EASTMORE OWNERS CORP.

Legal Committee Statement to Shareholders

June 9, 2026

Re: Response to Ms. Zelmanovich's Candidate Bio – Litigation Context

Dear Fellow Shareholders,

The Legal Committee of the Eastmore Owners Corp. has a duty to speak plainly. Ms. Zelmanovich's candidate bio characterizes the ongoing litigation in a manner that is incomplete and, in our view, misleading. As fiduciaries, we cannot allow that narrative to go unchallenged. The facts matter to every shareholder.

This litigation did not begin with the Eastmore Owners Corp. It began with a chronic noise problem over four years ago. After investigation, it was the Board's opinion and is the opinion of this Legal Committee that Ms. Zelmanovich's dog barked persistently and at length, disturbing neighbors and violating community rules. Residents heard and documented the violations with hours of audio and video recordings. While Ms. Zelmanovich may dispute the extent of such complaints, there is no dispute that the complaints were received by the former Board for purposes of investigating same. Before taking any legal action, the former Board on behalf of the Eastmore Owners Corp. repeatedly sought to resolve the matter through direct meetings, behavioral training referrals and confirming that floors were properly carpeted. Ms. Zelmanovich either declined every overture or stated that same was not necessary as the problem was not persistent as complained of by residents. Both Ms. Zelmanovich and her counsel were consistently unavailable for scheduled meetings.

At no point did Eastmore Owners Corp. discriminate against Ms. Zelmanovich. It is both the position of the previous Board (prior to Ms. Zelmanovich's election to the Board) and the current Legal Committee of the Board (created after Ms. Zelmanovich's election to the Board) that the previous Board enforced the building's noise policies consistently and in good faith.

Ms. Zelmanovich points to the recent Appellate Division ruling as validation of her case. Ultimately, it is not. Counsel for Eastmore Owners Corp., has advised as follows:

- The Appellate Division applied the lowest possible legal standard on review: it accepted every fact alleged by Ms. Zelmanovich in her Complaint as true and drew every inference in her favor. This is the threshold required to survive a motion to dismiss—not a ruling on the merits.
- The Appellate Division did not review the factual evidence, including the extensive audio and video recordings of the dog's barking. Rather, that evidence was properly before the court on a motion for summary judgment submitted by Ms. Zelmanovich in a pending

action in Landlord/Tenant Court, where the Eastmore Owners Corp., prevailed on such motion practice.

- Except for this appellate ruling, the Eastmore Owners Corp., has prevailed on every motion in this litigation, in both the Supreme Court and in Landlord/Tenant Court. Ms. Zelmanovich appealed prior decisions in the Supreme Court action and each decision in the Landlord/Tenant action and she lost.
- The denial of our appeal means only that the case will proceed to depositions and potentially to trial. This matter is not resolved in Ms. Zelmanovich's favor.

In addition to the actions previously filed, in 2024 Ms. Zelmanovich filed a discrimination complaint with U.S. Department of Housing and Urban Development ("HUD"). That complaint with HUD is pending investigation and no determination as to probable cause has been made to date.

Four years of litigation have imposed a real financial burden on every shareholder. Legal expenditures to date total approximately $431,549.06, equating to approximately $7.19 per share across the building's outstanding shares. These costs will continue if Ms. Zelmanovich pursues litigation. The Eastmore Owners Corp., (prior to Ms. Zelmanovich being elected to the Board) has previously sought a practical resolution through mediation but those efforts were unfortunately fruitless.

Prior to Ms Zelmanovich's election to the Board, Eastmore Owner's Corp.'s Counsel advised the previous Board to avoid public statements to prevent any appearance of retaliation. Since her election to the Board and after the formation of the Board's Legal Committee, we have continued to follow Counsel's direction to avoid public statements to prevent any appearance of retaliation. We respect that guidance; however, Ms. Zelmanovich has now taken her version of events to shareholders through her candidate bio. We can no longer allow a one-sided account to shape shareholder opinion unchallenged. This statement is not retaliation. It is our fiduciary obligation.

The Legal Committee remains committed to protecting the interests of all shareholders and to providing you with the complete picture.

Respectfully,

The Legal Committee of the Eastmore Owners Corp.

Drew Daly, Lori Fierstein, Nancy Friedman, JB Kresser, David Spector, Lynda Wertheim