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November 10, 2022

*Via Federal Express Overnight # 8175 7382 8468*

Kevin Wine  
345 Lancaster Court  
Piscataway, New Jersey 08854

**RE: Wine, et als. vs. Society Hill at Piscataway C.A., Inc., et als.**  
**Docket No.: MID-C-00123-22**  
**Amendment Petition**

Dear Mr. Wine,

In response to your inquiry regarding the petition demanding a special meeting to amend the By-Laws, it does seem that the threshold has been met for the Board of Trustees to call a special meeting for the sole purpose of voting to approve or reject the proposed amendment as the petition requests, pursuant to Section 3.09 of the By-Laws.

The difficulty lies with the directions of the PREDFDA which provides that the language of any proposed amendment shall be unambiguous and consistent with applicable law and with the provisions of the By-Laws that are not proposed to be amended. The amendment proposed is, in fact, ambiguous and confusing as it is replete with undefined terms and proposes a complicated and impractical labyrinth of steps that would impede the happening of fair elections as opposed to promote them.

Moreover, the proposed amendment is inconsistent with DCA guidelines. The Association currently follows the published election guidelines recommended by the DCA. The scheme suggested in your amendment is procedurally and philosophically inconsistent with these guidelines.

Although the PREDFDA states that, if the proposed amendment is not consistent with applicable law or is ambiguous or is not consistent with the By-Laws that are not proposed to be amended, the proposed amendment shall be revised to satisfy those conditions. Unfortunately, the statute is silent with respect to who should undertake the revisions and what to do if there is disagreement.

If you care to revise the amendment to better reflect the DCA guidelines and to clarify the ambiguities, I would be happy to review any suggestions. In that you have initiated a law suit in the Chancery Division, which in part addresses the status of the amendment petition, the Association may ask for guidance in that forum as to how to proceed.

Reply to:

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The time for filing responsive pleadings has not expired.

Very Truly Yours,

A handwritten signature in black ink that reads "Susan J. Radom". The signature is written in a cursive, flowing style.

SUSAN J. RADOM, ESQUIRE  
SJR:cg

cc: Board of Trustees – Society Hill at Piscataway Condominium Association, Inc.