

ABBOTT LAW FIRM LLC

RICHARD L. ABBOTT, ESQ.
302.489.ALAW
RICH@RICHABBOTTLAWFIRM.COM

June 25, 2013

VIA EMAIL & U.S. MAIL

Josiah R. Wolcott, Esquire
Connolly Gallagher
267 East Main Street
Newark, DE 19711

Re: *Staffieri v. Black, et al.*
C.A. No. 7439-VCL

Dear Joe:

I am writing you as Delaware counsel for Gary & Adria Staffieri with respect to their illegal trespass and driveway easement violations.

Because you have not substantively responded to my letter to you dated May 20, 2013, contrary to your indication that a response would be provided, we are interpreting your non-response to constitute a rejection of my clients' reasonable request that the Staffieris cease and desist violating the parameters of Vice Chancellor Laster's Post-Trial Order dated October 24, 2012. A copy of my letter in that regard is enclosed for your reference.

Just a few days ago, Mr. Staffieri installed a sailboat sail in the rear driveway area behind the Triplex buildings. The sail constitutes an obstruction which interferes with the free use of the driveway area behind the Triplex building. It is installed in a fashion which directly trespasses upon the property of Blackball Properties, LLC situated at 1703 Concord Pike. Copies of photographs showing the sail installation are enclosed.

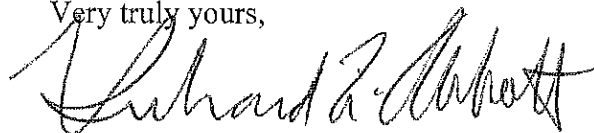
My clients have patiently ignored the Staffieris' illegal activities in the hopes that they would eventually end. But since Gary Staffieri has recently taken to the practice of attempting to harass and intimidate my clients in any way possible (*See* photographs enclosed of his recent trespass on 1709 Concord Pike in attempts to intimidate my clients' business), we can only assume that Mr. Staffieri will continue, and possibly escalate, his misconduct going forward.

Josiah R. Wolcott, Esquire
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Please **immediately** confirm that your clients will: 1) remove the trespassing sailboat sail installation; 2) cease all parking in the driveway area on the Triplex site; and 3) refrain from any further harassing or intimidating conduct toward my clients and their business.

By copy of this letter to the owners of 1705 Concord Pike, Paul & Candy Miller, I am advising them that any complicity on their part in permitting your clients to install the illegal sail in the driveway area behind the Triplex building will also be met with appropriate legal action against them.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Richard L. Abbott", written in a cursive style.

Richard L. Abbott (#2712)

RLA:cth
Enclosures
File No. 372.01

cc: Blackball Properties, LLC (w/enclosures) – Via Email Only
Paul & Candy Miller (w/enclosures) – Via U.S. Mail

ABBOTT LAW FIRM LLC

RICHARD L. ABBOTT, ESQ.
302.489.2535
RICH@RICHABBOTTLAWFIRM.COM

May 20, 2013

VIA EMAIL & U.S. MAIL

Josiah R. Wolcott, Esquire
Connolly Gallagher
267 East Main Street
Newark, DE 19711

Re: *Staffieri v. Black, et al.*
C.A. No. 7439-VCL

Dear Joe:

I am writing to request that your clients immediately cease and desist their illegal parking in the driveway areas located on the Triplex Properties (1701-1705 Concord Pike), which is in direct contravention of the Pre-Trial Order issued by the Court of Chancery on October 24, 2012 in the above-captioned action.

In the Pre-Trial Order, Vice Chancellor Laster expressly held in the final sentence of paragraph 12. that "Plaintiffs, as the current owners of Lot 1707, have easement rights to use the common driveway and the Front and Back Parking Areas as set forth in the 1946 Deeds." (emphasis added). Although the Vice Chancellor referred to the driveway area located in the rear of the Triplex Properties as the "Back Parking Area" in the Order, it is clear that he held that your clients only had easement rights to use that area "as set forth in the 1946 Deeds." In turn the Deeds expressly limit the use of the driveway area to driveway purposes.

