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11 *Association, Inc.*

7 **MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY**

8 DANIEL K. O'CONNELL and VALERY A.
9 O'CONNELL,

10 Plaintiffs,

11 v.

12 GLASTONBURY LANDOWNERS
13 ASSOCIATION, INC. Board of Directors,

14 Defendants.

Cause No.: DV-2011-114
Judge David Cybulski

AFFIDAVIT OF ALYSSA ALLEN

15 STATE OF MONTANA)
16 :SS
17 County of Park)

18 Alyssa Allen, being first duly sworn on her oath deposes and states:

19 1. I am the Secretary of the Glastonbury Landowners Association, Inc. (GLA). I have owned
20 property in Glastonbury South for 13 years. I have served on the board of directors of the GLA. While a
21 board member, I have served in the capacity as both President and Vice-President. I am no longer a
22 board member, but I now serve as the Secretary of the GLA.

23
24 2. Plaintiffs Daniel and Valery O'Connell (Plaintiffs) have sued the GLA in the past over
25 disagreements about document inspection rights. The stipulated settlement agreement addressed the
26 matter, but even after that, there was disagreement about the scope of Plaintiffs' inspection rights and
27 charging for producing copies of documents.
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1 3. Plaintiffs began sending requests to the GLA for documents in May of 2014. Throughout June
2 and July of 2014, Plaintiffs continually sent demands for various documents they claimed they were
3 entitled to. The GLA responded through counsel to the various defective requests. Even though
4 Plaintiffs had put the issue of document inspections at issue in the current lawsuit, the GLA was willing
5 to accommodate proper requests within the scope of Plaintiffs' inspection rights.
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7 4. The corporate records available to Plaintiffs on two separate occasions, June 28, 2014 and
8 July 8, 2014 for almost nine hours. The GLA has no office of its own and so had to arrange with third-
9 parties space acceptable to Plaintiffs for the inspection. Further, I and other volunteers spent hours
10 gathering the records and arranging the inspections.
11

12 5. The records consisted of several boxes full of binders containing meeting minutes, accounting
13 records, and many other documents going back to 1997 when the GLA was formed. The records were
14 kept in chronological order. Plaintiffs brought their own copy machine to make copies of the records.
15 Plaintiffs' activities left the records in complete disarray. Pages were taken out of binders and put back
16 in the wrong order, in the wrong section, and attachments were separated from the parent documents.
17 Much time and energy has been put into trying to reassemble these records. Additionally, there was no
18 way to track what Plaintiffs had copied to avoid duplicate requests for records already inspected.
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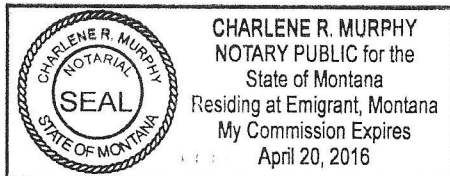
1 6. The day after the May 18, 2015 board meeting, I learned that meeting minutes were taken
2 from the GLA binders by Plaintiff Valery O'Connell during the meeting. At the next board meeting, on
3 June 15, 2015, I announced to all those in attendance (including Plaintiffs) that the minutes had been
4 taken and asked for their return. They have not been returned.

5 Further, affiant sayeth naught.

6 DATED this 27 day of July, 2015.

7
8 Alyssa Allen
9 Alyssa Allen

10
11 SUBSCRIBED AND SWORN to me by Alyssa Allen on this 27 day of July, 2015.



Charlene R. Murphy
State of Montana
County of Park