

**EMAIL 001**

From: Walter Kindler <wkkindler9@yahoo.com>  
Sent: Monday, December 19, 2011 2:57 PM  
To: Beller, Jennie; Miller, Sally  
Subject: Harbours Condominium Association - Additional Complaint (2)

Office of Indiana Attorney General  
Attn: Jennie Beller, Deputy Attorney General & Sally Miller, Investigator

Dear Ms. Jennie Beller & Ms. Sally Miller:

This is the second part of our complaint regarding the actions of Mr. Kevin Zipperle, Secretary and past President of the Harbours Condominium Board of Directors. We are sending you a copy of the e-mail message sent to us by Mr. Zipperle (as Secretary of the Harbours Board) on February 16, 2011. The e-mail noted some Board discussions regarding Helen Kindler's appearance in the indoor pool's shower and deeming her appearance to be "public nudity" - which she vehemently denies.

We have made several complaints to the Harbours Board regarding this matter and made requests to obtain copies of the February, 2011 Board minutes & any information (including the indoor pool video tape of the "incident") related to those discussions. We finally obtained a copy of the February, 2011 Board minutes on December, 2011. We reviewed the Board minutes and there was no mention of any discussions nor any reference to a non recorded "executive session" to review this matter.

We therefore feel that this matter was not discussed, reviewed, or documented by the Board as noted in Mr. Zipperle's e-mail message and that he sent an inflammatory & provocative message in retaliation for our past complaints to your office.

Please let us know if you want to obtain a copy of the February, 2011 Harbours Board minutes or other correspondence related to Mr. Zipperle's message. Thanks again for your assistance in this matter.

Walter & Helen Kindler  
Harbours Unit 619  
1 Riverpointe Plaza  
Jeffersonville, IN 47130  
(812) 218-0868

Kindler <wkkindler9@yahoo.com> wrote:

From: Walter Kindler <wkkindler9@yahoo.com>  
Subject: Fw: Fwd: More on the Indoor Pool Security Camera  
To: "Helen Ryan Kindler" <hryank89@yahoo.com>  
Date: Saturday, February 19, 2011, 9:57 AM

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

From: "kzipperle@win.net" <kzipperle@win.net>  
To: wkkindler9@yahoo.com  
Sent: Wed, February 16, 2011 8:13:11 PM  
Subject: Fwd: More on the Indoor Pool Security Camera

Walter,

The Board met last night and discussed an ongoing situation with the indoor pool. You may recall our discussion documented below.

Some of our female staff and residents have observed what looks like a continuing problem with Helen's use of that shower. Specifically, I am told that she often enters the shower in her swimsuit and emerges in some other form of dress. Inasmuch as we're assuming that she is completely without dress at some point in that process, that is completely unacceptable. There is no privacy provision for that shower, and anytime a person is without clothing in our common areas is deemed by the Board to be "public nudity".

Please check with Helen to get her side of things, and let me know if we are mistaken. Again, I'm just proceeding on what I've been told. If Helen is doing anything resembling what I have just described, make sure that it ends immediately. Thanks...KZ

----- Forwarded message from kzipperle@win.net -----

Date: Sat, 23 Jan 2010 21:48:49 -0500  
From: kzipperle@win.net  
Reply-To: kzipperle@win.net  
Subject: More on the Indoor Pool Security Camera  
To: "Farnsley, Doug" <DFARNSLEY@stites.com>, Cindy Richards <crichards@win.net>

I happened upon Walter Kindler talking to the concierge (Joe) early Saturday evening at the front desk. It appears that Walter was complaining about the camera with the pool shower in its field of view, the same camera Betty Haley and Becky Ledogar have been tampering with.

Walter questioned why it was pointing in that direction, and he said that his wife (Helen) steps out of that shower with a towel on--and I'm assuming nothing more. He used the term "invasion of privacy" while talking to me. I advised Walter that my understanding is that a swimsuit is required to be worn at all times while using that shower and everywhere else in the pool area (restrooms excepted).

