those hate-filled meetings our staff was sufficiently concerned that they had Gilbert Police presence at the next couple of meetings. The sad truth is we have some ugly people in Trilogy, some of whom are just looking for a chance to show how "tough" they are. I really don't want those people showing up at my front door, would you? What was the catalyst for anger? Apparently, Cindy Lou White was sending out some emails about Mike Morris and Steve Berman that were simply lies designed to create hatred for these two men. Steve Berman sent her a letter saying that she better be prepared to prove anything she writes about him in court, because she might have to. To the haters and insiders this was a clear example of "bullying". It is not much different than what the Board of Directors is doing to Terry Johnson.

How do you know all these things going on in Trilogy?

There are several people who contribute to Trilogy News so I can't take credit for knowing everything. We get our information from other long-time residents, former Board Members, staff members, former staff members, watching the meetings and personal observations. As you know, in every newsletter there is an offer to correct anything we get wrong, so far, we have not been told anything we write is not factual. We saw maintenance workers bring five-gallon buckets of water to the clubhouse for the coffee machines. Lori Larson later said that it was all distilled water from Walmart, but I don't think Walmart sells water in buckets.

Board of Directors odd solution to simple problem

As we reported earlier the Pickleball Club was violating State Liquor Laws by keeping beer in an unlocked refrigerator in the pickleball pavilion. This of course puts us all at risk. Board Member Looney told them to take the beer out of the refrigerator and got more than a little abuse for it at the last meeting. The Board needed a permanent solution because the Pickleball people were not being cooperative. Solution: The association bought (with your money) a locking refrigerator for the pickleball pavilion so they can keep their liquor in it.

Public Outcry in opposition to putting Greg Bell on the Finance Committee

Greg Bell is a former Board Member and former Board President and current most hated person in Trilogy. There was huge public opposition to appointing Greg to the Finance Committee and there was also the issue that he didn't have an accounting degree was one of the requirements of being selected to the committee. How did our Board deal with these two obstacles? Easy, first they removed the accounting degree requirement that everyone else had to meet and then they voted for Greg in with a secret ballot, so no one would know for sure who voted for him.

Why is Greg Bell so unpopular?

Greg was responsible for some of the worst decisions the Board has ever made.

Arizona House Bill 2720 passed May 21, 2024, allowed a property owner to add up to two additional dwelling units (including camp trailers) on property unless there is a CCR in place before August 31, 2024. Greg had over three months to put the appropriate language into our CCR's to protect us. He didn't. He procrastinated until it was too late for a regular meeting and passed it days before the deadline with an email vote, which can be challenged. What does this mean to you? If one of your neighbors wants to pull camp trailer or two onto their property, they probably can.

Greg and Maryann Crutchfield were the only two members of the Board that knew that employees were being grossly underpaid and did nothing about it. Jennifer Taylor, our fitness director, was earning \$25,000 less than the mid-range salary recommended by the Department of Labor for her position. She accepted another position. Greg said the reason she left was because she mistreated by Berman and Morris, which she said was not true.

Bell allowed our Repair and Replace Fund to drop from 83% to 34% as Board President. Our Policy Guidelines say when the R&R fund dips below 70% certain actions are to be taken to stop the decrease, but they weren't.

During his time as Board President the Board voted to give our employee's an 8% raise one year and a 9% raise another year. Unfortunately, none of the employees ever got a penny increase. Greg Bell and Maryann Crutchfield were the only Board Members who knew what the employee salaries were and therefore the only ones who knew the employees didn't get

the pay increases that were voted for. But the big question is, where did the money go?

As Board President Greg tried to pass a Code of Conduct, that would give all the authority of the Board to the President, specifically stating the only authority the Board Members would have is to attend Board Meetings. He also wanted to allow the association to pay to sue misbehaving Board Members even though the association would have to pay for their defense. That's right, you would have been paying for half of a Board initiated lawsuit.

