

STATE OF INDIANA)
) SS:
COUNTY OF KOSCIUSKO)

KOSCIUSKO SUPERIOR COURT
CAUSE NO. 43D01-0609-MI-692

HOWARD S. BREMBECK and)
DONALD BLOSSER,)
individually and as, respectively, contributor)
to and member of United Methodist Foundation)
for Adult Christian Ministries, Inc., a/k/a Oakwood)
Foundation, and derivatively on behalf of)
UNITED METHODIST FOUNDATION FOR)
ADULT CHRISTIAN MINISTRIES, INC.,)

(Consolidated with cause number
43D01-0806-MI-116)

Petitioners,)
)
)

v.)
)
)

MADELYN WURSTER,)
DAVID SCHRAMM,)
JAMES OTTJES,)
DENNIS LOMAX,)
JOHN KNECHT,)
MAC FIFE,)
CAROLYN ANDERSON,)
M. DOUGLAS ANDERSON, and)
CINDY REYNOLDS,)
individually and as members of the board of)
directors of United Methodist Foundation for)
Adult Christian Ministries, Inc., a/k/a Oakwood)
Foundation, and)
UNITED METHODIST FOUNDATION FOR)
ADULT CHRISTIAN MINISTRIES, INC.,)
a/k/a OAKWOOD FOUNDATION,)

Defendants.)
)

NOTICE OF SUPPORT OF STATE OF INDIANA FOR RECEIVER'S REPORT

Attorney General Gregory F. Zoeller, respectfully seeks to inform this Court of the following matters with respect to instant case:

1. The Office of the Indiana Attorney General is charged with protecting the public interest by ensuring the legal operation of nonprofit corporations under the Indiana Nonprofit Corporations Act, Indiana Code Article 23-17.

2. The Office of the Attorney General first learned of this civil action in April of 2008. From that date to the present, the Office of the Attorney General has monitored the civil action to determine whether the parties could resolve their dispute with no harm to the public interest. At the request of this court, the Attorney General filed a Motion to Intervene in this matter on July 13, 2009.

3. On May 14, 2010, the Attorney General asked this Court to Appoint a Receiver for Oakwood Foundation and this Court charged Ian Rolland with that responsibility. Upon receipt of a copy of the Receiver's Fourth Report to this court, the Attorney General notes that Mr. Rolland has successfully undertaken his role as receiver. Mr. Rolland has: taken possession of the Foundation's property; maintained said property from further deterioration; marshaled the Foundation's assets; prepared an accounting of the Foundation's assets and liabilities; received a number of proposals for the future of Oakwood Inn and Park from profit, nonprofit, and government entities, and presented these proposals to his Advisory Board. Further, he and his Advisory Board have selected the proposal that presents the best course of action to ensure a continued public purpose for the future of Oakwood Inn and Park through the purchase by Buckingham Properties which will facilitate a Chautauqua-like programming that focuses on performing and visual arts, education, recreation and religious activities.

4. In addition, the Receiver has worked with representatives from the town of Syracuse, Indiana to promote annexation of the Foundation's property, which will improve utility services

and allow the Foundation to avoid capital expenses for needed repairs and replacement of utility infrastructure.

5. The Receiver recommends reconstituting the Foundation Board of Directors to serve as a “watch-dog” to ensure that the property is used in a manner consistent with the promises of the buyer and its long history of public benefit and rich heritage that Oakwood Inn and Park has meant to this community, preserving it for generations to come.

6. The Receiver has assured the Attorney General that he will continue to receive notice of governance of this nonprofit so that we can continue to exercise our role to ensure the legal operations of this nonprofit corporation.

7. Finally, the State is satisfied that the Receiver's best efforts have been made in his recommendation to the Court and

THEREFORE, the State of Indiana asks this court to give every consideration to the recommendation of the Receiver for disposition of Oakwood property as well as the Receiver's Motions pending before this Court.

Respectfully submitted,

GREGORY F. ZOELLER

ATTORNEY GENERAL OF INDIANA

By:

A handwritten signature in black ink, appearing to read 'A. L. Kuzma', with a long horizontal line extending to the right.

Abigail L. Kuzma, #5461-98
Deputy Attorney General
Director and Chief Counsel
Consumer Protection Division

CERTIFICATE OF SERVICE

I hereby certify that I have this 18 day of April, 2011, deposited a copy of the foregoing
in the U.S. First Class Mail, postage prepaid, properly addressed to:

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