

## APPENDIX 1

### COMMUNICATION BETWEEN TREASURER OF DHA AND CHIEF

**NOTE: Bank account numbers have been represented with x's, and people's names are substituted by their role shown in squared brackets. The substitution are done for legal reasons. Otherwise the text is identical.**

**Date:** Wednesday June 22, 2005, 11:24 AM  
**From:** Treasurer  
**To:** Chief  
**Subject:** Death Certificate

Chief,

Your father was the only signature on the clan bank accounts. I have contacted the bank and asked what was necessary for clan association officers to be added to the account. It's very important that we get this done as quickly as possible...partly for regular clan business transactions and partly because of the 34 people signed up for the trip to Scotland. We need to be able to write checks and finish with arrangements and, without a death certificate, we cannot be added to the account. So, could you please send me a copy of the death certificate so I can get this set up? These aren't his personal accounts...these are the 501(c) (3) clan accounts.

Several of the clan members would like to know about what funeral arrangements, flowers, etc., whenever you make those decisions.

Thanks,  
Treasurer

**Date:** Thursday June 23, 2005, 2.28 PM  
**From:** Treasurer  
**To:** Chief  
**Subject:** Hello and help, please.....

Hello Chief,

I hope you have managed to make arrangements for Dugald's person and property. It's such a sad business – and there's no way for anyone to help. Condolences have been pouring in to you from as far away as England and Scotland, Holland, Australia and New Zealand.

I've been in communication with the other officers of the clan and we have come up with some things that Dugald had, but which need to be sent here so we can continue to operate the clan. First, his check book/credit card for account #[xxxx xxxx xxxx xxxx]at Bank of America. That is the Dunardry Heritage Association account and is where store receipts / purchases are made. **Your father's name was also on it so he could pay personal travel while on clan business** with his own identification. We have continuing activity in these accounts and, **in accordance with the AGM minutes of 2004, they will now be operated by the officers of Dunardry Heritage Association.** Secondly, there is another account at Bank of America called the Dunardry Educational Fund, account # [xxxx xxxx xxxx xxxx] which has the deposits for the 34 people going on the Gathering in July. When they arrive in Scotland, all the payments to the hotel, bus, band accommodations, meals, etc, must be paid from that account. It has a debit card associated with it which ends in [xxxx] We need that, also. These accounts are not personal accounts and the money in them belongs to the clan, not Dugald.

I feel dreadful having to ask for these things so soon, but **we are entrusted with the responsibility to run the clan at the retirement or death of your father** and we must do it under the requirements of our 501(c)(3) status as a charitable institution. Also, we need a Death Certificate as soon as possible (perhaps overnight express?) to activate 2 of the officers (myself and our membership secretary) on the accounts.

If there is any way in which we can help you, please let us know. We do desperately need a death certificate, the banking items (checkbook/cards), and the files on the Gathering 2005 (which would have info on Grey Gull Hotel, West Coast Motors, and some sort of itinerary). Anything you can find on clan business. One of our officers has enough free air miles he could fly to Vancouver and pick them up along with your father's ashes if your family has approved of his burial in Scotland.

This way, the clan will continue to run and prosper and we can continue to pay day-to-day bills, expenses to have our clan tent at various games, printing costs, merchandise, etc. My address is: [Treasurer Name and Address].

Please contact me at your earliest convenience,

Yours aye,  
Treasurer

**Date:** Friday June 24, 2005, 10:24 AM  
**From:** Chief  
**To:** Treasurer  
**Subject:** Hello and help, please.....

Greetings Treasurer,

I'm very sorry for taking so long to get back to you regarding the present situation. As you can appreciate, running a business and trying to co-ordinate the particulars involved with the passing of my father has left us little time. There are numerous relatives that needed to be made aware of his death.

I am in the process of making arrangements for my mother, wife and myself to be in Vancouver on Sunday. I will try to expedite any related documents that are required by the clan for the upcoming trip.

Sincerely,  
Chief



**Date:** Thursday June 23, 2005, 9:35 AM  
**From:** Treasurer  
**To:** Membership Secretary  
**Subject:** FYI.....FW Clan MacTamhais

In the minutes of 2004 AGM, I have to have a slate of officers, Chief had intended [President] to be president of the new society, Me the secretary/treasurer, You the membership chairman and [NA Commissioner] the vice-president of the new society. That's fine and good. But that leaves us with an uneven number which isn't good.