Greg was voted out of office and the night of the election he appeared gracious and said, "The People have spoken" and congratulated the winners. Of course, that isn't Greg. Greg wanted revenge. The next day he started the recall against Mike Morris and Steve Berman. Greg needed a reason and didn't have one, so he made one up. One that was hard to quantify and impossible to disprove. Morris and Berman are "Bullies". We all hate Bullies. Where did they bully people? All the Board Meeting are recorded and televised, so we know it didn't happen there. Who did they Bully? None of the people the Greg said were Bullied, ever confirmed it. In fact, Jennifer Taylor specifically and directly denied she was ever Bullied by Morris or Berman at each of the classes she taught. So, who? Greg Bell is the only one and he said he was Bullied three times but was very fuzzy on the details. I don't know if they took his lunch money or what. All of you heard that Morris and Berman were Bullies, but did any of you ever see either of them Bully anyone? Do you know anyone with firsthand experience that saw it happen? I bet the answer is no. Julie Harris and Ernie Nervegna publicly took credit for initiating the recall during a Board meeting; however, Greg was the primary driver behind the effort, serving as its architect and ultimately being responsible for its execution. When the recall began Greg publicly denied he had anything to do with it at all! The problem with his assertion is his name was on the recall website as the originator. This showed Greg to not only be unethical, but a liar. The recall cost us thousands of dollars, but more than that it put a spotlight on exactly who and what some of our neighbors are. Petty old people who became a lynch mob, because "they could". Changing the requirements to allow Bell on the Finance Committee and doing it over the objections of so many and voting secretly tells you a lot about the character of our Board members and what they think of you and your input.

As always...

If you would like to correct anything we have said, please send us any proof and we will send out a correction. If you would like to be removed from the mailing list, please let us know and we will promptly process your request. The lawsuit the Association is financing with **your money against this Newsletter** is not about protecting you or allowing healing to occur. The lawsuit is about censoring what you are allowed to read.

The Recall of Ridge, Looney, Gurtler, Larson and Gordon

The response to the recall was incredible. As we said previously, we are going to continue collecting signatures for a while, since there is no statutory timeline for turning them in. We

will be sending petitions out with each of our newsletters until we decide to turn them in. Your signature on these petitions is your voice saying you expect more of your elected leaders. Thanks!

Terry Johnson

EXHIBIT S

From: Steve Berman <tprstevelistens@59662621.mailchimpapp.com>

Date: March 29, 2025 at 12:09:23 AM EDT

To: Jillmh@cox.net

Subject: Are You Tired of This Childish and Unproductive Recall?

Reply-To: tprstevelistens@gmail.com

Dear Trilogy Friends and Neighbors:

Are you tired of this childish and unproductive recall? I know I am. A recall typically overturns an election result and is used on those who break the law or commit serious malfeasance in office. Our bylaws don't require a reason for recall, and the "Haters" didn't need one. I don't think anyone can say a recall is good for a community, look what it has done to Trilogy. If this recall fails, we won't see another one soon. If successful, this approach could become the standard method for addressing disagreements within our community. Do you want the people you elect to the Board to live in fear that if they make a decision that upsets a group or club they could be recalled? If an election doesn't go the way someone wants, we have a recall? Do you want Board members silenced if they get to close the truth with their questions? 799 voters put me on the Board of Directors, and it took 204 signatures to subject me to a recall election.

What have I been accused of? I have been accused of poor behavior at Board Meetings. Every one of those meetings is available for you to see on mytpr.com. Look for yourself and decide. The other accusations are intentionally vague and subjective. Why? Because they just aren't true. Some of

the haters have decided that what my ex-wife said about me during a divorce 17 years ago is relevant. One of the recall initiators has several ex-husbands; what did they say about her during her divorces? Who cares? Why would it even matter?

There is much more at stake in the recall than if I am allowed to complete my term of office. We are setting a precedent as to how we deal with Board Members who may make unpopular decisions. Let them finish their term and be accountable at the next election or remove them midterm?

I ran for the Board of Directors because I felt I could make things better and if necessary, help protect Trilogy. I understand the Power Ranch General Meeting last week made our recall election meeting look like a birthday party. A developer was able to get a zoning change from condos to apartments. Their Executive Director didn't know how to stop it, neither did their Board of Directors, the residents, nor the two law firms they hired. Power Ranch is now getting an apartment complex in their community. As Mayor of Gilbert for ten years, I would have known how to block the apartments.

I was happy to serve the members of Trilogy as a member of the Board of Directors, and if it is your wish I will be happy to step down from the Board of Directors.

Thanks for taking the time to read this.