Later tonight, Betty Haley evidently approached Joe at his desk and commented something about "sexual harassment" with respect to his monitoring that camera. I wasn't privy to any of their dialogue--Joe will have to provide the details. It does appear that they have left the camera alone for the time being.

Just an FYI, as this will be the basis for why they have tampered with the security cameras...KZ

----- End forwarded message -----

**EMAIL 002**

From: Walter Kindler <wkkindler9@yahoo.com>  
Sent: Monday, December 19, 2011 2:53 PM  
To: Beller, Jennie; Miller, Sally  
Subject: Harbours Condominium Association - Additional Complaint (1)

Office of the Indiana Attorney General  
Attn: Jennie Beller, Deputy Attorney General & Sally Miller, Investigator

Dear Ms. Jennie Beller & Ms. Sally Miller:

We would like you to consider & review an additional complaint regarding Mr. Kevin Zipperle, the current Secretary (and past President) of the Harbours Condominiums Board of Directors. This complaint involves two actions by Mr. Zipperle which we feel are in retaliation for the formal complaints we made against him to the Office of the Indiana Attorney General in 2010.

One of Mr. Zipperle's actions involved a "campaign letter" sent to the Harbours residents on October, 2011 - prior to our annual meeting and Board elections. I'm not sure if you have already viewed a copy of the disturbing & negative message which included a group photograph (with names) of individuals he labeled as "hard core malcontents", "troublemakers" and "attackers" at the Harbours.

He noted in the October, 2011 letter that "We are being investigated by outside legal and regulatory agencies based on trumped up, inflammatory charges of misconduct that would make the Sopranos proud." We're not sure what that last part means - but we feel our complaints were legitimate concerns regarding spending & operations at the Harbours.

He also suggested "contacting your local government officials, your mayor and county prosecutor for starters. The malcontents have contacted them, over and over and over. That's a big part of our problem". He also noted that he "won't name them here" - yet he included a photograph of the "group" and named each individual. Many individuals in that photograph were residents who (like us) have made formal complaints to your office.

Since I was also a Board of Directors candidate, I believe that Mr. Zipperle's labeling of me in that letter had a negative impact on my campaign and the outcome of that election.

Our e-mail correspondence & complaints to the Board's President & Vice President/Legal Committee Chair regarding this matter follows this message.

The other action we consider as a reprisal for making a complaint to your office was an e-mail message sent to us by Mr. Zipperle on February 16, 2011. We will send you a copy of that message with our comments by separate e-mail.

In both cases, we feel that we are being targeted (individually and as a group) in reprisal for making formal complaints to your office.

Please contact us if you need additional information or documentation regarding this matter. Thank you for your assistance.

Sincerely,

Walter & Helen Kindler  
Harbours Unit 619  
1 Riverpointe Plaza  
Jeffersonville, IN 47130  
812) 218-0868

--- On Sun, 12/18/11, Farnsley, Doug <DFARNSLEY@stites.com> wrote:

From: Farnsley, Doug <DFARNSLEY@stites.com>  
Subject: K. Zipperle's October Letter Sent to Harbours Residents  
To: "Walter Kindler" <wkkindler9@yahoo.com>  
Cc: "M.L. Traut" <mltraut@insightbb.com>  
Date: Sunday, December 18, 2011, 2:38 PM  
Walter,

Mary Lou and I have exchanged emails regarding your request to have the Board or resolutions committee review your concern. I do not believe that the Board will do so, and I would oppose the Board getting involved in your dispute with Kevin.

I do not know whether the resolutions committee will take this up. I also do not know whether Kevin would participate in an effort by the resolutions committee to try to work this out. As I noted in my previous email, I also do not know how the resolutions committee gets involved in situations involving disagreements between or among homeowners. In any event, as noted, I have communicated about the request with Mary Lou. I have also communicated to Kevin your request that the resolutions committee get involved.

Regards, Doug

Douglass Farnsley, Member  
Direct: (502) 681-0426, Cell: (502) 593-3770  
Fax: (502) 779-8268, dfarnsley@stites.com

400 W. Market St., Suite 1800 | Louisville, KY 40202

NOTICE: This message is intended only for the addressee and may contain information that is privileged, confidential and/or attorney work product. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please call the sender immediately at (502) 587-3400 and delete all copies of the message and any attachment. Neither the transmission of this message or any attachment, nor any error in transmission or misdelivery shall constitute waiver of any applicable legal privilege.

