

Miller Exhibit 6
June 2013 emails between Kathy Bupp and AG staff

From: Kathy Bupp <kathybupp1@yahoo.com>
Sent: Saturday, June 29, 2013 1:23 AM
To: Beller, Jennie
Subject: Re: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

I'll run you down first part of next week my dear. Have a lovely weekend! BTW, this is just me on me. I have not discussed my thoughts or the fact that I have generated an inquiry in your direction. I've just been pensive on the issues and when I get pensive, all kind of crap starts flying around. Anywaythanks for getting back to me.

Sent from my iPad

On Jun 28, 2013, at 1:10 PM, "Beller, Jennie" <Jennie.Beller@atg.in.gov> wrote:

Kathy,

Rather than attempting to answer everything in email, why don't you give me a call? 317/233-0878.

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Friday, June 28, 2013 1:19 AM
To: Beller, Jennie
Subject: Fwd: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

Jennie,

Just a question....is this case one that may never see the inside of a court room and be settled out of court. What is the likelihood of that happening? Is the change of venue still in effect? If so will the case be given a new case number for Floyd County? Is there something specifically that is holding things up? How much more has to be done before it will be ready to present? I hate to be such a nag but I'm just curious as to why it has stalled. I understand that court dates and schedules can go on and on with extensions and so on but it hasn't gotten that far has it? Is there any addtl. info that you need that I could run down for you? Let me know as much as you are able to without violating the boundaries of your office.

When it comes time for the investigation into the vote on Zipperle, there are a couple of tricks that I suspect he used and on others he just plain cheated by claiming proxies that were not actually given to him for that

election. Russ told Thom that the votes that he turned in late, were his own units. I find that hard to believe and I seriously doubt that he would sit there for almost two hours (the longest voting time ever according to Betty Cantrell) and not turn in a vote for his own units. His answer to his supporters was that he was holding on to proxy votes in case the owners came in to vote in person. That's exactly why the by-laws demand that all proxies be turned in PRIOR TO THE COMMENCEMENT OF THE "MEETING".

Thom and I both were standing right in front keeping an eye on Kevin. He was clearly in violation and Thom spoke up asking Russ to intervene. Russ Johnson always acts like we're a bunch of crazies every time we question anything. He became very defensive when Thom insisted that Kevin's late votes were not eligible to be counted. Russ called all the board members in to a back room (including Kevin) and asked them whether they should let the votes be counted. In essence, since it was a by-law that he was challenging, "he" did not have the authority to make a decision to alter it and the board acted out of order by ruling in opposition of the by-law. Since the by-laws don't stipulate a grace period after closing the vote, closed was closed yet he was given permission to turn in late votes.

We both know how much he has invested in his position here. Can you think of any reason he sat there for almost two hours without turning them in? Me neither. He's not a novice to the voting procedure, this is just the first time he hasn't had full control over the outcome. I sent Russ Johnson a well documented accounting of why there needed to be a recall and I even said that I would pay for the cost to fund the recall. He very clearly stated that he did not intend to pursue it any further even after he was given a full account of what the by-laws say. He must have taken it seriously because he took my statement to Dawn Elston who conceded that what I had written was accurate, however she added that she would have been inclined to follow the same course that he did.

This is yet another blatant disregard towards following the by-laws and conversely doing whatever the hell he wanted. He asked Betty Cantrell if she would get him educated on the governing documents which she gladly agreed to do. During the first and only session, he told her he thought the declaration and by-laws were technically a pain in the behind and that as long as nobody else complained about something he just didn't think it should be such a big deal. He never met with her again and in an email that he sent to new board member, Pete Gerstle, who was voted in as the replacement for WT, he basically told Pete to handle her and said she was over the top and didn't want to deal with her anymore. The email fell in the "wrong" hands, (I have no idea what happened there) and everyone including Betty read his derogatory comments. I was so embarrassed for Betty, because she had been so excited when Russ approached her about his "tutoring" sessions. It was humiliating for her and I felt so bad for her in light of fact that "everyone" was reading it.

When the vote came back that WT had not been retained, (that alone was a big red flag that Kevin manipulated the vote), WT was shocked. The look on his face was telling. There were a handful of people that said they voted against Kevin but voted to retain WT.

If the ongoing case is going on into infinity, the investigation into ballot #1 of the special election should be easy to investigate and rule on in short order. Only ballot #1 to retain Kevin or not to retain Kevin is the only ballot that needs to be investigated but I'm sure that all the ballot's must be investigated. The benefit may be that voting from those ballots may add credibility to proving Kevin's manipulation of his own vote. Make sure you get all the necessary info from Betty Cantrell on the voting procedures and guidelines so that you'll know what is and isn't permitted. (like I should tell you what to do... duh) It seems to me the voting investigation would be relatively easy to move through quickly.

Also, do you have any idea where the records are that Cindy Richards took out of the office a year and a half ago? Wasn't there something that was part of a document that was public information that said she had to meet with someone from your office on a certain date to return the records? Nobody here STILL says they know where the records are. She also has a computer that she took from here that needs to be returned. No doubt the information on that computer has been erased and will have to be forensically retrieved.

As always, we are forever grateful for the work you continue to do to get to the truth.

Best Regards !!!