Steve Berman

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You are receiving this email because you live in Trilogy

Our mailing address is:

Steve Berman

4139 S. Tangerine Lane

Gilbert, AZ 85298

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EXHIBIT T

On Jan 18, 2026, at 4:46 PM, Terry <trilogyfacts@gmail.com> wrote:

Trilogy Newsletter

One of the penalties of refusing to participate in politics is that you end up being governed by your inferiors.

Plato 399 BC

The candidates for the 2026 Board of Directors have been announced. There are three candidates for three positions, and according to current bylaws, no write-in options are permitted, so these individuals will serve as the new Board Members. We would like to share what information we have about these three people, as of today.

Gary Shaughnessy first ran for the Board in 2020 and placed seventh among seven candidates. He then ran again in 2022, when there were three candidates for three open positions, resulting in his appointment. He ran for reelection in 2025. Ron Kisici recruited Mike Morris and Greg Bell recruited Steve Berman to run against Shaughnessy. This was partially successful. Mike Morris beat him by 100 votes and Steve Berman beat him by 271 votes. There were, however, three seats available and with some help from the Pickleball Cult, Gary was able to squeeze ahead of Liz Ridge and Evelyn Kehl. Following the 2025 elections, Shaughnessy announced he wanted to be Board President. Obviously, that was never going to happen. The Board selected Steve Berman for the role. No one has ever accused Gary of being a good loser, so he joined with fellow poor loser, Greg Bell, to recall Steve Berman and Mike Morris. When Shaughnessy's involvement in the recall of fellow Board members became public, recall petitions were circulated to recall Shaughnessy. Apparently, Gary found out and before the signatures could be turned in, he resigned rather than face recall. In his resignation letter he said he was not a "politician". The fact that he is running for the fourth time suggests otherwise. Was he a good Board member? Ask him what he accomplished in the years he was on the Board. When it was suggested, the Board find other sources of income for the association other than HOA dues, Gary shrewdly pointed out "We are a Non-Profit" and can't make money. Yes, we are a nonprofit, just like Goodwill, The Salvation Army and the United Food Bank. We can make money, but it must be spent within the association. Gary is a stickler for the rules, except when they apply to him. Trilogy has multiple rules against short-term rentals. When Gary and his wife Leslie got caught turning their casita into a mini hotel, he said they only did it a couple of times. That was very modest of them. Airbnb named them a "Super Host" after receiving over 100 positive reviews for nightly stays at their casita.

Chuck Newsome. Signed the recall helping to put Trilogy into crisis mode that will take years, if ever, to recover. Why did he do it? He said because someone asked him to. No research, no due diligence, no personal experience with either candidate, just someone asked him to. Sounds like just the guy we need to make decisions for our community. It is rumored he is part of a group that wants to remove Michele and bring Ursula back, but we have no proof currently.

Adrian Gordon, who has been in the community for less than a year but still feels comfortable telling long-term residents who disagree with the positions he has been coached on that they are ruining the community.

Board of Directors Executive Session, Tuesday, December 16, 9:00 am

Posted Agenda Item was: Personal Information of a Resident (s). We need our readers' help on this one. There are only four categories of items that can be discussed in Executive Session based on Arizona's Open Meeting Law. These are legal advice, employee evaluations, lawsuits and employee medical issues. This doesn't sound like any of them. Do any of you know who they were talking about. The Board has no business talking about any of us behind closed doors.

Hell or High Water....Bills

Glad to see Michele working with the Town of Gilbert and our residents to reduce our water consumption. Much like the biblical admonition about the "mote in your neighbor's eye" the water issue is much bigger than our individual water usage. There are 400 HOA's in Gilbert and numerous other commercial water users. Trilogy at Power Ranch is the single largest commercial user of water in Gilbert. If Robin Hixon, Town of Gilbert Water Dept is correct, we are using 48,000,000 gallons of water every year for our common areas. The Arizona Dept of Water Resources puts out a bulletin every month called the Water Fluence Report which is sent to the Town of Gilbert and forwarded to all the large water users. In her last

