



090824CBB3906

The information in this report was obtained through an on-site interview with the complainant conducted on September 3, 2009. This investigation was initiated from a complaint that the consumer made to our agency on August 14, 2009. The builder of the residence was contacted by telephone and email to request a drywall invoice and obtain the drywall subcontractor's contact information. Attempts to obtain the information were unsuccessful.

Construction began on the involved residence in November of 2005. The residence is a one-story, Acadian style, single family home. The exterior of the residence is hardy board planks. The residence has approximately 1,770 square feet of living space. The residence also has a 20' x 20' detached garage. Wood studs were used in the construction of this residence. The home is piped for natural gas. The appliances that utilize natural gas in the home are the stove top, oven, water heater, and the furnace. Ceiling heights in the residence range from 9'-12'. The residence consists of carpeting in the three bedrooms, with the remainder of the residence having ceramic tile and manufactured wood flooring. The home is equipped with hard-wired with battery back-up smoke detectors.

The complainant stated that his home was built by a builder whom he had hired to oversee the construction of the residence. The involved product, drywall, was installed by a drywall subcontractor in the residence in April/May of 2006. It was purchased from a local building supply company. The drywall was painted in May of 2006. The complainant (59 years old), his 10-year-old son, (whom he stated lives with him 30-40% of the time) moved into the residence in June of 2006. The complainant stated that neither he, nor any visitors had noticed a particular odor in the residence.

The complainant stated that he has a history of allergies, which he currently treats with medication (Allegra, Nasonex) prescribed by a physician on a daily basis. He stated that he has been taking medication for his allergies for the past ten years on a regular basis. He stated that he began experiencing headaches on a regular basis after moving into the residence. He stated that he takes 800mg of ibuprophen to treat the frequent headaches. He stated that he hasn't notice if the headaches subside when he leaves the residence.

He stated that his 10-year-old son (DOB 5/13/99) also has a history of allergic rhinitis and occasional wheezing with viruses and colds that last longer than a few days. He also develops a cough when his allergies flair. He has used inhaled corticosteroids for his cough in the past and also takes an antihistamine daily to control his symptoms. The complainant stated that he really can't say for certainty that his son has experienced health symptoms as a result of having imported drywall in his home. He stated that he and his ex-wife have noticed that his son has had a frequent cough and runny nose over the last couple of months. The cough and runny nose do not improve when the 10-year-old goes to his primary residence, his mother's home.

The complainant stated that he began having issues in his home in the spring of 2008. He stated that the evaporator coils on his air-handler had to be replaced in April of 2008. He stated that the repairman did not make a determination as to what was causing the

evaporator coils to leak. He stated that in June of 2009, he noticed that his house was warm and that the air-conditioner didn't feel like it was cooling the residence. He stated that his a/c unit was recharged on June 10, 2009, July 9, 2009 and again on August 12, 2009. He stated that when the a/c repairman examined his evaporator coils on 8/12/09, the repairman stated that the coils were corroded and were leaking Freon and would need to be replaced. The complainant stated that the repairman suggested that he may have imported drywall in his residence, which was causing the problems with the air-conditioning unit. The complainant stated that he found labeling on the drywall in the attic which indicated it had been made in China. The complainant stated that he opted not to have the coils replaced on his a/c unit again due to the fact that he did not know how long they would last and also due to the cost of the repair. Copies of the checks the complainant wrote to pay for the air-conditioning services performed on 6/10/09 and 8/12/09 were obtained. Service invoices dated 4/24/08 and 6/10/09 were obtained as well. Copies of the checks and service orders are attached as Exhibit #3. Note: This Investigator received an additional service order from the complainant by mail on 9/23/09, showing that he had to have his coils recharged again on 9/22/09. It is also attached as Exhibit #3.

In addition to experiencing problems with his air-conditioning unit, the complainant stated that in June of 2009, the laptop he had been using since moving into the residence quit powering up. He stated that he brought it to a repair shop, who advised that they could not repair it because they couldn't diagnose the problem with it. The invoice is attached as Exhibit #4.

He stated that he notified his builder by telephone that his home contained drywall imported from China. His builder visited his home on August 13, 2009 to inspect the labeling on the drywall and the blackening on the copper tubing and wiring in the residence. He stated that his builder told him that he did not have the money to help him and that he didn't think his insurance carrier would cover the cost of repair to the home. The complainant furnished a copy of the New Home Warranty Act to this Investigator, which, according to him, holds the builder liable for the cost of repair to his home. It is attached as Exhibit #5. He stated that he notified his insurance company on August 24<sup>th</sup>, 2009 about the issues he was having in his home as a result of the imported drywall being installed in home and that he filed a claim with them for the losses he was going to incur as a result of the drywall. It is attached as Exhibit #6. He stated that an adjustor for the insurance company came to his residence on 9/2/09 and conducted a visual inspection of the residence.

He stated that he sent the builder a certified letter on August 31, 2009, documenting that he had verified that his home had been constructed using imported drywall. The letter is attached as Exhibit #7. He stated that he also hired an attorney to represent him. He provided a copy of his products liability litigation and contingency fee paperwork. The documents are attached as Exhibit #8.

The complainant is currently still living in the residence. He is working with an attorney to get the issue with the drywall resolved.

**PRODUCT IDENTIFICATION**

- TYPE: Drywall
- BRAND: Knauf
- MANUFACTURER NAME AND ADDRESS: Knauf Plasterboard (Tianjin) Co., Ltd., North Yinhe Bridge East, Jingin Road, Tinjin, China
- BUILDER: Taber Construction, LLC, (Tommy Taber), 204 E. 14<sup>th</sup> Avenue, Covington, LA 70433
- SUPPLIER: Interior/Exterior Building Supply, P.O. Box 4002, New Orleans, LA 70437, shipped out of the Abita Springs, LA branch office -1701 South Lane, Mandeville, LA 70478
- INSTALLER: Unknown
- APPROXIMATE COST: Unknown (invoices not available)
- MANUFACTURED DATE: unknown, the only visible labeling states, "0\*\*\*-12-03"

**Labeling**

Labeling noted on drywall installed in the attic states in part, "KNAUF-\*\*\*ANJIN \*\*\*HINA AS\*\*\*M C36 0\*\*\*-12-03 \*\*\*22".

**ATTACHMENTS**

- 1) Identity of Respondents (1 Page)
- 2) Construction Invoice showing payment for affected drywall (1 Page)
- 3) Copy of checks and 1 service invoice for a/c repairs (5 Pages)
- 4) Cancelled Check Re: laptop repair (1 Page)
- 5) New Home Warranty Act (5 Pages)
- 6) Letter to homeowner's insurance carrier (1 Page)
- 7) Letter to builder re: drywall (1 Page)
- 8) Paperwork regarding products liability litigation (3 pages)
- 9) Missing document (1 page)
- 10) Photos 1-18
- 11) Authorization for Release of Name Form (1Page)

**IDENTITY OF RESPONDENTS**



Initially contacted by telephone on 9/1/09. He was interviewed on-site on 9/03/09.

- Taber Construction  
Tommy Taber, Builder  
204 E. 14<sup>th</sup> Avenue  
Covington, LA 70433  
985/893-5858 disconnected  
985/893-3062 no answer

Contacted by telephone and email ([taberconstruction@mac.com](mailto:taberconstruction@mac.com)) on 9/9/09. No response received.

---

**T A B E R**  
**C O N S T R U C T I O N**

090824CBB3906  
Exhibit #2, Page 1 of 1

**SERVICE INVOICE**

May 30, 2006

Between the Owner:



And the Contractor:

**TABER CONSTRUCTION, LLC**  
La. License No. 85928  
204 E. 14<sup>th</sup> Ave. , Covington, LA 70433  
985-893-5858

For the Project:

Lo

DESCRIBE WORK, MATERIALS OR LABOR	AMOUNT
Inspection No. 4 (20%) Siding, sheetrock, paint, etc.	\$49,813.20
Less Draw No. 3: Amount Paid By Resource Bank	-\$36,292.88
<b>BALANCE DUE</b>	<b>\$13,520.32</b>

*PAID*  
*TABER*

*THURTELL*

090824CBB3906  
Exhibit #3, Page 1 of 5

Chase Online

CHASE CHECKING [REDACTED]

Check Number: 1983

Post Date: 08/19/2009

Amount of Check: \$100.00

4-19360 1983  
DATE 8/12/09

PAY TO THE ORDER OF DRINKARD \$ 100.00  
ONE HUNDRED 00/100 DOLLARS

CHASE  
JPMorgan Chase Bank, N.A.  
Sator Rouge, Louisiana 70067  
www.Chase.com

MEMO [REDACTED]

Need help printing or saving this check?

Payment to Air-Conditioning  
company - re: recharge  
unit

WHITNEY HTL. BANK  
0006661714 594-735-1265  
06/18/99  
0223312458

FOR DEPOSIT ONLY  
DRINKARD AIR CONDITIONING  
& HEATING LLC  
118147

FINISH HERE

Need help printing or saving this check?

© 2009 JPMorgan Chase & Co.



**DRINKARD, L.L.C.**  
**AIR CONDITIONING & HEATING**

P.O. BOX 253  
COVINGTON, LA 70434  
(985) 893-2761

CUSTOMER'S ORDER NO.		PHONE		DATE <i>6-10-09</i>		
NAME		[REDACTED]				
ADDRESS		[REDACTED]				
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT	AMOUNT PAID	PAID OUT
QTY.	DESCRIPTION				PRICE	AMOUNT
	<i>check drain pan</i>					
	<i>add 1# R-22</i>					
	<i>fix service valve</i>					
	<i>service call</i>					
					TAX	
RECEIVED BY					TOTAL	<i>115.00</i>

*Paid  
ck # 1955*

All claims and returned goods MUST be accompanied by this bill.

09984

To Reorder:  
800-225-6380 or nebs.com

*Thank You*

090824CBB3906  
Exhibit #3, Page 3 of 5

Chase Online

CHASE CHECKING

Check Number: 1955

Post Date: 06/16/2009

Amount of Check: \$115.00

#13360 1955  
DATE 6/16/09

PAY TO THE ORDER OF DRINKARD \$115.00  
ONE HUNDRED FIFTEEN <sup>00</sup>/<sub>100</sub> DOLLARS

**CHASE**  
JPMorgan Chase Bank, N.A.  
Baton Rouge, Louisiana 70801  
www.Chase.com

MEMO

Need help printing or saving this check?

For payment of service invoice # 09984  
to re-charge unit

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

For information only: This check is not valid for cashing at any branch of the issuing bank.

WINDY MT BANK  
84555 714 584-729-1255  
06/15/09

JUN 15 09

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

0028 16549

FOR DEPOSIT ONLY  
DRINKARD AIR CONDITIONING  
& HEATING LLC  
112147

ENDORSE HERE

Need help printing or saving this check?

© 2009 JPMorgan Chase & Co.





**DRINKARD, L.L.C.**  
**AIR CONDITIONING & HEATING**

P.O. BOX 253  
COVINGTON, LA 70434  
(985) 893-2761

CUSTOMER'S ORDER NO.		PHONE		DATE <b>9-22-09</b>	
NAME		[REDACTED]			
ADDRESS		[REDACTED]			
PAID BY	CASH	C.O.D.	CHARGE	CREDIT	PAID OUT
QTY.	DESCRIPTION			PRICE	AMOUNT
	CHARGE UNIT WITH 3 # 410-A				
	SERVICE CALL				
					<i>Paul</i> c/c # 1999
RECEIVED BY				TAX	
				TOTAL	<b>185.00</b>

10247

Chase Online

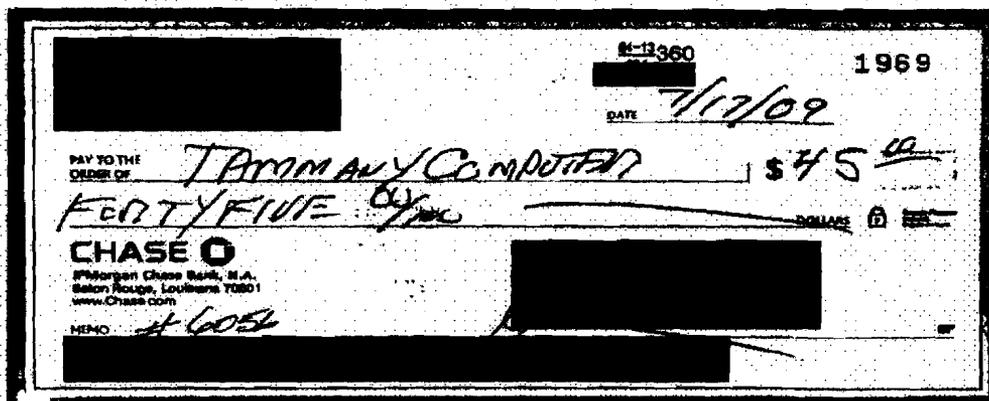
090824CBB3906  
Exhibit #4, Page 1 of 1

CHASE CHECKING

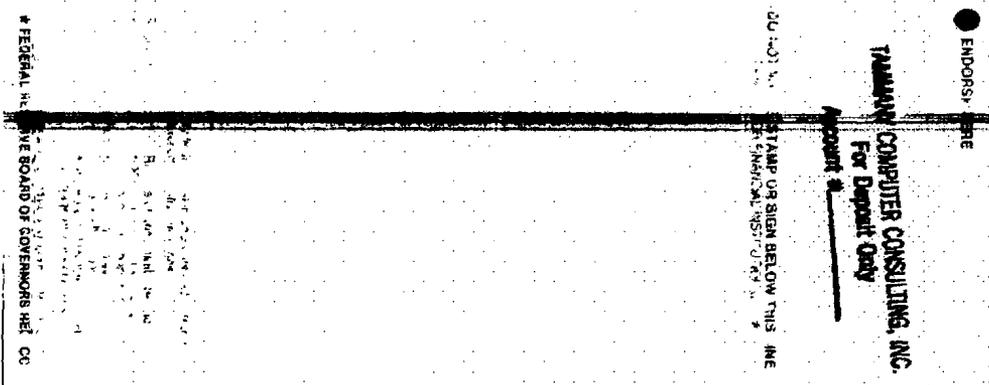
Check Number: 1969

Post Date: 07/24/2009

Amount of Check: \$45.00



Need help printing or saving this check?



Need help printing or saving this check?

© 2009 JPMorgan Chase & Co.

## CHAPTER 5. NEW HOME WARRANTY ACT

### §3141. Purpose

The legislature finds a need to promote commerce in Louisiana by providing clear, concise, and mandatory warranties for the purchasers and occupants of new homes in Louisiana and by providing for the use of homeowners' insurance as additional protection for the public against defects in the construction of new homes. This need can be met by providing a warranty for a new home purchaser defining the responsibility of the builder to that purchaser and subsequent purchasers during the warranty periods provided herein. The warranty, which is mandatory in most cases, shall apply whether or not building code regulations are in effect in the location of the structure, thereby promoting uniformity of defined building standards. Additionally, all provisions of this Chapter shall apply to any defect although there is no building standard directly regulating the defective workmanship or materials.

Acts 1986, No. 676, §1; Acts 1999, No. 649, §1.

### §3142. Short title

This Chapter shall be known and may be cited as the "New Home Warranty Act."

Acts 1986, No. 676, §1.

### §3143. Definitions

For purposes of this Chapter the following words, phrases, and terms shall be defined and construed as follows:

(1) "Builder" means any person, corporation, partnership, limited liability company, joint venture, or other entity which constructs a home, or addition thereto, including a home occupied initially by its builder as his residence. A person, corporation, partnership, limited liability company, joint venture, or other entity which constructs a home, or any addition thereto, is a "builder", whether or not the consumer purchased the underlying real estate with the home.

(2) "Building standards" means the standards contained in the building code, mechanical-plumbing code, and electrical code in effect in the parish, city, or other local political subdivision where a home is to be located, at the time construction of that home is commenced, or, if the parish, city, or other local political subdivision has not adopted such codes, the Standard Building Code, together with any additional performance standards, if any, which the builder may undertake to be in compliance.

(3) "Home" means any new structure designed and used only for residential use, together with all attached and unattached structures, constructed by the builder whether or not the land was purchased from the builder. Such term includes structures containing multiple family dwellings or residences.

(4) "Initial purchaser" means any person for whom a home is built or the first person to whom a home is sold upon completion of construction.

(5) "Major structural defect" means any actual physical damage to the following designated load-bearing portions of a home caused by failure of the load-bearing portions which affects their load-bearing functions to the extent the home becomes unsafe, unsanitary, or is otherwise unlivable:

- (a) Foundation systems and footings.
- (b) Beams.
- (c) Girders.
- (d) Lintels.
- (e) Columns.
- (f) Walls and partitions.
- (g) Floor systems.
- (h) Roof framing systems.

(6) "Owner" means the initial purchaser of a home and any of his successors in title, heirs, invitees, or assigns to a home during the time the warranties provided under this Chapter are in effect.

(7) "Warranty commencement date" means the date that legal title to a home is conveyed to its initial purchaser or the date the home is first occupied, whichever occurs first.

Acts 1986, No. 676, §1; Acts 1997, No. 987, §1; Acts 1999, No. 649, §1; Acts 2003, No. 333, §1.

§3144. Warranties; exclusions

A. Subject to the exclusions provided in Subsection B of this Section, every builder warrants the following to the owner:

(1) One year following the warranty commencement date, the home will be free from any defect due to noncompliance with the building standards or due to other defects in materials or workmanship not regulated by building standards.

(2) Two years following the warranty commencement date, the plumbing, electrical, heating, cooling, and ventilating systems exclusive of any appliance, fixture, and equipment will be free from any defect due to noncompliance with the building standards or due to other defects in materials or workmanship not regulated by building standards.

(3) Five years following the warranty commencement date, the home will be free from major structural defects due to noncompliance with the building standards or due to other defects in materials or workmanship not regulated by building standards.

B. Unless the parties otherwise agree in writing, the builder's warranty shall exclude the following items:

(1) Fences, landscaping, including but not limited to sodding, seeding, shrubs, existing and new trees, and plantings, as well as off-site improvements, all driveways and walkways, or any other improvement not a part of the home itself.

(2) After the first year, the concrete floor of a basement and the concrete floor of an attached or unattached garage that is built separate from a foundation wall or other structural element of the home.

- (3) Damage to real property which is not part of the home covered by the warranty and which is not included in the purchase price of the home.
- (4) Any damage to the extent it is caused or made worse by any of the following:
  - (a) Negligence, improper maintenance, neglect or improper operation by anyone other than the builder or any employee, agent, or subcontractor of the builder.
  - (b) Failure by anyone other than the builder or any employee, agent, or subcontractor of the builder to comply with the warranty requirements of manufacturers of appliances, equipment, or fixtures.
  - (c) Failure by the owner to give written notice by registered or certified mail to the builder of any defect within the time set forth in R.S. 9:3145. However, the provisions of this Subparagraph shall not be construed to change either the warranty periods enumerated in Subsection A of this Section or the notice requirements provided by R.S. 9:3145.
  - (d) Any change of the grading of the ground by anyone other than the builder, or any employee, agent, or subcontractor of the builder.
  - (e) Any change, alteration, or addition made to the home by anyone after the initial occupancy by the owner, except any change, alteration, or addition performed by the builder, or any employee, agent, or subcontractor of the builder.
  - (f) Dampness, condensation, or other damage due to the failure of the owner to maintain adequate ventilation or drainage.
- (5) Any loss or damage which the owner has not taken timely action to minimize.
- (6) Any defect in, or any defect caused by, materials or work supplied by anyone other than the builder, or any employee, agent, or subcontractor of the builder.
- (7) Normal wear and tear or normal deterioration.
- (8) Loss or damage which does not constitute a defect in the construction of the home by the builder, or any employee, agent, or subcontractor of the builder.
- (9) Loss or damage resulting from war, accident, riot and civil commotion, water escape, falling objects, aircraft, vehicles, acts of God, lightning, windstorm, hail, flood, mudslide, earthquake, volcanic eruption, wind driven water, and changes in the level of the underground water table which are not reasonably foreseeable.
- (10) Any damage caused by soil movement which is covered by other insurance.
- (11) Insect damage.
- (12) Any loss or damage which arises while the home is being used primarily for a nonresidential purpose.
- (13) Any condition which does not result in actual physical damage to the home.
- (14) Bodily injury or damage to personal property.
- (15) Any cost of shelter, transportation, food, moving, storage, or other incidental expense related to relocation during repair.
- (16) Any defect not reported in writing by registered or certified mail to the builder or insurance company, as appropriate, prior to the expiration of the period specified in Subsection A of this Section for such defect plus thirty days.
- (17) Consequential damages.
- (18) Any loss or damage to a home caused by soil conditions or soil movement if the home is constructed on land owned by the initial purchaser and the builder obtains a written waiver from the initial purchaser for any loss or damage caused by soil conditions or soil movement.

(19) Mold and mold damage.

C. The provisions of Subsection A of this Section establish minimum required warranties and shall not be waived by the owner or reduced by the builder provided the home is a single or multiple family dwelling to be occupied by an owner as his home.

Acts 1986, No. 676, §1; Acts 1997, No. 987, §1; Acts 1999, No. 649, §1; Acts 2001, No. 179, §1; Acts 2003, No. 333, §1; Acts 2004, No. 45, §1.

§3145. Required notice

Before undertaking any repair himself or instituting any action for breach of warranty, the owner shall give the builder written notice, by registered or certified mail, within one year after knowledge of the defect, advising him of all defects and giving the builder a reasonable opportunity to comply with the provisions of this Chapter. The builder shall give the owner written notice of the requirements of this Chapter at the time of the closing.

Acts 1986, No. 676, §1; Acts 1997, No. 987, §1.

§3146. Peremption

Any action to enforce any warranty provided in this Chapter shall be subject to a preemptive period of thirty days after the expiration of the appropriate time period provided in R.S. 9:3144.

Acts 1986, No. 676, §1; Acts 2001, No. 179, §1.

§3147. Insurance

All or part of the builder's obligation under any warranty required in this Chapter may be insured by the builder for the benefit of the purchaser through an insurance company authorized to transact business in this state.

Acts 1986, No. 676, §1.

§3148. Transfer of warranty and insurance

Any warranty imposed under the provisions of this Chapter and any insurance benefit shall automatically transfer without charge, to a subsequent owner who acquires title to the home. Any transfer of the home shall not extend the duration of any warranty or insurance coverage.

Acts 1986, No. 676, §1.

§3149. Violations; limitations

A. If a builder violates this Chapter by failing to perform as required by the warranties provided in this Chapter, any affected owner shall have a cause of action against the builder for actual damages, including attorney fees and court costs, arising out of the violation. The damages with respect to a single defect shall not exceed the reasonable cost of repair or replacement necessary to cure the defect, and damages with respect to all defects in the home shall not exceed the original purchase price of the home.

B. The parties may provide for the arbitration of any claim in dispute. Any arbitration shall comply with, and may be binding only to the extent provided in R.S. 9:4201 et seq.

Acts 1986, No. 676, §1.

§3150. Exclusiveness

This Chapter provides the exclusive remedies, warranties, and preemptive periods as between builder and owner relative to home construction and no other provisions of law relative to warranties and redhibitory vices and defects shall apply. Nothing herein shall be construed as affecting or limiting any warranty of title to land or improvements.

Acts 1986, No. 676, §1; Acts 2003, No. 333, §1.

August 24<sup>th</sup>, 2009

To: State Farm Fire & Casualty Company  
12222 State Farm Boulevard  
Tulsa, OK 74146-5402

From:



Cc: Chuck Miramom  
State Farm  
4402 Hwy 22  
Mandeville, LA 70471

Andrew A. Lemmon  
Lemmon Law Firm, LLC  
P.O. Box 904 (mailing address)  
15058 River Road  
Hahnville, LA 70057

To Whom It May Concern,

This letter is to inform you that my new house that was built in 2005/2006 and insured by your company (policy number [REDACTED] was constructed with tainted Chinese Drywall (pictures attached). In the summer of 2008 after spending one summer in my house (2007), the copper ac coils in my unit had to be replaced. In June of this year the unit once again started to malfunction and this time we discovered the black corrosion around the copper pipes, electrical copper wirings and the markings on the drywall.

I want to file a claim asking that my home owners policy on the address listed above cover the losses that I am going to incur because of this problem plus any additional living expenses if away from my home. If you will not cover these losses I need in writing the reasons why with specific references to and copies of policy provisions that excluded coverage.

Please send a letter to me of your response with a copy to the Lemmon Law Firm.

Sincerely,



August 31<sup>th</sup>, 2009

To: Taber Construction LLC  
204 E. 14<sup>th</sup> Ave.  
Covington, LA 70433

From:



Cc: Andrew A. Lemmon  
Lemmon Law Firm, LLC  
P.O. Box 904 (mailing address)  
15058 River Road  
Hahnville, LA 70057

This letter is to inform you that my new house that was built in 2005/2006 by Taber Construction was constructed with tainted Chinese Drywall (pictures attached). In the summer of 2008 after spending one summer in my house (2007), the copper ac coils in my unit had to be replaced. In June of this year the unit once again started to malfunction and this time I discovered the black corrosion around the copper pipes, electrical copper wirings and the markings on the drywall. Plus in June of this year my lap top computer crashed and could not be repaired. Once again it is my belief that all of this is the cause of the tainted Chinese Drywall that is in my house.

Sincerely,

A handwritten signature in black ink, appearing to be "A. Lemmon", written over a redacted area.



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
IN RE: CHINESE MANUFACTURED DRYWALL  
PRODUCTS LIABILITY LITIGATION  
THIS DOCUMENT RELATES TO: ALL CASES

Case No. 2007  
SECTION: L  
JUDGE FALLON  
MAG. JUDGE WILKINSON  
For Internal Use Only  
File Number  
Date Received

This Product Recall Form must be completed and signed by every person making a claim in this litigation using any form per administrative. In completing this Product Recall Form, you are under oath and swear to provide information that is true and correct to the best of your knowledge. If you cannot recall all of the details requested, please provide an exact indication as you can and especially indicate "unknown" in the space provided when not known. Your exact employment, your response to your claim, any compensation or damages to any medical equipment, your age and school records with your attorney if you have any questions regarding completion of this form. If you are completing this form for someone who has died or who cannot complete the Product Recall Form, please answer as completely as you can for that person. The questions and responses are provided confidential under this Product Recall Form and are not to be disclosed to anyone other than the person who provided the information. The questions and responses are provided confidential under this Product Recall Form and are not to be disclosed to anyone other than the person who provided the information. The questions and responses are provided confidential under this Product Recall Form and are not to be disclosed to anyone other than the person who provided the information. To the extent that the form does not provide enough space to complete your response, you may attach an any sheets of paper as necessary. All photographs provided in response to this form shall be in color and attached to or placed on a 5 1/2" x 8 1/2" white paper.

**Section I: Property Information**

Name Property Owner: [REDACTED]  
Address of Affected Property: [REDACTED]

Is this Property?  Residential  Commercial

Is above your primary residence?  Yes  No

Mailing Address (if different): [REDACTED]

Phone: [REDACTED]

\* If your response is commercial or governmental you should not fill out the remaining questions, you will receive a follow up form at a later date.

Circle one:  Owner-Occupant  Owner Only  Renter-Occupant

Represented By: [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

Case No. Docket Date: [REDACTED]

**Section II: Insurance Information**

Commercial Insurer: [REDACTED]  
Policy #: [REDACTED]  
Agent: [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

\* Attach Copy of Insurance Declaration Page

**Section III: Claimant Information**

Name of Claimant	DOB	Occupied	Gender	Date of Birth	Are you seeking personal benefits?	Identify Claimant Status as an Owner, Occupant, or Renter Only
[REDACTED]	11/08	1/1	M/F	2/3/59	Yes (No)	OWNER-OCCUPANT
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	
	1/1	1/1	M/F	1/1	Yes No	

\* Personal injuries include damage for mental anguish and medical monitoring.

**Section IV. Inspection Information** SEE ATTACHED

1.0. Have you, or has anyone on your behalf, conducted an inspection into whether Chinese-manufactured drywall is present in your home?  Yes  No

1.1. If "Yes" to Question 1.0 Section IV. Who conducted the inspection? VISUAL INSPECTION BY SELF AND AC TECHNICIAN

1.2. When did the inspection take place? 8/20/09

2.0. Has a determination been made that Chinese-manufactured drywall is present in your home?  Yes  No

2.1. If "Yes" to Question 2.0 Section IV. Who made this determination? FAILURE OF ACQUIT/ALUS COMPANY CONFESSIO

2.2. When was this determination made? 8/20/09 TWICE IN ONE YEAR

**Section V. Drywall Information** SEE ATTACHED

Drywall Manufacturer	Markings on Drywall	Location in Home
BUNTING CHINA	BUNTING CHINA	CEILING/WALLS/GARAGE

**Section VI. Home Information**

Approx. Sq. Ft. of Home: 1770

Estimated Sq. Ft. of Drywall: 1209

Height of Interior Walls: 1209

Number of Bedrooms: 3

Number of Bathrooms: 2

Plumbing System

	Electroning or Completion?		
	Yes	No	NA
PVC/CPVC/Plastic Piping			<input checked="" type="checkbox"/>
Copper Piping	<input checked="" type="checkbox"/>		
Copper Fittings	<input checked="" type="checkbox"/>		
Other Fittings	<input checked="" type="checkbox"/>		

Were repairs made to the plumbing system?

