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7 Attorney for Defendant
8 Ruby Hill Owners' Association

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF ALAMEDA

11 ANIL REDDY and DIVYA REDDY,
12 individuals,

13 Plaintiffs,

14 vs.

15 RUBY HILL OWNERS' ASSOCIATION, a
16 California Corporation; and DOES 1-25,
17 inclusive,

18 Defendants.

Case No. HG13671895
Complaint filed: March 18, 2013
Assigned to Hon. Lawrence John Appel

**DECLARATION OF DAN HALE IN
SUPPORT OF DEFENDANT RUBY
HILL OWNERS' ASSOCIATION'S
OPPOSITION TO PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

Date: May 23, 2013
Time: 9:00 a.m.
Dept.: 16
Reservation No.: 1383869

19 I, DAN HALE, declare as follows:

20 1. I am a professional licensed architect and a principal with Hunt Hale Jones since its
21 founding in 1993. I have reviewed the Final Design for the residence of Mr. and Mrs. Reddy (the
22 "Reddys") approved by the Architectural Design Committee (ADC) of Ruby Hill on June 30, 2011
23 (which approval by the ADC at the time neither included review or approval of the exterior color or
24 landscaping.) I am therefore acquainted with the facts and circumstances of this case. I have
25 personal knowledge of the matters in this declaration, except as to those matters stated upon
26

1 information and belief, and as to those matters I am informed and believe them to be true, and would
2 competently testify thereto if called as a witness.

3 2. I have a Bachelor's Degree in Architecture from the University of California at
4 Berkeley. I have a Master's Degree in Architecture from the University of Oregon.

5 3. My firm Hunt Hill Jones is an award-winning practice which focuses on community
6 architecture, planning and interiors. Hunt Hill Jones delivers design leadership to projects on the
7 West Coast and in China.

8 4. I am a Design Principal with Hunt Hill Jones. I have been an architect since 1990
9 and have designed over 50 custom lots.

10 5. I helped design Ruby Hill and helped formulate the Architectural Design Guidelines
11 (Design Guidelines) for the Ruby Hill residential community.

12 6. I served on the ADC, in my capacity as an architect, reviewing plans and approving
13 construction of more than 600 custom homes in Ruby Hill.

14 7. In addition, I have reviewed photos of the as-built home and various written
15 communications from the ADC and the Ruby Hill Owner's Association (RHOA) with the Reddys
16 concerning their residence.

17 8. In my professional opinion, based on my training and experience as an architect, and
18 my familiarity and understanding of the Design Guidelines, the house of the Reddys, as constructed,
19 deviates significantly from the approved Final Design, with their as-built house inconsistent with the
20 architecture described in the Design Guidelines.

21 9. I have come to the independent conclusion that the ADC was correct in concluding
22 that the Reddys made substantial changes to the approved Final Design and substantially deviated
23 from the Design Guidelines. The ADC was correct in withholding final approval of the Reddy
24 residence and, on appeal to the RHOA Board, the Board was correct and acted reasonably in
25 likewise concluding that the ADC's findings were correct.
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