two years Ursula never opened the report. In 2024 Gilbert raised water bills 50%, in 2025 25% in 2026 25% with more increases projected. The good news is we have been getting charged a commercial rate for the water, bad news is that it is going to change when the Town of Gilbert audit of the utility department is completed. We are using the exact same for our common area irrigation as goes into our homes and we will soon pay the same. TPR's water bills are or will be in the \$500,000 per year range. We had an opportunity to migrate to reclaimed water when the former President of the Arizona Municipal Water Users Association was on our Board of Directors. I am told he had access to some WIFA (Water Infrastructure Authority) funds and Federal Grant money. These funds could have made going to reclaimed water free for Trilogy. Those funds have now been allocated elsewhere. Former Executive Director Ursula Mancuso created a water committee to develop solutions to the water issue. For some unknown reason she put Mary Ann Crutchfield in charge of the committee. We are not sure Mary Ann knows what water tastes like, much less how to convert a large project from potable water to reclaimed water. Reclaimed water costs about 80% less than drinking water, it is in limited supply, and we may have missed out on the chance get a long-term commitment for the reclaimed water..

Greg Bells appointment to the Finance Committee

We now know that despite unprecedented protests from the community, and the fact he lacked the required credentials, Greg Bell was appointed to the finance committee. The appointment was done via a secret ballot also unprecedented. The vote was three in favor, one opposed, and one abstention. Abstain? Arizona's open meeting law requires all members of governing boards to vote on every agenda item, UNLESS there is a conflict of interest. In that case the Board member must state what the conflict is before the vote is taken. That didn't happen so Greg Bell's appointment was done with an illegal vote. We demand a revote, done in accordance with state law.

Do Committees Really Matter?

Sadly, far more than they should. The election committee can limit voter access to candidates to the point that only people with a voter base, the Pickle Ball Cult, can get elected. The Finance Committee is supposed to be the financial watch dog for the Board of Directors. The balance in our Repair and Replace fund tells you how well they are doing. Our policies require action, such as halting spending, if the R&R fund drops below 60% which obviously didn't happen. Our R&R fund is there to do things like renovate the Pickleball, Tennis Courts and Ball Room. It wasn't used for that, instead we all got a 'special assessment' to pay for those things. The finance committee, Jim Icobazzi, Jack Cotton and the rest, failed us. The Architectural Control Committee controls what you can do with your private property and can fine you if you don't comply. If you don't pay your fines, you could lose your house. Couldn't it happen? 5,000 homes in Arizona were foreclosed on by HOA's last year. The committees are supposed to be selected by the Board, but in practical terms they are not. The committee interviews candidates and only submits the ones they like to the Board. Julie Harris and Jack Cotton, both demanded that only the (unelected committee members) know who is best to serve on the committees. Mary Ann Crutchfield pushed to increase the term of committee member from 2 years to 3 years so a new Board couldn't remove a poor performing committee member. Net result, people like Liz Ridge applied for numerous committee position and was never picked. Many have given up trying.

The Recall

The recall has reached its initial target, but we will continue collecting signatures. People value singing at home without outside influence. Only 205 signatures are required, but our aim is 615 to emphasize accountability for the Board of Directors. If you or someone you know hasn't signed, please share or email a petition copy. Petition copies are attached for your convenience.

After the Recall

With the recall resulting in the removal of Ridge, Loney, Larsen, and Gurtler, it will be necessary to identify four qualified, principled, and experienced individuals to stand for the available seats. If you have the background and experience to contribute, please consider running for the Board. A year ago, the haters and insiders took Trilogy to the brink, we need to take it back.

As Always

If you want off our mailing list, just ask and if you think we got something wrong, please let us know. A year ago, Trilogy had 14 homes for sale; today there are over 40. At least one homeowner has reduced their selling price by \$40K—these trends are connected. They say people get the government they deserve and that seems to be true here. We have some hateful people in Trilogy: Jan Hillyard, Marion Schafer, Sandy (the crazy cat lady) Browne, Jim Icobazzi, Bob Davis, Cindy White, Tom Pizza and of course Julie Harris and others. We can't let them control and ruin what many of us thought would be our last home.

Terry Johnson

Petition to Remove Directors from The

Trilogy at Power Ranch Community Association Board of Directors

In Accordance with ARS 33-1813 this petition is circulated to call a special meeting to remove the following Board Members, Elizabeth Ridge, Steve Loney, Lori Larson, Lisa Gurtler, Adrian Gordon from their positions as directors on the Board of Trilogy at Power Ranch. This petition was signed by 10% of the Membership. This petition seeks the removal of the following directors: Elizabeth Ridge, Steve Loney, Lori Larson, Lisa Gurtler, and Adrian Gordon.

