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Shickshinny Lake Association
P.O. Box 18
Huntington Mills, PA 18622-0018

RE: Litigation

Dear Members of Shickshinny Lake Association:

I have been asked by the Lake Association's Board to give you my opinion as to what the recent Court ruling meant to the Association. Judge Gartley whom handled this matter issued a decision regarding the outstanding litigation involving the repairs to the dam. In said decision, Judge Gartley said that the Association did not have standing to bring an action against Mr. Ftorkowski to repair the dam. What this meant is that the Association at this time could not sue to force Mr. Ftorkowski to do dam repairs.

Other than that, there was no mention of the fact that the Association was no longer in existence or that it was a voluntary organization. In fact, Mr. Bezdecki, who has filed several lawsuits in the past and had more than one lawsuit in front of Judge Gartley had all of his actions dismissed by Judge Gartley. In those lawsuits, Mr. Bezdecki had alleged that the Association was a voluntary Association and therefore had no rights to collect dues or impose any rules and regulations on any of the Members. Since the Judge has thrown out all of his lawsuits and the appeal period is over, regarding the fact that he can question the Judge's rulings, the Judge's Order would be considered final at this stage. Therefore, the only mention of the fact that it is a voluntary organization was in Mr. Bezdecki's lawsuits and the Judge did not rule in Mr. Bezdecki's favor but instead ruled in favor of the Association.

So that one understands language in said decision, Judge Gartley rendered Mr. Bezdecki's lawsuits, "moot". What this means is based upon her decision regarding the one lawsuit that in effect it cancels the other lawsuits out and she does not have to render a decision because they are no longer in effect.

I hope that this eliminates some of the confusion as to what Judge Gartley's Order on not only the lawsuit by the Association against Mr. Ftorkowski, but also the lawsuits brought by Mr. Bezdecki against the Association.

Very truly yours,


THOMAS A. O'CONNOR

TAO/jf