

V I R G I N I A :

IN THE CIRCUIT COURT OF FREDERICK COUNTY

LESTER W. BATES, et al,  
Complainants

v.

IN CHANCERY NO. 93-193

LAKE HOLIDAY COUNTRY CLUB, INC.,  
Respondent

*On the 16<sup>th</sup> day of November, 1996,* DECREE  
THIS MATTER having come before this Court for a trial upon the merits of the facts and law raised by this case, the Court having heard the opening statements of the counsel for the Complainants and the Respondents, the parties having agreed and stipulated as to the evidence and testimony, and the Court having heard the closing arguments of counsel for the parties,

THE COURT thereafter found that the Complainants had sought access to thirteen areas of records the Respondent, including: (i) the General Journal, (ii) the General Ledger, (iii) the Cash Receipts Ledger, (iv) the Cash Disbursements Ledger, (v) the file of paid invoices, (vi) other files or documents to verify entries in the ledgers and journals, (vii) Property Owners' assessment record, (viii) List of LHCC Property Owners, (ix) Names and job descriptions of LHCC employees, (x) Wages and salaries of LHCC employees, (xi) Minutes of the Board of Directors' meetings, (xii) Insurance policies, and (xiii) the current budget and financial statement. The Respondents acknowledged, and the Court found, that the Respondent had declined to make all of these records available for inspection. Based upon the facts and law, it is therefore

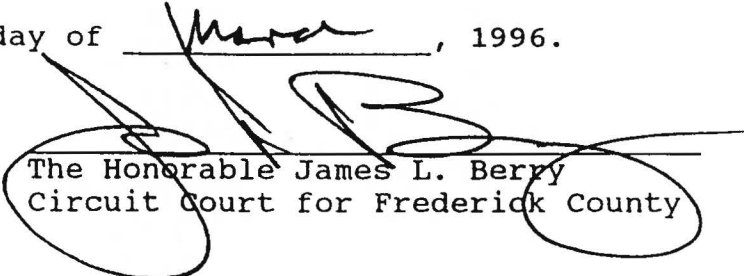
DECREED, that

1. Virginia Code §55-510 permits an association member in good standing the right to obtain from the Respondent Association, insofar as they exist, all books and records kept by or on behalf of the association, including, but not limited to, the Respondent Association's membership list and addresses, and salary information of employees of the Association, or, insofar as such records do not exist, to a written denial of their existence, except as they are excluded by subsection C thereof;


2. Subject to the considerations of personal privacy of the members of the Association, all thirteen categories of the records requested by the Complainants are within the purview of Virginia Code §55-510 and must be made available for inspection; and

3. The Complainants are entitled to an award of their attorney's fees in the amount of \$6,634.50, and court costs in the amount of \$104.00, all of which has been paid and satisfied before the entry of this decree.

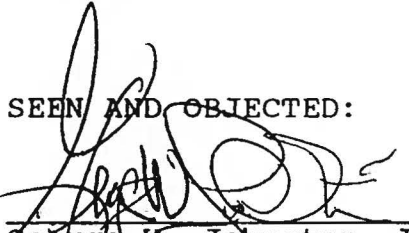
ENTERED this 28 day of March, 1996.

  
The Honorable James L. Berry  
Circuit Court for Frederick County

I ASK FOR THIS:

  
Stephen H. Moriarty  
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Counsel for Complainants

SEEN AND OBJECTED:

  
George W. Johnston, III  
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540-667-4644  
Counsel for Respondent

Frederick County Circuit Court  
Frederick County Virginia  
A Copy Attest:

GEORGE B. WHITACRE Clerk

By   
Deputy Clerk