

**For Immediate Release**

Wednesday, December 22, 2010

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Marketing & Communications Manager

## Message from ASHA President

This message is to inform our members of the status of the dispute between the ASHA and a group of members known as the Concerned Members, who include Edward R. ("Hoppy") Bennett, Dr. Simon Fredricks, Carl T. Fischer, Kris Knight, Tom Ferree, and Lynn W. Via. Many of you know them as long-time Saddlebred enthusiasts and supporters. This dispute arose about two years ago in early 2009 when the Concerned Members asked for ASHA records. Despite our small staff and limited resources, we attempted to respond appropriately. The Concerned Members were provided access to the books and records of ASHA - including the Executive Director's employment agreement materials. They engaged a CPA to review the documents, but have not told us they found evidence of financial impropriety and, after thorough review, I can assure you that there has been none. Our audited financial statement is available on the ASHA web site for members to review.

The Concerned Members also requested confidential information, including personnel records of all employees and their compensation information, other financial issues plus other communications and member transactions that the Association felt were not in the best interests of the ASHA or its members to disclose.

We, of course, do not know if they will request other information that may involve confidential or private information about members or staff. Finally-and most importantly-there is no control over how or where they could disseminate such private information.

After months of wrangling, after producing boxes of Association audited financials and a variety of other kinds of information, the dispute came to an impasse at a meeting between the Concerned Members and the Board of Directors. To the frustration of the Board, the Concerned Members did not articulate what they were trying to accomplish. The ASHA's ability to serve its members and pursue ongoing and new programs was being hindered (and still is being hindered) by this baffling dispute with the Concerned Members. So, the ASHA filed a declaratory judgment action in Fayette County, Kentucky, that asked the Court to determine what the Association was required to provide members. Our view was that we were required under the Kentucky nonprofit statute to provide "books and records of account," including financial records, minutes, and membership list, but not every document or piece of paper in the ASHA's possession.

The Court rejected the ASHA's view and wrote that the members "are entitled to inspect and copy any and all books and records of the ASHA." Your leadership has an ongoing concern as to what this might require to be disclosed, so the ASHA asked the trial court to make its December 2, 2010 Opinion final in order that it may be appealed. The operative words here are MAY be appealed - we will let you know when the trial court decides this request. At that time I will call a meeting of the Board of Directors to decide the next appropriate step in this matter.

We feel that we have done everything reasonable and appropriate to address the demands of the Concerned Members. At some point though, the Concerned Members owe it to the ASHA and its Members to articulate their specific concerns directly to the ASHA Board of Directors or their representatives - not through false rumors and innuendoes spread via the internet, social sites and email. The ASHA made the decision from the beginning of this long process that it was not going to engage in such tactics - tactics that are designed to inflame and enrage. The ASHA continues to welcome a meeting where the concerns of the Concerned Members are presented to me and others in order to resolve this dispute. Otherwise, the ASHA will be required to continue to expend scarce resources dealing with this dispute on some front or another.

We are not perfect or above criticism, but your elected Board Members, officers, staff, and volunteers are doing their best to promote our Breed, educate the public, and serve the members through many programs and activities. Thanks to all of you for your membership and your support of these efforts of the ASHA.

Judith Werner, President