Date: \_\_\_\_\_

Electrical System

	Electroning or Completion?		
	Yes	No	NA
Receptacles	<input checked="" type="checkbox"/>		
Switches	<input checked="" type="checkbox"/>		
Main Panel	<input checked="" type="checkbox"/>		
2nd Panel	<input checked="" type="checkbox"/>		
Exposed Copper Wires	<input checked="" type="checkbox"/>		

Were repairs made to the electrical system?

Date: \_\_\_\_\_

+ Attach Copy of Floor Plan on 8 1/2" X 11" paper

**Section VII. Construction/Renovation Information**

Date Range for New Home Construction: (Month/Day/Year)

Start Date: 11/1/05 Completion Date: 10/1/06

Move In Date: 11/1/06 Date Acquired Home: 10/1/06

Date Range for Renovations: (Month/Day/Year)

Start Date: 1/1 Completion Date: 1/1

Move In Date: 1/1

Renovation(s)	Yes	No	NA
First Floor: 1/2 Wall of drywall replaced			
First Floor: Full Wall of drywall replaced			
Second Floor: Any drywall replaced			

**Section VIII. Homebuilder/General Contractor/Developer Information**

Homebuilder/General Contractor/Developer's Name: TAGER CONSTRUCTION

Address: 204 E. 14TH AVE  
COLLINGSWOOD, VA 70433

Phone: 985-892-5858  
985-893-3062

+ Attach Copy of Construction/Renovation Contract

+ Attach Copy of New Home Warranty Declaration

**Section IX. Drywall Installer**

Drywall Installer's Name: A SUB CONTRACTOR OF TAGER CONSTRUCTION

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Section X. Drywall Supplier**

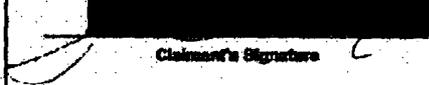
Drywall Supplier's Name: BOLLANS INTERIOR/EXTERIOR SUPPLY

Address: 1701 SOUTH LN  
MANDEVILLE, LA 70448

Phone: 985-804-7069

**Section XI. Verification of Plaintiff Profile Form**

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that all information provided in this Plaintiff Profile Form is true and that I have supplied all of the documents requested in this declaration to the extent that such documents are in my

 Claimant's Signature	8/28/09 Date Signed	 Claimant's Signature	 Date Signed
 Claimant's Signature	 Date Signed	 Claimant's Signature	 Date Signed
 Claimant's Signature	 Date Signed	 Claimant's Signature	 Date Signed

090824CBB3906  
Exhibit #9, Page 1 of 1

**Task No.** 090824CBB3906

**Date:** September 21, 2009

**STATUS OF MISSING DOCUMENT (S)**

**The official records were requested for this investigation report but could not be obtained.**

1. Drywall invoice (purchase invoice from supplier)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**Date:** \_\_\_\_\_ **Investigator No:** 9096

**Regional office:** 8400 **Supervisor No:** 8631



Photo 1 shows a view of the exterior of the involved residence.

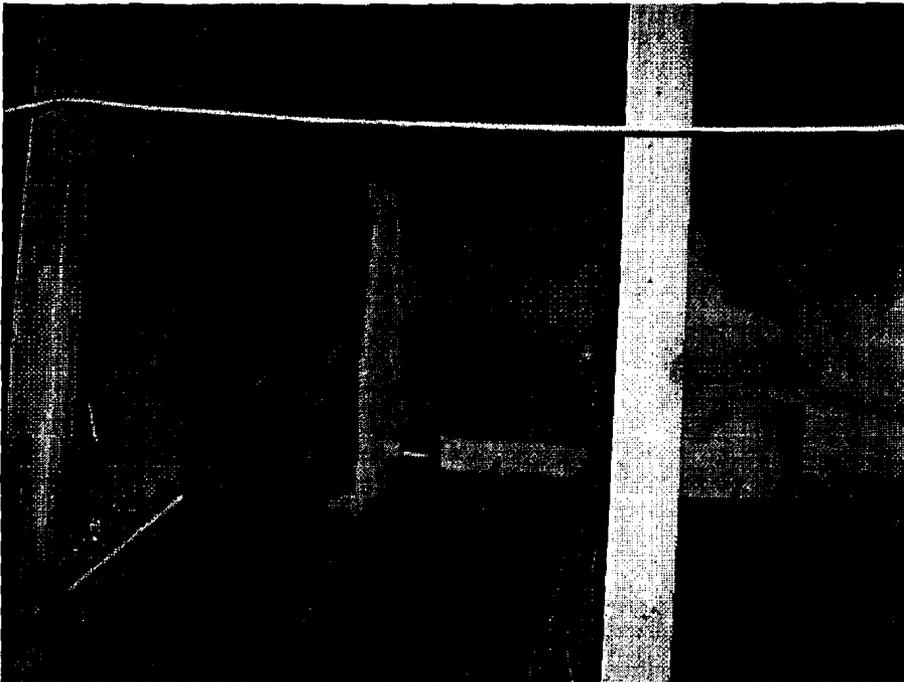


Photo 2 shows an overview of labeling printed on the back of drywall installed in the attic. Close-ups can be viewed in Photos 3-6. Labeling states in part, “\*\*\*ANJIN  
\*\*\*HINA-AS\*\*\* 36”



Photo 3 shows a close-up view of labeling on the drywall that states in part, "ANJIN"  
(presumably TIANJIN).

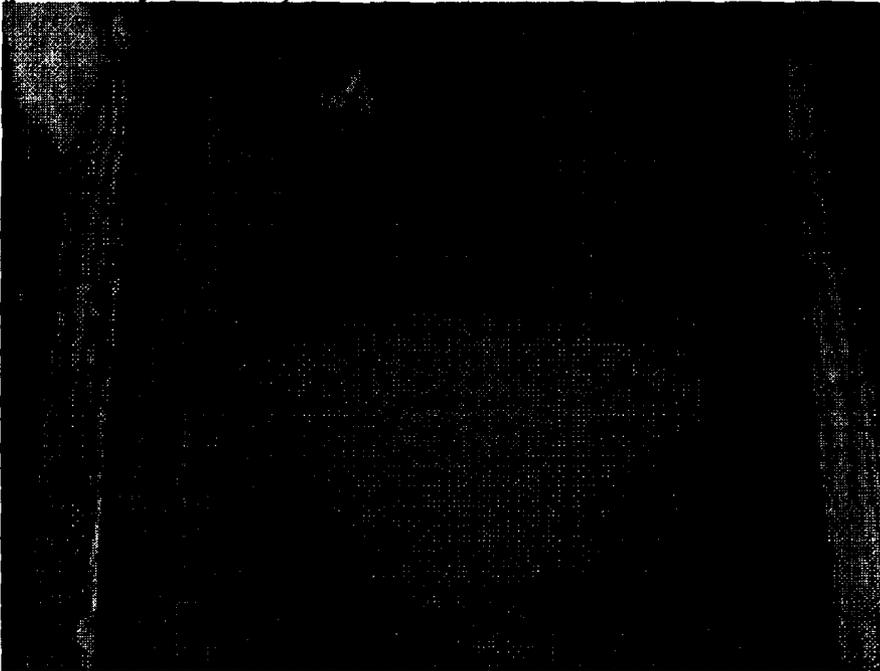


Photo 4 shows a close-up view of labeling on the drywall that states in part, "\*\*\*HINA-  
AS" (presumably CHINA ASTM).

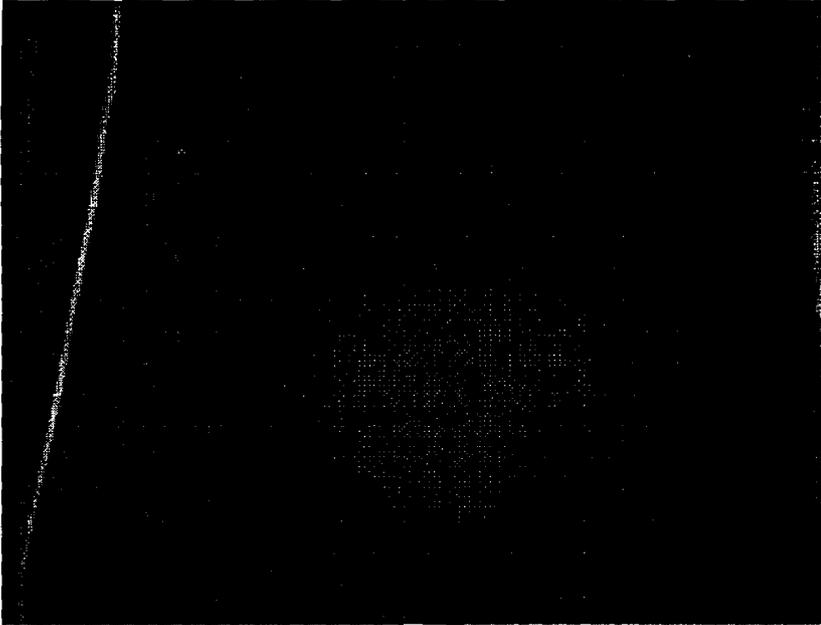


Photo 5 shows a close-up view of labeling on the drywall that states in part, “\*\*\*M C36  
0 \*\*\*”

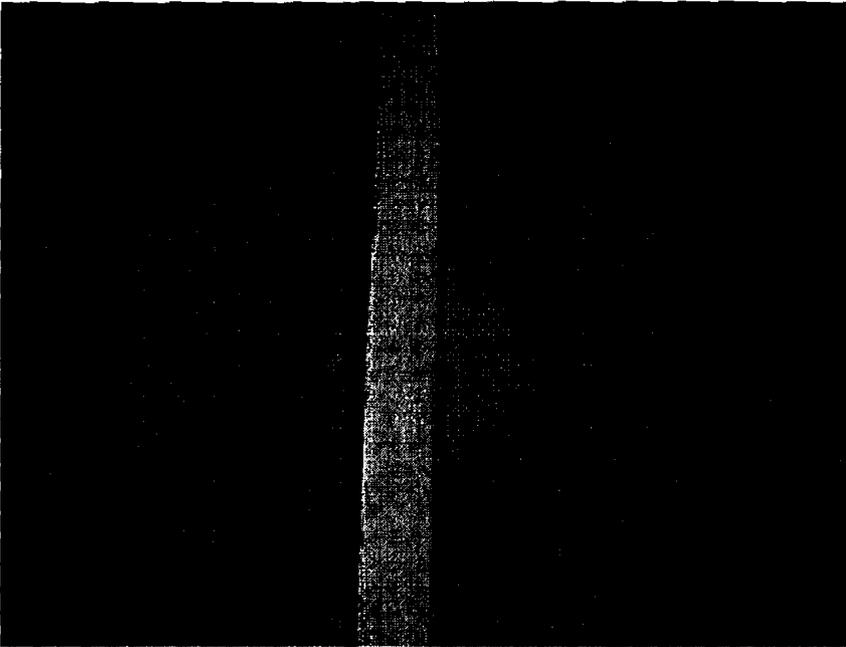


Photo 6 shows a close-up view of labeling on the drywall that states in part, “C36 0\*\*\*-  
12-03 .11” (presumably a manufacture date).

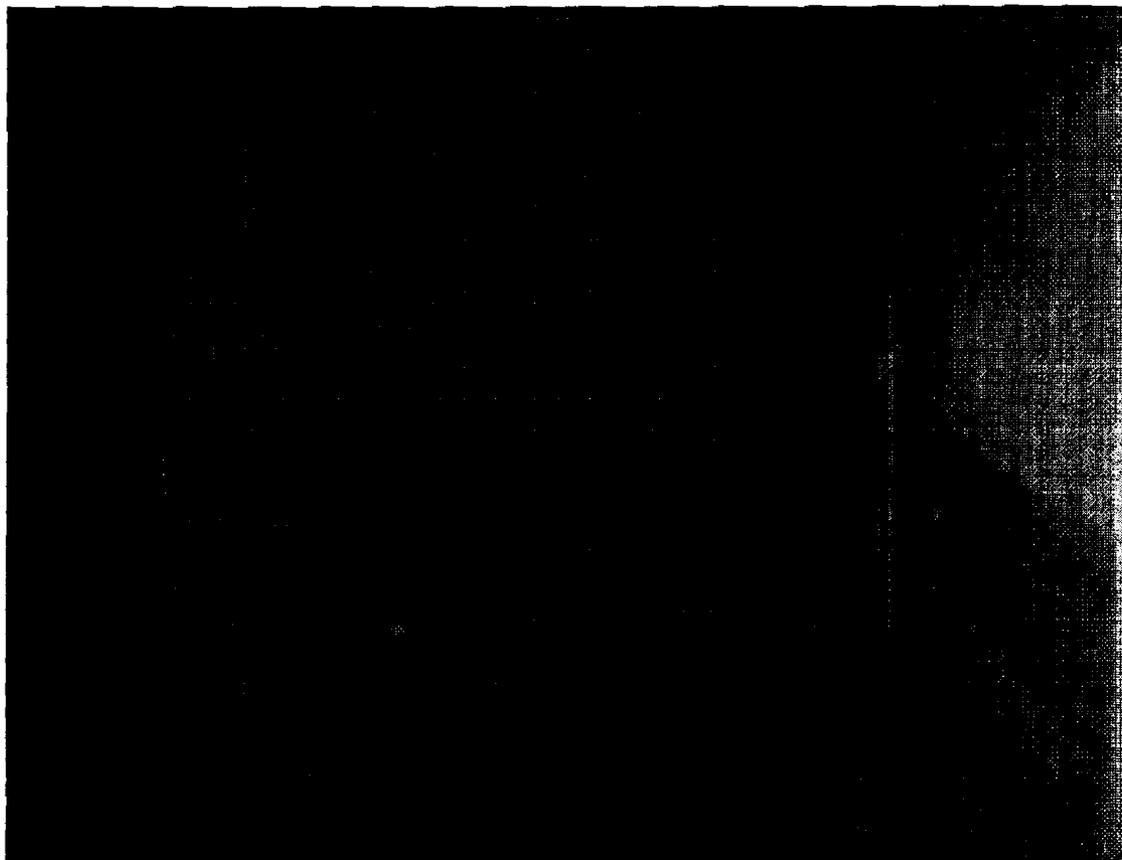


Photo 7 shows a view of additional labeling located on drywall installed in the attic of the involved residence. Labeling states, “\*\*\*NAUF” (presumably KNAUF).



Photo 8 shows a view of the water heater installed in the attic of the residence.

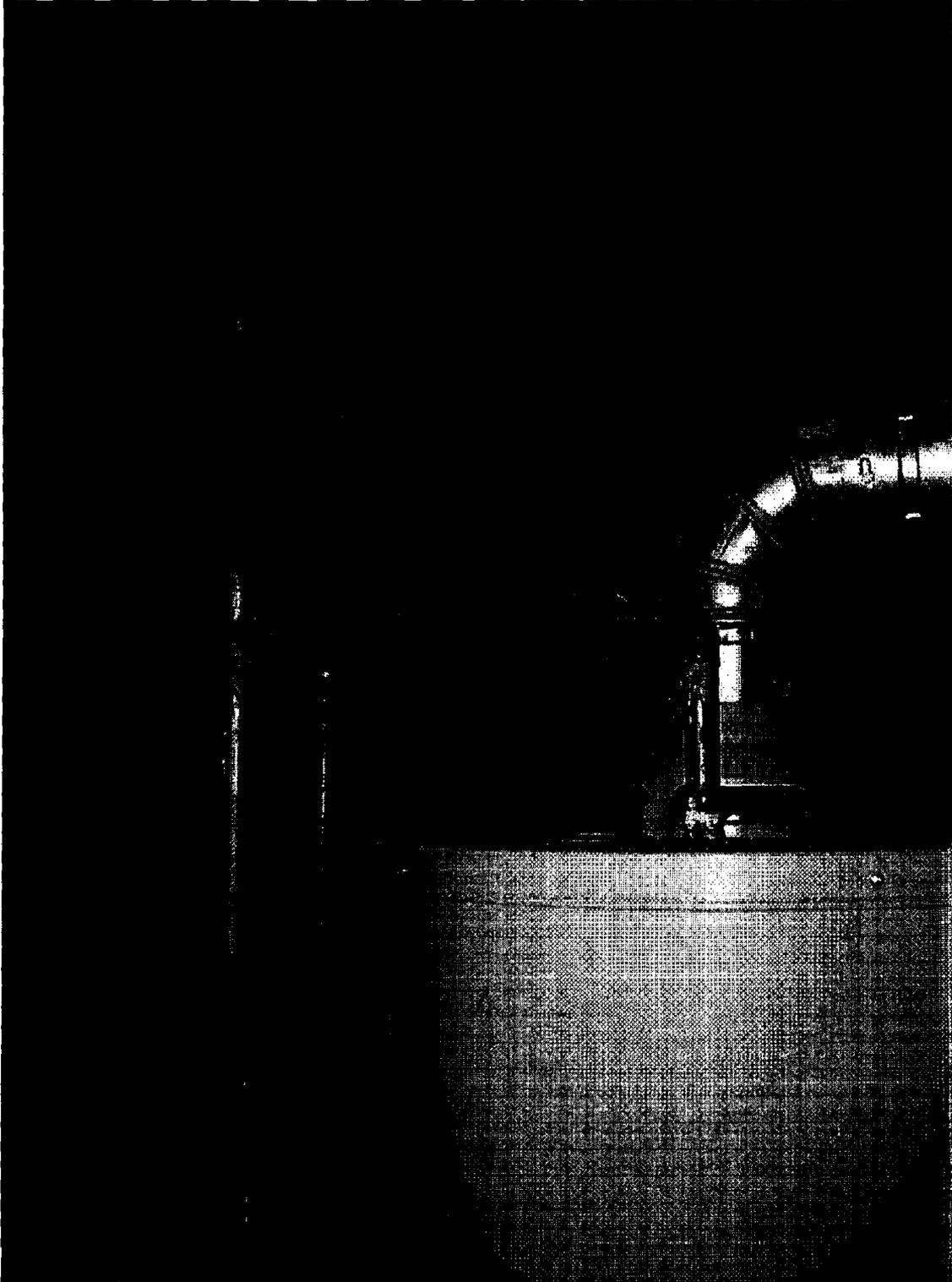


Photo 9 shows a close-up view of some of the copper pipes on the water heater in the involved residence's attic.



Photo 10 shows a partial view of the evaporator coils in the air handler installed in the attic of the involved residence.



Photo 11 shows a view of copper piping going into the air handler shown in Photo 10, which has evidence of blackening.

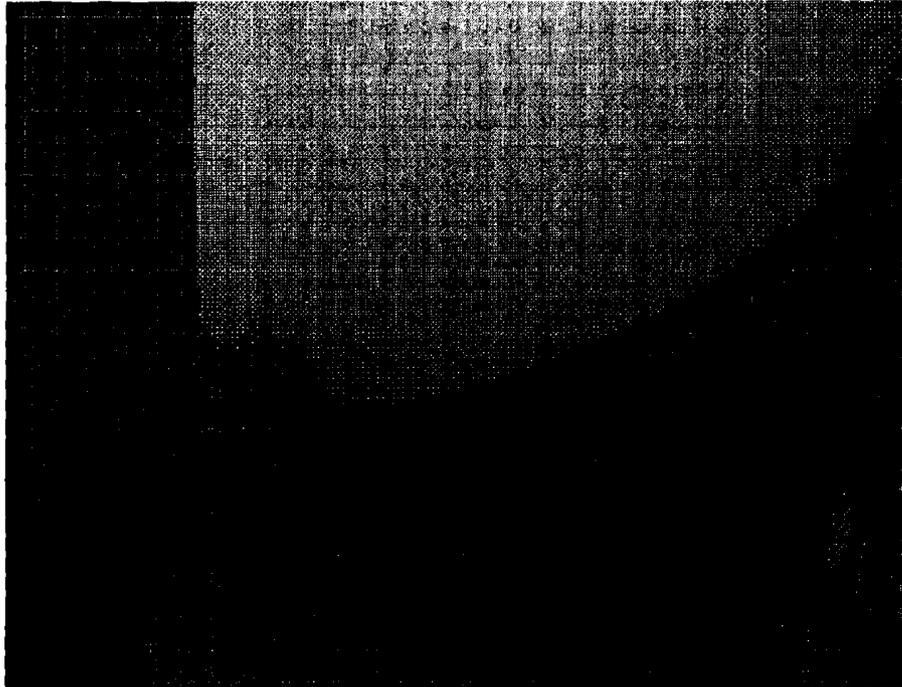


Photo 12 shows a view of a copper water line located under the sink that has blackened.

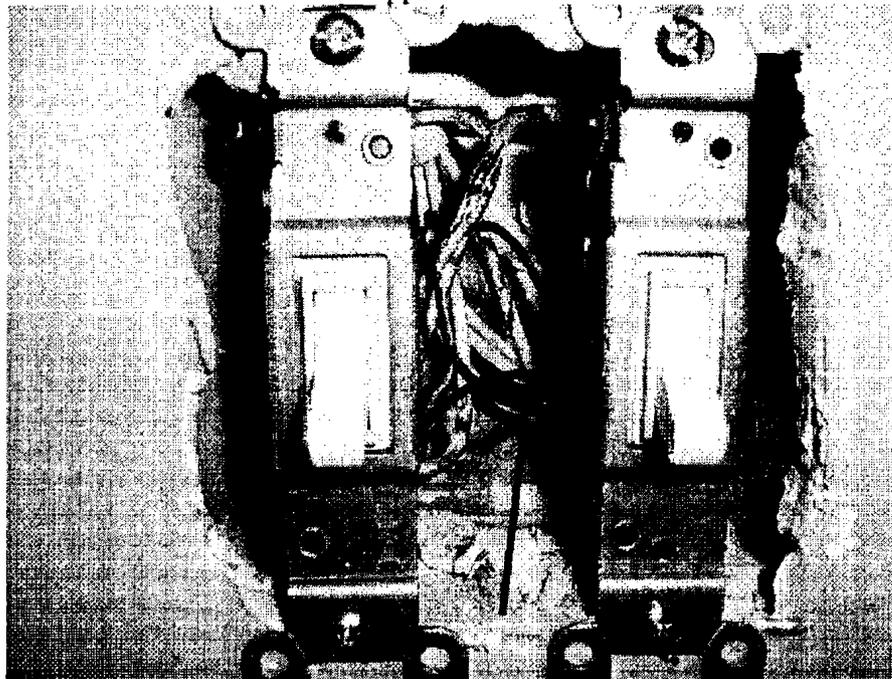


Photo 13 shows a view of a light switch located in a bathroom in the involved residence whose copper wiring has blackened.



Photo 14 shows a view of copper tubing on a toilet in a bathroom in the residence that has blackened.



Photo 15 shows a partial view of a chrome faucet which has evidence of pitting and corrosion.



Photo 16 shows a view of a light switch box whose copper wiring is blackened.

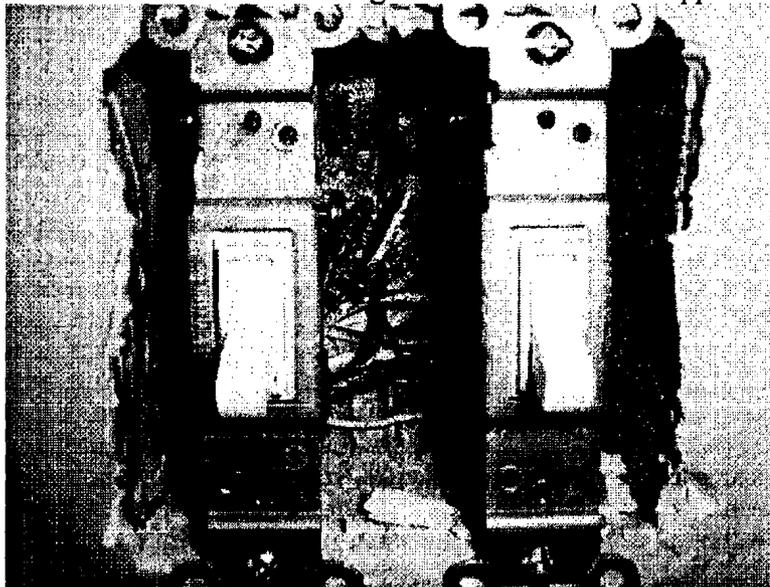


Photo 17 shows a view of another light switch box in the involved residence whose copper wire has begun to blacken.

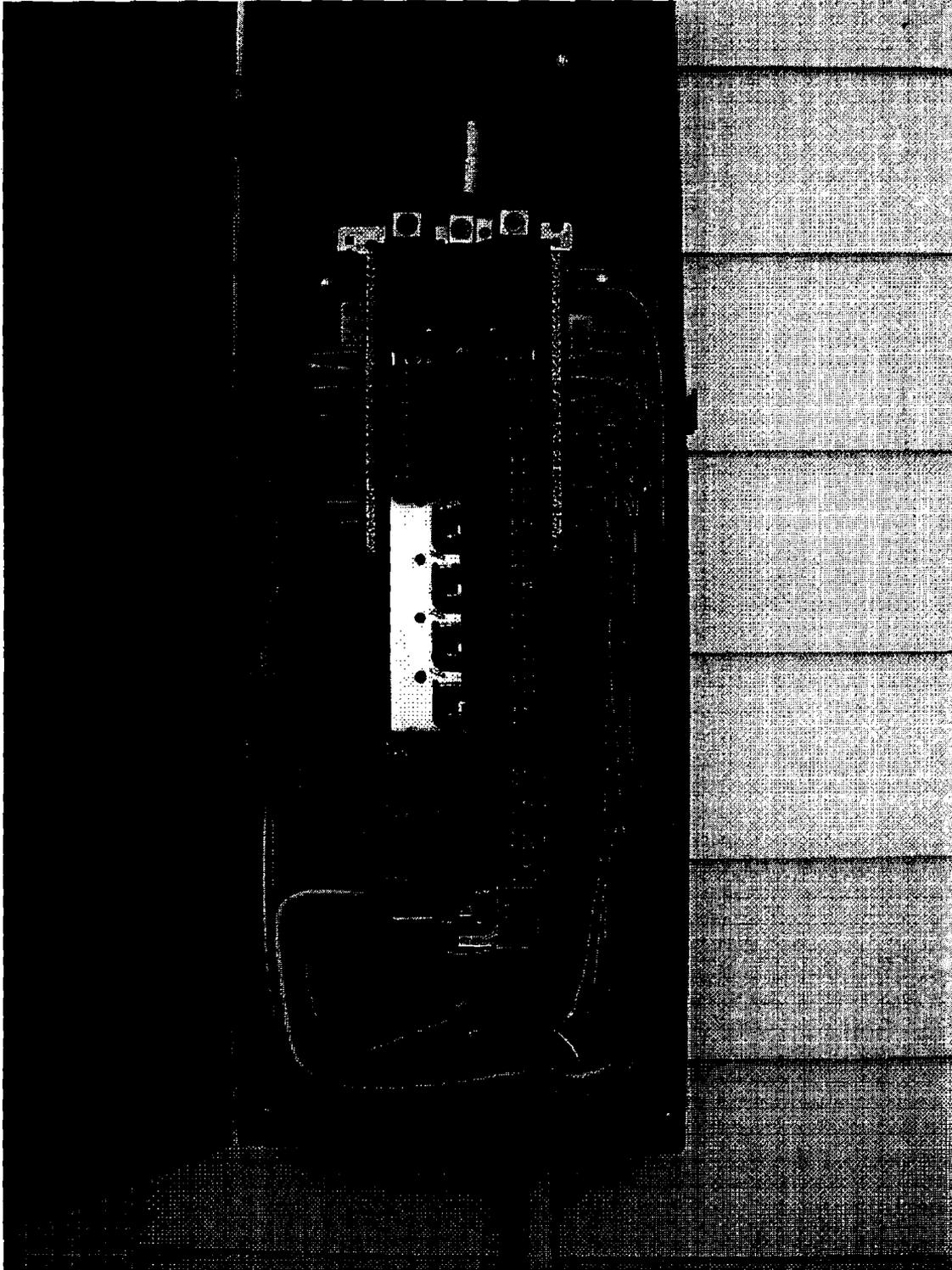


Photo 18 shows a view of the involved residence's panelboard with the cover removed. The copper wiring did not have evidence of blackening or corrosion. Note: The panelboard is mounted on the exterior of the residence.

# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

I request that you do not release my name. My identity is to remain confidential.

You may release my name to the manufacturer but I request that you do not release it to the general public.

You may release my name to the manufacturer and to the public.