Petition to Recall:

Liz Ridge

Member Signature	Printed Name	Lot Number

Petition to Recall:

Steve Loney

Member Signature	Printed Name	Lot Number

Petition to Recall:

Lisa Gurtler

Member Signature	Printed Name	Lot Number

Petition to Recall:

Lori Larsen

Member Signature	Printed Name	Lot Number

EXHIBIT U

From: Terry J <trilogyvoice@gmail.com>
Date: October 23, 2025 at 11:59:22 PM CDT
Subject: Trilogy News

Trilogy News Letter

Welcome Home Jennifer

We have all received multiple notices that Jennifer Taylor has returned to Trilogy. If you haven't met Jennifer, you may have asked yourself "What's the big deal about an employee returning to Trilogy". If you have met Jennifer, you know what the big deal is, it is Jennifer, SHE IS A BIG DEAL. She is charming, high energy, is committed to her profession and truly cares about the people in her classes. Like many of us she was offered a "too good to be true job" which turned out to be not what she had hoped. Pretty simple, but here is the back story. Jennifer was paid about \$25,000 under the mid-range for her position, according to the Dept. of Labor. Ursula Mancuso lied to her and told her she was at the top of her pay range and would never get a raise. Greg Bell and Maryann Crutchfield knew she was underpaid, so did Tom Pizza and Linda Merchant. They allowed it to happen. The rest of the Board Members chose not to know what anyone was paid, so they can claim ignorance. Bad, yes, but it gets worse. Not wanting to let a perfectly good crisis go to waste Jim Icobazzi and Richard White decided to blame Jennifer's leaving on Mike Morris and Steve Berman to add fuel to the recall against them. Mike Morris has never met Jennifer and Steve Berman had a good enough relationship to invite Jennifer and her husband to his wife's 70th Birthday dinner party. Jennifer told everyone at her final classes that her leaving had nothing to do with Mike or Steve. Can it get any worse? Yes! After Jennifer resigned, we are told Steve Berman approached Lori Larsen and Lisa Gurtler about making Jennifer a counter offer to keep her. Lori said that Jennifer was being paid exactly what she deserved.

Lisa just had her legendary “deer in the headlights look” and would not support the counteroffer. We are fortunate to have Jennifer back and we urge you all to meet her if you haven’t met her yet. She can help keep you healthy and stay in your home longer.

Recognizing our Neighbors Who Serve

Themselves First

We have called out the Pickleball Club to demand exclusive use of the pickleball courts during the most desirable time to use them. In other amenity rich communities, the Pickleball Clubs pay an extra fee to the community for the exclusive use of the facilities that we all pay for. If your club or organization has tried to reserve the Ball Room you have been told that if you want to use technology (lights, sound system etc.) you need to hire someone specially trained to operate it. That cost is typically \$400 and that some one is typically Scott Bean. You might wonder how we got such high-end sophisticated electronics in our little ballroom. Greg Bell and Tom Pizza hired a professional to design our system. When we say professional, we don’t mean professional in the sense of licensed or certified to do the work. We mean professionals in the sense of he charged us big money. Who is the “He”, none other than Scott Bean. He designed a system that has nearly no one but he can operate and charge us for it. If Scott Bean name is familiar to you, he designed the website for the recall campaign. He is now on three committees and should have been removed from all of them for violating committee charters. If you have seen Scott Bean at any of our dances, slow dancing with Julie Harris, with his eyes closed, snuggling his face in her hair, it makes you wonder. Is he doing to Julie what he has been doing to Trilogy?

Rules for Thee, but not for Me

Julie Harris is a member of the Architectural Control Committee and the Governing Document Committee. She knows the rules as to where you can post political signs in Trilogy. Brian Gurtler was a member of the Election Committee; he knows the rules as to where you can post political signs. During the recall election Julie Harris placed over 20 pro recall signs in common areas where they are strictly forbidden. Brian Gurtler very discreetly removed the signs that were illegally placed in common areas. That was his responsibility. When the haters in the recall movement found out that Brian was enforcing the rules Julie was violating, they went nuts. They didn’t demand Julie be removed from her committee assignments for violating the rules, they demanded Brian be removed for enforcing the rules. Brian deserves an apology from the

community for the abuse he suffered for trying to enforce election rules. Julie Harris is just toxic and should be removed from her committee.

