

**LAW OFFICES OF  
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File No. 2682

April 1, 2024

Re: Aqua Maintenance Corporation Litigation Disclosure

To Whom It May Concern:

Aqua Maintenance Corporation (“Aqua Corp”) has requested that the undersigned provide you with this disclosure of the litigation this office is handling.

On April 3, 2023, an action was commenced in the United States District Court for the Central District of California, Western Division under Case No. CV 23-2498 by the United States of America, on behalf of real party in interest, Dr. Emma Adams, against the Association and others captioned United States of America v. Aqua 388 Community Association (“Aqua 388”), FirstService Residential California, LLC (“FirstService”), Rebecca Hawkins, Christopher Harrington, and Aqua Maintenance Corporation (“Lawsuit”). The Lawsuit alleges one cause of action for violation of the Fair Housing Act (as defined below). Together with other attorneys, I represent Aqua 388 and Aqua Corp. Other attorneys separately represent FirstService, Hawkins, and Harrington. Aqua Corp, the Association, and all other defendants, deny all allegations in the Lawsuit.

The United States of America has commenced this action on behalf of Dr. Adams, an owner of a unit at the Association and allegedly a paraplegic to enforce Title VIII of the Civil Rights Act of 1968 (the “Fair Housing Act”), as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601-3631.

Defendant Aqua Corp is the entity responsible for the shared parking garage located under the buildings of the Association and its sister-associations, Aqua 388 and Aqua 488 Community Association (“Aqua 488”). FirstService is the management company of the Association, Aqua Corp, and Aqua 488. The individually named defendants in the Lawsuit were employees of FirstService at the time of the alleged incidents.

The crux of the litigation and allegations in the Lawsuit stem from Dr. Adams’ position that the defendants discriminated against because of her disability by refusing to make a reasonable accommodation in rules, policies, practices, or services by purportedly wrongfully refusing to personally assign her a van-accessible parking space for her own use. Again, the Association and all other defendants, deny all allegations in the Lawsuit.

On May 25, 2023, the Association filed its answer to the Lawsuit and asserted its affirmative defenses thereto.

A jury trial is scheduled for May 8, 2024.

On October 10, 2023, the Court issued an interlocutory order granting Plaintiff’s motion for partial summary judgment on liability. No decision was requested nor made regarding the

amount, if any, of damages.

For further details and information, you may go to the United States District Court for the Central District of California, Western Division under Case No. CV 23-2498 courthouse, to review any of the pleadings or other documents filed in his matter or you may pay a fee and access them on-line (a fee is charged for viewing each separate document) through the United States District Court for the Central District of California website.

**Disclaimer**

Aqua Corp has advised us that by making the request for information and making the requests set forth to this law firm, the Association does not intend to waive the attorney-client privilege with respect to any information which Aqua Corp has furnished to us. Moreover, please be advised that our response to you should not be construed in any way to constitute a waiver of the protection of the attorney-work product privilege with respect to any of our files involving Aqua Corp and, furthermore, does not create nor constitute an attorney-client relationship between you, on the one hand, and the undersigned, on the other hand. Further, this litigation disclosure is not a warranty as to the outcome of any action or the possible effect of any of the claims against Aqua Corp. This disclosure is not a substitute for an independent investigation. It is merely designed to provide a disclosure as to pending litigation.

Sincerely,



STEPHEN E. ABRAHAM

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