After receiving the e-mail from [Director 1] and realizing he is running the show for all of NZ and AUS, I wondered if HE should be the 5<sup>th</sup> person. I realize he couldn't come to the meetings, but I don't believe that we have any rules against proxy votes. I think his position requires him on the board....we could send out the agenda for the meeting to him and he could tell us what he thinks (votes) and, if there was something going on in NZ/AUS he could propose changes or ask for assistance then too.

What do you think? I am going to send this on the [NA Commissioner] too.

**Date:** Thursday June 23, 2005, 10:55 AM  
**From:** Treasurer  
**To:** Membership Secretary; NA Commissioner; Director 2  
**Subject:** Minutes AGM 2004

Any changes???

**Date:** Thursday June 23, 2005, 2:25 PM  
**From:** Treasurer  
**To:** Membership Secretary  
**Subject:** Re: Minutes AGM 2004

CHIEF'S NOTES NOT IN THE ORIGINAL: THE LINES IN UNDERLINED ITALICS BELOW ARE THE EDITTED TEXT THAT THE TREASURER INSERTED INTO MEMBERSHIP SECRETARY'S PREVIOUS E-MAIL

A fine job, [Treasurer]. Only two changes, I'm in PA

*FIXED*

and in the first line of new business discusses would sound better as discussed I believe.

*FIXED TYPO.*

I was on a [innocent named politician's] staff during his last bid for the Presidency and we would have been proud to have you doing some of our writing.

*Oh you flatterer!*

Not so, I think your talented. Have you spoken to [an innocent named clan member 1] about this? If you have is he in agreement? If you haven't, could he be a problem? Either way his inclusion for office was a good idea.

No, I didn't discuss it with him. He was nominated. I didn't say he was PRESENT. It think [innocent named clan member 1] is going to be a problem sooner or later, whichever way we do this. At this point, is there any reason he should know when the minutes were done? I don't see it.

Neither do I and I agree with your assessment.  
Is this the AGM minutes format that we will continue to use? If so, do you want a tape of the meeting in Scotland? (I think this meeting and the presidents it sets IS the future of the Clan.)

Pretty much, except we should have to go over the stuff in 2004 AGM as OLD BUSINESS...and ...yes a tape would be an excellent idea. We should probably have someone taking notes also so we can identify the voices on the tape....

I have a small tape recorder. I'll bring it and several tapes. When people talk we could ask them to identify themselves and pass the recorder if necessary.  
I will go forward with the banking problem based on this document this afternoon. Do you want me to draft a letter from the "Board" to Bank of America asking for the signatory changes?

Sure...the "board" should really be called the Officers of the Dunardry Heritage Association. Our Employer EIN number is [xx-xxxxxx]. This has to be done soon for the obvious reasons and also because our fiscal year closes the end of JUNE. Also it would probably be a good idea to send the letter here so [President] can sign it. See if they have a FAX number we could sent it to. Also, tell them we are awaiting a death certificate from Canada on Dugald.

I note the change to "Officers..." and will begin that Friday. [An innocent named third party person] was not at her desk but I left a message re" death cert and unauthorized email download with request she call back. Also, was unable to talk B of A person today and should do that before the letter.

In the meantime, I will draft a letter upholding the conditions of the 2004 AGM and confirming a teleconference Executive Meeting of you, me, [President] and [NA Commissioner] because that's more than 1/2 of the officers [how about saying it was last night since I DID talk to everyone last night except [innocent named clan member 2]. [Innocent named clan member 2] has no idea he was our International Rep, but he will be replaced at the 2005 AGM so it doesn't matter. Simply state that we have no input from him and elect [Director 1] of Australia. I'll also make up a list of the new officers (2004) and their addresses for the 501(c)(3). Last night is fine.

You have certainly put in a lot of thought and hours on the entire operation and I feel the Exec Board you have installed will do a great job running the Clan.

Thanks. [President] and I have both worked on and filled in when the other's mind went blank. Even though Dugald made this all MUCH harder than it needed to be, we'll "get 'er done."

We all seem to work well together.

**Date:** Thursday June 23, 2005, 3:29 PM  
**From:** Treasurer  
**To:** Clan Member 1; Clan Member 2  
**Subject:** change to 2004 AGM ????????

Looking over the past meetings, we have NEVER had a quorum!

The following items were discussed and acted on as appropriate. I wrote to [Director 3] as she was involved in all the original filings and asked if she knew of any reason that we had 14 directors required EXCEPT that [innocent named clan member 2] wrote up the by-laws and that's how many Clan Campbell had.....hopefully, I'll hear back from her tonight.

Treasurer

NEW BUSINESS:

**Makeup of the Board of Directors –**

*Membership Secretary* – I propose an amendment to our current by-laws to require a President, Vice-President, Secretary/Treasurer, Membership Secretary and International Representative to constitute the Officers/Directors of Clan MacTavish/Thom(p)son at future meetings with no additional Directors required. We are too spread out to try and get 7 directors together for an AGM or a special meeting.

We will have all aspects of our membership represented and all required positions filled.

*Pres:* The proposal is open for discussion.

*Treasurer:* I think it is a great idea and long overdue – it's too unwieldy trying to find a place where we can get enough people to have a meeting! It would streamline the operation greatly.

*Pres:* Any further comment? NO? Then I call for a vote. Unanimous consent. The ByLaws will be changed as indicated.

**Date:** Thursday June 23, 2005, 4:35 PM  
**From:** Membership Secretary  
**To:** Treasurer  
**Subject:** RE: Ltr Bank of America draft

It may be better to have only the name of the organization or President or all of the Executive Board or letterhead of each EB office individually. (By that I mean if you write it it's your letterhead.) Especially now, anyone seeing themselves excluded may fractionalize the effort to pull together. Also, **is there a problem in using the badge, I know the belt signifies it's on "loan" with permission of the Chief** but Dugald is no longer Chief.

**Date:** Thursday June 23, 2005, 5:52 PM  
**From:** Membership Secretary  
**To:** Treasurer  
**Subject:** RE: change to 2004 AGM????????

14 are too many but, 5 may be too few especially since one of them will only be able to vote electronically. If one can vote that way 2 more can also. Your original proposal was P, VP, S/T, MS, IR and two from the general meeting as General Reps. I think that is a better mix, the only requirement for election as Gen. Rep would be that they maintain an active e-mail. It would also

stimulate interaction within the Clan. Who know, it may be the way to get the message board humming!

**Date:** Friday June 24, 2005, 9:27 PM  
**From:** Treasurer  
**To:** Membership Secretary  
**Subject:** RE: Ltr Bank of America draft

I set up the letterhead the same way it was originally done....all the directors are listed...some with specified duties and others (the lucky ones) just really have voting rights. I don't think it will affect things...are you thinking about [innocent named clan member 1]? He needs to grow up sometime....**we are saying that these people were elected nearly a year ago, so he shouldn't detect any exclusion.** I don't think anyone else would....We could have individual letterheads too for business pertaining only to our particular "thing"....

I think if we had permission to use it, we use it. Even those clans who don't HAVE a chief use their clan's crest. If you can buy it from a "roadside" stand, I don't think it's a big deal. Hopefully, we will have another chief one day....but we were granted the right by our chief and **I'm going to assume** that's for posterity.

??????

**Date:** Thursday June 23, 2005, 21:56:39 - 0500  
**From:** Treasurer  
**To:** Secretary  
**Subject:** The sad news...

[Secretary]

**Would you be willing to be the clan Secretary?<sup>1</sup> As you know, I field most of the clan correspondence and I don't mind that. But according to our bylaws, we have to have a separate secretary and treasurer. Since I handle all the sales for the clan, I fit more into the "treasurer" category. All you would really have to do is to write any official letters that may be required and the rest of us would feed you what information you might need. If you have access to a fax machine, I could fax copies of our bylaws, Constitution and 501(c(3) paperwork sometime.**

**Please let me know if you are willing.....because, if you are (were) you started back in October 2004....when the rest of us were 'elected' at the AGM in Stone Mountain. I have to re-do the minutes from oct 2004 because we didn't elect the proper officers.....arghhhh.**

*CHIEF's COMMENTARY:*

<sup>1</sup> *In an undated and untitled e-mail the Secretary indicates he advised the Treasurer:*

*"The Minutes represent the legal record of proceedings, as you know. You may wish to consider amending the current draft Minutes of your last Meeting with an **afternote** regarding the previous Secretary as having left that position in uncertain circumstances; the position being left vacant until you/President appointed me Acting Secretary on June 25<sup>th</sup>, 2005 (appointment subject to verification at the AGM on July ??, 2005.)"*

**Date:** Thursday July 7, 2005, 13:03:42 - 0500  
**From:** Treasurer  
**To:** Membership Secretary; Secretary; NA Commissioner  
**Subject:** AGM 2004

Finally – found the updated AGM minutes from 2004. Please DESTROY all previous copies. If you have any amendments (Those who were there) let me know.