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August 22, 2025

VIA: E-FILING ONLY

Hon. Judge Robert Dewane
Manitowoc County Circuit Court
1010 S. 8th Street
Manitowoc, WI 54220

Re: Manitowoc Timeshare Management, LLC vs. Fox Hills Owners Association, Inc., et al.
Manitowoc County Case No. 25 CV 15

Dear Judge Dewane:

I write the Court to supplement FH Resort's Motion for Injunctive Relief (ECF# 56). As articulated in FH Resort's briefing on this Motion, one of the bases for granting injunctive relief is the fact that the Association is intentionally acting in a manner to undermine and interfere with FH Resort's rights as both a member and the developer, and has (in multiple ways) acted in an arbitrary and oppressive manner not just to FH Resort, but to other members as well.

Attached to this correspondence you will find an excerpt from a newsletter emailed to the Association membership on August 21, 2025 at 4:16 p.m. As the Court can read for itself, the Association completely misrepresents what took place this morning with respect to the motion hearing. Specifically, the Association falsely claims that counsel for FH Resort did not appear at the hearing, and that the hearing had to be rescheduled because of this supposed nonappearance. As the Court is aware, your assistant emailed counsel shortly before the scheduled time for the hearing, stating: *"The court would like to inform the parties that there will be no decision today. There will be an adjourned date given."*

I took this statement to mean that there would be no hearing today and that a new oral ruling date would be supplied by the Court, so I did not initially appear at 9:00. The Court then contacted me indicating that it would like to schedule the adjourned date, at which time I promptly appeared, and the new date was scheduled. The Court itself acknowledged the basis for my confusion, that it was entirely understandable, and then explained that the Court needed more time to review the submissions, hence the need for an adjournment. All of this was addressed on the Zoom call for all attending to hear.

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Thus, not only is the Association misrepresenting the “nonappearance,” but it is more concerningly lying about *why* today’s hearing was moved to the 18th of September, as it was at the Court’s request and instigation, and nothing more.

There’s no room for misunderstanding what has taken place here: this communication by the Association to its membership was intended solely to instigate animosity against FH Resort. Therefore, I felt compelled to make a contemporaneous record of this conduct, as this is exactly why the Court must give serious consideration to the arguments raised by FH Resort in the instant Motion before the Court, and why the Court should seriously question the bona fides of the prior conduct of those presently in control of the Association.

Thank you for your consideration of this additional material.

MENN LAW FIRM, LTD.

A handwritten signature in black ink, appearing to read 'W. McKinley', with a stylized flourish at the end.

William P. McKinley

cc: Attorney Daniel J. Miske (via e-filing)
Attorney Matthew Lowe (via e-filing)

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Monthly Newsletter

Welcome to the first edition of our monthly newsletter!

Each month, we will share updates, highlights, and helpful resources to keep you connected and informed.

August 21, 2025 Court Hearing Summary

To our disappointment, the developer's attorney did not appear to court at the scheduled time, and the hearing had to be rescheduled. **The new date is set for September 18, 2025, at 2:00 pm.** We want to thank the 50+ owners who were present at the hearing and apologize that your time was not respected. We hope you continue to show up in support of the Association during this pivotal time in our evolution.

Staff Changes

We're excited to share several staffing updates, including well-deserved promotions and the addition of new team members. Each of these changes strengthens our team and positions us for continued growth. If you see them, please be sure to join us in congratulating and welcoming them!



Promotions:

New Hires: