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# MEMORANDUM

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Date: January 6, 2015

To: Robin Brigode  
Clerk of the Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **Star Valley Development: Item 13 on the January 6, 2015 Agenda**

Please continue this item to the meeting of January 20, 2015. This will allow adequate time to consider the attached letter delivered to Deputy County Attorney Lesley Lukach by Attorney Evan Thompson regarding this subject.

I would, however, recommend the Board of Supervisors meet in Executive Session to discuss various issues related to Star Valley.

CHH/mjk

Attachment

c: The Honorable Chair and Members, Pima County Board of Supervisors  
Chris Straub, Chief Civil Deputy County Attorney  
Lesley Lukach, Deputy County Attorney

# THOMPSON•KRONE, P.L.C.

Evan L. Thompson†  
Russell E. Krone  
Robert M. Way\*

(Please Respond to Tucson Office)

January 5, 2015

Via: Electronic Transmission and U.S. Mail

Leslie Lukach  
Deputy Pima County Attorney  
32 North Stone Avenue  
Suite 2100  
Tucson, Arizona 85701-1412

**Re: USH / SVA Star Valley, LLC v. Pima County**

Dear Leslie,

This letter is to follow up our previous correspondence and my attempted telephone call to Kelly Olsen and to you today. It is my understanding that both of you are out of the office. However, I wanted to make sure that you had a response prior to the meeting of the Board of Supervisors tomorrow.

I finally have had a chance after the Holidays to discuss the settlement proposal from the County with my clients. My client greatly appreciates the attempt to resolve our case especially all of the work that Development Services put into coming to a resolution of the infrastructure issues with our client. However, the insistence of Pima County that our client enter into a judgment admitting to your counterclaims is something our client is unwilling to do. It is clear we were very close to resolving all of the infrastructure issues. The parties are apparently at an impasse and at this point unable to settle under the terms of the last settlement proposal from Pima County. It is clear Pima County is not willing to separate Mr. Cesare's personal lawsuit filed by attorney John Munger and the claims made by our client USH/SVA Star Valley, LLC the infrastructure issues and de-platting. Without that separation, I think it is impossible for the two parties to come to a resolution at this point.

I would implore Pima County to reconsider its position as my client would prefer to resolve all of the infrastructure issues, put this particular lawsuit to bed and move forward with the development. Rather than have to amend the complaint after the de-platting and litigate this particular set of issues over a drawn out time period, clearly to the detriment of both Pima County and our client.

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Phoenix office: 2400 East Arizona Biltmore Circle, Building 1, Suite 1140, Phoenix, Arizona 85016 Phone: (602) 258-4559

† Also Admitted in Colorado & Texas ‡ Also Admitted in the District of Columbia

Leslie Lukach  
January 5, 2015  
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Once you have had a chance to review this letter if you would like to discuss this further please feel free to contact me directly.

Sincerely,

THOMPSON•KRONE, P.L.C.

A handwritten signature in black ink, appearing to be 'Evan L. Thompson', with a large, stylized loop at the end.

Evan L. Thompson

ET/dh  
cc: client