Trial Exhibit 9B, which is a survey prepared by your clients' expert surveyor, expressly denotes that the 9 foot driveway running from Concord Pike to the rear of the Triplex site, as well as the 27 foot by 72 foot area behind the Triplex building, is a driveway usable for driveway purposes only. In contrast, that same exhibit shows, as the 1946 Deeds provide, that the 27 foot by 63 foot area in front of the Triplex buildings is available for both driveway and parking purposes. Consequently, it is evident that the only area on the Triplex property available for parking purposes are the separate delineated parking spots situated in front of the Triplex building.

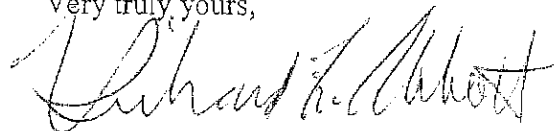
Josiah R. Wolcott, Esquire
Connolly Gallagher
June 27, 2012
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Your clients and their agents and business invitees have been parking in the driveway area, both blocking the 9 foot wide section of the driveway and parking in the 27'x72' portion of the driveway area situated behind the Triplex building. My clients have on numerous occasions advised your clients that parking is prohibited in the driveway areas to the north and rear of the Triplex building, to no avail. Your clients obviously misunderstood the Court of Chancery's decision and mistakenly insist that they can park anywhere on the Triplex Property.

Please confirm that your clients and their agents and business invitees will cease and desist all parking on the driveway area located on the Triplex Property now and in the future. Otherwise, I will need to file a Motion to Enforce the Court Order in order to obtain compliance.

I hope that your clients are willing to voluntarily cease violating Vice Chancellor Laster's Order, so as to avoid the need for Court intervention. I look forward to your anticipated prompt reply.

