

Woodland Forum

REMEDY SOUGHT FROM AND CLAIMS AGAINST LARRY ANDERSON:

- (b) In this case, Larry Anderson is being sued for damages from his part in this lawsuit, totaling \$88,926.65 (eighty-eight thousand, nine hundred twenty-six dollars and sixty-five cents). Plaintiffs allege Counts X-XIII; Intentional Infliction of Emotional Distress, False Light/Invasion of Privacy, Defamation and Public Nuisance against Mr. Anderson, who is being sued in his personal capacity.

STATEMENT OF DEFENDANT CHERYL DAVIS' IDENTITY AND LOCATION:

- 18(a) Defendant, Cheryl Davis is a citizen of Missouri, whose address is 2740 Samuel Drive, O' Fallon, Missouri 63368. Ms. Davis is currently listed by Missouri's Secretary of State filed (07/11/2011) as being a Woodland Lakes Trustee and "WLT" Secretary. Ms. Davis did maliciously act outside her authority against Plaintiffs.

REMEDY SOUGHT FROM AND CLAIMS AGAINST CHERYL DAVIS:

- (b) In this case, Cheryl Davis is being sued totaling \$88,926.65 (eighty-eight thousand, nine hundred twenty-six dollars and sixty-five cents). Plaintiffs allege Counts I through XIII against Ms. Davis, in her personal and professional capacities.

REQUEST FOR JURY TRIAL

19. Plaintiffs request a trial by jury on all triable issues.

STATEMENT OF JURISDICTION

20. The jurisdiction of this court is invoked pursuant to 28 U.S.C. §1332. This Court has diversity jurisdiction because Defendants are located in, and citizens of Missouri, Illinois/or Hawaii and North Carolina, while Plaintiffs reside in and are citizens of Texas. The total compensatory damages in this case amount to \$2,312,093.00 (two million, three hundred twelve thousand, ninety-three dollars), excluding punitive damages.

NATURE OF THE CASE

21. Plaintiffs are property owners of the Woodland Lakes Development, located in Sullivan, Missouri. Until October of 2011, Plaintiffs were temporarily enjoying their property in a self-contained recreational vehicle (home) in the Woodland Lakes Development, on their clear-deeded property.
22. Plaintiffs have paid all current and due assessments owed to "NDC" and/or "WLT", pursuant to the Indentures hereby identified as **Plaintiff's Exhibit 5**. In addition to paying their personally-incurred debt for assessments, Plaintiffs were coerced, against their will, under the color of law, by "WLT" into paying approximately \$1,800.00 (eighteen hundred

dollars) of anothers' debts, when "WLT" did fail to perfect liens.

23. Despite Plaintiffs' 3-year, "trust-indenture-proclaimed-good standing," Plaintiffs have been banned from the Woodland Lakes Development with no stated reason from "WLT," or its employees or the "WLT" attorney.
24. "WLT" did display an arbitrary and capricious abuse of authority in depriving Plaintiffs of their money and their property without due process of the law. "WLT" has been malicious and prejudicial against Plaintiffs.
25. Pursuant to the "Amended Trust Indenture," *"...the subdivision and the Trustees shall be made up of owners of camping lots and residential lots."* With that said, there are two kinds of lots in Woodland Lakes. Because none of Plaintiffs' lots are camping lots, they would have to be classified as a *"Residential"* lots. (Plaintiffs' Exhibit 5 - P3 Item 4)

STATEMENTS OF FACTS

26. After receiving clear deeds, Plaintiffs, at 9:55 a.m. on October 06, 2011, entered the Woodland Lakes office to pay due assessments, (on audio recording). After being denied the opportunity to pay their own assessments, Plaintiffs were informed they must pay three previous owners' assessments, collection fees and interest before being allowed to pay their

own. Plaintiffs directed "WLT", via Crystal Kallansrud, to send Plaintiffs an invoice.

27. On October 07, 2011, "WLT" did sign for a certified letter dated October 06, 2011, from Plaintiffs, wherein Plaintiffs expressed their grievances contained in Item 27 and herein.

