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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:)	Chapter 11
)	
GORDON PROPERTIES, LLC,)	
CONDOMINIUM SERVICES, INC.,)	Case No. 09-18086-RGM
)	
Debtors.)	
<hr/>		
GORDON PROPERTIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	Adv. Proc. No. 11-01020-RGM
)	
FIRST OWNERS' ASSOCIATION OF FORTY)	
SIX HUNDRED CONDOMINIUM, INC.,)	
)	
Defendant.)	

FIRST OWNERS' ASSOCIATION OF FORTY SIX HUNDRED CONDOMINIUM, INC.
CONSENT MOTION TO APPROVE ENGAGEMENT OF JOE RIVIERE OF
CONDOMINIUM SERVICES, INC.

Defendant, First Owners' Association of Forty Six Hundred Condominium, Inc.

("FOA"), by and through its undersigned counsel, files this Motion to Approve Engagement of Joe Riviere of Condominium Services, Inc. as an interim manager for FOA, as contemplated by

this Court's order of June 15, 2012 (the "Motion"). In support of its Motion, FOA states as follows:

1. As this Court is aware, in the past, FOA has directly employed staff to operate and manage the FOA building. In 2011 through March of 2012, FOA fully employed James Claggett as its building manager. In March of 2012, Mr. Claggett resigned from his position with FOA.

2. At that time, the FOA Board of Directors engaged the services of a part-time manager, employed by Summit Management, on an interim basis, to provide management services to FOA on general business matters, and as directed by the Board of Directors.

3. Pursuant to its contract, Summit Management committed approximately 30 hours per week to FOA and was paid for those hours worked. The contract was terminable by either party, on 30 days' written notice.

4. On June 15, 2012, this Court entered an order seating an FOA Board of Directors, which Board was, at the time, controlled by Gordon Properties, LLC and/or its affiliated entity, Gordon Residential Holdings, LLC. (the "June 15 Order") [Docket No. 210.]

5. The June 15 Order states, in relevant part to the instant Motion, that "CSI may not accept employment from the Association during the pendency of its bankruptcy case without the prior approval of this court with such notice as may be required by this court at that time."¹

6. On August 20, 2012, Summit Management gave the 30 days' notice required by the parties' contract. The last day Summit Management performed work for FOA was September 30, 2012.

¹ By order of this Court on July 23, 2012, one member of the FOA Board was removed, and another seated, for the reasons set forth in this Court's ruling from the bench that same day. However, the provision of the June 15 Order regarding the engagement of CSI by FOA, which is relevant to the instant Motion, was not modified by subsequent order of the Court and remains in effect.

7. FOA's Board of Directors asked Summit Management to reconsider its resignation and to continue working with FOA, but Summit Management declined. Thus, as of September 30, 2012, FOA was left without sufficient support to manage the affairs of the Association.²

8. This time of year is a busy and critical time for FOA, as with many associations. It is the time for the budget for 2013 to be finalized and approved by the Board, for notices to be issued and assessments made. FOA's manager plays a crucial role in this process, as he or she prepares the FOA proposed budget (working with other FOA staff and Cardinal Management, which provides financial management support to FOA) and ensures the assessments and required notices are issued to all members. This is not a good time for FOA to be without proper management.

9. FOA held its annual meeting on October 3, 2012. A quorum was obtained and the 2012 election conducted. Three new members of FOA were seated to the Board of Directors.

10. The new Board has determined that it would be in FOA's best interest to engage Joe Riviere of CSI to assume the role of a temporary, interim manager, on substantially the same terms and conditions as Summit Management had previously served, while FOA undertakes a diligent search for a permanent manager.

11. Mr. Riviere has more than 17 years experience as a condominium property and/or community manager, serving communities in Maryland and Virginia. He holds a Master of Business Administration degree from the McDonough School of Business at Georgetown University.

² FOA has one other full time assistant manager who lacks sufficient experience to serve as FOA's manager. FOA also has one other part time staff member, with less experience than the assistant manager.

12. Mr. Riviere has been with CSI since December of 2009. Since that time, Mr. Riviere and other CSI staff have provided management services to other condominium communities in Northern Virginia and the District of Columbia. His resume is attached.

13. The FOA Board of Directors holds monthly meetings to conduct regular business. The next meeting of the Board of Directors is scheduled for October 16, 2012. FOA intends to solicit resumes and interview potential candidates for the position of full time manager at FOA. FOA expects this process to take up to a few months. The Board has determined that it is not in the Association's best interest to be without a knowledgeable and experienced manager serving the community and overseeing its operations during this critical time.

14. As a result, and given this Court's June 15 Order, the Board further voted to authorize and direct undersigned counsel to file the instant Motion seeking approval of this Court for FOA to engage Joe Riviere of CSI as a part time, interim manager on a temporary basis until a permanent manager may be reasonably be engaged. The terms of his engagement will be substantially identical to those upon which FOA engaged Summit Management for the prior six months.

15. CSI consents to this Motion, and the accompanying request to expedite.

WHEREFORE, for the foregoing reasons, FOA respectfully requests that this Court approve the engagement of Joe Riviere of CSI, on a temporary basis, to serve as FOA's manager until such time as FOA engages a full time manager, or until further order of the Court.

Dated: October 12, 2012

Respectfully submitted,

FIRST OWNERS' ASSOCIATION OF FORTY SIX
HUNDRED CONDOMINIUM, INC.

By Counsel,

/s/ Jennifer L. Sarvadi_____

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of October, 2012, I electronically filed the foregoing with the Clerk of Court using the Case Management/ Electronic Case Filing system (CM/ECF), which will send notification of such filing to the following counsel of record:

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