Very truly yours,

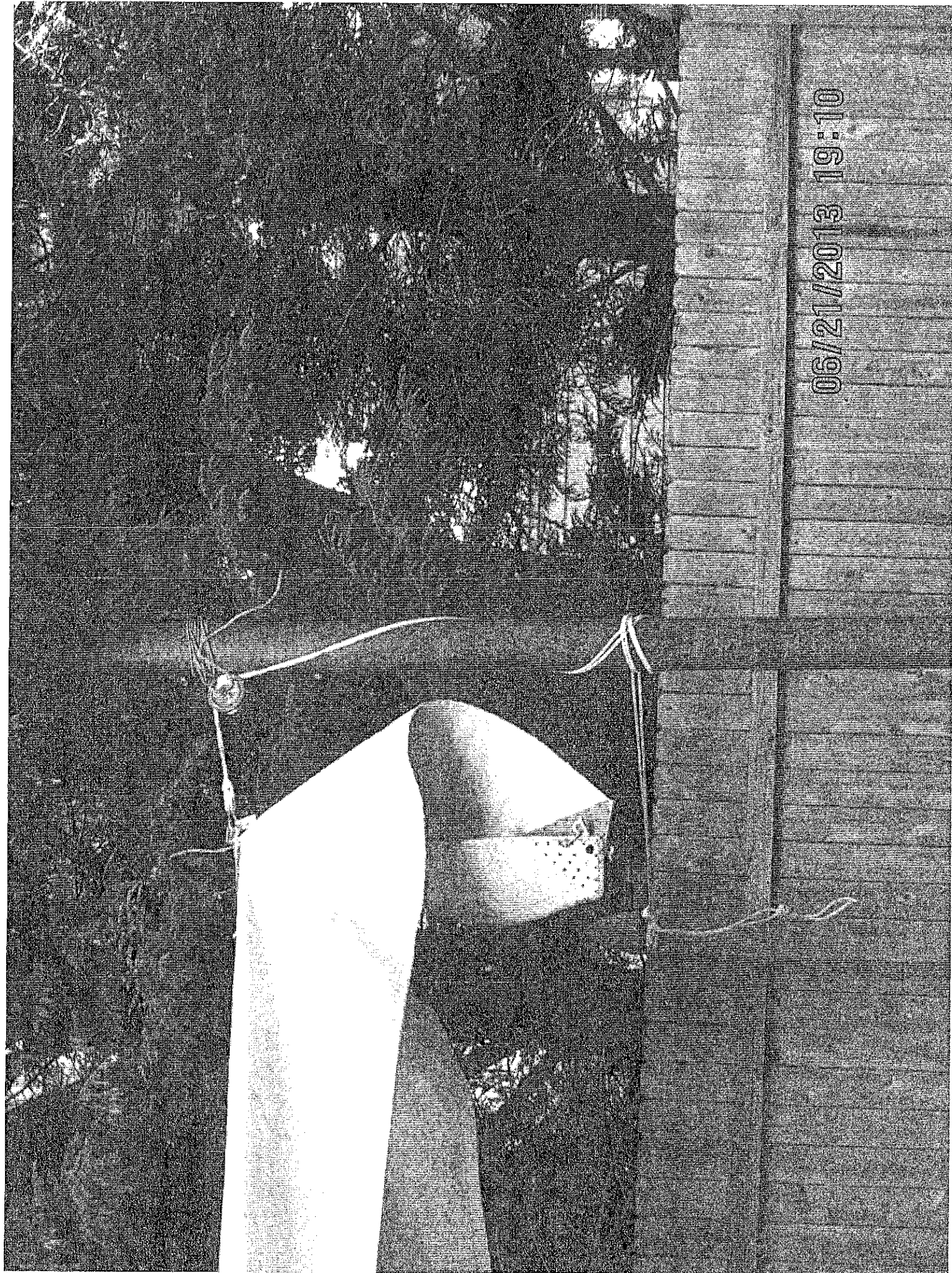
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