(Signature)

(Date)

**Doc No: I0980730A**

**Issue: 47**

**08/17/2009**

08/14/2009 09:56:44

Product involved = Drywall

Name  
Address  
City  
State  
Zip  
Email  
Telephone

Ages and gender of the persons living in the home = Male - 59

Male - 10

Move into home = November 1st 2006

Year home built = Started in November 2005

Builder/contractor info = Tom Taber

204 E 14th Ave, Covington, Louisiana

Dates of renovation = na

Renovation work = na

Carpeting installed in the last 3 years =

Drywall supplier= Interior/exterior Building Supply

1701 South Lane, Mandeville, Louisiana. 70448

Currently living at address above = yes

Home uses natural/LP gas service = yes

Gas appliances = Stove, Heater

Smelled unusual odors in home = no

Odor description =

Air conditioner service calls in the last 3 years = 8 to 10

Type of AC service needed = The ac coils in my home have been changed out twice in two years. On August 12, 2006 we discovered tainted chinese drywall in the attic. My unit coils are completely black and my ac provider will not install new ones.

Corrosion of copper or metal = yes

Description of copper or metal corrosion = All cooper wires in light fixtures are back. copper water line under kitchen sink black. The drywll itself has produced in China on it.

Confirmed Chinese manufactured drywall present = yes

Who made confirmation = Outside source of people who have dealt with other home owners. I have not had any official expert come in and would like one to.

Name of manufacturer of imported drywall = yes

Imported drywall manufacturer name = It says Bejin China on the drwall.

Health symptoms after drywall installation = yes

Health symptoms description = One bloody nose of my 10 year old son 6 months ago.

Keep record of symptoms = no

Symptom frequency =

Seek medical care/ treatment for symptoms = yes

Electronic equipment/appliances unusual = yes

Electronic equipment/appliances description = I had to replace my home computer four weeks ago. one day it just stopped working.

Smoke/carbon monoxide/security alarm description =

Participation in future studies = yes

Comments = I need information of my rights as a home owner that has chinese drywall.

Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

SUPPLIER:

INTERIOR/EXTERIOR BUILDING SEALANT  
1701 SOUTH LA  
MADISON, LA  
70448

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

8/22/09

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.





The information in this report was obtained through the homeowners during an on-site interview conducted on 8/19/09. The EH&E team were present at this home on the same day this interview was conducted. This investigation was initiated from a complaint that the homeowners made to our agency on June 10, 2009 and on July 8, 2009. The female complainant stated that she would obtain her medical records and forward them to this Investigator. Attempts to obtain the medical records from the female complainant were unsuccessful.

The complainants are a husband (49-years-old, hereinafter referred to as the male complainant) and a wife (50 years-old, hereinafter referred to as the female complainant), who live in a two-story French provincial style home, built on a concrete slab. The home has approximately 1,700 square feet of living space available, with a total of approximately 2,100 square feet under roof. The exterior of the home is stucco. The home has three bedrooms, 2 ½ baths, and an enclosed garage. The bedrooms, hallway, and stairs are carpeted, with the remainder of the flooring being ceramic tile. The home is piped for natural gas, which is utilized by the fireplace, stove, and water heater. The home has 5 hard wired smoke alarms which are monitored by a home monitoring service.

Construction began on the home in 2007. Wood studs were used in the construction of the residence. The complainants hired a builder to oversee the construction of their residence. The involved product, imported drywall, was installed by a drywall contractor, who had been hired by the builder, in the home in March of 2007. It was also floated and painted during the same month. The complainants moved into the home in April of 2007. No repair work has been performed since the home's initial construction. Neither were any changes made to the residence by the complainants (i.e painting, carpet installation, etc.)

Both of the complainants stated that they detected an odor when they initially moved into the home, but attributed it to the home being new and they stated that they eventually became acclimated to the odor and no longer noticed it, except upon entering the home. They stated that the odor is more noticeable when they have been away for the weekend or when the weather is warm. Neither of the complainants initially thought anything of the odor, as they agreed they both thought that "this way the way their home smelled". When asked to describe the odor, they both agreed that it was an odor they would compare to a match just being lit. Both of the complainants agreed that the odor was more noticeable in the garage and the upstairs of the residence.

The female complainant stated that she began to experience health problems within a month of moving into the residence. She stated that prior to moving into the residence, she was healthy and did not have a history of sinus or allergy problems. She stated that she experienced sinus symptoms including: nasal congestion, headache, and difficulty breathing, with the symptoms worsening at night. She stated that she contacted a friend that is also a physician in May of 2007, and told him that she believed she had a cold, for which he prescribed antibiotics. She stated that when her symptoms didn't improve, her friend recommended she see an Ear, Nose, and Throat physician. She stated that the ENT

physician prescribed antibiotics, which she took two rounds of, with no improvement in her symptoms. She stated that he recommended she see a specialist. She consulted with an Ear, Nose, and Throat specialist in September of 2007, who ordered a CAT scan of her nasal cavity. She stated that the CAT scan showed a total blockage of her nasal cavity on the right side, and he suggested surgery to remove the blockage. She stated that before surgery, she consulted with another Ear, Nose, and Throat specialist who suggested she try a nasal spray (nasonex) to alleviate her symptoms. To date, the complainant stated that she still uses a nasal spray once a day and that although her symptoms have not improved, they haven't worsened. She has also experienced insomnia since moving into the residence. She stated that when she leaves for an extended period of time (2 weeks) she notices that she is able to breathe better.

The male complainant has not experienced any health symptoms since moving into the residence.

The complainants stated that they began experiencing issues with electronic equipment within six months of moving into the residence. Within the first six months of moving in, they had to replace a DVD player they had purchased when they first moved into the residence. The DVD player had to be replaced again a year later. In 2008, a television being used in the bedroom located upstairs began to malfunction. The female complainant stated that the only way to turn the television off is to unplug it.

In 2007, their a/c units had to be recharged with Freon due to Freon leaking from the evaporator coils. The evaporator coils were replaced with coated coils in 2008, while they were still under warranty. According to an email sent out by the home builder, dated 3/27/09, the coils were replaced due to "the manufacturer's timely recognition that the coils would not work with the newly updated to code/energy efficiency requirements of the AC units in the community". The email was obtained from the complainants and it attached as Exhibit #2. Note: According to one of the EH&E members, during his inspection of both of the evaporator coils, corrosion was not evident. The complainants stated that they have not had any other problems with the a/c units since the coils were replaced in 2008.

The complainants discovered that they had drywall that was imported from China on March 25, 2009, when they examined labeling on drywall installed in a utility room and attic of their residence. They notified their builder by email on March 28, 2009 and by US Mail on June 25, 2009. (See Exhibit #3) They notified the Louisiana State Attorney General's Office by mail on June 25, 2009. They received an acknowledgement from the Attorney General's Office on July 9, 2009. (See Exhibit #4)

According to the complainants, a visual inspection was completed on their home on April 28, 2009. A copy of the inspection is attached as Exhibit #5. The inspection was conducted by the builder and claims adjustors for the drywall firm that was hired by the builder. The drywall firm purchased and hung the drywall in the residence. No other testing or inspections have been done at the involved residence.

During the on-site photographs were taken of corrosion noted in the home. Corrosion, pitting and/or blackening was photographed during the on-site. Photographs of a mirror, a showerhead, faucets, and copper piping/wiring can be viewed in photos #11-28.

The complainants have not consulted with an attorney regarding the problems they are experiencing in their home, which they attribute to the imported drywall. They stated that their builder has kept them up to date as to what they are doing in an effort to resolve the issue; however, they have been advised by the builder that they should hire an attorney. The email correspondence is attached as Exhibit #6. Note: The complainants stated that they are aware of seventeen homes in their subdivision that have imported drywall installed in them. They stated that only they and two other families are still living in the residences with the imported drywall. They are not sure of their long term plans. They stated that they hope a resolution/remediation is found quickly because they are concerned about the long term effects of being exposed to the drywall.

### **PRODUCT IDENTIFICATION**

- TYPE: Drywall
- BRAND: Unknown
- MODEL: Unknown
- MANUFACTURER: Knauf Insulation, One Knauf Drive, Shelbyville, IN 46176
- MANUFACTURE DATE: Unknown
- BUILDER: Laporte Family Properties, 950 W. Causeway Approach, Mandeville, LA 70471
- SUPPLIER: Interior/Exterior Building Supply, P.O. Box 4002, New Orleans, LA 70437
- INSTALLER: Seal Drywall, address unknown
- APPROXIMATE COST: Unknown (invoice not available)

### ***Labeling***

Labeling printed on the back of the drywall, which was exposed in the attic and the utility room of the residence states, "MADE IN CHINA MEETS OR EXCEEDS ASTM C1396-04 STANDARD".

### **SAMPLES**

None

### **ATTACHMENTS**

- 1) Identity of Respondents (1 Page)
- 2) Email correspondence with builder Re: Air-conditioner, contact information (3 pgs)
- 3) Email correspondence with builder Re: notification of drywall issue (2 pages)
- 4) Email correspondence with LA Attorney General's Office (3 pages)
- 5) Inspection Report (Completed by Builder/Drywall Installers) (3 pages)

090817CBB3887

- 6) Email correspondence from builder Re: Drywall updates (15 pages)
- 7) Photographs 1-28
- 8) Missing Document (1 Page)
- 9) Signed Authorization for Release of Name Form (1 page)

**IDENTITY OF RESPONDENTS**

-  Complainants

Initially contacted on 7/20/09. Both were interviewed on-site on 8/19/09. This home was part of the indoor air quality study.

**Connie Fineschi**

From: &lt;chinchuba\_creek@yahoo.com&gt;

To: (b)(6)

Cc:

Sent: 2009-03-27 11:27

Subject: Re: Chinese Drywall

Dear (b)(6) and all other Chinchuba Residents:

While (b)(6) has sent this notification to us and cc'd the rest of the community, only four residents have actually come by or called to inquire about what they should do and what we are doing. I have responded to those residents individually and we correspond to the remainder of the community to relay to everyone else what we have been advised to do at this point.

First and Foremost, we must clear up, some errors that have been spread with this communication. We have not once been contacted about anyone's coils being replaced due to corrosion. EVERYONE'S COILS were replaced due to the manufacturer's timely recognition that the coils would not work with the newly updated to code/energy efficiency requirements of the AC units in the community.

B & W AC got a list from me of every homeowner and address in this community and he arranged/scheduled with the individual homeowners to replace those coils. EVERYONE also received an extended manufacturer's warranty - directly from the Manufacturer/AMANA. Only two residents, that I know of, (b)(6) had their coils replaced more than once, due to a faulty coil - NOT corrosion. The manufacturer would have never warrantied a corroded coil.

Secondly, Regarding (b)(6) home at lot 42, I have spoken and arranged for Warranty work to be done at this home as soon as (b)(6) sold to (b)(6). One of (b)(6) items back on December 8, 2008 was to tighten the kitchen sink and to check the sink, (b)(6) thought the fixture was peeling. However, upon inspection, we noted that there was absolutely nothing wrong with the sink - (b)(6) had an artist who worked out of this home - and not only was PAINT on the sink but also on door handles throughout the home. We directed (b)(6) to clean the sink/fixtures with mineral oil and to get back with us, if this didn't work, we would try to assist him in any other way. We had not heard anything else back.

Thirdly, (b)(6) in lot 35 contacted us about an odor and plumbing issues approximately 3-4 weeks ago. We have sent a plumber and Lee personally went out to assess because there was no odor throughout the home. Instead, (b)(6) home had been vacant and the smell came from only one area, ONLY by the A/C drain. (b)(6) had not added bleach and water to her A/C drain line; so, we did for her and (b)(6) has since replied that the smell was taken care of.

While this does not mean, that any other homeowners may or may not have or had "symptoms"

that I do not know about; the above are items that we were notified on and have records of in our warranty files. This is not to make light of the possible seriousness of the situation but to only correct what info was being passed around that may lead to worrying people without merit.

- 1.) As soon as we received this e-mail Wednesday afternoon, we immediately contacted our Sheetrock contractor, Seals Drywall. Seals supplied and installed the sheetrock as a contractor.
- 2.) Seals directed us to Ben Diano, the Branch Manager for Interior Exterior. They are the distributor/supplier of the sheetrock. Ben could not speak at length with me because of the pending litigation; however, he was very professional and willing to speak with and answer as much as he can conversationally. Ben can be reached at 985.809.7069 and he directed me to the below parties:
- 3.) PHIL NIZIALEK, is the attorney for Interior Exterior. He can be reached at 504.585.3820 or [nizialek@carverdarden.com](mailto:nizialek@carverdarden.com). He relayed that while he represents only the distributor, not the manufacturer, they, at this point, admit no liability. They are just now learning what to do as well. However, he was very open and willing to help/direct us in any way. I WILL BE SENDING PHIL A LIST OF ALL RESIDENTS WITH CHINESE SHEETROCK OR KNAUF SHEETROCK. Phil cannot give me an exact time line, but he does anticipate setting up these homes for an INSPECTION to determine, if they have Chinese/Hazardous sheetrock.
- 4.) Thus, I need residents to check their attics and reply back as to whether they have Chinese Sheetrock or not. If so, I will put your name, address, and contact info on a list for Phil.
- 5.) I am sure that many people will want something done prior to this indefinite timeline. People have asked "how can we test?" Phil replied that by doing a simple search online, with government agencies, non-profits, and environmental groups, we should be able to find agencies, who are testing to determine, if the sheetrock is toxic, just like what occurred with mold after Hurricane Katrina.
- 6.) Also, Phil could not relay whether it was all Chinese sheetrock or just some that was problematic. The fact is, 80-90% of all sheetrock they distributed was American made. They did import sheetrock during Feb 2006- the first quarter of 2007, due to the shortage after Katrina. However, there is mixed feedback, because some residents with Chinese sheetrock have had no issues at all. They are still in the investigation stage and trying to assess this issue.
- 7.) ADDITIONALLY, DOUG SANDERS, is the Attorney for Knauf, one of the Manufacturers. Phil relayed that he was pretty sure that people could contact Doug, because he was setting up "INSPECTIONS" as well. Therefore, those of you with concerns, or who want to be tested, should contact Doug also. He can be reached at 312.861.8075. I called him earlier but only got his voicemail. As soon as I learn more, I will relay.
- 8.) Also, Ben and Phil of Interior Exterior relayed one other avenue to try for testing/inspections. This is through CHUCK FOSSLER, a claims specialist. He can be reached at 786.427.7942.

Thus, to sum up, prior to taking any additional steps, we need to first determine, if any sheetrock in this community is toxic. So, please work on getting in contact with some of the above and please let me know, which avenue is working best for you all to get timely testing done.

Let me and the above parties know of the results and I assure you that we will stay on top of this

090817CBB3887  
Exhibit #2, Page 3 of 3

to make sure that each home is taken care of.

As always, anyone is always welcome to call or come by with additional questions.

Best Regards,

Christie Laporte

**Laporte Family Properties**

Fairway Gardenhomes/Chinchuba Creek Gardenhomes

950 W. Causeway Approach

Mandeville, LA 70471

Office - 985.727.0830

Fax - 985.727.3175

www.LFP LLC.com

--- On Wed, 3/25/09, [REDACTED] wrote:

From: [REDACTED]  
Subject: Chinese Drywall  
To: chinchuba\_creek@yahoo.com

C  
p  
H  
sk  
q  
b  
M  
ze  
c  
de  
rt  
la

[REDACTED]

Date: Wednesday, March 25, 2009, 12:39 PM

Dear Lee and Christy,

This is to let you and the Chinchuba Creek Garden Home Association know that my home is built with Chinese Drywall. My copper pipes are black. My Air Condition coils have been replaced more than once. I have hired an Attorney by the name of Danny Becnel. If anyone has any questions, please feel free to call me.

Thank You,  
[REDACTED]

Great Deals on Dell 15" Laptops - Starting at \$479

*First notice To Builder*

090817CBB3887  
Exhibit #3, Page 1 of 2

Page 1 of 3

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Saturday, March 28, 2009 12:17 PM  
**To:** 'chinchuba\_creek@yahoo.com'  
**Subject:** RE: Chinese Drywall

Dear Ms. Christie

Just for your record we do have some Chinese drywall in our house.

We currently do not know the toxicity of it, if any, but we are seriously concern about the practical ed economical ramification of this problem.

I am interested in having your opinion about this issue, considering that you as the builder should know first hand what kind of material has been used, the origin and therefore what ~~you~~ should be the best course of action, in your opinion, to solve the problem.

We are not in the business to complicate the situations, on the other hand we want to protect our investment and the quality of our life.

Looking forward to your feedback.

*Thank You*

-----Original Message-----

**From:** chinchuba\_creek@yahoo.com [mailto:chinchuba\_creek@yahoo.com]  
**Sent:** Friday, March 27, 2009 6:08 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**pp:** [REDACTED]

June 25, 2009

Southern Star Construction Co. Inc./  
Laporte Family  
2029 Christie Lane  
Covington, LA 70433

Following our first notification given to you on March 28, 2009.

Approximately on March 25, 2009 we discovered that our house has Chinese drywall.

We had the house tested and the findings are very clear.

The drywall has organic materials in it and when expose to moisture release, among other components, carbon disulfide as well as hydrogen sulfide in the air.

We are not looking to a lawsuit, nevertheless we have to put you on a second notice and we give you till August 30, 2009 to come up with a remediation plan.

If the above deadline will not be respected we will be forced to begin a legal action.

I hope that you will agree that the best solution would be to find an out of court agreement.

Sincerely



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the item to you.</li> <li>Attach or attach to the item.</li> </ul>		<p>A. Signature <input checked="" type="checkbox"/> Agent</p> <p><i>[Signature]</i> <input type="checkbox"/> Address</p> <p><i>[Signature]</i> <input type="checkbox"/> Restricted Delivery</p> <p>Item 1? <input type="checkbox"/> Yes</p> <p>Item 2? <input type="checkbox"/> No</p>	
<p>U.S. Postal Service<sup>®</sup></p> <p><b>CERTIFIED MAIL<sup>™</sup> RECEIPT</b></p> <p>(Domestic Mail Only; No Insurance Coverage Provided)</p> <p>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>.</p>			
<p><b>OFFICIAL USE</b></p>			
Postage	\$ 0.44	0205	
Certified Fee	\$2.80	02	
Return Receipt Fee (Endorsement Required)	\$2.30		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
<b>Total Postage &amp; Fees</b>	<b>\$ 5.54</b>	06/25/2009	
<p>Sent To: <b>SOUTHERN STAR CONSTRUCTION</b></p> <p>Street, Apt. No., or PO Box No. <b>2029 CHRISTIE LANE</b></p> <p>City, State, ZIP+4<sup>®</sup> <b>COVINGTON - LA - 70433</b></p>		<p>Postmark Here</p> <p>Business Mail Return Receipt for Merchandise I.D. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Fee <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

090817CBB3887  
Exhibit #4, Page 1 of 3

# CONSUMER COMPLAINT FORM

James D. "Buddy" Caldwell  
Attorney General  
Louisiana Department of Justice  
Consumer Protection Section  
P.O. Box 94005  
Baton Rouge, LA 70804-9005  
Phone: (800) 351-4889  
Fax: (225) 326-8499

### FOR OFFICE USE ONLY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* = REQUIRED Please print or type. Your complaint must be legible.

Is this related to Hurricane Katrina?  Yes  No Are you over the age of 60?  Yes  No

6/25/09 \_\_\_\_\_  
\*Date \*Full Name of Person Filing Complaint

\_\_\_\_\_  
\*Address \*Home Phone: \_\_\_\_\_

\_\_\_\_\_  
\*City \*Work Phone: \_\_\_\_\_

\_\_\_\_\_  
\*State & \*Parish: ST. TANNARY

\*Person Complained Against: SOUTHERN STARS CONSTRUCTION / LAPORTE FAMILY

\*Company Complained Against: ✓ LEROY LAPORTE

\*Address: 950 W. CAUSEWAY APP. \*Phone: \_\_\_\_\_

\*City, State & Zip: MANDERVILLE - LA - 70476 Parish/County: ST. TANNARY

Name of Salesperson (if known): \_\_\_\_\_

Date of Transaction: MARCH 2007

Description of product or service about which you are complaining. Include brand name, model number and serial number, if possible:

THE HOUSE IS BUILT WITH DEFECTIVE MATERIALS

Name of manufacturer (if any): \_\_\_\_\_

Representative of manufacturer contacted (if any). Please include the address and phone number.

\_\_\_\_\_  
\_\_\_\_\_

Amount of purchase and method of payment: \_\_\_\_\_

If your complaint concerns the advertising of a product or service, indicate when and where it was advertised. If possible, attach a copy of the advertisement.

\_\_\_\_\_  
\_\_\_\_\_

Have you contacted the merchant? () Yes ( ) No Date: \_\_\_\_\_

AFTER REVIEWING YOUR COMPLAINT AND THE STEPS YOU HAVE TAKEN TO RESOLVE IT, YOU MAY BE REFERRED TO ANOTHER AGENCY, A PRIVATE ATTORNEY, SMALL CLAIMS COURT OR JUSTICE OF THE PEACE COURT, OR SOME OTHER METHOD OF RESOLVING YOUR COMPLAINT. A COPY OF THIS COMPLAINT MAY BE SENT TO THE BUSINESS COMPLAINED AGAINST.

OVER →

\*Using the space provided below, please explain your complaint fully. Please describe the events in the order in which they occurred, using extra paper if necessary. **IMPORTANT:** Enclose copies of all documents relevant to your complaint including advertising material, contracts, warranties, receipts, canceled checks, etc. If your complaint involves a vehicle, please indicate the make, year and vehicle identification number.

ON MARCH 2007, WE BOUGHT A <sup>NEW</sup> HOUSE LOCATED  
ON [REDACTED] IN HANDEVILLE - LA.  
FROM SOUTHERN STARS CONSTRUCTION.

090817CBB3887  
Exhibit #4, Page 2 of 3

FEW MONTHS AGO WE FOUND OUT THAT THE  
PROPERTY WAS BUILT USING DEFECTIVE MATERIALS  
IMPORTED FROM CHINA.

THE DRYWALL IS CAUSING DAMAGES TO THE WIRING OF  
THE HOUSE.

ON MARCH 20, 2009 WE NOTIFIED SOUTHERN STARS  
AND WE BELIEVE THAT BECAUSE OF THE  
"NEW HOME WARRANTY ACT" THEY ARE  
RESPONSIBLE FOR THE REMEDIATION OF OUR PROPERTY.

THEY HAVE IGNORED OUR DEMAND, NOTHING HAS BEEN  
DONE OR EVEN A PLAN OF ACTION HAS BEEN  
PRESENTED TO US.

\*What would satisfy your complaint?

**PLEASE READ THE FOLLOWING CAREFULLY:**

I understand the Attorney General's Office may provide copies of this form and any attachments to the business complained about and other private and public agencies. I authorize the Office of the Attorney General to give copies or any information of the form to anyone deemed necessary by them.

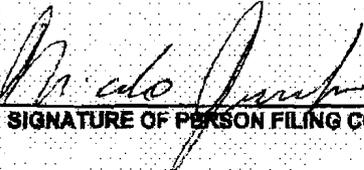
Initial

I understand that the Attorney General's office is not my legal representative. I understand that it is recommended that I consult a private attorney. I also understand that I may lose my private right to sue about this matter entirely if I wait too long to do so. I also understand that any action by the Attorney General's office may not result in a refund or other relief for me personally.

Initial

I wish to file this complaint with the Attorney General's office. I understand that your office does not conduct litigation for individuals in matters which involve purely private controversies. I am, however, filing this complaint to notify your office of the activities of this party and to seek any other assistance you may be able to render.

Initial

  
SIGNATURE OF PERSON FILING COMPLAINT



JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

State of Louisiana  
DEPARTMENT OF JUSTICE  
P.O. BOX 94005  
BATON ROUGE  
70804-9005

090817CBB3887  
Exhibit #4, Page 3 of 3

July 9, 2009



RE: Southern Stars Const (Chinese Drywall)

Dear 

The Consumer Section of the Attorney General's Office has received your recent complaint.

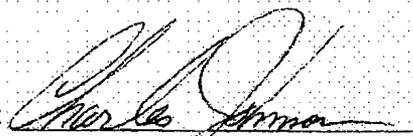
As you may know, state law does not allow us to act as your private attorney in this matter. However, we will try to assist you with this problem by bringing it to the attention of the company. We will send your information to the company and ask the company to review the problem and respond. When we have received the company's response, we will review it and send a copy to you.

We hope this process will improve communications and bring about a solution to the problem.

We appreciate your interest in contacting this office. We hope that our efforts will help you and the company work together to resolve this matter. If you have any questions please feel free to contact the Section at 225-326-6482.

Very truly yours,

JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

By:   
Johnson, Charles  
Consumer Section

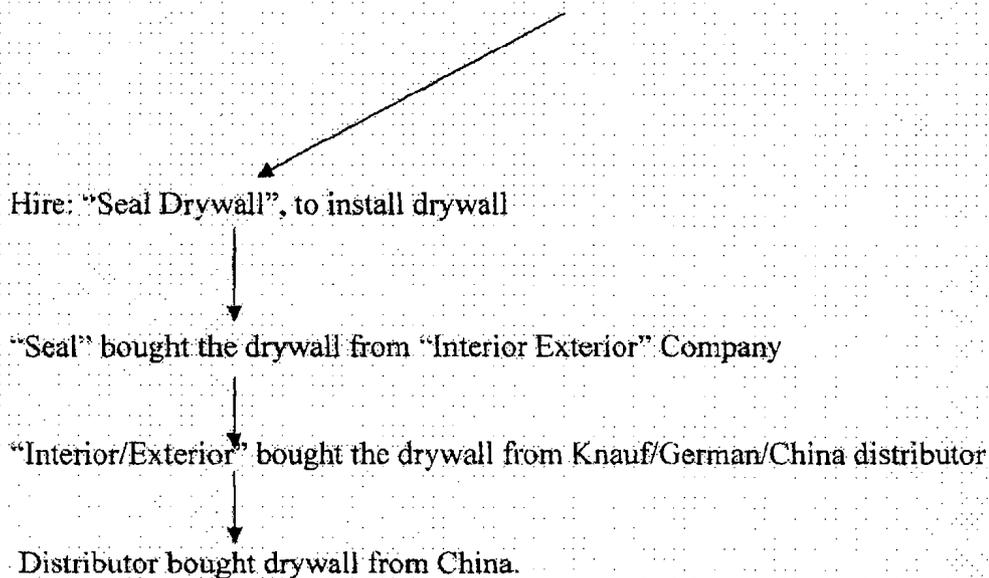
Inspection on 4/28/09,  
1200 Magnolia Alley,  
9:00 am, 11:45 am

- Lana Leonard, for: Laporte Family, builders
- Ms. Paula Wellons Attorney representing "James River Insurance" which is the Insurance for Southern Star home builder, (owned by Laporte).

Paula Wellons  
"Taylor - Wellons, Politz & Duhe APLC"  
1515 Poydras  
Tel. (504) 525-9888

- Steve Klepeis adjustor, hired by Hermitage ins. Representing Seal Drywall.  
"Central Claims, LLC" 3212 16<sup>th</sup> St. Metairie, LA 700010, Tel 504 832-5315
- Dave Costa assistant adjustor for "Central Claims" took all measurements.  
Tel. 504 834 3356

### Southern Stars (Laporte)



They (Lana, Paula and Steve) did take pictures of: second floor's drywall with the label "Made in China". Also took pictures of the copper around water heater and of the corroded cast iron pipes around it, as well as some brackets also corroded.

We removed the breaker-box in the garage and we exposed black copper wires, also we removed one plastic plate in front of ½ bathroom, next to the kitchen and we exposed the ground copper wire "black".

They took pictures of the mirror in the bathroom. Edges are black also.

Scope of the inspection was to put a dollar amount to the work needed to remediate all the houses, 14 sold and 3 still owned by the builder, total of 17. They did measurements to 2 houses today, and then work backwards, from the builder to the Chinese manufacturer to establish financial responsibilities. Forensic expert might be needed.



090817CBB3887  
Exhibit #5, Page 3 of 3



(504) 834-3356 - EXT. #203  
FAX 504-834-5929  
EMAIL: DAVEC@CENTRALCLAIMS.COM

**CENTRAL CLAIMS, LLC**

**DAVE COSTA**  
CLAIMS REPRESENTATIVE

P.O. BOX 7722  
3212 16TH STREET  
METAIRIE, LA 70010



(504) 834-3356 - EXT. #138  
DIRECT (504) 832-5315  
FAX (504) 620-6517  
EMAIL: STEVEK@CENTRALCLAIMS.COM

**CENTRAL CLAIMS, LLC**

**STEVE KLEPEIS**  
CLAIMS REPRESENTATIVE

P.O. BOX 7722  
3212 16TH STREET  
METAIRIE, LA 70010

090817CBB3887  
Exhibit #6, Page 1 of 15

From: <chinchuba\_creek@yahoo.com>  
To: [REDACTED]

Sent: 2009-06-03 10:34  
Subject: Update after Tuesday's Meeting  
Dear Homeowners:

We appreciate your patience, cooperation, and understanding as we have worked toward some resolve with proceeding with our insurance claims.