Community Board Elections Determines Who Makes Our Financial Decisions

When you vote you are hiring someone who will be managing one of your largest financial investments. Our new Executive Director continues to impress the team at Trilogy News. Ursula was incompetent, petty and lazy. Michelle is doing a great job of trying to correct as many of Ursula's blunders as she can. In the final analysis she works for the Board and the Board can dump her whenever they want. Why would they ever want to do that? We have control freaks in our community like Julie Harris, who when they find out that Michele works for all of us, not just her, they will go after her. We can control this by electing the right people to the Board. Mike Morris suggested that candidates provide a resume with their candidate bio. Gary Shanaussey was adamantly opposed to that. Why? Gary is a high school dropout who worked most of his life in a warehouse and career peaked as a truck driver for Snap on Tools. To Gary's credit, he was honest about his credentials. Greg Bell claimed to be the Chief Operating Officer for the three largest advertising firms in Milwaukee. The truth is he was an office manager for Badger Meter Company; they manufacture water meters. Lori Larson made a number of claims, which we are investigating, but we know for sure that she said she had been a member of Company of Friends for a long time, and she was only a member for a few weeks before her election. Michele made it clear, without pointing fingers, that we have some very real financial issues to deal with. There is unfortunately only one solution to these problems, and the solution is in your wallet. The next Board meeting where Bob Davis, Wayne Norlie, Greg Bell, Tom Pizza and Ron Kisicki stand up and talk like they know what they are doing remember, they got us in the financial problem we are in.

Thanks for reading our newsletter

If you have a correction, or something to share, please write to us. We are not ready to nominate Michele for Sainthood, yet. She is, however, on the list. Please support Michele, she is doing a lot of things right.

Terry Johnson

EXHIBIT V

From: Terry J <trilogyvoice@gmail.com>

Date: November 4, 2025 at 8:21:18 PM MST

Subject: Trilogy News

Trilogy News

Michele continues to do the right thing and undo some of the terrible things Ursula did. Ursula wanted to get rid of one of our most popular employees but never had grounds for termination, so she did what a sneak in power always does, she tried to force him to resign. How? She cut his salary by 20% and said, “take it or leave it”. Fortunately for all of us he endured the humiliation and stayed. Ursula was nasty when it came to people she managed. Did you know she installed two cameras in the front desk area so she could watch Jenn and Jackie work? She also assigned Jackie to spy on Jenn and document any mistakes she made and turn them over to her so she could build the case to fire her. Ursula eventually ran out of patience and had Terry Hagan publicly humiliate the two ladies in front of some residents, which is why both walked out and quit without notice. Can you blame them? I didn’t know Jenn well, but Jackie Cobb was a retired Registered Nurse and deserved to be treated with some dignity, of course, we all do. Michele is as wonderful as Ursula was miserable. She restored the loyal employees’ salary. Another win for Trilogy was Michele was able to rehire Vanessa Dunmire as a fitness instructor. As much as we love Jennifer, getting Vanessa back is just as big.

Recognizing our Neighbors Who Serve

Them Selves First

Board Member Steve Looney is in the spotlight this week. Ursula mandated that this year the Chavurah Group (Like Minded Jews) could no use the kitchen in the Café to prepare their Pass Over Dinner. The group was paying for the use of the Café and was willing to pay extra, if necessary, to allow their caterer to use the kitchen to prepare the meal. Steve Berman asked Ursula to reconsider that decision and Steve Looney attacked Berman virulently for supporting

Chavurah. Looney apparently stated religious groups should not be using our facilities. Last week at the Board meeting there seemed to be a change of heart from Looney, he now wants to let a friend of his use Trilogy to hold regular Sunday Church services, for free! This is not just hypocritical, it sets a bad precedence, and it is bad business. If we are going to let people hold church services in Trilogy, the least we should do is charge them a fair rental rate. And make the option available to all religious groups. Contact the Board and tell them how you feel about this. Keep in mind Steve Looney is a big hulking thug and has no problem using his size to intimidate people and the Board is filled with very weak people.

Jim Icobazzi is a long-time member of the finance committee and understands our financial rules better than most. How well? He has bragged to anyone who will listen that he has found a way to get around paying the Trilogy Transfer Fee that EVERYONE pays, except, apparently Jim. It is always disappointing to hear someone in a position of trust has found a way to “game” the system.