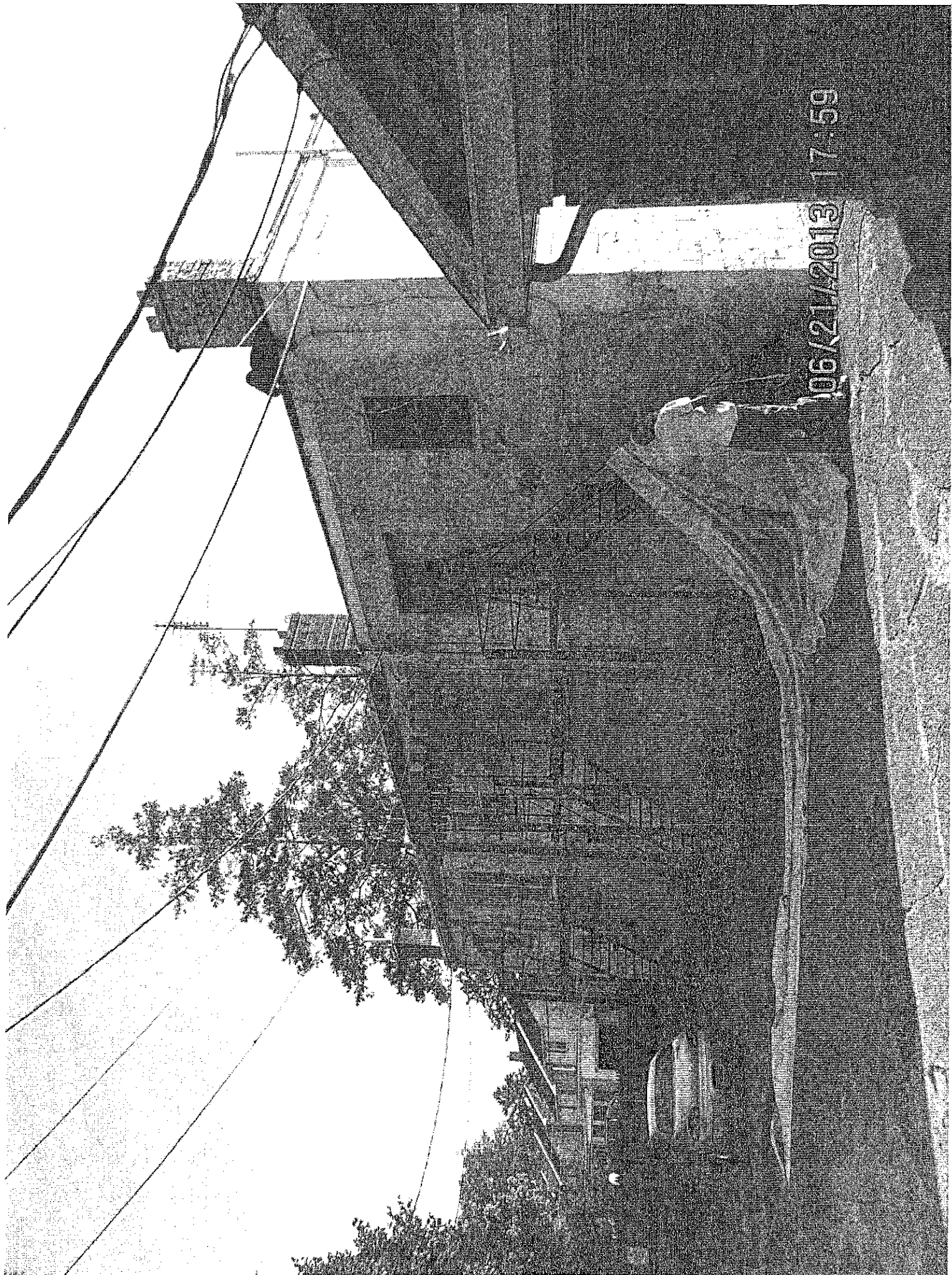
Richard L. Abbott (#2712)

