

From: [Adam Kuykendall](#)
To: [Joseph Barbara](#); [Angel Martin](#); [Fred Ilarraza](#); [Tom Eck](#); [Bob Nunnenkamp](#); [Bob Marcolese](#); [John Baresich](#)
Cc: [Marvin NC Manager](#); chaplinspencer@spencerfirm.com
Subject: Putting the Easement in Appeasement
Date: Tuesday, June 9, 2026 1:51:40 PM

Council,

Let's start with a joke - what do graves at the Crane property, the Comiskey's right to the trail easement, and your adherence to a civility pledge all have in common? None of them exist!

Now that I have your attention - regarding the ongoing litigation with the Comiskey family, I wanted to spread some light on the subject that it seems your legal council may not be informing everyone of. As you recall following last Monday's closed session, Angel proudly announced on the record that an agreement on settlement had been reached. It was clear to all of those listening that this statement was made from a position of profound ignorance, given the legality of any options discussed and the threatening circumstances surrounding the vote. I recognize that the Comiskeys are friends and donors, but it is clear who among you is driving this initiative that quickly falls apart under the law.

Don't believe me? Fast forward to Thursday of last week when your OWN ATTORNEY, alongside Marvin Creek filed to dismiss the Comiskey case in the Appeals court. This was of course not on the basis of law, as Angel has previously argued, but simply due to the Plaintiff's misunderstanding of the court rules. I'm sharing this because I know at least one of you was previously unaware that this had even occurred.

So on one hand you are publicly agreeing with the Plaintiff while on the other you continue to use tax dollars to fight against them in the courts? Not only that, one of you is an Attorney whose HOA is also having to spend money defending something that you are collectively siding against. I'd love to hear the Judge's take on this. This isn't even an interesting plot, it's professional negligence.

I recognize that this behavior likely isn't illegal, but it is incredibly embarrassing for you. More importantly, it is another glaring example of four elected officials who are completely devoid of ethics. Joe, Fred, Angel and Tom esq, I am specifically speaking to you. I think a portion of this is due to sheer ignorance, but unfortunately that doesn't give you a pass. When Council members have to lower themselves to this standard in order to govern, it is indicative of much larger issues happening behind closed doors. We've already seen plenty of this in your texts and emails, at least the ones that you didn't attempt to hide through withholding. I'd encourage you to quickly change your approach if you plan on serving full terms.

Regards,
Adam Kuykendall