Julie Harris is on the Architectural Control Committee and brags she has the only white house in Trilogy because of her influence on the ACC. White houses are not allowed in Trilogy, except of course, Julie’s. Have you noticed the house at 4242 E. Cassia Lane has a TV wall in the backyard, which is taller than their back fence, which is a violation of our design guidelines. It is also only finished on one side, another violation of the guidelines. How did this happen? Ask Julie Harris, it is one of her friends that she got a variance for.

Why Did Tom Pizza Resign from The Board of Directors?

We all remember how Tom Pizza came in 6th out of six candidates in the recent Board of Directors election. Many of you also remember that Tom was previously on the Board of Directors and was the President of the Board. What happened? Tom loved being Board President. After being a career nobody at an insurance company without any authority, he was finally the “Man”. He was legendary for granting on the spot variances to our design guidelines for his friends, which is of course illegal. Tom’s misuse of power didn’t stop there. He told the other Board members when and where they could meet with our neighbors. A line was finally crossed. The Line? Greg Bell wanted his job as Board President. An executive session was called, and Tom was informed that he was being replaced as Board President by Greg Bell. If Tom couldn’t be president, he did not want to be on the Board, so he resigned. This left our Board with six members, and our governing documents call for an odd number of Board Members. Apparently, the Board felt having a number of ‘odd’ Board Members was close enough, and it did not replace him. Tom ran again in the recent election and was crushed. What do you do when you are a man of character and lose an election? Tom thought attacking the people he thought

was responsible for his loss with baseless lies was appropriate. Interestingly, Steve Berman sent out a letter encouraging people to vote for Tom. Tom had the nerve to say Mike and Steve had destroyed 20 years of good work in just one year on the Board. How could that even be possible? Mike and Steve had just two votes and it takes at least four to pass anything. Another lie in the long list of lies to get people to remove Mike and Steve. Why are we rehashing this? Tom has been very visible at recent Board meetings; we are afraid he is planning another run for the Board. We want to make sure the community knows exactly what kind of person he is and will not even consider electing him again.

Change of Leadership?

Usually when we speak of the need for a change of leadership we talk about formal leadership in Trilogy, The Executive Director or Board of Directors. At this point we have the best Executive Director Trilogy has had in the 22 years I have lived here. The Board of Directors is hopeless, but we do have it on good authority at least three of them can read. Our concern is the informal leadership in Trilogy. People who have lived here a long time, not elected but still can influence people. Nicolai Lenin called people who can easily be influenced by others “Useful Idiots”. People like Lisa Stowe is a perfect example of what Lenin called a useful idiot. When asked why she was supporting the recall Lisa said, “Someone I know and have great respect for, told me....” We are trying to expose some of the toxic “informal leaders” in the community. Why? These are the people who are destroying Trilogy for the rest of us. Other than a few of the “haters” most people we know in Trilogy feel very differently about Trilogy today than they did a year ago. We need to break the influence of these people because they are leading us in the wrong direction. Trilogy has far more problems than most are aware of. Deferred maintenance, bad financial decisions, buying roads we don’t need, granting contracts without bids, which is required to keep us from overpaying and governing documents filled with Trilogy regulations that aren’t just bad, some are illegal. We are fortunate to have Michele help sort things out. We have been doing things the wrong way for a long time and our fear is that in the process of putting things right in Trilogy Michele will ruffle some feathers, and the “haters” will go after her. If we don’t protect Michele, we will certainly deserve what we end up with.

Thanks for reading, and again, if you want to be taken off our mailing list, just ask.

Terry Johnson

EXHIBIT W

From: Terry <trilogyfacts@gmail.com>

Date: December 15, 2025 at 2:01:13 PM MST

Subject: **Trilogy News**

Trilogy Newsletter

I am sure you have seen the posters near the exit gates. Good News, we have a Board of Directors election coming up. The bad news is, only three seats will be available. Even if three talented experienced people are elected, they won't be able to change the direction of a seven-member Board. We need to consider pushing the "refresh button" on the whole Board and elect seven new people. The current Board is more than incompetent they are creating an image for Trilogy that will cause long term damage to our community.