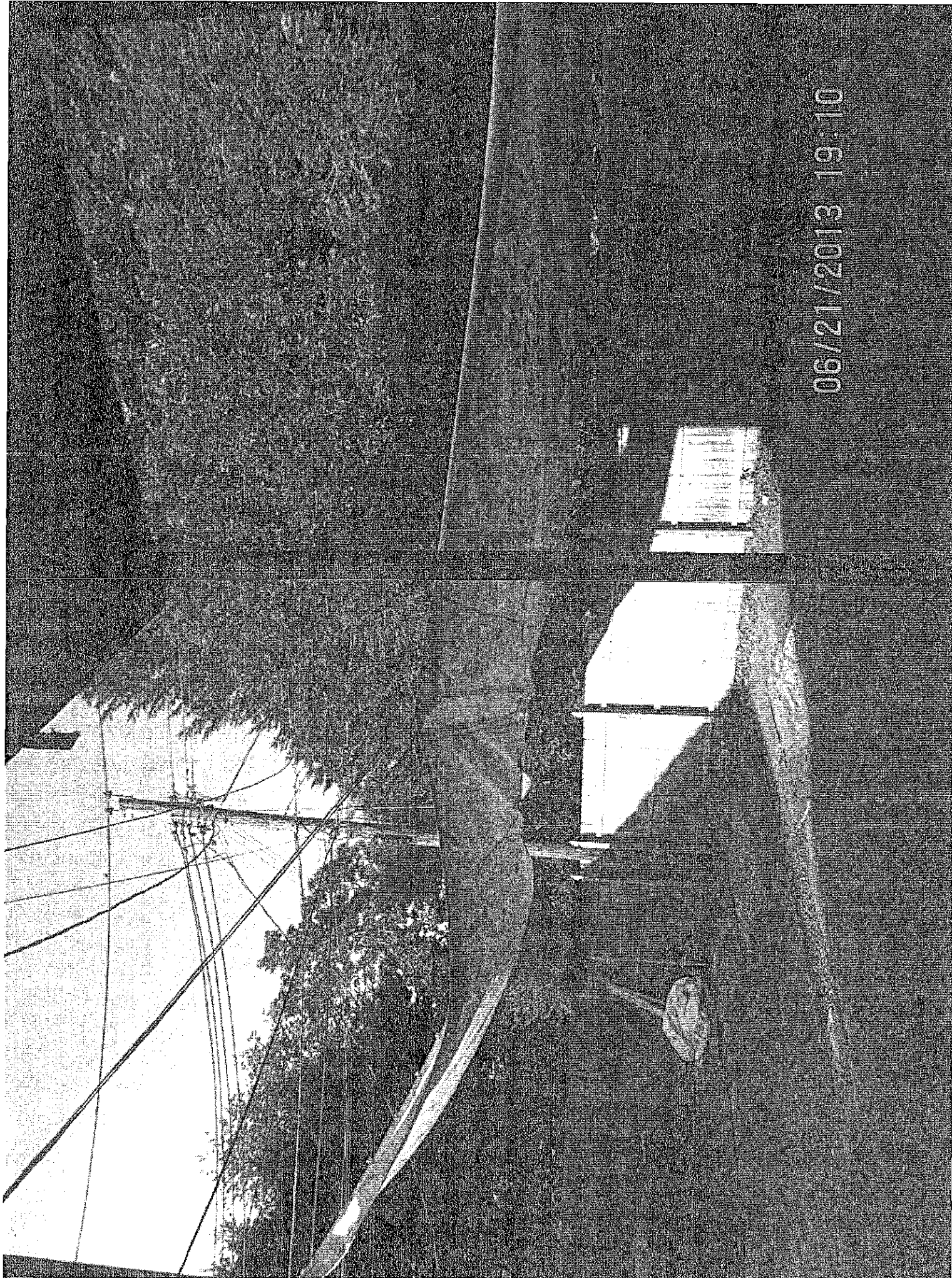
RLA:cth
File No. 372.01

cc: Blackball Properties, LLC – Via Email Only

06/21/2013 19:10





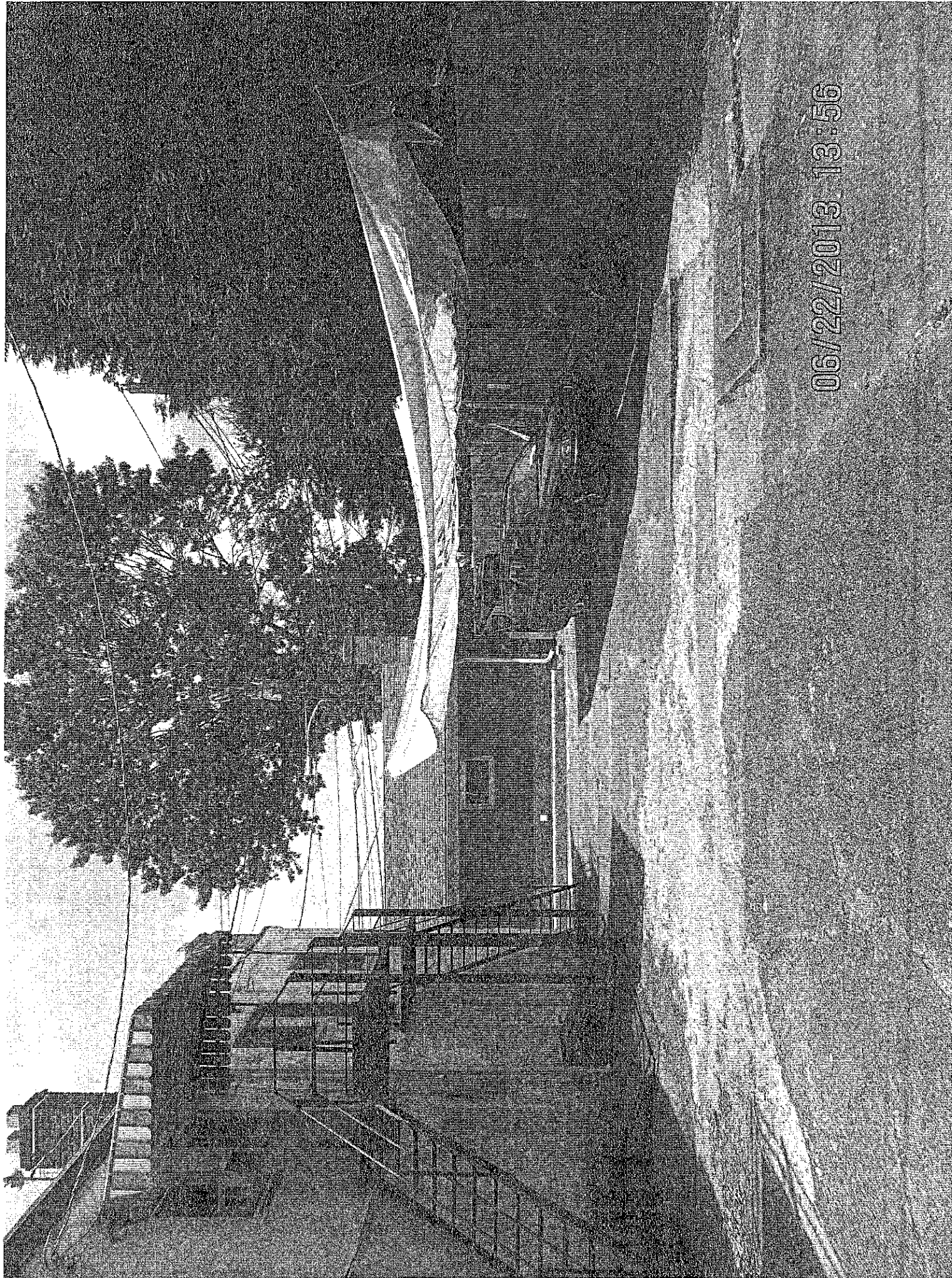