**EMAIL 003**

From: Walter Kindler [mailto:wkkindler9@yahoo.com]  
Sent: Friday, December 16, 2011 11:14 AM  
To: Farnsley, Doug  
Cc: M.L. Traut  
Subject: Re: K. Zipperle's October Letter Sent to Harbours Residents  
Dear Doug,

Thanks for your response. Yes, I would like to have the Board and/or Resolution Committee review this matter. I do not consider myself (or Helen) as a "hard core troublemaker" nor do I support any criminal activity at the Harbours. The photograph that included me & Helen was taken after Mrs. Haley's court appearance - before a WAVE3 TV reporter. As you know, she had been violently thrown into our pool by a Harbours employee [[VIDEO LINK](#)] - a fact that Secretary Zipperle failed to mention in his "campaign message" and photo caption.

I also would like to have the Board & Resolutions Committee review Secretary Zipperle's e-mail message regarding the Indoor Shower Incident and the Board deeming Helen's appearance to be "public nudity". I obtained a copy of the February, 2011 Board Meeting Minutes and there was no mention of any discussions - nor any reference to a "Executive Session" to review this issue.

We are again requesting a copy of the video tape which was shown by the Harbours attorney to Mr. Steve Ryan - to view & refute those charges. I don't understand why you suggested "ignoring the request" in your e-mail message. The "security system" is community property and there are no privacy issues at stake in this case. What is the Harbours Board hiding?

Again, please let me know what forms I need to complete to make a formal complaint to the Board and when the Board and/or Committee can schedule a meeting to hear our case.

Sincerely,

Walter K. Kindler

--- On Fri, 12/16/11, Farnsley, Doug <DFARNSLEY@stites.com> wrote:

From: Farnsley, Doug <DFARNSLEY@stites.com>  
Subject: Re: K. Zipperle's October Letter Sent to Harbours Residents  
To: "Walter Kindler" <wkkindler9@yahoo.com>  
Cc: "M.L. Traut" <mltraut@insightbb.com>, "Kevin Zipperle" <kzipperle@win.net>  
Date: Friday, December 16, 2011, 9:12 AM  
Hi Walter,

I have tried to stay out of the unfortunate disputes that have engulfed the Harbours, and I have tried to treat everyone with courtesy and respect. I have encouraged the Board to do likewise. You addressed your request to me and to Mary Lou, so I will reply.

I did not see the letter that Kevin wrote until after the election. The Board did not participate in preparing the letter and has not discussed it.

Unfortunately, as Kevin has noted, we are trying to cope with a resident who has been charged by the Clark County prosecutor with physically assaulting two Association employees; with another resident who, as I understand it, pled guilty to assaulting the then-president of the Association and who has confessed that he vandalized another former President's vehicle; another resident was caught on video vandalizing and killing a tree owned by the Association; and one or more residents vandalized multiple Board members' vehicles.

I respect the right of our members to complain to the Attorney General. The first findings issued by the AG found no wrongdoing. The investigation is ongoing, and we await the AG's final conclusions. As I told the representatives of the AG's office more than one year ago, if we are doing something improperly, just tell us, we will fix it. The silence has been deafening. To date, the AG has not only not found any wrongdoing, they have not communicated to the Board that we have in anyway acted improperly.

Our finances are subject to independent audits. Our auditor has not suggested that there has been any "misuse of funds." I recognize that not all homeowners agree with every expenditure of Association funds, but I respectfully reject the notion that Association funds have been misused.

My sense is that our homeowners are fed up with the homeowners who have confessed to criminal acts, those who have been charged with criminal acts, and those who appear to support them. My understanding is that Kevin was the top vote getter receiving votes from more than 70% of homeowners who voted. That outcome suggests that Kevin's method of addressing our challenges resonates with the overwhelming majority in our community.

