

NELLIE GAIL RANCH OWNERS ASSOCIATION
LITIGATION DISCLOSURE

Reames v. Nellie Gail Ranch Owners Association, et.al.
Orange County Superior Court Case No. 30-2015-00818730

On November 5, 2015, the Reames Trust 2002, by and through Trustees Charles Reames and Deborah Reames (collectively the “Reames”) filed a civil legal action in the Orange County Superior Court against Defendants, Nellie Gail Ranch Owners Association (“Nellie Gail”), and Ramin Tayani and Kathy Tayani (collectively the “Tayanis”), asserting: 1) Damages, 2) Equitable Relief (Temporary, Preliminary, and Permanent Injunctions), and 3) Declaratory Relief from Causes of action for Nuisance, Breach of Fiduciary Duty, and Breach of Governing Documents. On January 12, 2016, the Reames filed their First Amended Complaint alleging: 1) Damages, 2) Equitable Relief (Temporary, Preliminary, and Permanent Injunctions), and 3) Declaratory Relief from Causes of action for Nuisance, Breach of Fiduciary Duty, and Breach of Governing Documents. Thereafter on May 16, 2016, the Reames filed their Second Amended Complaint asserting: 1) Nuisance, 2) Breach of Fiduciary Duty, 3) Breach of Governing Documents, 4) Negligence, and 5) Invasion of Privacy. Pursuant to a Demurrer by Nellie Gail, the cause of action for Invasion of Privacy was dismissed by the Court on September 7, 2016. Thereafter, Nellie Gail filed its answer to the Reames’ Second Amended Complaint on September 26, 2016.

The Reames’ Second Amended Complaint alleges that in mid-October 2015, Nellie Gail’s Architectural Review Committee (“ARC”) approved plans for the construction of a 5,300 square foot addition to the Tayani residence, as well as landscape and hardscape improvements to the Tayani’s rear yard, in violation of the Association’s Conditions, Covenants, Restrictions and Reservations and Architectural Guidelines.

The Association’s Architectural Committee, including the Association’s retained architect, reviewed each application and remodel plan filed by the Tayanis from July 28, 2015 through January 19, 2018, either denying, conditionally approving, or approving various plans related to construction of an addition onto the residence, as well as various landscape and hardscape modifications to the rear yard. In sum, the Association’s Architectural Committee reviewed fifteen (15) applications and revised applications, including remodel plans.

The Reames settled the matter with the Tayanis and dismissed them from the action on May 16, 2016. However, Nellie Gail remains a party to the action.

The parties participated in mediation on February 26, 2016, and a Mandatory Settlement Conferences on March 13, 2020.

This matter was originally set for a jury trial on November 6, 2017, which was continued to December 4, 2017, January 14, 2019, March 16, 2020, and August 3, 2020.

Plaintiff seeks an unspecified amount of damages. The outcome of litigation, at this point, remains uncertain, as is the financial impact on the Association, if any. The lawsuit has been tendered to the Association’s insurance company and is being defended pursuant to the terms and conditions of the Association’s insurance policy.

All pleadings filed in this matter are public records, and unless sealed by an order of the court, copies may be obtained from the office of the Clerk, Orange County Superior Court, 700 Civic Center Drive West, Santa Ana, California, by referring to the above case number. The file may also be viewed at the Court Clerk's office at the Superior Court.

The information contained herein is solely for informational purposes, and is not intended to, nor shall it, relieve a seller or owner of his or her disclosure obligations pursuant to law. Furthermore, the information contained herein represents only the state of information and belief with respect to the matters addressed as of the date referenced above, and is not intended to be a prediction of future events or the outcome of the lawsuit. All claims, allegations, defenses and other issues in the case remain in dispute. This document is not a full recitation of all allegations, claims, defenses, or law involved in the lawsuit. Please refer to the documents filed in the lawsuit, which is a public record on file with the Orange County Superior Court, for further particulars.