(Plaintiffs' Exhibit 7)

28. On Thursday, October 27, 2011, Officer Colyott placed in Plaintiffs message box at Plaintiffs' "pool lot," an unsigned letter typed on "WLT"'s letterhead that stated, *"There will be no more harassing letters received in this office."*

(Plaintiff's Exhibit 8)

29. Plaintiffs were directed to send all future correspondence to Union, MO attorney, Dave Baylard, or else "WLT" would, *"contact the prosecuting attorney,"* and charge Plaintiffs with harassment. Officer Colyott left his business card on the door of Plaintiffs' camper on October 27, 2011, asking Plaintiffs to call him. Dave Campbell complied the following day, October 28, 2011. Plaintiffs also did visit Counsel Baylard's office to hand-deliver the two certified letters dated October 6 and October 7 of 2011, though Plaintiffs were unsuccessful in speaking with Counsel Baylard.

30. Friday evening, October 28th (during Game 7 of the World

Series) Plaintiffs approached the "WL" gate around 9:45 p.m. Gatekeeper, Simone Hatton, sternly informed Plaintiffs they would not be allowed into the development, alleging Plaintiffs "did not pay" their "bills."

31. Plaintiff Dave Campbell did demand to speak to a Trustee on October 28th, as a result of being denied access to Plaintiffs' property. While waiting for the trustees to arrive, Plaintiff Dave Campbell was on the phone with Officer Thomas Colyott, seeking assistance, only to be informed by Officer Colyott that Plaintiffs would be arrested for trespass if they did not leave the development. Trustees, Art Hurlburt and Craig Kinmann were the first trustees to arrive; having ridden together.
32. As the two trustees approached, Plaintiff, Dawn Campbell did ask the two trustees why Plaintiffs weren't allowed in. Trustee Kinmann answered Dawn Campbell saying, "*Because you're hiding it.*" When Dawn asked him to repeat himself, Mr. Kinmann elaborated, "*You're hiding land in here that you did not pay assessments on.*" **(Plaintiffs' Exhibit 27)**
33. When "WLT" treasurer, Francis Darian arrived, Mr. Darian complained that Plaintiffs were keeping him from the World Series. Mr. Darian went into the gatehouse & made two phone calls. When he returned, he had a piece of paper with the figure

\$1,400 (+/-) (fourteen hundred dollars more or less) written, stating in front of third-party passersby that Plaintiffs had not paid their taxes, which he said Plaintiffs would have to pay before entering Woodland Lakes. (Plaintiffs Exhibit 27)

34. Plaintiff Dave Campbell is from St. Louis originally, where his mother did marry St. Louis Scout, Fred McAlister. Plaintiff Dawn Campbell has been a Texas Rangers fan from early childhood. Game 7 (seven) of the World Series was an important game to Plaintiffs, of which Plaintiffs were deprived of witnessing the most important portion, as a result of Defendants' malicious acts. Plaintiffs were without their home, bed, shower, clothes, medications, etc., and did miss the ending of a once-in-a-lifetime opportunity.
35. Because Plaintiffs had nowhere to go and it was 10:30 p.m., while feeling dejected and humiliated, Plaintiffs went to a 24-hour retailer to purchase supplies such as clothing, sundries, food, etc. At approximately midnight, Plaintiffs did check into a hotel.
36. Although exhausted, Plaintiffs did arrive inside the "WLT" office the following morning with enough cash to pay the alleged debt. Defendants maliciously did coerce Plaintiffs into paying. After cash was placed before Office Manager, Deborah

Clutter, Ms. Clutter did inform Plaintiffs she would have to make a phone call before Plaintiffs would be allowed to pay. Ms. Clutter did proceed to telephone the collection company, JC Morgan. (Plaintiff's Exhibit 27 - IMG 2388.MOV)

37. After hanging up the phone, Deborah Clutter did inform Plaintiffs the debt had climbed to over \$1,800 as the result of interest and collection fees. (Plaintiff's Exhibit 27 - IMG 2390.MOV)
38. Deborah Clutter did state to Plaintiffs, *"If I'm gonna make ya mad, I might as well finish you off."* (Plaintiff's Exhibit 27 - IMG 2391.MOV)
39. On the morning of October 29th, 2011, trustees: Hurlburt, Kinmann & Darian were having a closed-door meeting. The three trustees had entered the office a few minutes after Plaintiffs arrived on October 29th. Ms. Clutter said she'd have to ask the trustees before she could accept Plaintiffs' money. When Ms. Clutter returned from the closed-door meeting, she did inform Plaintiffs that she would not be able to give Plaintiffs passes. Ms. Clutter did refuse to allow Plaintiffs to pay the disputed, alleged debt. Plaintiffs were forced to pay the collection company directly, which is located in St. Louis, Missouri (at least eighty miles away). (Plaintiff's Exhibit 27