In the past few weeks, we have been heavily involved in the "documentation" stages of the claim; accomodating requests for contracts, insurance certificates, claims, correspondence, and numerous other sorts of documentation. In doing so, all carriers have been carrying out their ends of investigating the claim.

Throughout all of these exchanges, it has been difficult to get an exact answer as to where our carriers stand and the exact roles of our attorneys assigned to these claims.

To date, it is important for everyone to understand that homeowners have joined the class-action suit and a suit has been filed against us. Thus, we are now involved in litigation and our attorneys are diligently pursuing Seals and its carrier to hold us harmless and indemnify us pursuant to their contract. Our attorneys have assured us that they are working diligently to this end.

However, there are still issues of coverage under our policies at this point; so, we are engaging a separate attorney to pursue coverage of these claims and hopefully settlement, once Seals' carriers have been properly engaged. While all of the carriers are "working" on the matter, we have yet to be offered a definitive yes or no to covering the claim; so, we are now taking extra measures to push all carriers to settle.

Thus, at this point, we feel the need to engage extra counsel to push ALL carriers involve to cover this claim and we can only advise that each homeowner consider speaking with an attorney to pursue your best course of action. We will continue to fight to get these carriers to step up to the plate and we sincerely have our homeowners' best interest at heart.

Again, when we get more definitive answers of coverage, we will definitely correspond to make our homeowners aware. But, since we still do not have definitive answers, we do want everyone to know that we are now going to ever-more aggressively work towards pushing all carriers into honoring their due coverage.

Furthermore, All attorneys that have advised us or have worked with us, have continued to hammer the point that individual homeowners need to seriously consider pushing more aggressively on individual homeowners' policies. An attorney will definitely assist in such matters and there are viable possibilities of coverage, with an attorney involved.

Yours truly,  
Christie Laporte

**Laporte Family Properties**

Fairway Gardenhomes/Chinchuba Creek Gardenhomes

950 W. Causeway Approach

Mandeville, LA 70471

Office - 985.727.0830

Fax - 985.727.3175

[www.LFPLLC.com](http://www.LFPLLC.com)

090817CBB3887

Exhibit #6, Page 2 of 15

090817CBB3887  
Exhibit #6, Page 3 of 15

From: "Chinchuba Creek Gardenhomes" <chinchuba\_creek@yahoo.com>  
To: [REDACTED]

Sent: 2009-05-20 16:43  
Subject: Chinese Drywall Update  
Dear Residents:

As of today, all carriers are still working with us. Seals Drywall insurance carrier, Hermitage, called Christie yesterday to let her know that they are still working on the claim. They relayed that they are working with Interior Exterior and our carriers as well. They are still requesting a lot of documentation at this point.

Christie will be meeting with both of Southern Star's insurance carriers, James Rivers and Clarendon, on June 2nd to try to find out where Seals and Interior Exterior stand. She is hoping to get a proposed plan of action, a time line and answers to a lot of questions. After this meeting we should hopefully have more definitive answers for everyone.

Thanks again for your patience regarding this matter.

Respectfully,

Lana Leonard  
Property Manager  
**Laporte Family Properties**  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach  
Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
www.LFPLLC.com

Boston  
Chicago  
Denver



Miami  
Los Angeles  
New York

Construction and Environmental Claims Consultants

090817CBB3887  
Exhibit #6, Page 4 of 15

Confidential - Not for Disclosure

April 28, 2009

Via E-Mail

Ms. Lana Leonard  
Laporte Family Properties  
950 W. Causeway Approach  
Mandeville, LA 70471

Re: Drywall issues:

Dear Lana:

never saw - Did not  
participate  
in this, because  
results weren't  
going to be  
given to  
homeowner

In response to your inquiry regarding the plasterboard installed in your home, the following survey is necessary to properly document, diagnose, record, and determine the appropriate course of action. This information is necessary for the alleged manufacturer, Knauf Plasterboard Tianjin (KPT), to properly evaluate what is causing the problem and investigate solutions.

- We will take approximately (6) samples of plasterboard 12" X 12" in various locations of your home. Any plasterboard samples will be removed from inconspicuous areas (behind appliances, in closets, etc.) and the cost of repairing any holes will be at our expense.
- We will take moisture readings from (2) walls in each room of your home. This will result in (2) small needle sized holes in the wall at each testing location.
- We will be removing (2-3) electrical switches and (2-3) receptacle in each room and photographing them. These will be reinstalled after the pictures are taken.
- We will remove the panel cover of the main electrical panel and take pictures. The panel cover will be replaced after taking the photos.
- We will access the attic to inspect the ceiling plasterboard, record attic conditions and potentially take pictures.
- We will remove the access panels from the a/c air handler and/or heater to photograph the evaporator coil. The panels will be replaced after photos are taken.

Corporate: 5200 Blue Lagoon Drive  
Suite 710  
Miami, Florida 33126

Phone: (305) 261-2650  
Fax: (305) 261-2661  
consultants@strategyclaims.com  
www.strategyclaims.com

DATE  
Page 2 of 2

- We will inspect the plumbing system at several locations and take photos.
- We will need a copy of the floor plan of the home. The floor plan from the sales brochure is adequate. If you need to obtain the floor plan from the builder, the cost of purchasing it will be reimbursed to you.
- We will need the Certificate of Occupancy date and the approximate date you moved into your home. We may ask you additional questions regarding your home and your experience living in the home.

Any damage caused when samples are removed will be repaired at our expense. We apologize for any inconvenience this testing may cause you and your family. Your cooperation is required for us to continue with your complaint. Please respond to me by email [mhartnell@strategyclaims.com](mailto:mhartnell@strategyclaims.com) or by phone (305)261-2650, so I can schedule an appointment to inspect your home.

Sincerely,

***Michelle Hartnell***

Michelle Hartnell  
Project Coordinator

MH/dp

From: <chinchuba\_creek@yahoo.com>  
To: [REDACTED]

Sent: 2009-05-01 16:28  
Attach: Inspection Letter - Strategy Claims.doc  
Subject: Update  
Dear Residents:

Thank you again for all of your patience and cooperation this week. As you all know, the claim adjusters for Seal's insurance carrier have been here all week documenting evidence of the Chinese sheetrock. We were able to get into 16 of the effected homes to take pictures and measure the sheetrock in each different model. They are now putting captions on every picture that was taken and working on estimates based on the measurements taken. The adjuster is hoping to have a preliminary report for the insurance carrier by early next week. A final report with all pictures, including captions for every picture, and estimates from the measurements taken should be submitted within two weeks of the preliminary report. We have requested a copy of this report once it has been submitted to our insurance carrier.

Christie has contacted both attorney's, James River and Clarendon, to check on the progress on their side. We will be sending another update once we hear back.

On another note, we are having the 3 houses in our inventory tested at no charge by a claim adjuster from Strategy, a company that was hired by Knauf. Knauf hired this company, an independent 3rd party, to test homes that show symptoms and have any kind of Chinese sheetrock, not just Knauf. The adjuster explained that Knauf is being proactive about the situation and wants to resolve any problems. He also explained that they will test homes without Knauf sheetrock because they are trying to trace it back to the other manufacturer's who are saying that they do not have any sheetrock in the United States. I have attached the information the company has sent to us. When you read the attached sheet, explaining all that this testing lab will do, you will find that they will also come "repair" all of the damage/cut outs of the sheetrock at no charge.

Some of these tests have been ranging from the 700.00 to upwards of a \$1k range; so we're going to try this first. And of course, you can always get another, separate inspection in addition to this free one.

If you would like to call Strategy to discuss in detail or to set up an appointment, the contact info is:

Contact: Michelle Hartnell, Project Coordinator  
Email: [mhartnell@strategyclaims.com](mailto:mhartnell@strategyclaims.com)  
Phone: (305) 261.2650

We are having our homes tested Monday and Tuesday and will let you know how that turns out.

As always, if you have any questions or would like to discuss anything in more detail, please call

or email.

090817CBB3887  
Exhibit #6, Page 7 of 15

Respectfully,

Lana Leonard  
Property Manager

***Laporte Family Properties***  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach  
Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
[www.LFPLLC.com](http://www.LFPLLC.com)

From: "Chinchuba Creek Gardenhomes" <chinchuba\_creek@yahoo.com>  
To: [REDACTED]

Sent: 2009-04-24 15:20  
Subject: Fw: 09DSA0009642; Southern Star Construction Chinese Drywall claims  
Dear Residents,

Christie has asked that I forward the email below along to you.

Sincerely,

Lana Leonard  
Property Manager  
**Laporte Family Properties**  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach  
Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
www.LFPLLC.com

--- On Fri, 4/24/09, Christie Laporte <christie\_laporte@yahoo.com> wrote:

From: Christie Laporte <christie\_laporte@yahoo.com>  
Subject: Fw: 09DSA0009642; Southern Star Construction Chinese Drywall claims  
To: "Chinchuba" <chinchuba\_creek@yahoo.com>  
Date: Friday, April 24, 2009, 2:52 PM

Dear Lana,

Please forward this to the affected homeowners; so they can rest assured that Deep South/Clarendon is still working with us in this matter.

Also, I had already informed James River, the other carrier, as well. Please let them know all carriers will be working on this inspection with Seal's adjuster.

Thank you!  
Christie Laporte

--- On Fri, 4/24/09, wvisconte@deep-south.com <wvisconte@deep-south.com> wrote:

From: wviscontc@deep-south.com <wvisconte@deep-south.com>  
Subject: 09DSA0009642; Southern Star Construction Chinese Drywall claims

To: christie\_laporte@yahoo.com  
Cc: sloeb@pugh-law.com, vslocum@deep-south.com  
Date: Friday, April 24, 2009, 2:32 PM

090817CBB3887  
Exhibit #6, Page 9 of 15

Ms. Laporte,

Thank you for your call. To follow up on our conversation earlier this afternoon, Deep South and Clarendon will be retaining Scott Loeb to defend Southern Star. Mr. Loeb should contact your office in the new future (unless he has a conflict preventing him from accepting representation) about reviewing the documents previously sought by Ms. Slocum and requested in the reservation of rights. He will also coordinate with your office relative to Seals Drywall's insurers' request to inspect the allegedly damaged residences.

I would respectfully suggest that you give James River the opportunity to participate in the inspections. Although the manifestation date of each home is uncertain at this time, from the limited information I have been provided, I am very confident in representing to you that I think some claims will fall under the James River policies when manifestation dates for each home are established.

## Wade Visconte

Staff Attorney

### Deep South

333 Texas St, Suite 725

Shreveport, LA 71101

Direct: 318.934.4221

Fax: 318.673.8456

Email: [wvisconte@deep-south.com](mailto:wvisconte@deep-south.com)

THIS IS A CONFIDENTIAL COMMUNICATION. The message and information contained in or attached to this communication is privileged and confidential and intended only for the person named above. If you are not the intended recipient of this message, please delete it immediately without opening any attachments. Please notify the sender, **Wade Visconte**, by telephone at **318.934.4221** or by email at [wvisconte@deep-south.com](mailto:wvisconte@deep-south.com) that you received the e-mail in error. Thank you.

090817CBB3887  
Exhibit #6, Page 10 of 15

**From:** <chinchuba\_creek@yahoo.com>  
**To:** [REDACTED]  
**Sent:** 2009-04-24 15:49  
**Subject:** Please Respond!

Dear Residents:

The claims adjustors for Seals, Steve Klepeis and Dave Costa with Central Claims, who we have been in contact with will be visiting the property next week starting on Tuesday. While they are here they would like to visit every house to measure the drywall in the house and take pictures of the symptoms. They will not be interviewing homeowners or taking any samples. We are planning for them to be here Tuesday-Friday and we need each of you to respond to this e-mail letting us know what a good day and timeframe is for the adjustor to come by your home to take measurements and pictures. If you are not available during this timeframe and would like us to open the house up, you may drop a key off to us and we can let them in.

If you have legal representation, the claim adjustor has requested something in writing stating that they can visit your property.

We have notified our insurance carrier that they claims adjustors will be visiting the properties and we are waiting to hear if they would like to have council here as well.

Thanks,  
Lana Leonard  
Property Manager

***Laporte Family Properties***  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach  
Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
[www.LFPLLC.com](http://www.LFPLLC.com)

090817CBB3887  
Exhibit #6, Page 11 of 15

From: <chinchuba\_creek@yahoo.com>  
To: [REDACTED]  
Sent: 2009-04-23 16:44  
Subject: Update  
Dear Residents:

We would like to make sure that all affected residents can rest assured that we are in daily contact with all claim reps, our insurance carriers and agents, and our attorney to try to resolve this issue as quickly as possible. We would like to reiterate that this is not something that will be resolved in a very short time frame; it is a substantial claim and the carriers will need time to investigate the issue. However, with due diligence and the possibility of having insurance carriers step in to cover the claim, this route will be dramatically quicker than any course of litigation.

We have filed claims with every policy we feel could possibly be effected, our 05-06, 06-07, 07-08 and 08-09 carriers to cover all bases (SR date, C/O date and closing dates). Seals Drywall and Interior Exterior have also put their claims in and seem to be working with us. We have already been contacted by one adjuster for Seals and have been working to get him all docs that he requests.

The carriers are now doing their investigation work, as to whether they believe the claim will fall under each respective policy or not. Again, this is a very substantial claim and they also have their staff attorneys working on it / investigating the merits of the claim.

As of today, the 07-09 carrier informed us that they are still working on the claim and we received a Reservation of Rights letter from Clarendon (our 05-07 policy). This letter stipulates that the carrier is definitely still working with us, currently defending us, and working to involve the sub and supplier's carriers but that they are still investigating all aspects of the claim.

While this letter is not an outright, "Yes, here are your claim proceeds," this letter allows the carrier to currently work on our behalf but it also allows the carrier to "reserve the right" to later determine that the claim may not be covered under the policy, if they come to such conclusion during the course of the ongoing investigation. Our attorney is in the process of writing a response to the reservation letter in hopes of moving things along more quickly.

As for the release, we are making only minor revisions to Jim's release; so that we make sure that it will be most effective to getting the carrier's attention. We will be sending this out as soon as possible and we will also then send a copy to the carrier as further leverage.

Also, anyone who is having tests or has had tests, it is very important that you get an explanation of the results, ask questions about your test results and really understand what the results mean in reality (how it adds up to you and your home). These answers will best help everyone determine the real effect

and the real worries of the chinese drywall as it relates to people's health and furnishings.

There are several different methods of testing but most of the labs "heat" the material all the way up to 35 degrees celsius in order to gauge any inappropriate levels of gases being emitted. This may not be a good indicator of any possible toxicity present in your home due to the high temperatures used, the small volume of the container in which the gases are released, and the fact that your home allows for air-flow.

Also, If residents are paying for such tests, it would be prudent to actually understand what standards the "results" are measured against and make sure that you compare the correct standards. For example, we have received lab results showing a gas measured in micrograms, where the only applicable standard is an OSHA standard and that gas is measured in milligrams. If you were to compare them, "apples to apples" the microgram reading is definitely within the accepted OSHA mg standards.

Please don't hesitate to contact us at any time with any questions. We greatly appreciate your patience, while we steadily work to resolve this situation.

Sincerely,

Lana Leonard  
Property Manager  
and  
Christie Laporte, Controller

***Laporte Family Properties***  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach  
Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
[www.LFPLLC.com](http://www.LFPLLC.com)

**From:** <chinchuba\_creek@yahoo.com>  
**To:** [REDACTED]  
**Sent:** 2009-04-16 13:43  
**Subject:** Chinese Drywall Update  
Dear Residents:

We have been working diligently to resolve this situation as quickly as possible. We have put all of our insurance carriers, from the construction period to date on notice and we have claim numbers for those claims and all carriers are now doing their investigations. We are in daily contact with these claims reps and our agents.

We have also been in contact with Seals' insurance carrier and their claims' specialist, who has requested the following information from us to make his inspection and determination easier and more timely:

- Any lab/test reports or results
- Pictures of the "Made in China" or the brand name
- Pictures of any copper wiring or piping that is black or corroded
- Pictures of corroded a/c coils
- Pictures of corroded fixtures or tarnished mirrors
- Pictures of any other symptoms that may be related

Also, please let us know in your response with any pics and lab results, if you have noticed that the Sheetrock is more brittle than normal, have had problems with objects staying in the wall, have had problems with paint chipping easily, or any other claim to its "inherent defectiveness" or its deficiency as compared to its American counterpart.

We have also contacted INT/EXT who has confirmed that their carrier, too, has been notified of the claim and INT/EXT did forward the carrier my demand letter.

Please send us this information as quickly as possible via email or come by our office and drop it off. We would like to have all of the information within the next couple of days to forward to Seals' claim rep.

Also, we recieved the first draft of the release and Lee and I will be making some minor changes to align with the claim that we placed with the insurance carriers.

Thank you for all of your understanding and patience while we try to resolve this issue.

Sincerely,

Lana Leonard  
Property Manager  
and  
Christie Laporte, Controller  
**Laporte Family Properties**  
Fairway Gardenhomes/Chinchuba Creek Gardenhomes  
950 W. Causeway Approach

Mandeville, LA 70471  
Office - 985.727.0830  
Fax - 985.727.3175  
www.LFPLLC.com

090817CBB3887  
Exhibit #6, Page 14 of 15

From: <chinchuba\_creek@yahoo.com>

To:

Cc:

Sent: 2009-03-27 18:08

Subject: Re: Chinese Drywall

Molly:

We arranged to go to your residence, while you were out of town and the plumber could not find the smell that you spoke about, neither could Darren, neither could Lana, and Lee finally had to go done to ascertain what you could be describing.

The A/C drain line needed to have bleach and water flushed through it and Lee also relayed that you could have possibly smelled or had a sewer gas issue, thus the subsequent testing needed described by Lee.

However, Lana saw you last Sunday, while she did our open house and you replied to Lana, when she asked about the smell that "it seemed like it was all gone." Lana also told you that, if you had any further issues or if you thought that you might have smelled it again, to give us a call. You never called to relay of any other issues nor did you bother to go down to Lana, while she was at the open house to relay of the recurrence, if it in fact happened.

I am not discounting any possible problem that you may have or you may have encountered; however, I want to make sure that everyone gets both sides of the story; things are being represented in a whole other light in this string of e-mails and they need to be corrected.

Sincerely,

Christie Laporte

**Laporte Family Properties**

Fairway Gardenhomes/Chinchuba Creek Gardenhomes

950 W. Causeway Approach

Mandeville, LA 70471

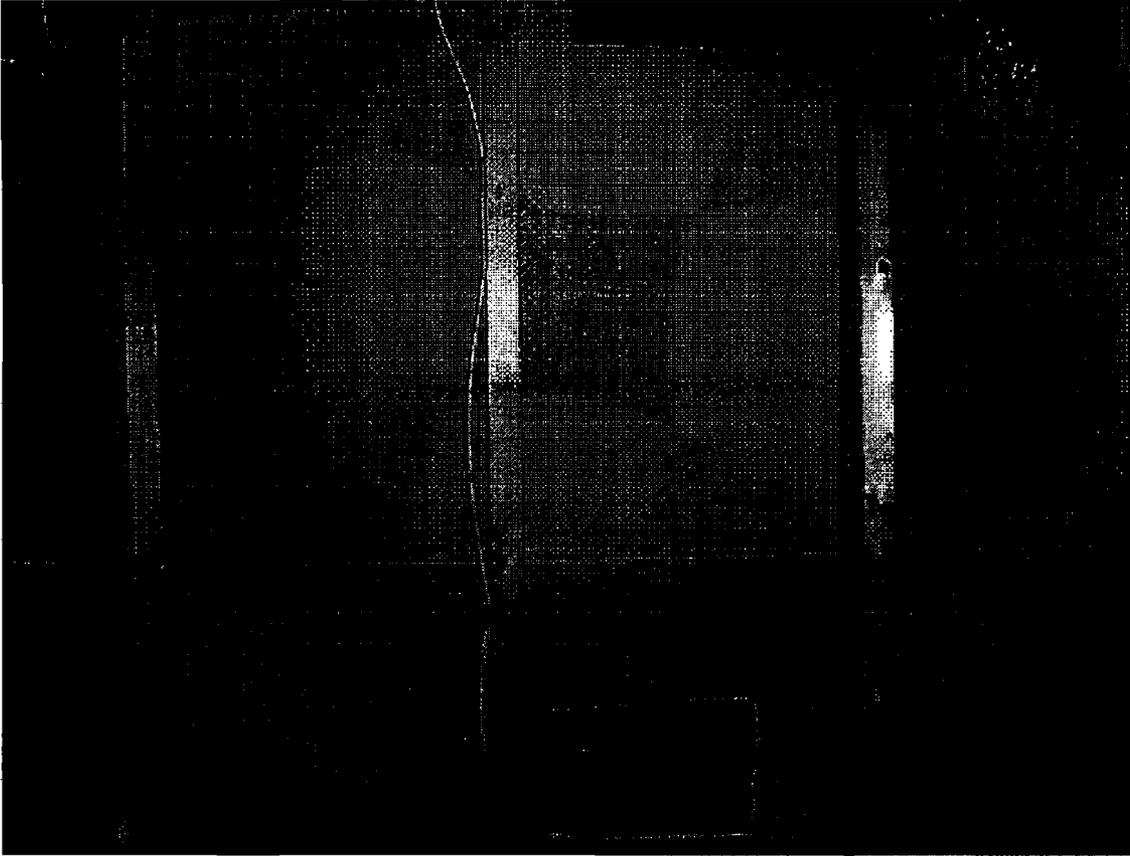
Office - 985.727.0830

Fax - 985.727.3175

www.LFPLLC.com



Photo #1 shows a view of the exterior of the involved residence.



**Photo #2 shows a view of labeling located on the back of the drywall installed in the utility/storage area located on the second floor of the residence.**

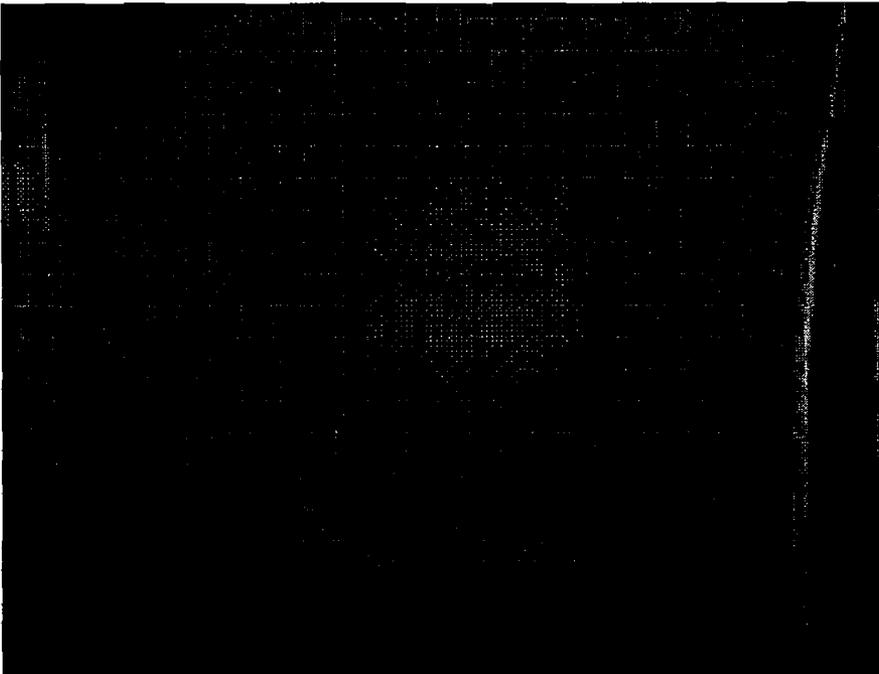


Photo #3 shows a close-up view of part of the labeling shown in Photo #2. Labeling states in part, "MADE IN CHINA, MEETS O".

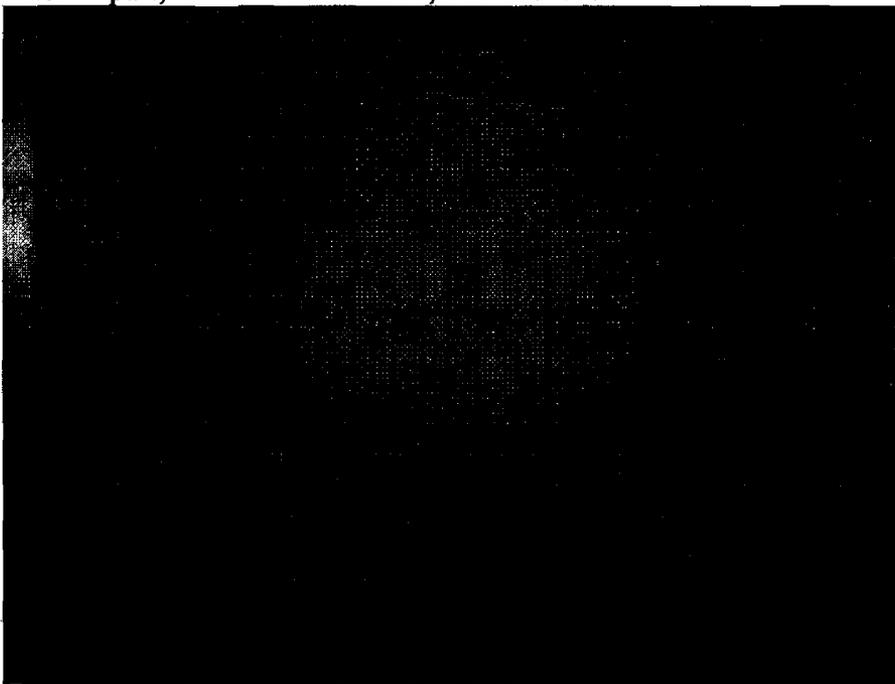


Photo #4 shows a close-up view of the remainder of the labeling shown in Photo #2. Labeling states, "EXCEEDS ASTM C1396-04 S".

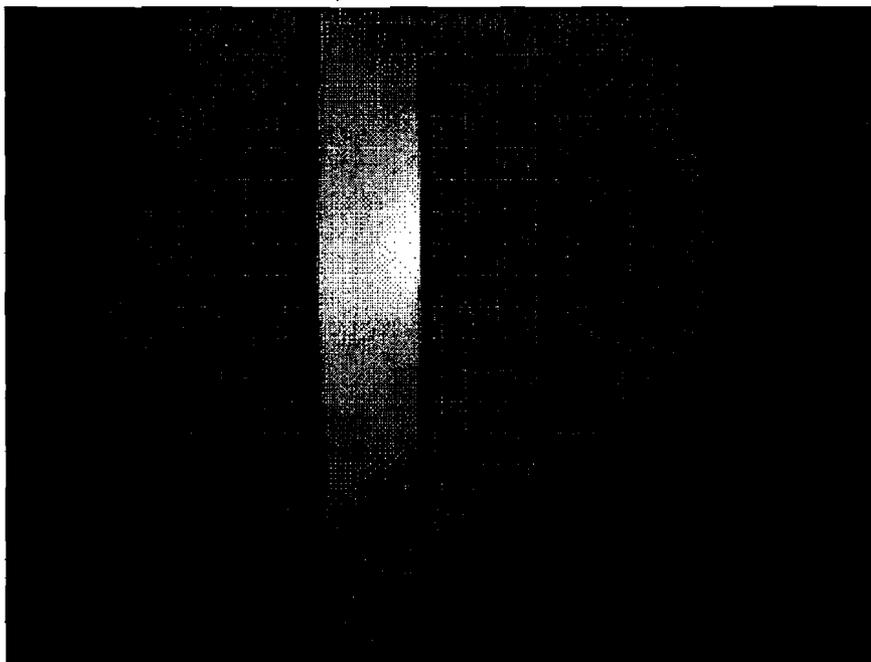


Photo #5 shows a close-up view of the remainder of the labeling shown in Photo #2.

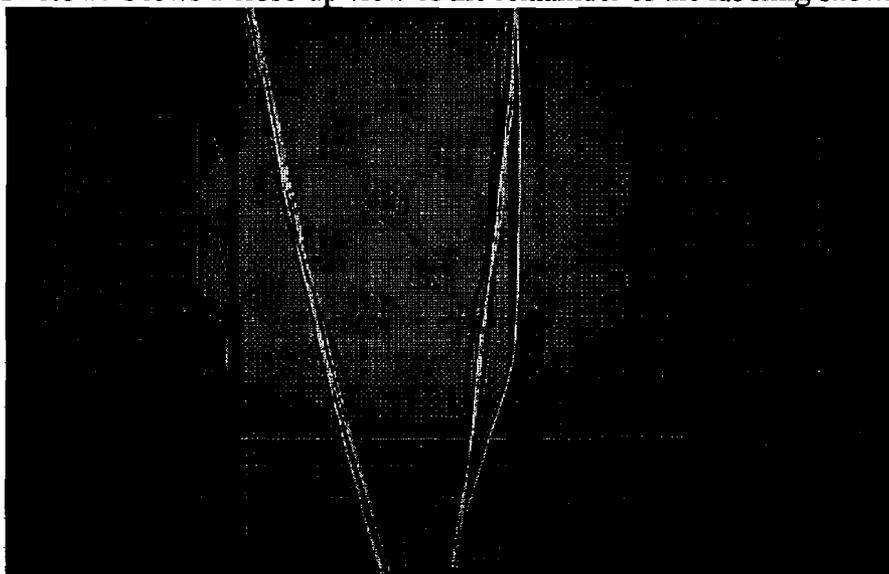


Photo #6 shows a view of labeling located in the attic of the involved residence which states in part, "MADE \*\*\* CHINA MEETS OR EXCEEDS \*\*\*STM C1396-04 STANDARD".