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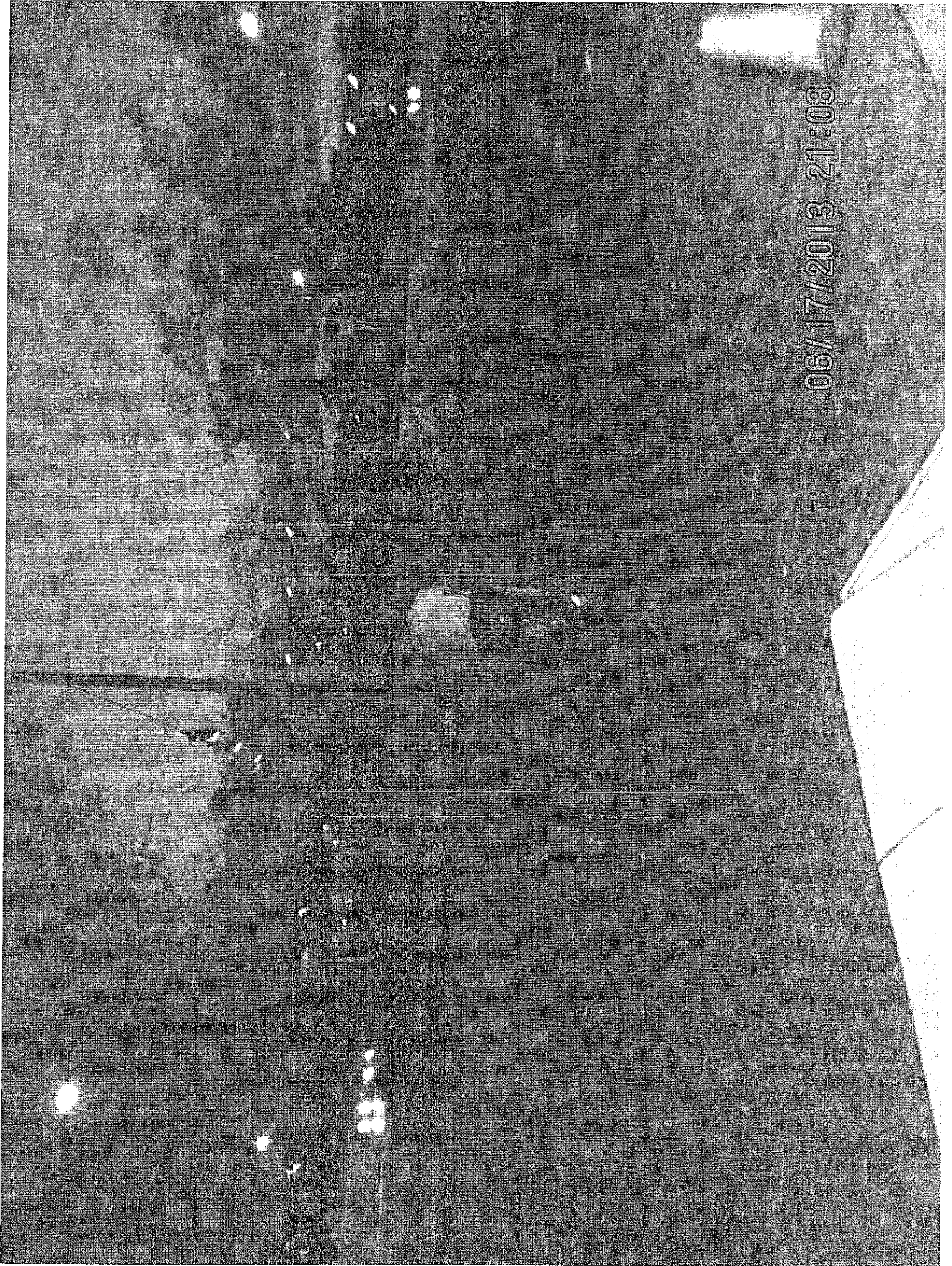
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