Code of Conduct

The Board is proposing a Code of Conduct that takes away your basic rights as an American. The Right to Freedom of Speech and Due Process. For our Executive Director, or anyone else in Trilogy to have the right to fine any of us for what we say or email, with no appeal or review is like something out of North Korea. Not a problem for you? Good, tell someone you are trying to sell your house to about the code. Failure to disclose is a good way to get sued when you are selling your house.

Selective Enforcement of Our Rules

When Julie Harris, Gene Edwards, Jim Iacobazzi, Jan Hillyard and David Berner defamed two sitting Board Members on social media during the recall election, their committee charter calls for them to be removed from their respective committees. They were not even

reprimanded. When Terry Johnson criticized these same people in the Trilogy Newsletter the Board of Directors voted to spend your money to sue Terry for defamation. How much will this cost us? It's unclear, but Power Ranch just lost a lawsuit that cost \$170,000.

The Board may think selective enforcement is ok, the courts typically do not. The lawsuit we are funding against Terry Johnson has all the characteristics of a SLAPP Lawsuit, which means Terry will likely win and we get to pay Terry's legal fees also. We then must hope Terry does not counter sue for malicious prosecution and spurious use of the courts. What if TPR wins? TPR is not asking for any monetary damages so the most they can hope for is to shut Trilogy Newsletter down. Keep in mind if anyone does not want to receive the Newsletter all they have to do is request to be taken off the list. Even if the Board is successful, is this how you want your money spent?

No Transparency

This Board has had more Executive (secret) Session in their first six months in office than previous Boards had in a year. Executive sessions are held behind closed doors and none of the attendees can reveal what was discussed. We have been told we can ask questions at Board Meetings, but not to expect an answer. Adrian Gordon was appointed to the Board after applications were closed and when we asked for his resume of experience and qualifications, we were told it is confidential. We have been blocked from commenting on our community Facebook Page about the proposed Code of Conduct that affects all of us. I am not sure how these people ended up on the Trilogy Board of Directors, apparently the nazi party wasn't hiring.

We Need a Fresh Start

We are initiating a recall election today. The rules for recall in an HOA are loose. There is no specific starting date, or completion date. If you have collected recall petitions in the past for any of these Board members, those signatures are still good. Just scan them and send them to the address on this email. When the prescribed number of signatures are collected, they can be turned in. Once they are turned in the Association will have a few days to confirm the signatures are valid. The Board then has ten days to call an election. If they don't call an election within ten days, they are all removed from office. To sign the petition, just print it out, sign it, scan it, and email it back, or take a picture of it with your

phone and email them to the address on this email. The second page of our newsletter will include a recall petition listing all five Board Members. Please sign next to the names of any members you wish to recall. Our plan is to coordinate submitting the petitions so that everything will coincide with our regularly scheduled election in March. The March election would then have three seats available for a two-year term, and four seats available for a one-year term. Unlike the previous recall we are not going to approach you at the pickleball court or at our clubhouse. You will be able to sign the petition in the privacy of your own home. You can print it, scan it, and send it back to our email address. Not everyone gets our emails, so please forward this to everyone on your private email list. If you'd like to help someone else sign, you can either forward the email with the petition or print it out so they can sign it, then scan and return it to us.

As always, if you would like to be taken off our mailing list or have a correction, please let us know.

Terry Johnson

Petition to Remove Directors from The

Trilogy at Power Ranch Community Association Board of Directors

In Accordance with ARS 33-1813 this petition is circulated to call a special meeting to remove the following Board Members, Elizabeth Ridge, Steve Loney, Lori Larson, Lisa Gurtler, Adrian Gordon from their positions as directors on the Board of Trilogy at Power Ranch. This petition was signed by 10% of the Membership. This petition seeks the removal of the following directors: Elizabeth Ridge, Steve Loney, Lori Larson, Lisa Gurtler, and Adrian Gordon.

Petition to Recall:

Liz Ridge

Member Signature	Printed Name	Lot Number

Petition to Recall:

Steve Loney

Member Signature	Printed Name	Lot Number

Petition to Recall:

Lisa Gurtler

Member Signature	Printed Name	Lot Number

Petition to Recall:

Lori Larsen

Member Signature	Printed Name	Lot Number

Petition to Recall:

Adrian Gordon

Member Signature	Printed Name	Lot Number