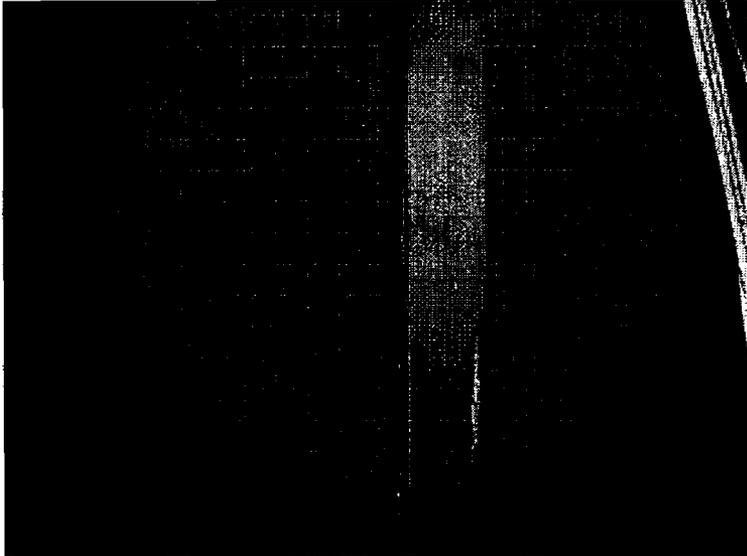


Photo #7 shows a close-up view of part of the labeling shown in Photo #6, which states, "MADE \*\*\* CHINA,".

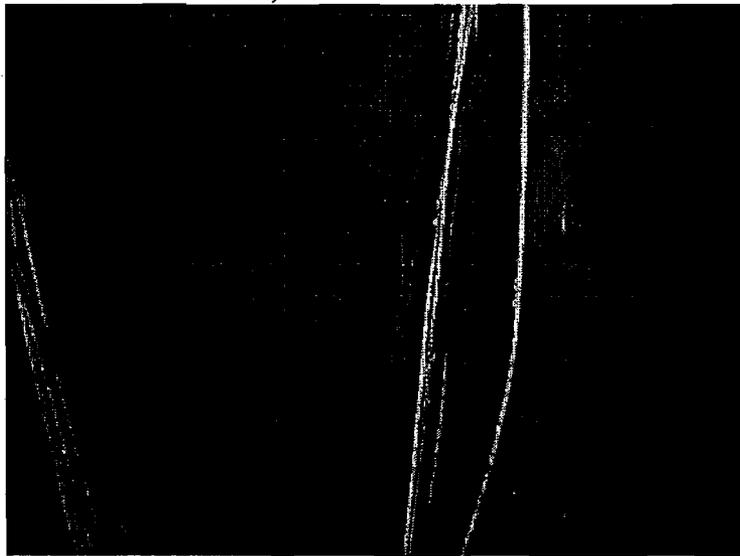


Photo #8 shows a close-up view of part of the labeling shown in Photo #6 which states, "MEETS OR EXCEEDS \*\*\*STM C13 \*\*\*".

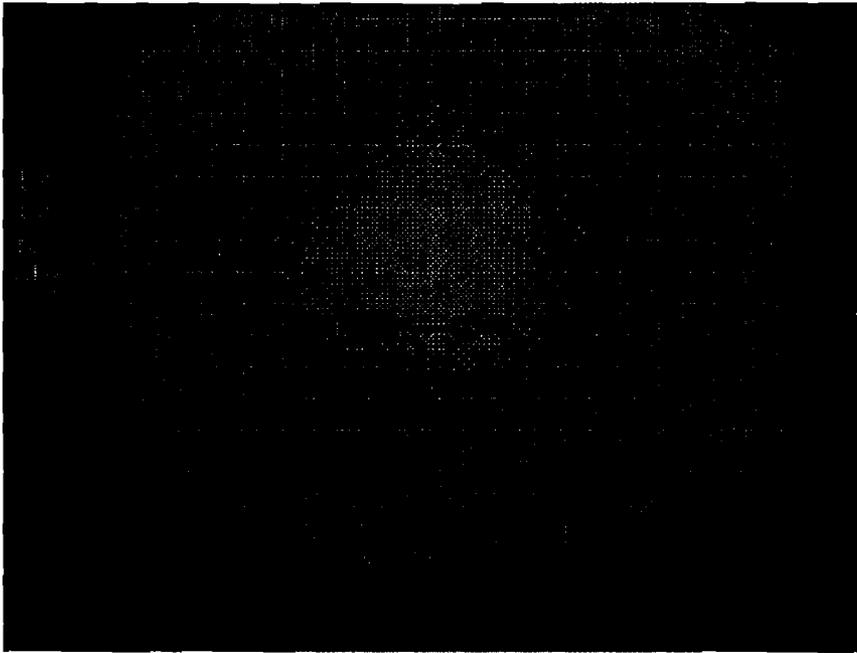


Photo #9 shows a close-up view of part of the labeling shown in Photo #6, which states, "ASTM C1396-04 STANDARD".

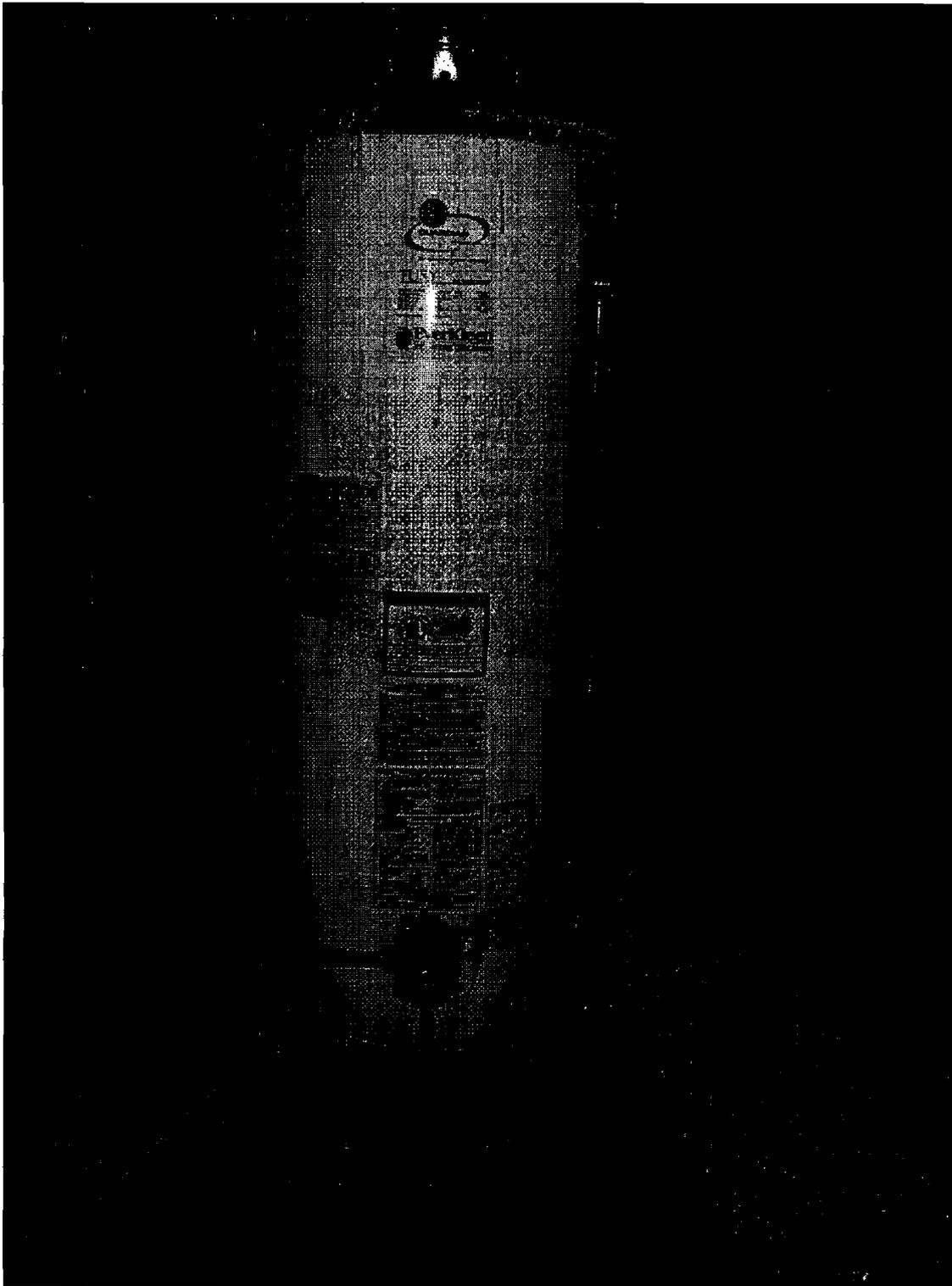


Photo #10 shows an overall view of the involved residence's water heater. Note the corrosion on the pipes on the water heater.

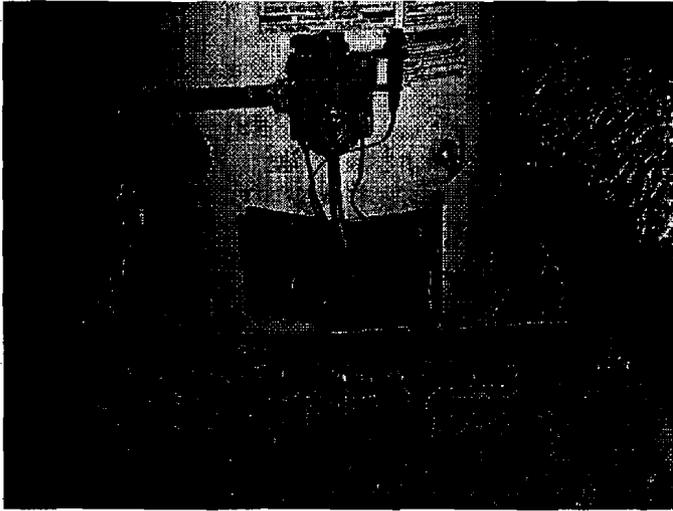


Photo #11 shows a close-up view of a corroded pipe connected to the water heater.



Photo #12 shows a close-up view of a blackened/corroded pipe attached to the water heater.



**Photo #13 shows a close-up view of additional pipe in the attic in the involved residence that shows evidence of corrosion.**



**Photo #14 shows a view of the copper tubing on the toilet located in a downstairs bathroom.**

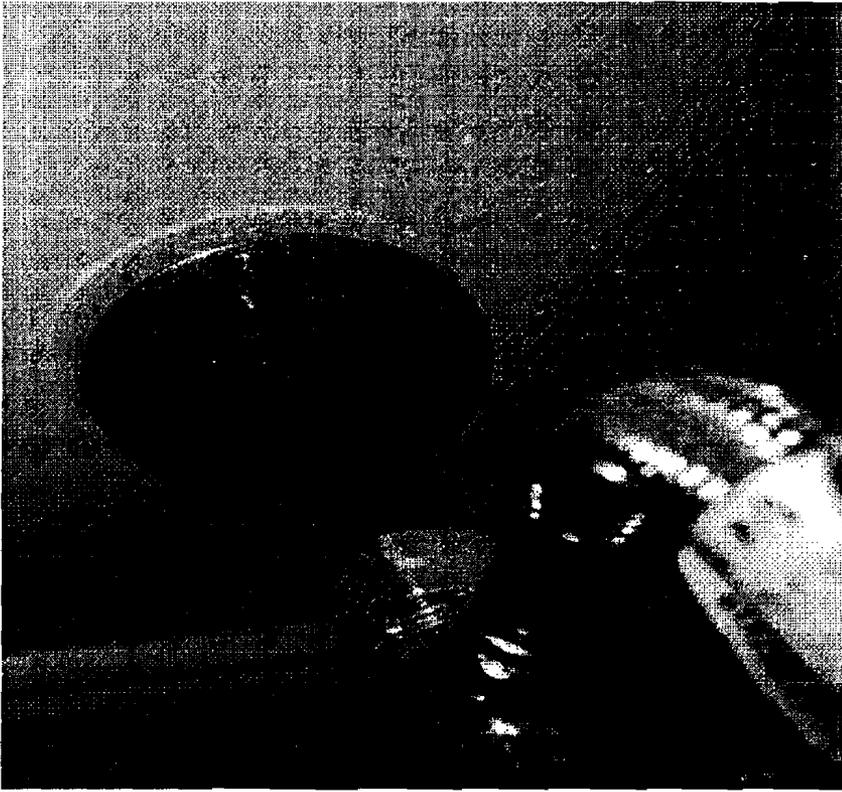


Photo #15 shows a view of the copper tubing on the toilet in the upstairs bathroom.

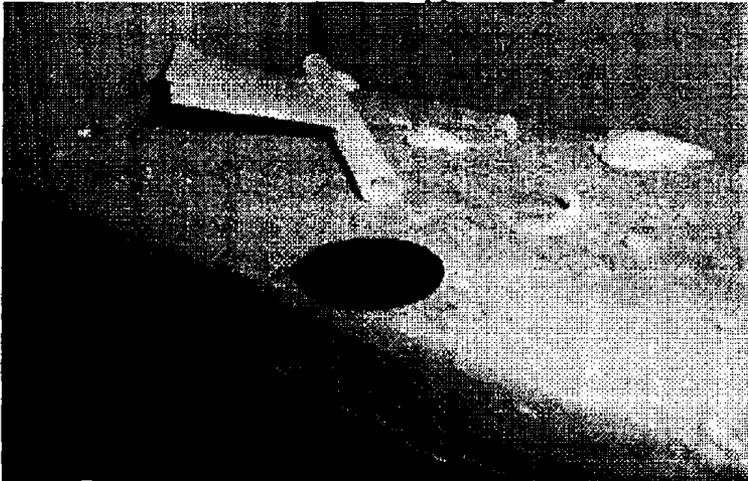


Photo #16 shows a view of a blackened penny on a 1x4 board in the utility/storage area on the second floor of the residence.

---

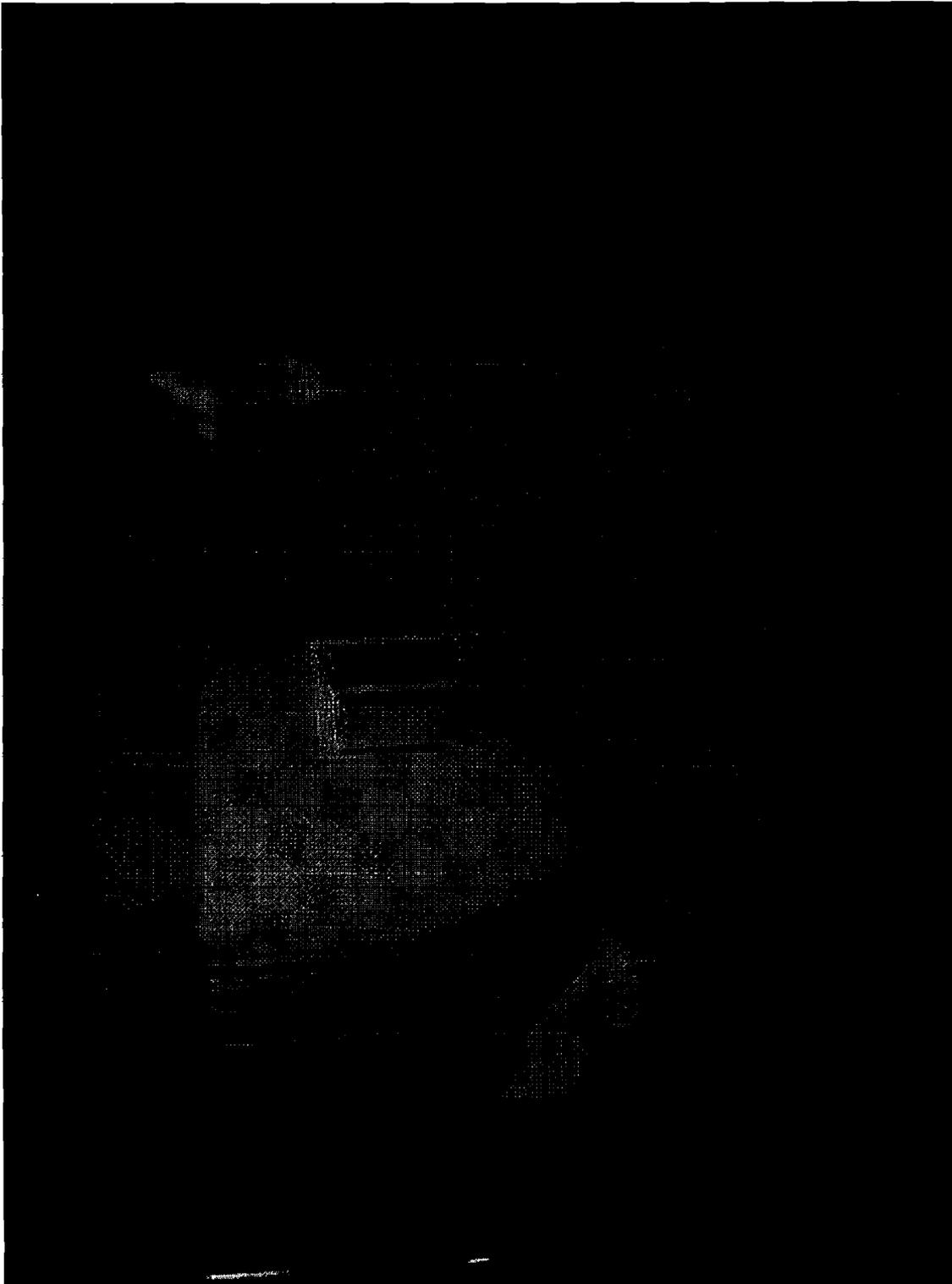


Photo #17 shows a view of corrosion on the edge of a mirror located in the master bathroom of the residence.



Photo 18 shows a view of pitting on the faucet in the master bathroom.



Photo 19 shows a view of pitting on the showerhead in the upstairs bathroom of the residence.

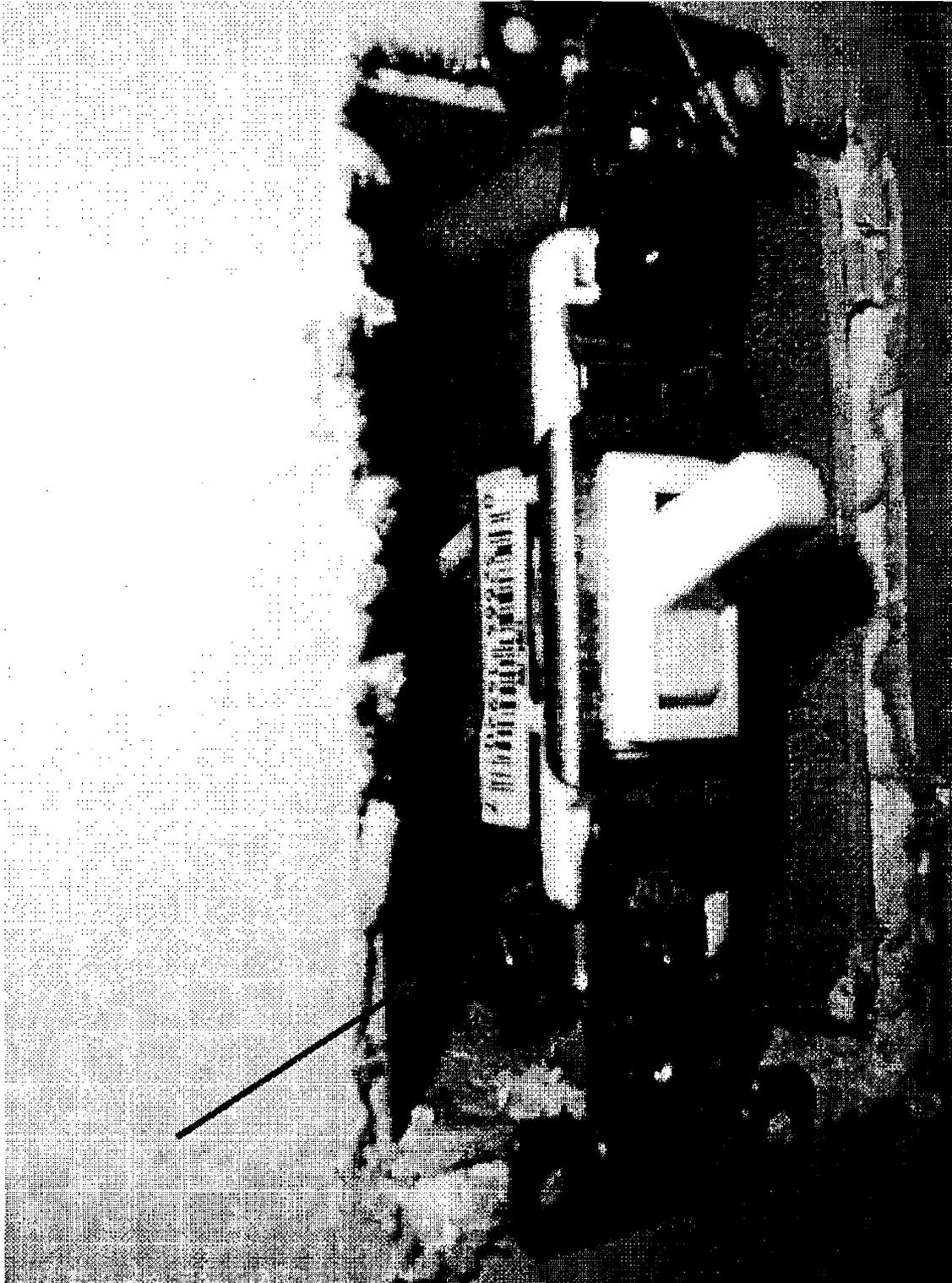


Photo 20 shows a view of a light switch in the kitchen of the residence whose ground wire (copper) has blackened.

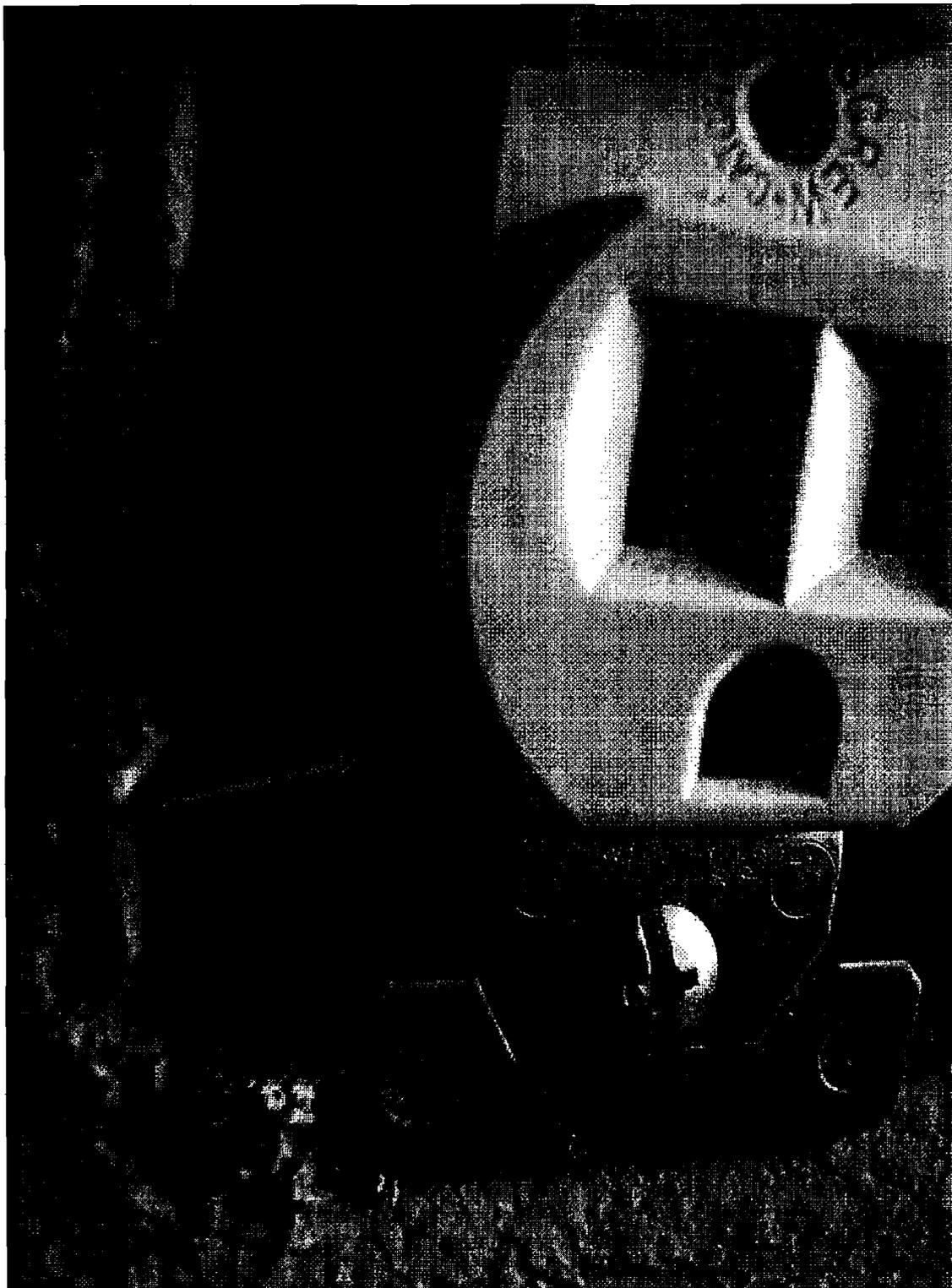


Photo 21 shows a partial view of a receptacle located in the garage of the involved residence whose ground wire has blackened.

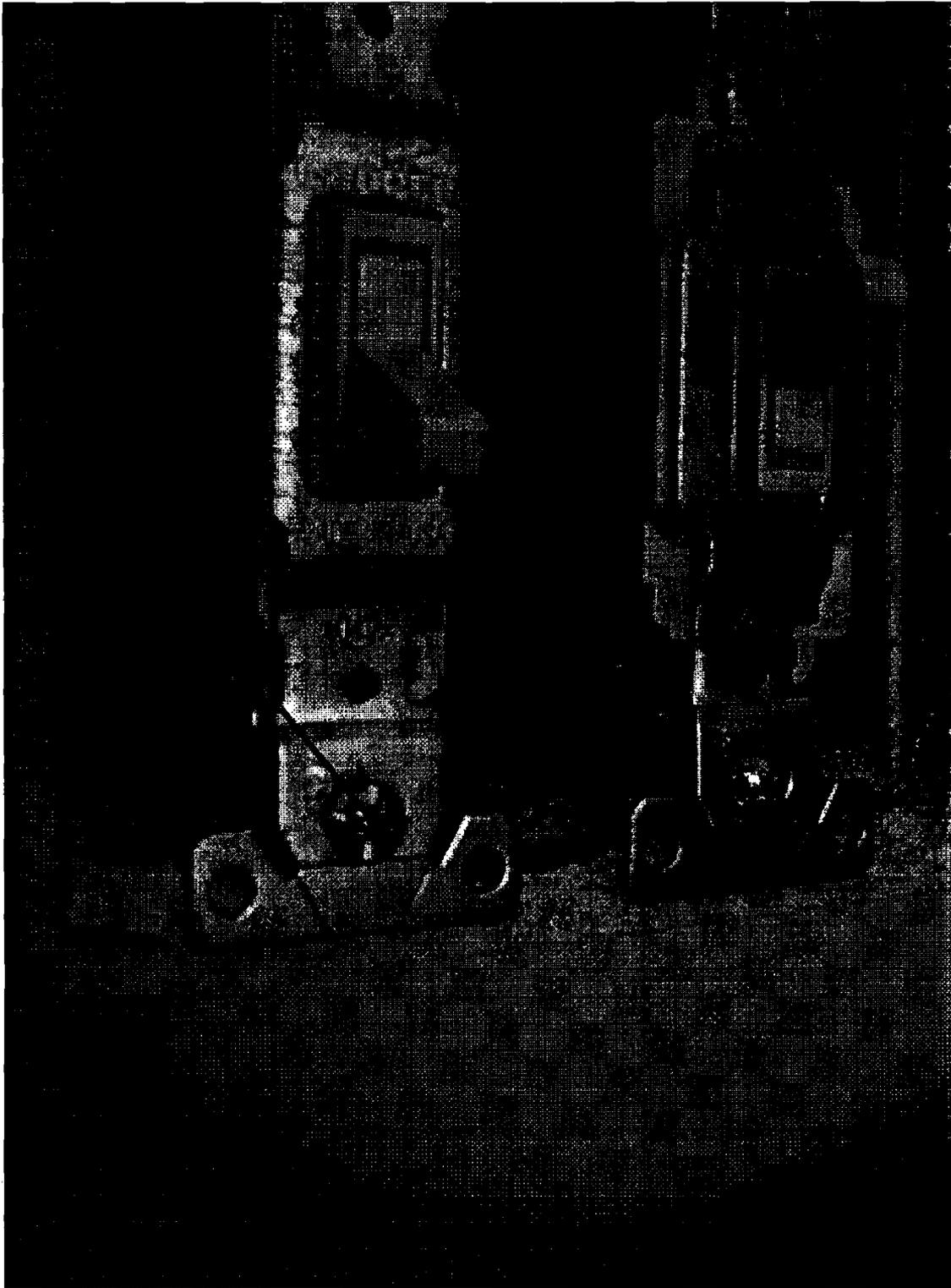


Photo 22 shows a view of a light switch located in the garage of the residence whose ground wire (copper) has blackened.

