

**HILL WALLACK LLP**

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Attorneys for Plaintiffs

**RIVER RIDGE CONDOMINIUM UNIT OWNERS' COALITION**, an unincorporated association; **ELLIOT CHAN; ELIZABETH LEE; and MI SUN KAREN LEE,**

Plaintiffs

vs.

**RIVER RIDGE CONDOMINIUM ASSOCIATION, INC.**, a Non-Profit Corporation of New Jersey; and **NORMAN ADAMS; SHERRI BENEKE; DAVID BEREZIN; MICHAEL DEMATTIA; PAUL KIM; ARIELE KRANTZOW; BOB MOHL; MOUNZER TCHELEBI;** and **JOHN DOE(S), which name or names are fictitious**, in their capacities as Directors and/or Officers of River Ridge Condominium Association, Inc.,

Defendants

**SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION – BERGEN COUNTY**

Docket No. BER-C-178-21

Civil Action

**CERTIFICATION OF MICHAEL S. KARPOFF**

I, Michael S. Karpoff, hereby certify the following:

1. I am an attorney-at-law of the State of New Jersey and a partner in the law firm of Hill Wallack LLP, the attorneys for the plaintiffs in the captioned matter. I make this certification in support of the plaintiffs' application for temporary and preliminary relief regarding the special meeting to be scheduled by the defendants.

2. On August 11, 2021, I sent by e-mail and by USPS mail to defendants' attorney, Benjamin D. Lambert, Jr., Esq., the letter a copy of which is attached hereto as Exhibit A, requesting the date for the special meeting and information and copies regarding the preparation. I asked that Mr. Lambert respond to me by August 16.

3. As of this date, I have received no response to this letter.

I certify that the foregoing statements made by me are true. I am aware that of any of the foregoing statements made by me are willfully false, I am subject to punishment.

s/ *Michael S. Karpoff*  
MICHAEL S. KARPOFF

DATED: August 19, 2021

# EXHIBIT A

August 11, 2021

**Via Electronic Mail and First Class Mail**

Benjamin D. Lambert, Jr., Esq.  
Law Offices of Lambert & Associates, PA  
935 US 202 North, 2<sup>nd</sup> Fl.  
Branchburg, NJ 08876

**Re: River Ridge Condominium Unit Owners' Coalition, et als. v. River Ridge  
Condominium Assoc., Inc., et als  
Docket No. BER-C-178-21**

Dear Mr. Lambert:

On July 21, 2021, the River Ridge Condominium Unit Owners' Coalition submitted petitions signed by unit owners/Association members representing 124 units (51% of all units/Association members) calling for a special meeting of the Association members to vote on the removal of the current members of the Board of Directors. Additional members' signatures joining in that petition have been submitted since that date. Nevertheless, we have received no information from the Association regarding arranging the special meeting.

Pursuant to N.J.A.C. 5:26-8.11(d), upon submission of a demand for such a meeting by 51% of the members, the Board is obligated to schedule the meeting within 60 days. Hence, a special meeting of the members to vote on the removal of the directors must be held at a reasonable date and time to allow most association members to attend, N.J.A.C. 5:26-8.11(e)1, but no later than September 19, 2021.

Notice of the meeting as well as ballots, proxies and absentee ballots must be provided to all members not less than 14 days before the meeting. N.J.A.C. 5:26-8.11(e)3, 4. Prior to sending such materials, the Association must issue a call for candidates to run for election to fill the vacated seats in sufficient time so that their names may be placed on ballots submitted to the members. Therefore, it appears that the process must begin immediately.

To avoid the need for court intervention and to conduct an orderly vote, we suggest that the Association and the Coalition, through the attorneys, agree on the procedure to be followed, the forms to be submitted, and the timing. Please advise if that is acceptable and the date that the Board plans to hold the special meeting. Please also send me the proposed procedure and copies of the draft notices, proxies and ballots by Monday, August 16.

HILL WALLACK LLP

ATTORNEYS AT LAW

August 11, 2021

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Thank you for your cooperation.

Very truly yours,

s/ *Michael S. Karpoff*

Michael S. Karpoff

MSK:cb

Cc: Plaintiffs