Begin forwarded message:

From: "Miller, Sally" <Sally.Miller@atg.in.gov>
Subject: RE: [The Harbours... Can you believe this stuff?]
Well, it's been 60 days since the court date on...
Date: June 27, 2013 11:03:16 AM EDT
To: Kathy Bupp <kathybuppl@yahoo.com>
Cc: "Beller, Jennie" <Jennie.Beller@atg.in.gov>

Kathy,

This case may never see the inside of a court room, because more often than not, cases are settled out of court. We are in the middle of depositions and discovery now so there is not a time estimate on how much longer this might take. In any case, we are moving forward diligently. There are no court dates. The court date in Clark County was not a trial of any sort - it was an argument over a point of law. I give you my word that no matter what anyone says - we fully intend to keep moving forward with this case.

Going to Cape Cod tomorrow!

Sally L. Miller, Investigator/Work Flow Administrator

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Licensing Enforcement & Homeowner Protection Unit
302 West Washington Street Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2353
Fax: 317-233-4393
sally.miller@atg.in.gov

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Friday, June 21, 2013 5:12 PM
To: Beller, Jennie
Cc: Miller, Sally
Subject: Re: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

Hey guys,

Thanks for getting back to me. I personally know that the case is in good hands and for the most part so does the majority of the group. I've said all along when I've been asked why I thought it was taking so long, that the schedules of all these people have to line up to set one court date and if someone cancels you have to start all over again. They have seen how Kevin manipulates the courts by postponing and rescheduling as with Vicki Hack who ended up being advised to drop the case after years of setbacks. In that particular case they had video proof of what went on. Kevin accompanied Ken Quiggins to court each time and was finally told he could not continue to do so.

Knowing that the wheels of justice turn slowly, is there any way to estimate when the case will see the inside of a courthouse? Do you know if it will be given a new case number when it is moved to Floyd County? Apparently the only case number on file is the one in Clark County that shows no activity since April. Is there something that is holding things up from one side or the other? What is the next step that will happen? What is your best guess estimation of when things will start to move.

As I mentioned Kevin has been saying the case is nothing. The people that support this case know better. It's the people that stood back to take a second look at Kevin that believe his defense against the allegations. So it's back to the aggressive antagonistic harassment by other residents. The board president Russ Johnson has gone all Kumbaya on the whole thing, though I tried to convince him that he needed to understand the past and the hardship it has caused before a real expectation of change could ensue. He was very rude when several people tried to explain what they had been through so that he would have a better understanding of why and how they had been at odds with Kevin. He would just stop them mid-sentence and say, "that's the past and I we're moving forward. I don't care what happened before." I said in a "very nice way" that he was a rude SOB and that he was to be representing the best interest of "all" the residents without prejudice. The whole thing stinks and seems to be regressing, which is why I think there is uncertainty.

Anything you can offer will be greatly appreciated and I will prepare a response that is suitable without naming names. I'm delighted that you

and Chuck got away from it all. Stepping outside of the craziness helps you put things back in the proper perspective. Sally, enjoy your time in Cape Cod. I've never been but my neighbors in Ft. Lauderdale go every year. She and her husband and the kids rent a house with her sister and their families and they love it. So have fun, relax, and raise a glass of wine as you watch the sun set and be thankful. We are certainly VERY thankful for you, David and Jenny.

Best Regards,

Kathy

On Jun 19, 2013, at 1:31 PM, Beller, Jennie wrote:

Kathy,

- 1) We would not have filed this case if we believed it to be frivolous.
- 2) It is a big deal to me.
- 3) We will not let it fall through the cracks.
- 4) We continue to take depositions. This is not unusual at all.

Summer is flying by already. Chuck and I just returned from a wonderful trip to Panama City Beach. I got Chuck some adaptive fishing equipment so he was able to pier fish. It was very exciting.

Jennie

From: Kathy Bupp [mailto:kathybupp1@yahoo.com]
Sent: Tuesday, June 18, 2013 6:27 PM
To: Miller, Sally; Beller, Jennie
Subject: Fwd: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...

The natives are getting restless and are convinced that the case is not happening. Furthermore, Kevin continues to tell everyone that the case is frivolous and it's no big deal. Perhaps a small update would be helpful. Just thought I'd pass this on. Hope you are both well and enjoying the summer. I have a feeling it will fly by, just like all the others.

Best Regards.

Begin forwarded message:

From: "Martin Dale Haley"
<notification+an5mkgbx@facebookmail.com>
Subject: [The Harbours... Can you believe this stuff?] Well, it's been 60 days since the court date on...
Date: June 18, 2013 3:49:53 PM EDT
To: "The Harbours... Can you believe this stuff?"
<167624100012422@groups.facebook.com>
Reply-To: Reply to Comment

<g+402eo6wx000000h54il2004936uu3zj2000000jtfmc72dg46@groups.facebook.com>

Martin Dale Haley posted in The Harbours... Can you believe this stuff?

<~WRD000.jpg>

Martin Dale Haley

3:49pm Jun 18

Well, it's been 60 days since the court date on 4/18/2013 for Kevin, Sharon, Mary Lou and Frank was cancelled. It has still not been reassigned or rescheduled according to the court web site. I hope somebody at the courthouse remembers to put this case on the correct docket some time soon. It would be a HUGE travesty of justice for this case to fall through the cracks.

<~WRD000.jpg>

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