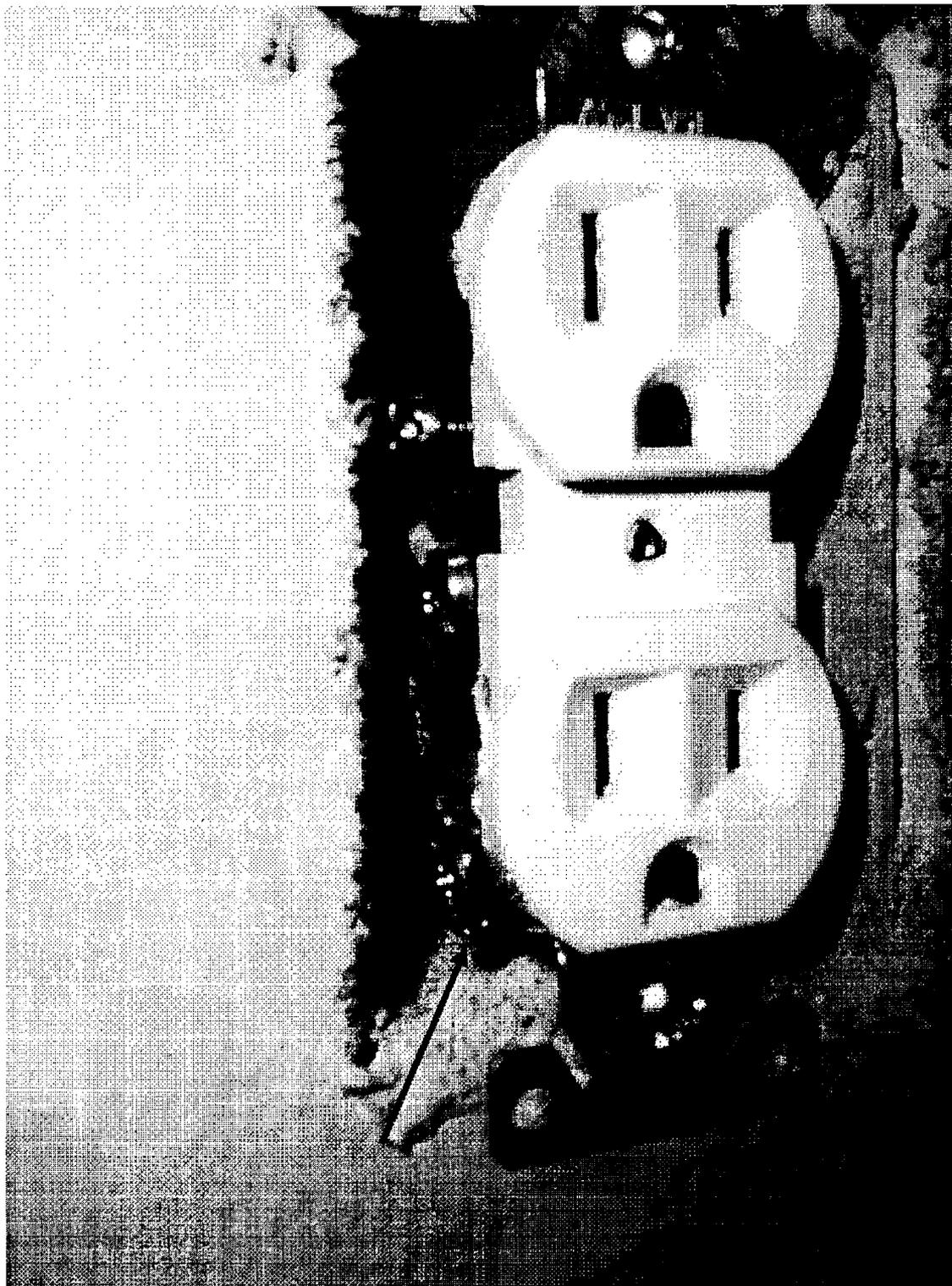


Photo 23 shows a view of a receptacle located in the upstairs hallway of the residence whose ground wire has blackened.

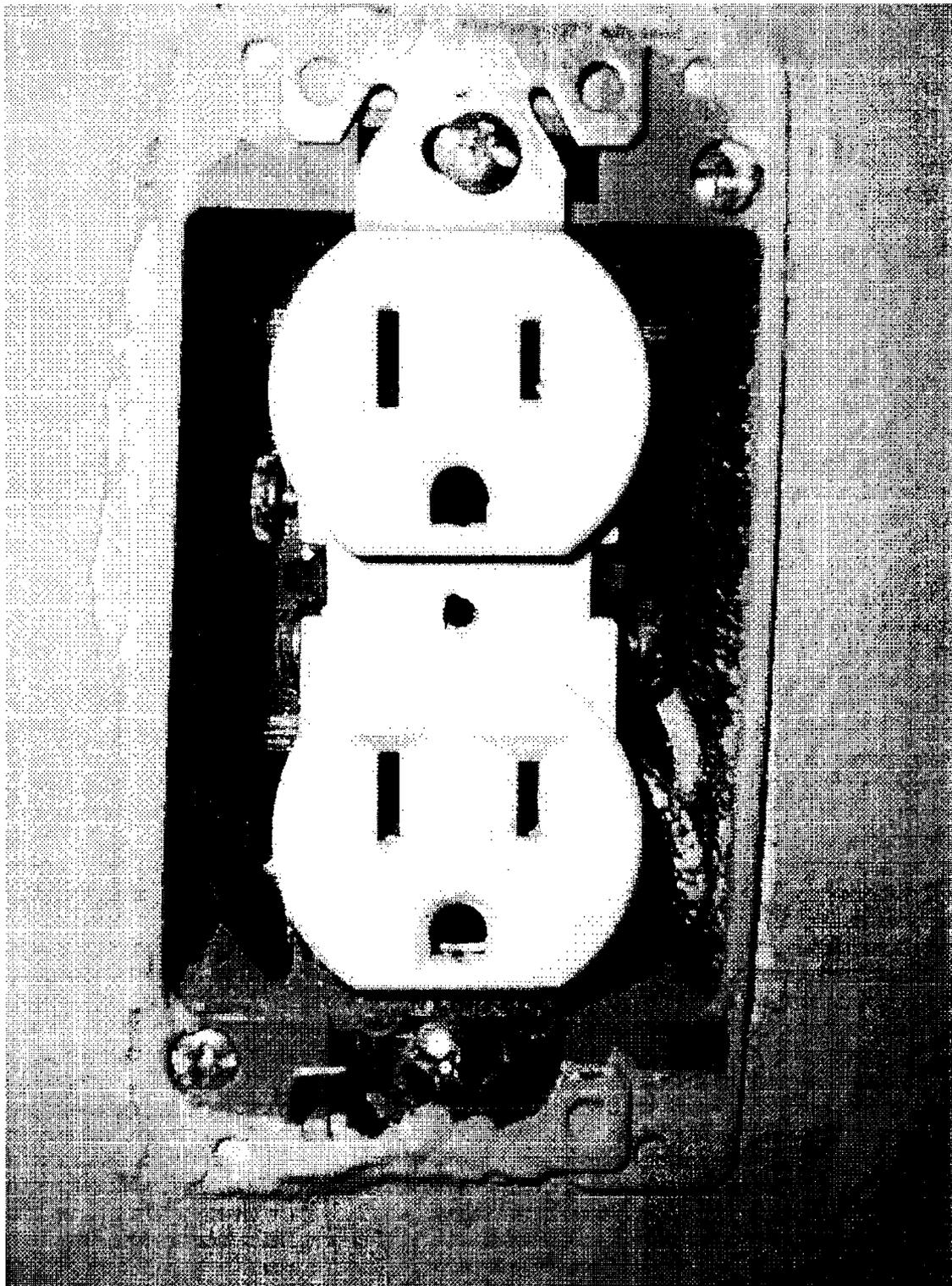


Photo 24 shows a view of a receptacle in the master bedroom in which the complainant placed a penny to document what was occurring in his residence. The penny was shiny when it was placed in the receptacle in June of 2009. This photo was taken on August 19, 2009.

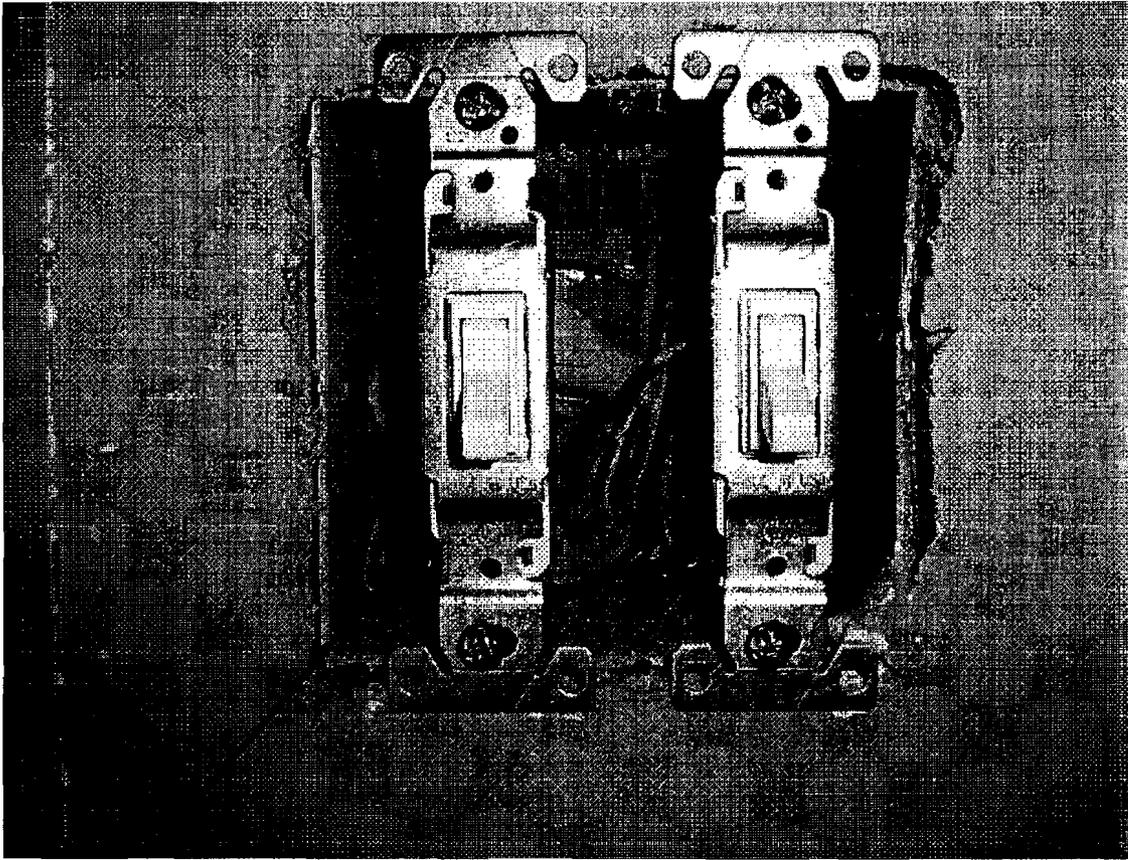


Photo 25 shows a view of a light switch in the living room area of the involved residence whose copper wire is blackened.



Photo 26 shows a view of pennies that have been placed in various locations in the home by the complainant. The center penny is in a baggie and has been sealed since April 4, 2009.

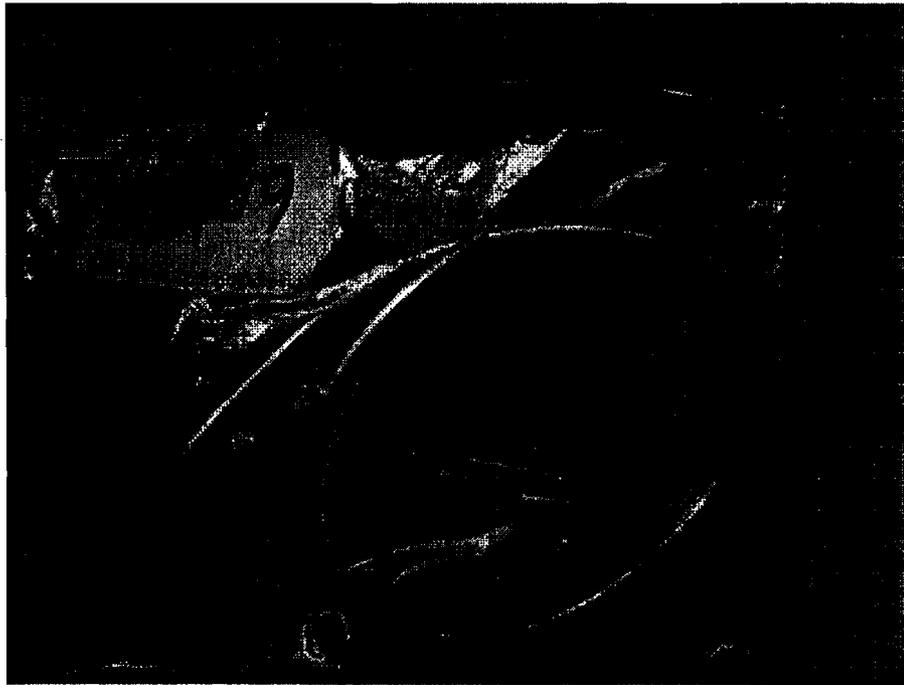


Photo 27 shows a view of a piece of copper that was placed in the residence to document what was occurring in the residence, and a piece of copper that has been sealed in a baggie since June 5, 2009.

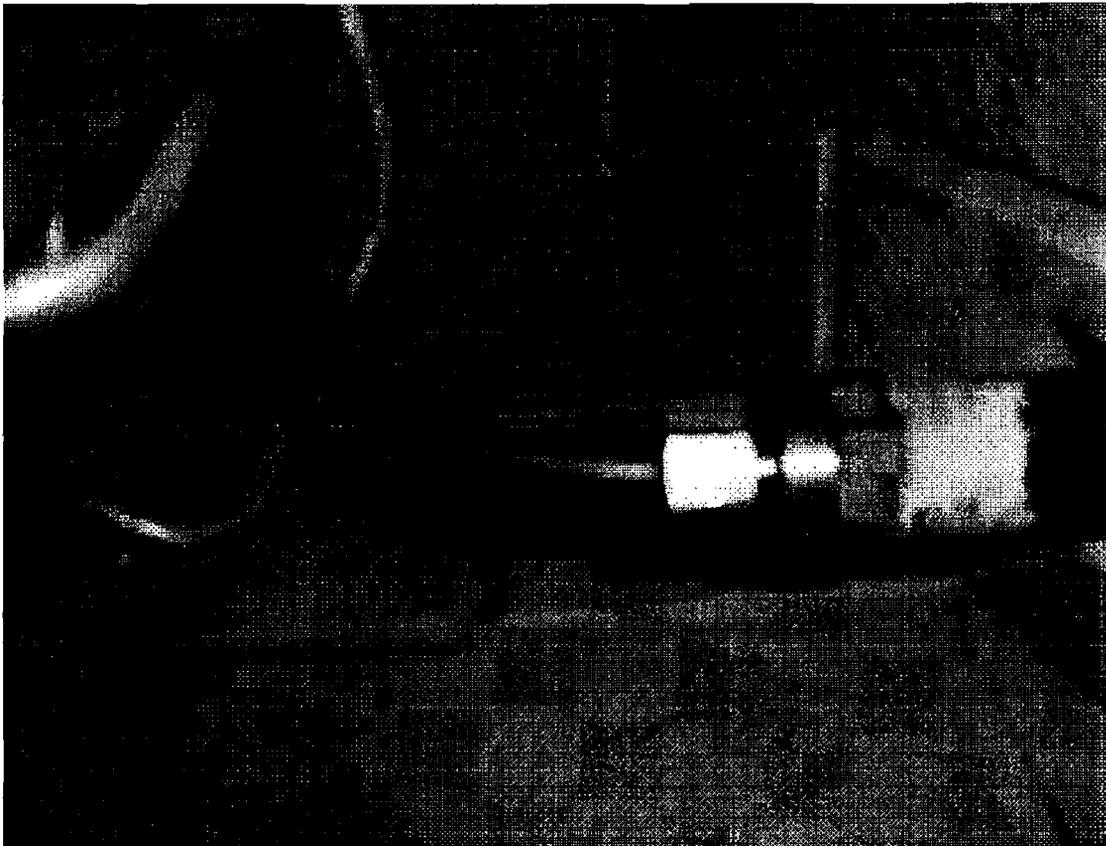


Photo 28 shows a view of blackening on a copper pipe located in the gas fireplace in the involved residence.

090817CBB3887  
Exhibit #8, Page 1 of 1

**Task No.** 090817CBB3887

**Date:** September 1, 2009

**STATUS OF MISSING DOCUMENT (S)**

**The official records were requested for this investigation report but could not be obtained.**

- 1. Medical Records
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

**Date:** 09/01/09 **Investigator No:** 9096

**Regional office:** 8400 **Supervisor No:** 8631

# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

I request that you do not release my name. My identity is to remain confidential.

You may release my name to the manufacturer but I request that you do not release it to the general public.

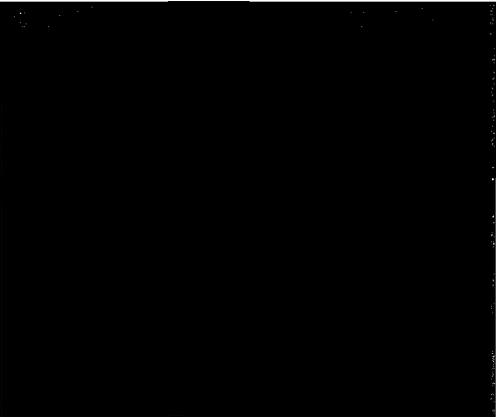
You may release my name to the manufacturer and to the public.

  
(Signature)

8/19/09  
(Date)

07/08/2009 11:58:22

Name  
Address  
City =  
State =  
Zip =  
Email  
Telephone  
Name  
Victim  
Victim  
Victim  
Victim  
Victim



Incident Description = at the above date we did find out that our house was built using drywall imported from China. In our subdivision 17 homes have the same problem. Both me and my wife have been exposed to this product since we bought the house in 2007.

Victim's age at time of incident = 48  
Victim's sex = male  
Date of incident = 3/2009  
Product involved = drywall made in China  
Product brand name/manufacture =  
Manufacturer street address =  
Place where manufactured (City and State or Country) = China  
Product model and serial number, manufacture date =  
Product damaged, repaired or modified = no  
If yes, before or after the incident =  
Description of damage, repair or modification = pipes corrosion, bad smell, health issues  
Date product purchased = 2007  
Product involved still available = yes  
Have you contacted the manufacturer = no  
If not, do you plan to contact them =  
Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

We are very interested in finding out, if the product (DRYWALL) represent an HAZARD to our health.

Any test available to us and/or company that could perform a reliable test would be appreciated.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

Signature: 

Date: 7/18/09

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.





This investigation was initiated by a complaint received by the U.S. Consumer Product Safety Commission.

The information contained in this investigation was supplied by the following sources:

1. An onsite interview with the owners of the home on 8-04-2009.

Family Members:

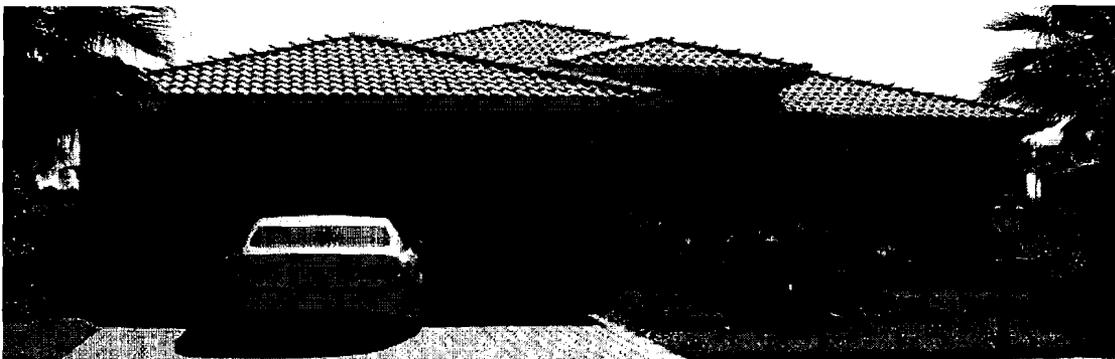
Husband – 64 year old male

Wife – 60 year old female

This incident involves health issues and copper and metal corrosion at the non seasonal home of the victims over an extended period of time as will be detailed later in this report which the owners believe were caused by contaminated Chinese drywall used in the construction of their home.

An engineering firm was hired by the CPSC to collect and conduct air and drywall sampling and examination at the home and the results will be provided to the consumer once completed.

The home was 2 bedrooms, 2 bathrooms new construction, 1970 square foot home in North Venice, FL. The owners contacted the CPSC on 5-11-2009. Both the complainants are retired and live in the home full time. The Air Conditioner quit cooling on 12-04-2007 and is listed as the incident date.



The home was a cinder block construction with stucco. The family believed the interior walls were constructed of metal studs. The home was mainly electrical but had natural gas supply to the stove, patio stove, dryer, water heater and central heat. The home had marble floors in the common areas and carpeting in the bedrooms and den. The home was built in 2006 and the family moved into the home in August of 2006. They were the first occupants of the home and had conducted no repairs or alterations to the home.

The builder is listed at the end of this report. The homeowners did not have any documents regarding the installation or the source of the drywall used in their home but an E-mail from a not released name of an employee of the builder, indicates the name of a firm which she believes did 90% the drywall installation in the community. A copy of the E-mail is included in the exhibits.

The source of the drywall could not be documented however the construction manager for the complainant's home stated that the builder had purchased a large quantity of drywall directly which was shipped from China. The builder called the product "stinky board" due to the odor. The family had heard that one home was built completely of the "stinky board," and the odor was overwhelming. The builder directed the installers to use 10-15% in each home so that the odor would not be very detectable and so that the shipload of drywall could be used up in the subdivision. The cost of the drywall was deducted from the original contract since the builder was supplying a certain portion of the drywall at the discretion of the installer.

The homeowners noticed an odd smell especially in the foyer linen closet when they did the walk through of the home. They had difficulty finding the correct words to describe the odor and the female complainant indicated that it had the same smell that she had experienced as a child of wet decaying coconut shell fibers. This investigator noticed a light sulphur smell in the linen closet/foyer area of the home beyond what was noticeable upon entering the home. The male complainant also found difficulty describing the odors but indicated that once he had been to a neighboring home which had a severe problem with Chinese drywall and odors, he could then easily identify that his home had the same but lighter degree of odor/problem.

The male complainant did not begin experiencing any health affects in the home until an unspecified date of the first quarter of 2009. He indicated his eyes would water and he would have a slight headache. He also had difficulty sleeping due to shortness of breath which started in July of 2009. He had not seen his physician and was on no medications. He stated that the symptoms would alleviate after being away from the home for 5-10 minutes.

The female complainant stated that her symptoms did not start until July of 2008. She was experiencing a great deal of coughing, so much that she was coughing up mucus. She also was experiencing pain in the left arm. She has been to her general practice physician, pulmonary physician, allergist and a cardiologist. All the physicians were unable to find a source for her ailments and the allergist who had conducted a 32 item battery test indicated that she had no allergies but that her nerve endings were sensitive to something and could only suggest that she move out of the home. She has also developed a sensitivity to the perfume that she had been using for many years. Her symptoms would decrease and she

would feel much better after being out of the home for three hours. Both the complainants were very healthy before moving into the home and had no previous history of the above symptoms. No medical records were provided.

The female complaint had a great deal of difficulty remaining inside the home and was forced to stay on the patio of the home most of the time. According to the female complainant the den of the home was so strong that she could not be in that room but for a few minutes and had to leave the room. Her husband was able to tolerate the odors/symptoms.

The attic of the home was inspected and an un-recognized name appeared on the back of the drywall and is listed below in the manufacturer's information section. No information could be located on that manufacturer.

However another piece of drywall from an unknown location of the home was lying on the rafters. The blue and yellow colors and a name designation on the side tape labeling was legible and is listed below. It was a known Chinese imported product.

The family's Air Conditioner quit cooling on 12-04-2007 and the technician indicated that the unit had a pinhole leak and it had to be replaced under warranty. A copy of the work receipt is included in the exhibits. At the time of replacement the technician could offer no reason for the problem.

The current coils for the home's evaporator were photographed and showed darkening of the copper and some rusting.



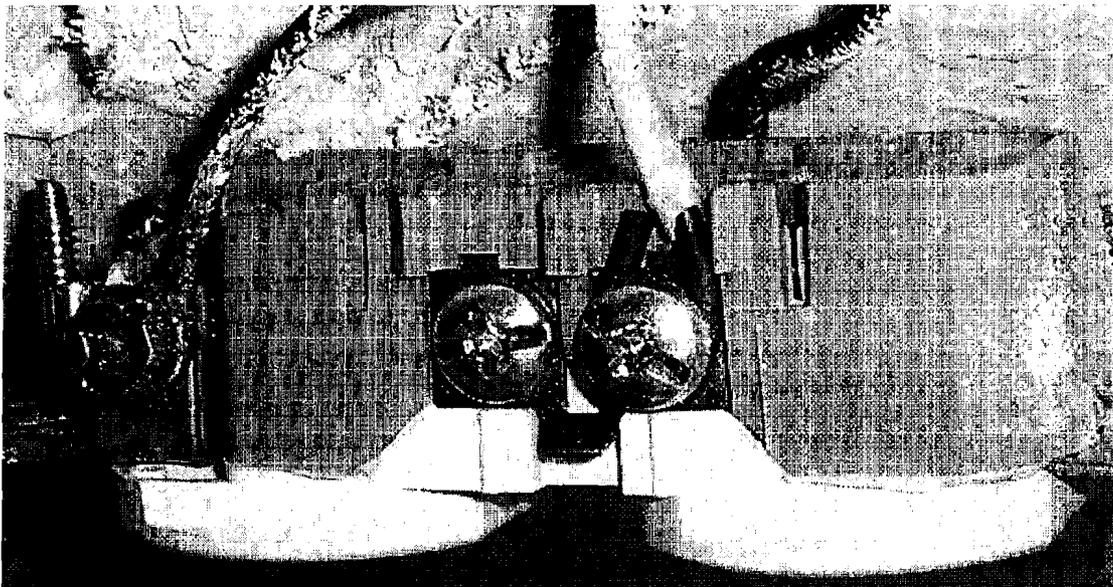
Photograph of the home's A/C coils.

The family had visible and very noticeable corrosion to numerous items in the house. Silver, chrome and brass items were photographed and are included in the exhibits.



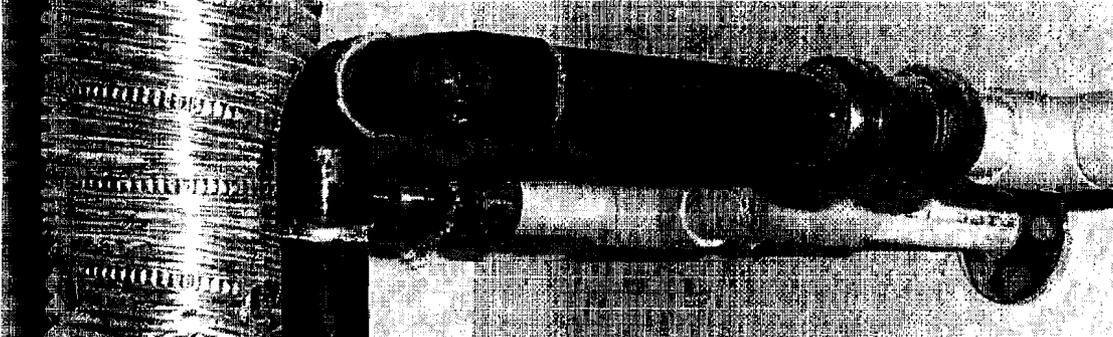
Photograph of various corroding silver items.

