

Dear Ms. Moldenhauer,

I will address your pleading at further length at the hearing but briefly note the following here:

I am an attorney, but I am not a residential zoning lawyer and I am not appearing here as an attorney for MAHCA but as a member, as its President, and as an affected property owner. MAHCA and I timely sought party status.

Mr. Sullivan has not entered an appearance here. He gives general zoning advice to MAHCA and any procedural errors we may have made - and I see none - were made in good faith reliance on his advice.

MAHCA does not object to the motion to narrow the proceeding but does object to having a one sided record on the issues Applicant raised in your pleadings on her behalf and which we now know to be untrue in material respects. Accordingly, if my letter, which I filed before the hearing for the convenience of the Board and other parties is stricken this morning on some technical grounds of which I was not aware, it will be submitted in evidence by one of the witnesses for the opponents.

Finally, if Applicant had been willing to provide the material in the permitting files that I and others requested long ago, we could have raised this issue in a more timely fashion. I did not conclude my research until Sunday and drafted and filed my letter as soon thereafter as I could prepare and confirm the text.

Very truly yours,

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Paul A. Cunningham

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