

Parties

Activities

Court record

09-18-2025

Hearing

Dewane, Robert

Ernstes, Emma

Additional text:

2:00 PM Attorney William Patrick McKinley appeared by video for MANITOWOC TIMESHARE MANAGEMENT, LLC and FH Resort Limited Partnership. Attorney Matthew Lowe and Daniel Miske appeared by video for FOX HILLS OWNERS ASSOCIATION, INC.; many others are logged in via Zoom (Members of the Association)

Clerk: P. Jacquart

Matter is before Court for Hearing on Plaintiff's Motion for Inspection and Injunctive Relief
Court confirms Attorney McKinley and Attorney Lowe will be arguing the Motion today for their respective clients.

Court reviews record or documents filed related to the instant motion that have been reviewed in preparation of today's hearing.

Attorney McKinley offers oral argument in support of their Motion and points out a citation that was made in error in his brief; discusses Statutes supporting their position.

Court questions Attorney McKinley.

Attorney Lowe offers oral argument in support of their Opposition to the Motion.

Court questions Attorney Lowe.

Court makes the following ruling:

Issue regarding membership list - withdrawn

Appointment of Directors: Association can only be controlled by Board (5 members). Fox Hills Resort Ltd. can appoint 2 seats; not 3 - so they do not control the Board.

Section 703.15 (2)(c) has to be taken into consideration in its entirety.

Regarding Request for injunctive relief to appoint Johnson and Feldcamp to Board- relief is granted.

Court Orders Special Election to fill the 3rd seat on the Board.

Rules in Bylaws have to be followed regarding the Vote.

Court is wiping out 3 people that were seated at time of the April Election; Johnson and Feldcamp are appointed as well as two who were seated at the time of the April 12 election.

Status set out one week; how will election be held; when and how will ballots be counted for special Election ordered today. Court may appoint Special Referee to assure Bylaws are complied with.

Attorney McKinley to draft Order.

Adj. 3:06