Copper supply lines show darkened patches on the lines. Electrical receptacles showed darkening/corrosion to the ground, hot and neutral wires.



Photograph of blacking on the electrical wiring to an electrical receptacle.

Water supply lines to the water heater showed corrosion.



Photograph of the hot water heater's copper water supply lines.

The refrigerator had been repaired four times with the water solenoid, heating coils and mother board being replaced on three of those repair visits to the home. No repair tickets were provided.

One of the Carbon Monoxide detectors in the home started sounding in December of 2008 and the complainant had to disconnect that one unit. A smoke detector to the home also began sounding in February of 2008 and had to be disconnected by the homeowner. Neither of the homeowners smoke and they had replaced the batteries yearly. The units were hardwired with battery backup.

The breaker to the electrical outlets in the patio area would flip to the off position and had to be reset approximately once per week for unknown reasons.

The desktop computer died on an unspecified date in 2007 and was not repaired. They purchased another desktop computer which again died on an unspecified date in 2009 and was not repaired.

The family was concerned about the safety of the electrical connections in their home since many of the wires in the electrical receptors had turned black and the speaker wires had turned black.

The builder examined the home for symptoms of corrosion on April 29<sup>th</sup>, 2009. They found the same evidence as this investigator however he refused to comment about his conclusions/source of the problem and the builder refused to produce a report on their findings of the home.

The complainants have to sleep with the bedroom window open to help alleviate their symptoms at night. They have also had to keep the A/C at 72 degrees instead of the normal 76 degrees which seems to have reduced some of the odor and problems. When they have cool dry fronts come through their area they are able to open the front and back doors to their home to allow fresh air circulation however when the oak trees begin to pollinate in February and March they are

unable to leave the doors open and their health conditions are further aggravated when they have to close up the home.

In February or March of 2009 the family went over to a neighbor's home which had serious and very noticeable odor problems from Chinese drywall. They realized when they entered that home that it was a similar smell and was undoubtedly the same reason they were having corrosion, electrical and health problems at their home.

The family indicated their permission to release their name to the manufacturer and the public with copies of this report. A copy of the Chapter 11 document for the builder of their home is included in the exhibits. A copy of the list of items showing pitting and corrosion provided by the consumer is included in the exhibits.

**Product Information:**

**Product: Chinese Drywall**

Labeling on the back of drywall in the attic.

"G. King 05:55 A"

Labeling on a piece of drywall found in the attic of the home.

**Product: Chinese Drywall**

**Knauf of Tianjin, China**

According to the complainant the legal representative contact for Knauf is:

Douglas B. Sanders

Baker & McKenzie, LLP

One Presidential Plaza

130 E. Randolph Dr.

Chicago, IL 60601

T: 312/861-8075

F: 312/698-2375

E: [douglas.b.sanders@bakernet.com](mailto:douglas.b.sanders@bakernet.com)

Contact Information from the web site:

US Headquarters

**Knauf Insulation**

One Knauf Drive

Shelbyville, IN 46176

TEL: 317-398-4434

FAX: 317-398-3675

Questions or Information Requests

E-mail: [info.us@KnaufInsulation.com](mailto:info.us@KnaufInsulation.com)

Media Contact  
Stacey Lee  
MARC USA/Indianapolis Public Relations  
E-mail: [slee@marcindy.com](mailto:slee@marcindy.com)

**Builder:**

**WCI Communities, Inc.**  
24301 Walden Center Drive  
Bonita Springs, FL 34134  
United States Of America  
Employees: 1,800  
Investor Relations  
Phone: (239) 498-8269  
(239) 498-8146  
(239) 498-8200  
[www.wcicomunities.com](http://www.wcicomunities.com)

**Management:**

David L. Fry  
Interim President and CEO  
Jonathan M. Pertchik  
Chief Restructuring Officer  
Russell Devendorf  
Senior Vice President and Chief Financial Officer  
Paul D. Appolonia  
Senior Vice President of Human Resources  
Vivien N. Hastings  
Senior Vice President and General Counsel

**Drywall Subcontractor:**

**Contact Distinctive Finishes, LLC**  
12631 Westlinks Dr., Unit#1  
Ft. Myers, FL 33913 PHONE: (239) 561-1955  
FAX: (239) 561-2445  
License: CGC1513307

**Attachments:**

Exhibit #1	Contacts
Exhibit #2	Release and Waiver form
Exhibit #3	Email letter regarding the drywall installer
Exhibit #4	Photographs of the home and corrosion (35)
Exhibit #5	Information on the builder
Exhibit #6	Information on the drywall installer

Exhibit #7	Release of Name form
Exhibit #8	Final walk through release form
Exhibit #9	Consumer's list of corroded items
Exhibit #10	A/C repair ticket
Exhibit #11	Chapter 11 from the builder
Exhibit #12	Internet information on the drywall exporter/importer

**Contacts:**

8-04-2009

Philomin and Anthony Josephson

333 Cipriani Way

North Venice, FL 34275

941-485-7262

## RELEASE &amp; WAIVER OF LIABILITY FORM

[To Be Signed by All Residents 18 Years or Age or Older]

I, ANTHONY J. JOSEPHSON, do hereby give permission to the U.S. Consumer Product Safety Commission and any of its designated representatives, consultants, or other designees ("CPSC") to utilize my residence located at 333 Cipriani Way, North Venice, FL 34275 for an indoor air-quality monitoring and testing study. This work is being undertaken as a part of an exploratory study to assess potential associations between constituents that may be present in indoor air and constituents that may be detected in drywall imported from China.

I understand that CPSC will be testing my residence for a variety of gases and/or other substances. Additionally, I understand that while CPSC will inform me of the chemical analysis results for my own residence, CPSC will not be providing further individualized analysis or recommendations concerning possible actions regarding health, safety and/or remediation which occupants could take in light of the information provided. However, CPSC will inform me if the chemical analysis results for my residence indicate the presence of gases or other substances above established risk levels.

I understand that this testing will take one full day of active testing and up to one to two week(s) of having passive sampling equipment in my home. I understand that after one to two week(s) of passive sampling, CPSC will contact me to arrange a time for CPSC to retrieve the passive sampling equipment. I represent that neither I nor members of my household will touch the passive sampling equipment while it is present in my home. CPSC requests that homeowners refrain from using cleaning supplies containing bleach, ammonia, and acetone. There may be other limited household activities which CPSC will request the homeowner to minimize, and CPSC will explain those activities in more detail when the testing begins.

I understand that CPSC intends to take small nail-size samples (less than 1/8 inch) from multiple inconspicuous locations throughout the home, such as behind switch plates and near baseboards. Additionally, CPSC may take drywall sample(s) of an approximate size of 6 inches by 6 inches and will cover the resulting hole(s) with a blank access panel.

I understand that neither I nor other members of my household, including minor children, will be compensated for our participation in this study nor will we receive any per diem allowance or other funds.

I understand that this study involves multiple residences and the final study and analysis will not be completed for a period of time, likely in the fall of 2009. I also understand that CPSC will likely not release information to the general public until the completion of the entire study. I further understand that this study may be widely disseminated to the public and that my own residence will not be identifiable by personally identifiable information such as address, name, etc. within the larger study.

I assume the risk of any and all injury or damage to my person or property that may arise, whether directly or indirectly, as a result of my participation in this study.

I hereby release and hold harmless CPSC, its officers, employees, consultants, representatives, and other designees and the United States Government from any liability for illness, injury, property loss or damage arising from participation in this study.

This agreement is made upon the express condition that for the period of time which CPSC or any of its equipment is in my residence for the purpose of conducting this testing, I shall be free from all liabilities and

claims for damages and/or suits for or by reason of any illness, injury, or death to any CPSC officers, employees, consultants, representatives, and other designees of the CPSC or the United States Government, and that I shall be free from all liabilities and claims for damages and/or suits resulting to damage of CPSC property. CPSC hereby agrees to release and hold me harmless from any liability for illness, injury, death, and/or property loss or damage in connection with the testing as outlined above, however occurring.

*Anthony J. Josephson* \_\_\_\_\_

Signature

*15 July 2009*

Date *15 July, 2009*

*Philomir Josephson*

[REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

## Dunlap, Glenn

---

**From:** Philomin Josephson [philomindory@yahoo.com]  
**Sent:** Tuesday, August 04, 2009 11:17 AM  
**To:** Dunlap, Glenn  
**Subject:** Fw: CHINESE DRYWALL INFO...

**Sent:** Monday, June 1, 2009 10:30:51 AM  
**Subject:** CHINESE DRYWALL INFO...

Hi Dory...

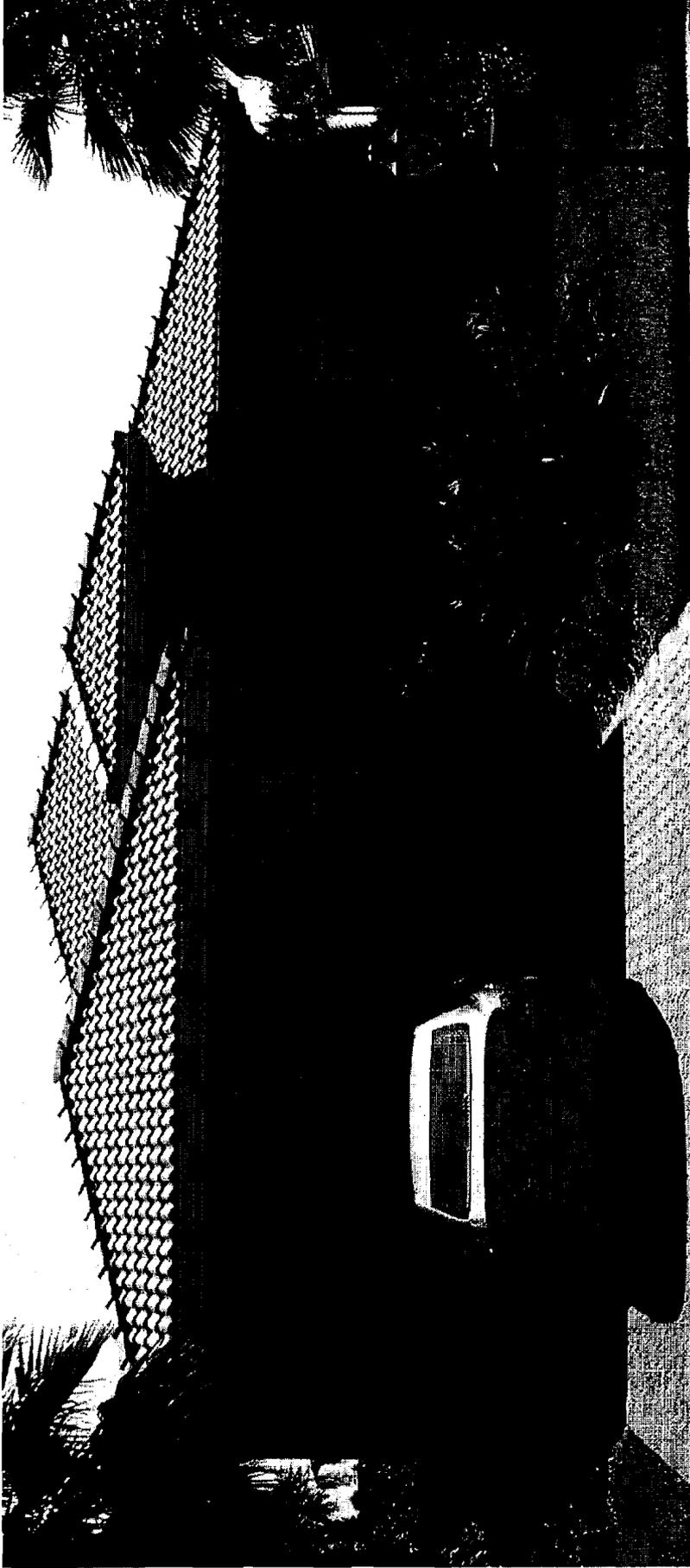
Hope that you are feeling better...

I cannot find Tammy's phone number but her last name is Heimann...and the following is the part of an article that referred to the drywall installers:

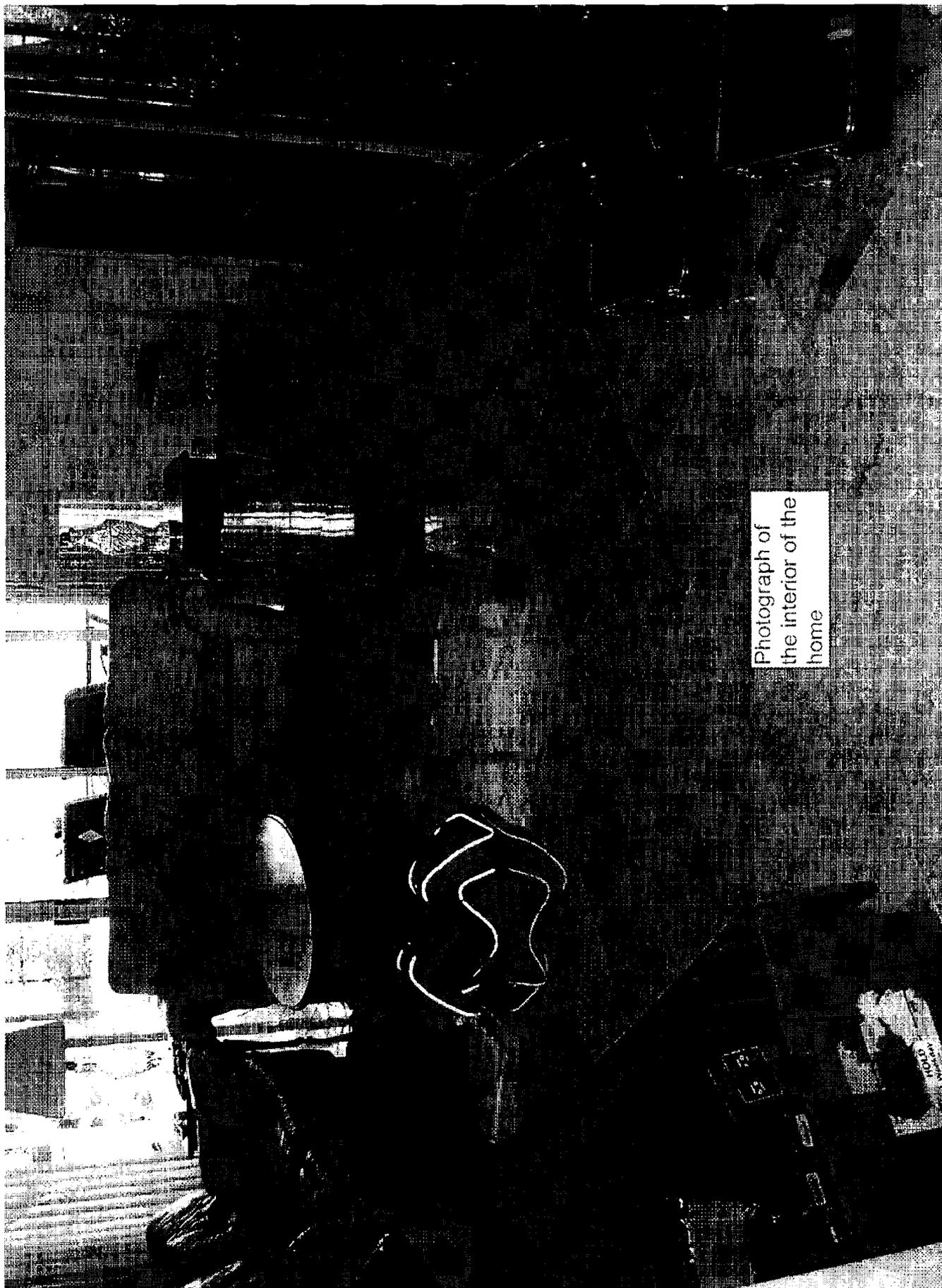
Fort Myers-based Distinctive Finishes handled 90 percent of WCI's drywall installation.

Dennis Longley, a former project manager for the installation business, said in January that Distinctive Finishes had to subtract the cost of drywall from its contracts because WCI had bought drywall by the barge-loads from China.

Sally

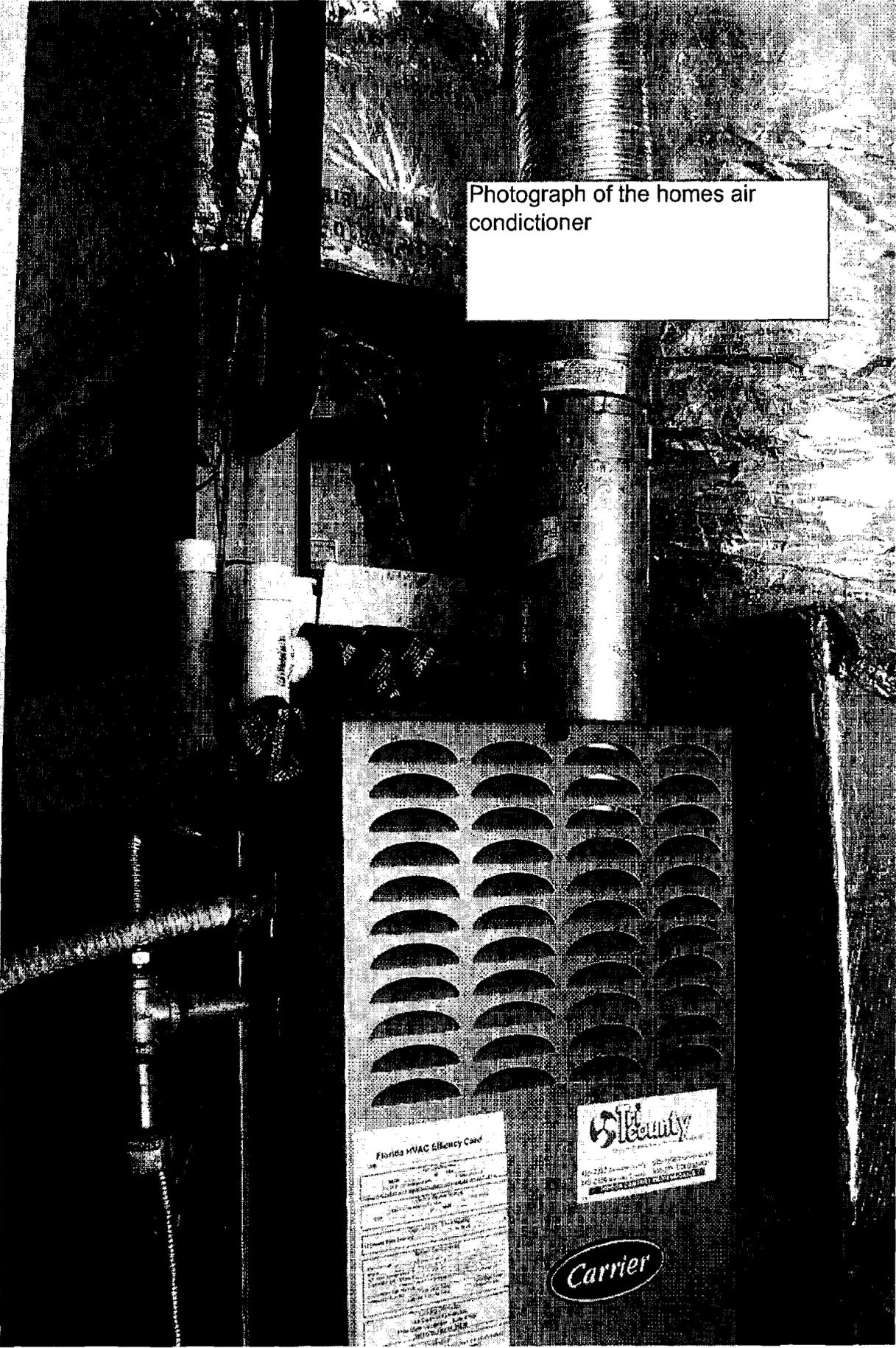


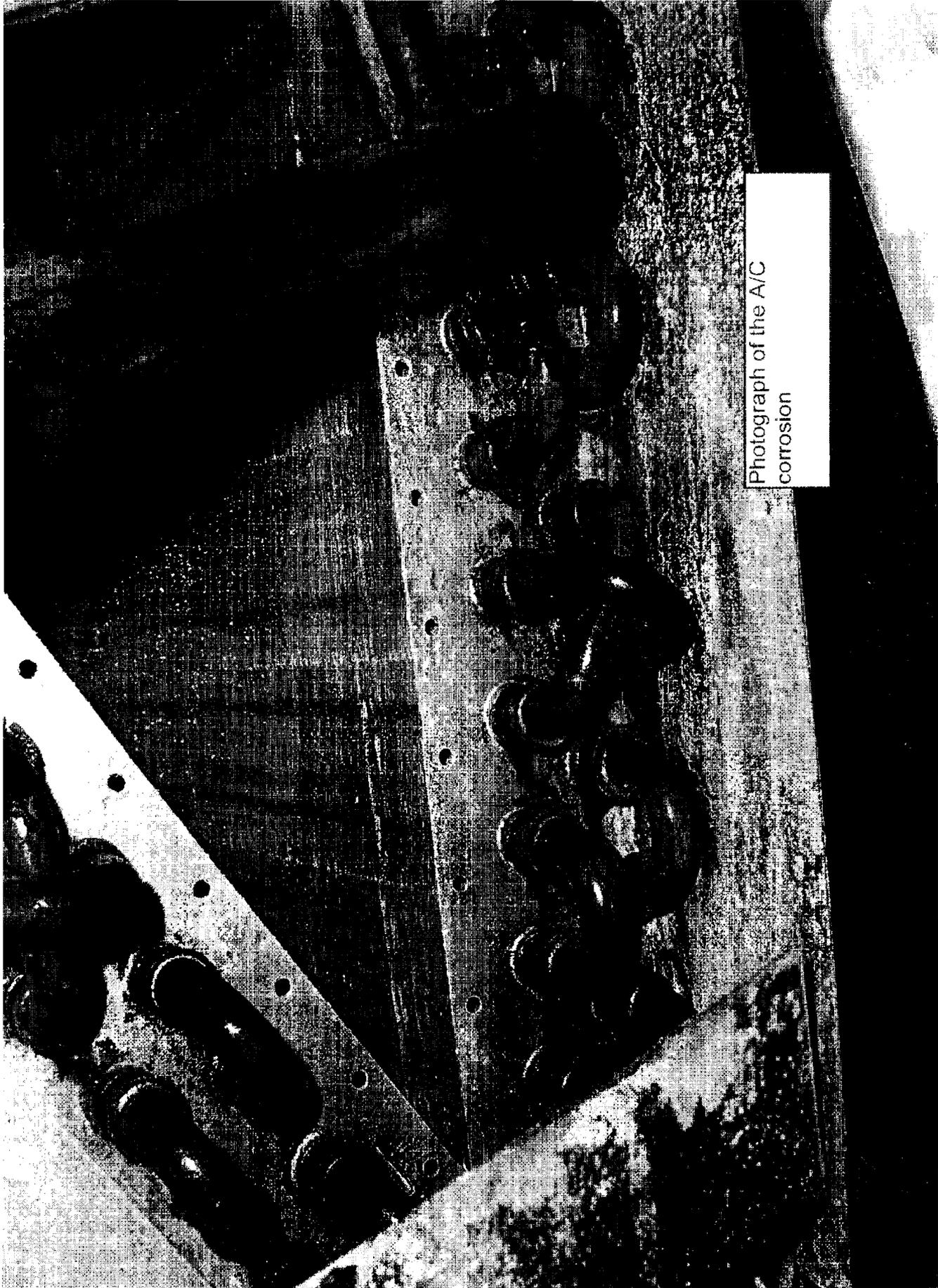
Photograph of the front of the home



Photograph of the interior of the home

Photograph of the homes air conditioner





Photograph of the A/C  
corrosion



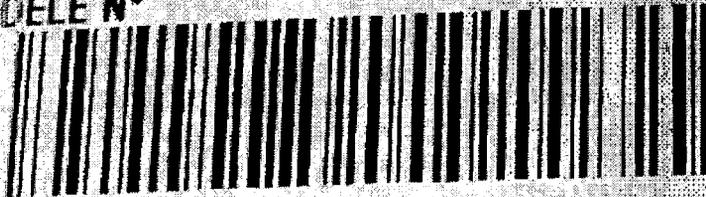
Photograph of the A/C corrosion

CAC/BDP  
7310 West Morris Street, Indianapolis, IN 46231 U.S.A.  
INDOOR SECTION  
SECTION INTÉRIEUR



MODEL NO.  
MODÈLE N°

CNPVP3617ATAABAA



SERIAL NO.  
SÉRIE N°

3607X21929

DESIGN PRESSURE  
PRESSION DESIGNÉE

450 PSIG

3102 kPa

REFRIGERANT:  
RÉFRIGÉRANT:

R-410A

FACTORY INSTALLED  
METERING DEVICE

TXV

DISPOSITIF DE MÉSURE INSTALLÉ EN USINE

DATE OF MANUFACTURE  
DATE DE FABRICATION

Sep - 2007

Listed 3R39 Indoor Section of  
Heat Pump or Air Conditioner.  
Section intérieur listé 3R39 de  
thermopompe ou air climatiseur.

