

## EXHIBIT 1

### Randy Scott-All Claims Process, LLC

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**From:** Bob Musser [BobM@dbsinfo.com]  
**Sent:** Friday, December 23, 2011 2:45 PM  
**To:** 'Randy Scott-All Claims Process, LLC'  
**Cc:** board@fapps.org  
**Subject:** RE: [Board] Request for FAPPS Board minutes

Randy: Please re-read. I didn't say that records "should" be destroyed after 3 years, I said the law doesn't require us to maintain them. I don't see where I ever stated that the President is the custodian of the records.

On several points I was just correcting errors that were stated before everyone accepted them as truth. The fact that I am the one responding to you is simply that, from our bylaws, the President is the one who speaks for the Association on points of conflict, after getting guidance from the Board.

The board as a whole, or the officer in charge of a particular subject will be happy to answer your specific questions at our next board meeting. I ask that the Secretary, Treasurer, and the Administrator make sure to bring records with them so that you can answer Randy's or any member's detailed questions about banner ads or any other matter.

I don't agree with a lot of the things you have written on your blog with regards to FAPPS. But it is your blog and you have the right to express your opinions, and some folks will believe you.

You do not have the right as a member of FAPPS to publish Association records on your own website without the Association's permission. The Fair Use doctrines that you mention are very specific. You are abusing them. They allow for "excerpts" from a document, not entire documents, to be reproduced for various purposes, and subject to various constraints.

Please allow FAPPS to be the sole publisher of our Association records. As I mentioned before, we want the members to be able to come to the FAPPS website and read the minutes. It's a new policy as of 9 months ago, and we are still putting them up.

If you do not remove our records from your website, you will probably be looking at an A&G complaint and might lose the right to call yourself a member of FAPPS.

As I said in my first message to you: You have a lot of energy and could so easily be an asset to FAPPS. I hope you'll start working within the organization.

Bob Musser  
President, FAPPS  
www.fapps.org  
BobM@dbsinfo.com  
407-679-1539

-----Original Message-----

**From:** Board@fapps.org [mailto:Board@fapps.org] On Behalf Of Randy Scott-All Claims Process, LLC  
**Sent:** Friday, December 23, 2011 10:27 AM  
**To:** Bob Musser  
**Subject:** [Board] Request for FAPPS Board minutes

Dear Bob Musser:

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Also copied to entire board and admin.

I appreciated your response. I disagree with your interpretation that records/minutes should be destroyed beyond 3 years. I also see no basis in the bylaws where the president is the custodian of the records. The secretary fulfills that purpose. Regardless Lance taught me to not write lengthy emails so I will keep my response at that. But if you are curious I added FAPPS financials for the past 3 years on my blog. I had to get this effortlessly from outside sources.

<http://allclaimsprocess.com/blog/?cat=5>

Did you know for 40 members who vote at the convention it costs the entire membership over \$33,000.00 (see convention and meeting expense 2008 IRS 990 \$33,753.00). If we prorated the cost to the voting attendees that is over \$750.00 each vote. Maybe time to start thinking proxy OR other alternatives. Have we ever done a cost benefit analysis on anything FAPPS does or spends?

The cost of transparency and publishing records is really cheap. I do still have an open question regarding the 2011 banner ads. Have all the benefactors paid? I was considering ordering one but would prefer not to be the only one paying.

Based on your answer for only the last 5 years of annual meeting minutes I'll devote my energies to alternative methods of fact gathering.

Thank you

Randy A Scott - AFPS\*  
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\*Accredited FAPPS Process Server

-----Original Message-----

From: Bob Musser [mailto:BobM@dbsinfo.com]  
Sent: Thursday, December 22, 2011 2:20 PM  
To: 'Randy Scott-All Claims Process, LLC'  
Cc: board@fapps.org; 'FAPPS Administrator'  
Subject: Request for FAPPS Board minutes

Randy: I am familiar with the Florida Statutes on records of corporations, and have re-read them today since you referenced them in your request. The statute provides you the right to come in to a place we designate and copy records, with ten business day (not 5 day) notice but with several stipulations. It also provides that we must keep 3 years (not 5) of records available. And finally, the statute provides that we provide for you to be able to copy "Excerpts from minutes of any meeting..." provided "the members demand is made in good faith

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and for a proper purpose". Later it says: "For purposes of this section, a "proper purpose" means a purpose reasonably related to such person's interest as a member".

In other words, if you as a member want to verify something, prove we are doing something improperly, satisfy yourself that we are acting in accordance with our past resolutions and our bylaws, or any other proper purpose, please make a specific request for excerpts of any meeting and we will do our best to accommodate you.

As President, I do not see that your desire to copy five years worth of annual meeting minutes for the purpose of making them available to all members without charge fits the "proper purpose" section of the law. In fact, it would be a duplication of effort. If you'll look on the FAPPS website under "Association", "Meeting Minutes", you'll see that we have started to publish our minutes for all to see as they are approved, starting with the annual meeting almost one year ago. As our Secretary has time, I have directed him to back fill that list to at least the last 3 years.

Obviously, as we publish our minutes on the FAPPS website, you would have the physical ability to copy them and republish them elsewhere. I hope you do not do that. I do not think that this board will grant anyone the right to republish the Association's property on any other forum. It is in every member's best interest "as FAPPS members" for us to drive traffic to our own site, not the website of any one member.

If you have questions about my decision, or desire anything further, please address your concerns to me by email. If needed, I will involve the board when warranted.

I look forward to seeing you at the next meeting. You are full of ideas and energy, and I hope that you will be an asset, working within FAPPS, for years to come.

Thank you,

Bob Musser  
President, FAPPS  
www.fapps.org  
BobM@dbsinfo.com  
407-679-1539

-----Original Message-----

From: Randy Scott -Probonoprocess.com [mailto:randy@probonoprocess.com]  
Sent: Thursday, December 22, 2011 9:38 AM  
To: 'Lance Randall - Secretary FAPPS'  
Cc: 'Diana Wardwell'  
Subject: RE: FAPPS Board minutes corrected link

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0600-0699/0617/Sections/0617.1602.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0600-0699/0617/Sections/0617.1602.html)

corrected link

-----Original Message-----

From: Randy Scott -Probonoprocess.com [mailto:randy@probonoprocess.com]  
Sent: Thursday, December 22, 2011 9:32 AM  
To: 'Lance Randall - Secretary FAPPS'  
Cc: 'Diana Wardwell'

Subject: FAPPS Board minutes

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Dear Lance Randall-FAPPS Secretary:

I appreciate the work you and Gretchen have done in scanning the records of FAPPS. Could you please send me a copy of the FAPPS minutes from the last 5 years of annual meetings. I know the state law provides a 5 day response but if you could get me the records by 12/30/2011 I would appreciate that. I intend on publishing them without charge to all members.

For reference here is a link governing this request  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0600-0699/0617/Sections/0617.1601.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0600-0699/0617/Sections/0617.1601.html)

Thank you

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