IMG_2392.MOV)

40. Mr. Colyott left a voicemail message for Plaintiffs with instructions that the previous owners' debts would have to be resolved by Plaintiffs, or Plaintiffs would be denied access to Woodland Lakes. Mr. Colyott also told Plaintiffs they would be subject to arrest for trespassing if Plaintiffs did not do as the Trustees said.
41. One lien in the amount of \$54.15 was reported by "WLT" on one of Plaintiffs' properties. A clear deed was issued to Plaintiffs. The lien was placed in 1987 which is recorded in Deed of Trust Book 103 at Page 502, M 1987, and was clearly unrelated to Defendants' strong-armed, imposed lien.
42. Plaintiffs did not receive a copy of this alleged debt until November 29, 2011, nearly two months after their first request, and only after "WLT" locked Plaintiffs out of the Woodland Lakes development. At time of payment, Plaintiffs were given a printout of a portion of the alleged debt.
43. This past Veteran's Day, November 11, 2011, two weeks to the hour of Plaintiffs' un-noticed ban from Woodland Lakes, Gatekeeper, Simone Hatton, while grinning, did hand Plaintiffs an envelope that contained a non-notarized, unsigned, typed, form-like note with Plaintiffs' names handwritten on a typed

line, along with handwritten dates. The note does state Plaintiffs have 24 hours, from 4 p.m. on 11/11/11, to remove all Plaintiffs personal belongings from Plaintiffs' property, at which time Plaintiffs would be denied vehicular ingress/egress.

Plaintiffs did receive this note around 10:00 p.m. on the night of November 11, 2011. **(Plaintiff's Exhibit 9)**

44. Plaintiffs were able to dispatch approximately 20 (twenty) witnesses to the office on the morning of November 12, 2011, to witness Plaintiffs seeking reason for the property deprivation and due process violations, in which Plaintiffs were unsuccessful in learning. Plaintiffs were ordered out of the office with attempted arrest. Crystal Kallansrud did telephone the Sheriff's Department asking Plaintiffs be arrested for trespassing, per Deborah Clutter's request. **(Plaintiff's Exhibit 27 - Video IMG 2425.MOV)**

45. Plaintiffs did comply with Defendants' request and did wait in the parking lot with the witnesses for the officer to arrive. Deputy Barton arrived approximately 20 (twenty) minutes later.
46. Initially Deputy Barton was respectful. Gatekeeper and Defendant, Patricia Edgar, minutes later, walked toward Plaintiffs and the group of witnesses, to inform Officer Barton he had a phone-call in the office.

47. In the midst of Plaintiffs' detention, Deputy Barton did go into the office to accept the telephone call.
48. When Officer Barton returned from the office, he harshly informed Plaintiffs, those in the office wanted Plaintiffs arrested immediately. Deputy Barton told Plaintiffs he would not arrest them unless they refused to leave the development of Woodland Lakes. Plaintiffs were told by Deputy Barton to get as much of their things as they could. Plaintiffs were told by Deputy Barton that if they were still inside the development at 4:01 p.m., he would personally come and arrest them. Deputy Barton told Plaintiffs they could never step foot into the "WLT" office or on any of the grass inside "WLT"'s common areas again or Plaintiffs would be arrested for trespass.
49. On November 20, 2011, Officer Thomas Colyott left a Threatening message on Plaintiffs' voicemail directing Dave Campbell to call Officer Colyott because the officer needed to explain the law to Plaintiffs before they found themselves in "real trouble." (**Plaintiffs' Exhibit 27**)
50. Plaintiffs did not return Officer Colyott's phone-call. Approximately two weeks later, on December 07, 2011, Officer Thomas Colyott did make the following statement on his Facebook: *"Been in this business for many years. Over the past*