Your dispute about the letter is with Kevin, not with the Board. I am not sure how matters get referred to our resolutions committee. That would appear to be the proper entity to deal with your concern.

Regards, Doug

Sent from my iPad

On Dec 16, 2011, at 8:23 AM, "Walter Kindler" <wkkindler9@yahoo.com> wrote:

To the President & Vice President of the Harbours Board:

This is my final response to Secretary Zipperle's "campaign message" defense:

I stand by claim that his disturbing & negative message, which pictured and named me as part of a "group" (after noting that he would not name anyone) defamed me and had a negative impact on my reputation and the elections at the Harbours.

I also feel that his message was another blatant attempt to intimidate & demonize me (and others in that photograph) in retaliation for complaints made to the Indiana Attorney General's Office regarding the inappropriate acts and misuse of funds by the Harbours Board.

Again, please inform me of the actions the Board will take regarding this matter.

Sincerely,

Walter K. Kindler

From: kzipperle@win.net <kzipperle@win.net>  
Subject: Re: K. Zipperle's October Letter Sent to Harbours Residents  
To: "Walter Kindler" <wkkindler9@yahoo.com>  
Cc: "M.L. Traut" <mltraut@insightbb.com>, "D Farnsley" <dfarnsley@stites.com>, "Helen Ryan Kindler" <hryank89@yahoo.com>  
Date: Thursday, December 15, 2011, 6:54 PM

Email recipients:

Please find my attached response to Mr. Kindler's email below. Due to the length and formatting, it was easier to manage as a Word file attachment. [[PDF LINK](#)]

I'll be glad to answer questions or address comments that anyone has...KZ

Quoting Walter Kindler <wkkindler9@yahoo.com>:

Ms. Mary Lou Trautwein Lamkin  
President of the Board of Directors  
The Harbors Condominiums

Dear President Trautwein Lamkin:

I just obtained a copy of subject's "campaign" letter sent to residents of the Harbours prior to the November, 2011 annual meeting & elections. [[LINK 1 pp. 11-12](#), [LINK 2](#)] As a Board candidate, I am offended by his characterizations, group photograph & labeling of me, and the misinformation he presented in that letter. Campaigning at the Harbours has reached a new low.

His message included a group image of me (with my wife) and labeled the group as "hard-core malcontents", "troublemakers" and "attackers" at the



Harbours responsible for the "twenty thousand dollar legal tab for the Association".

As you know, I have questioned the Board's need for using an attorney on several occasions and am offended by his distortions of the facts in this case. As a Board candidate, I find the above characterizations and use of my image & name in that letter as slanderous. I also find Mr. Zipperle's statement that he will "help" anyone who wants to contact "them" in invasion of my privacy.

I also believe that Mr. Zipperle's labeling of me in that letter and group photograph had an negative impact on my campaign and the outcome of that election.

Please inform me on the actions the Board will take regarding this matter and if it will develop a policy regarding any future negative campaign messages.

Sincerely,

Walter K. Kindler  
Unit 619

**EMAIL 004**

From: Walter Kindler <wkkindler9@yahoo.com>  
Sent: Tuesday, August 03, 2010 6:44 AM  
To: Beller, Jennie  
Cc: Miller, Sally  
Subject: Harbours Condo. Assoc. Meeting

Dear Ms. Jennie Beller,

We would like to thank you and Ms. Sally Miller for visiting Jeffersonville and hearing our comments regarding the operation of the Harbours Condominium Association. We know the meeting lasted longer than you planned and many homeowners provided you a great deal of information regarding their concerns.

Unfortunately time did not allow us to fully review or explain in detail the three Consumer Complaint Forms we had previous submitted this Spring to your agency. If you have an opportunity to review copies of the forms we provided you, which included: the unannounced entry of a maintenance worker in our home, an incident with the Assistant Manager at the fitness center & the "management style" of the association's board president, and have any questions - please do not hesitate to contact us.

Again, thanks for hearing our concerns.

Sincerely,

Walter & Helen Kindler  
Unit 619 - Harbours Condominiums  
812-218-0868