

## LEGAL UPDATE

August 12, 2009

On July 30 Judge Rick Roll issued a opinion that summarized the submissions of the three parties and concluded with the following

"ORDER

The court's interpretation of 5.20 is that 5.20 permits impairment of lower floor surf view. The application then allows defendants to construct a residence which impairs to some degree the lower floor views of the plaintiffs."

The opinion comes in response to parties request for expedited consideration of the central issue in the Pappa/Van Roekel/HNOA case.

If no settlement is reached before then Docket Call has been reset for Oct. 29 and Trial Nov. 3."