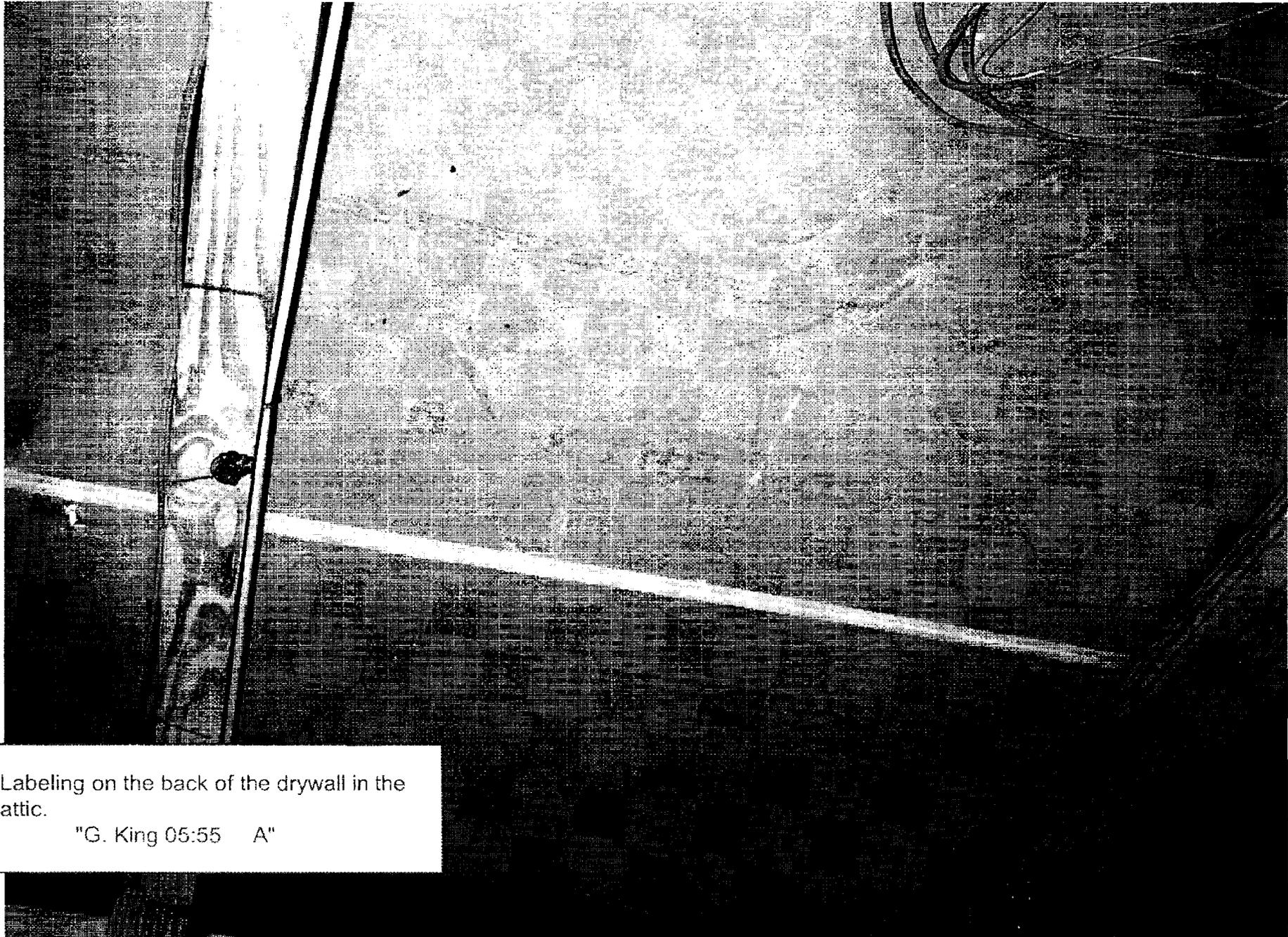
MADE IN MEXICO

FABRIQUE AU MEXIQUE



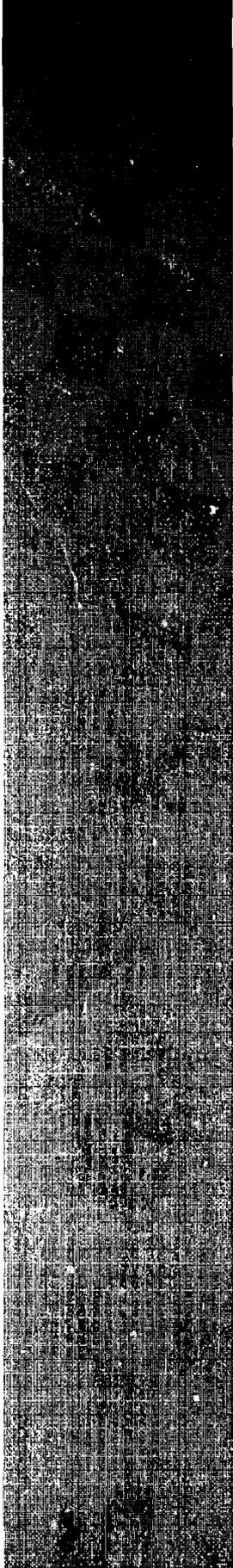
332143 - 4012

Labeling on the A/C

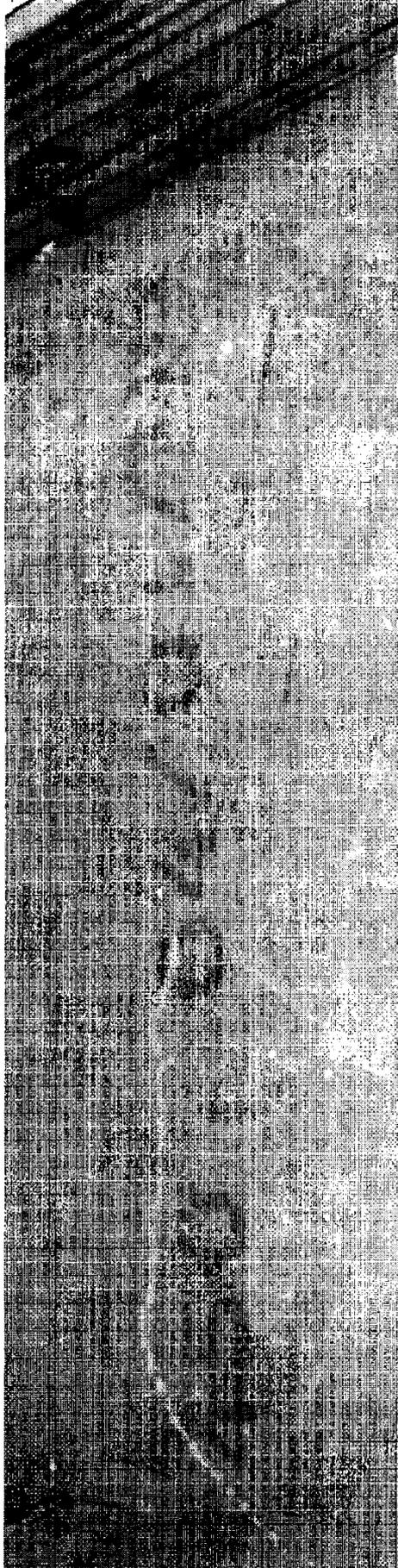


Labeling on the back of the drywall in the attic.

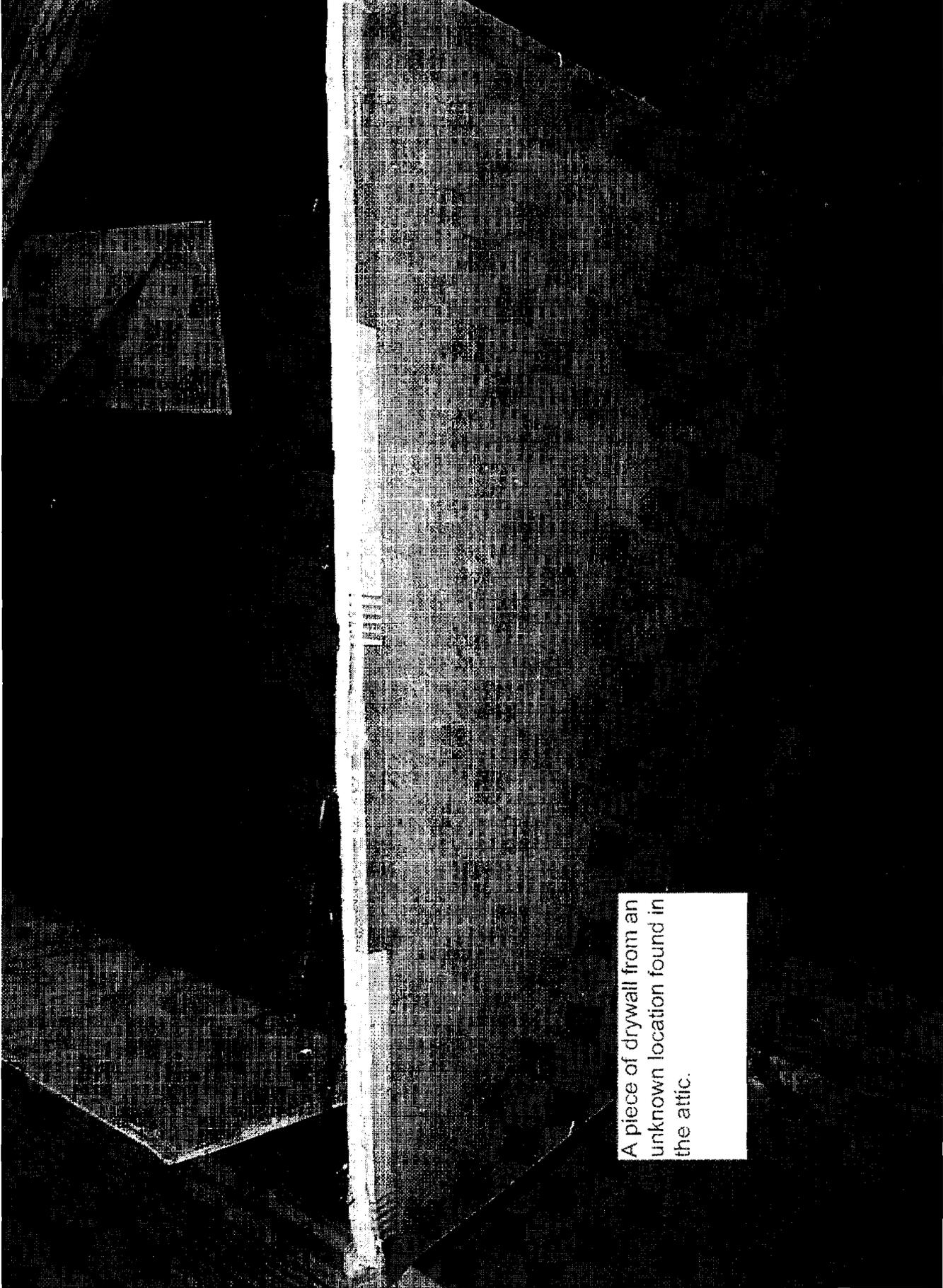
"G. King 05:55 A"



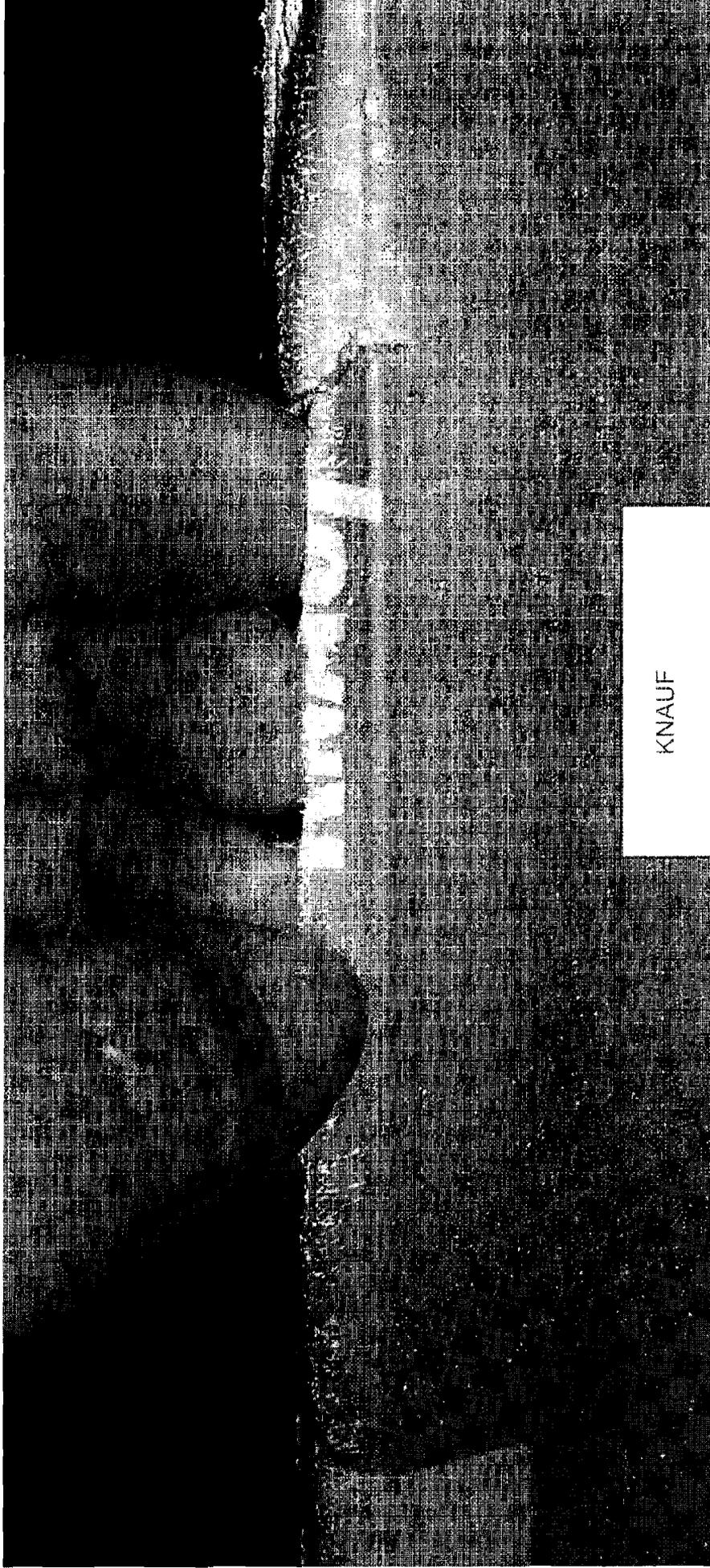
G. King 05



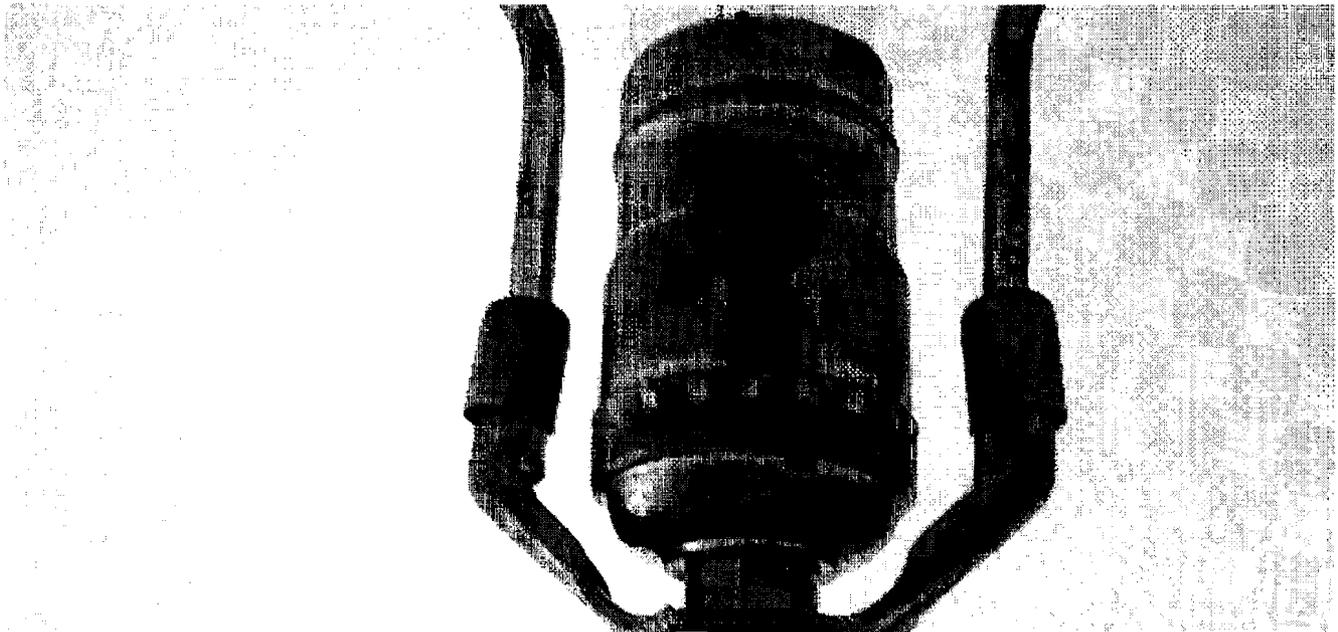
450 04/01/06



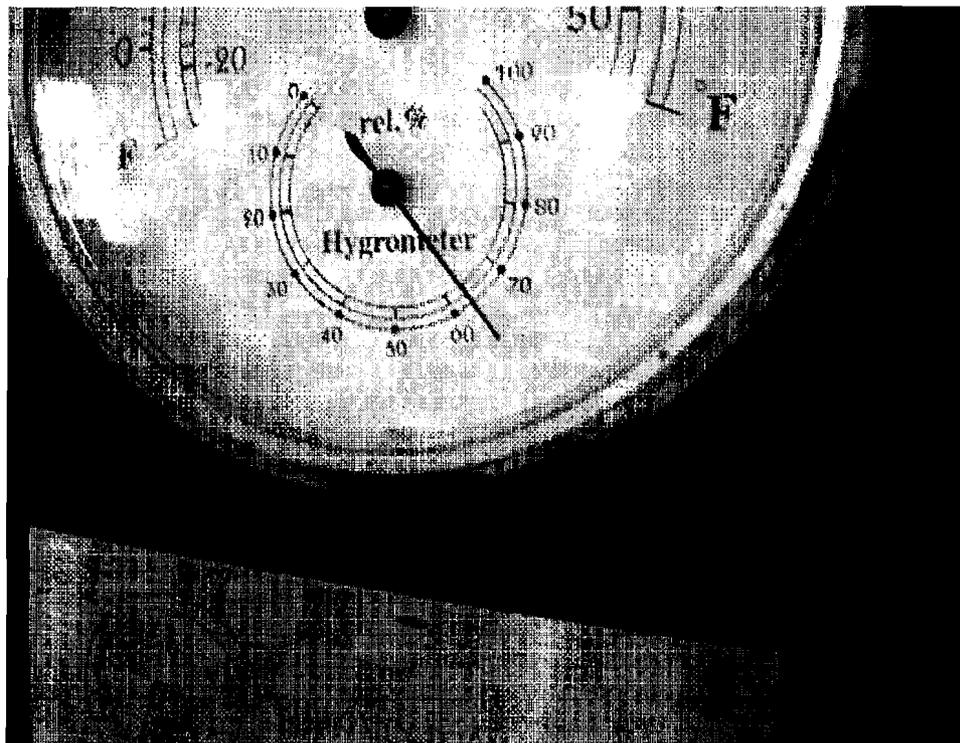
A piece of drywall from an unknown location found in the attic.

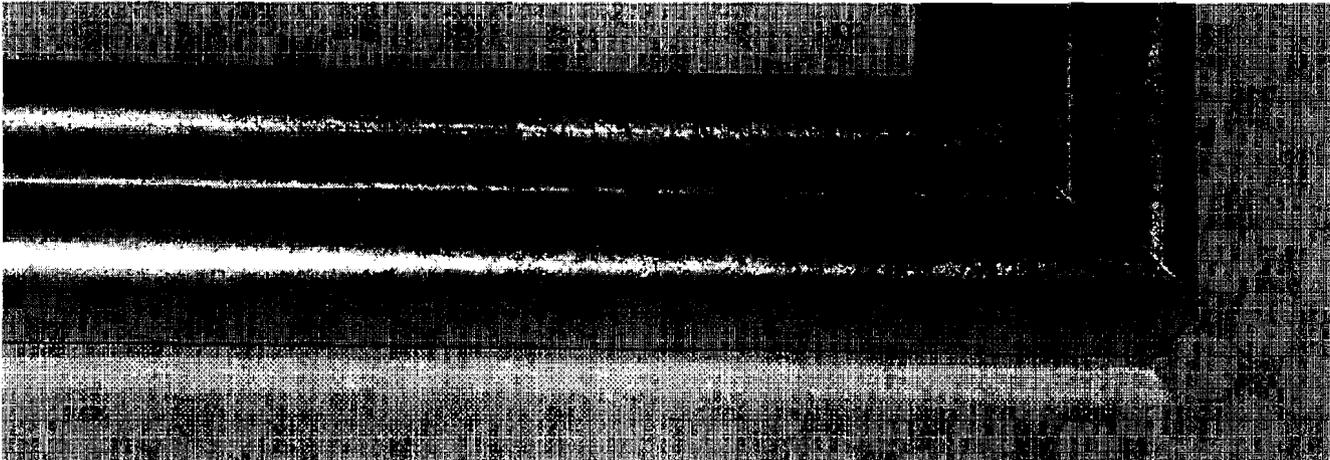


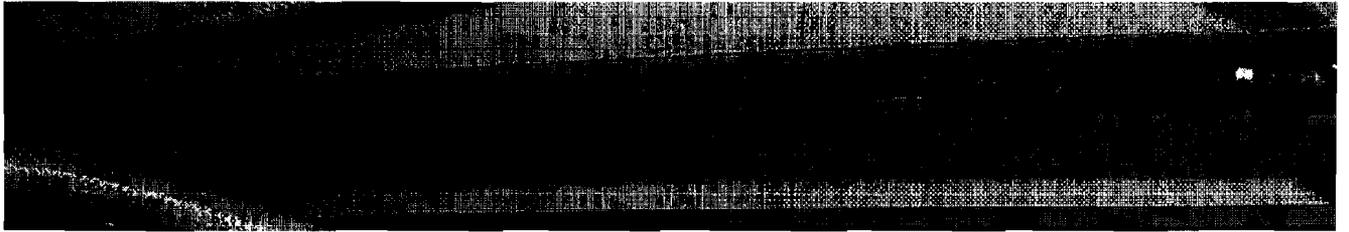
KNAUF

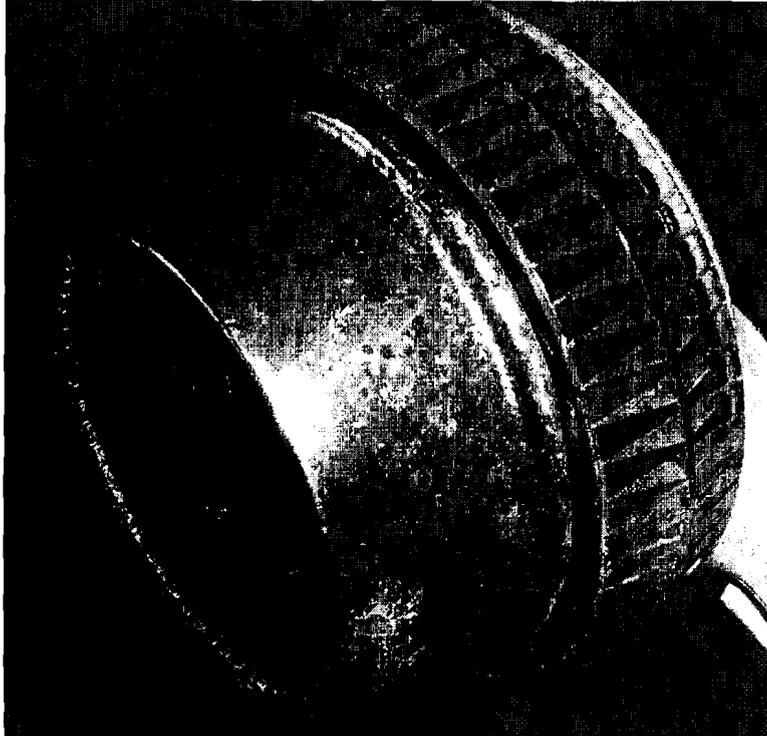


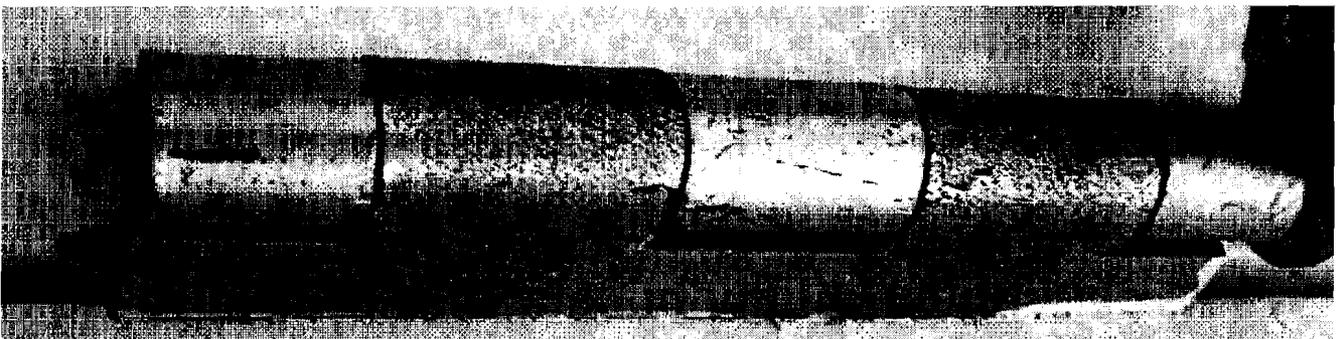
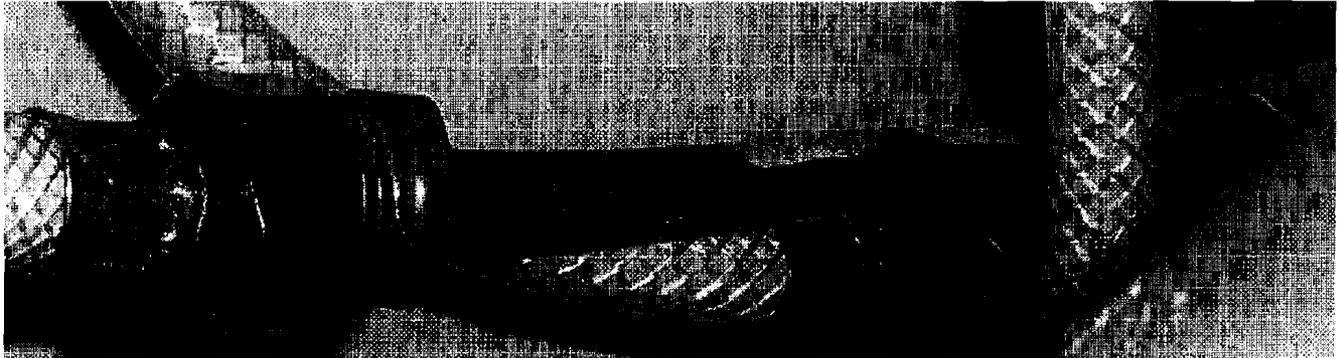
The following photographs show corrosion or pitting of various household products.



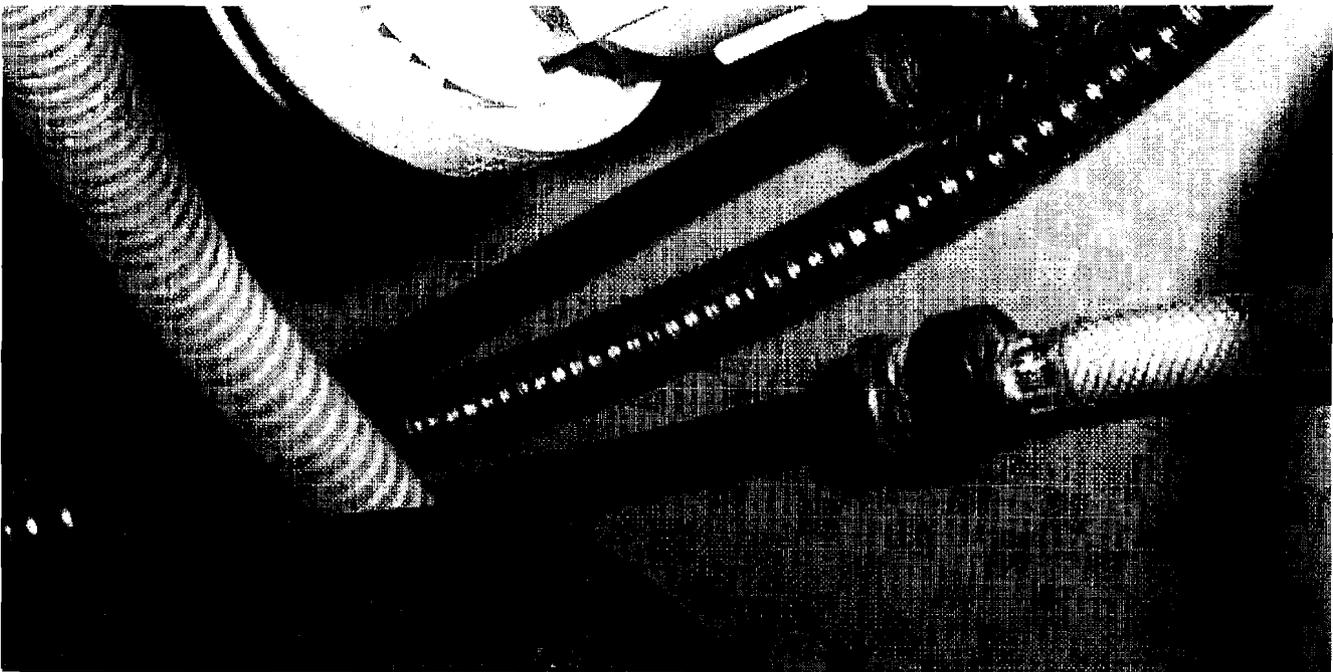
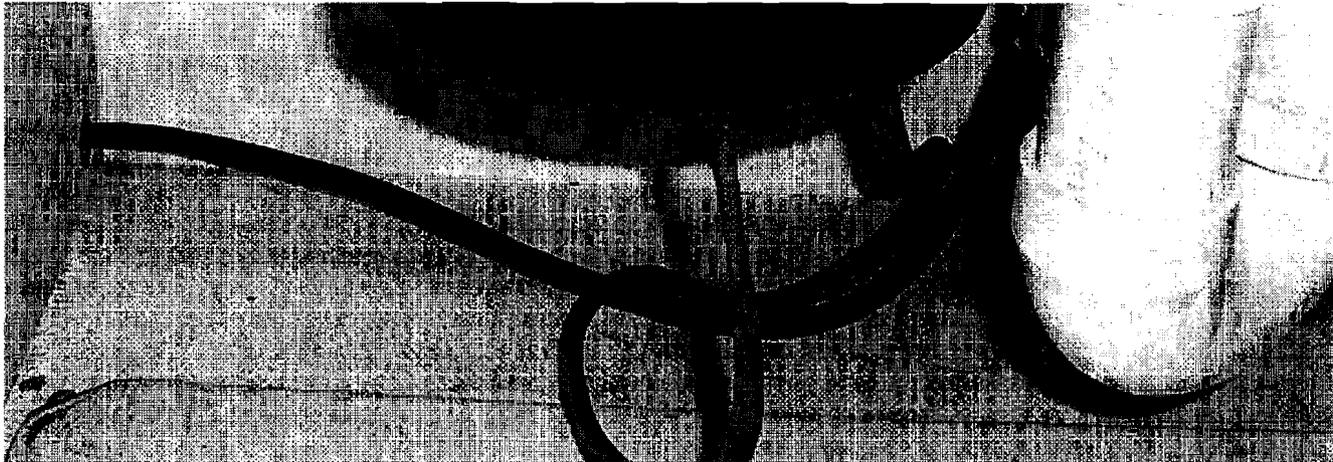


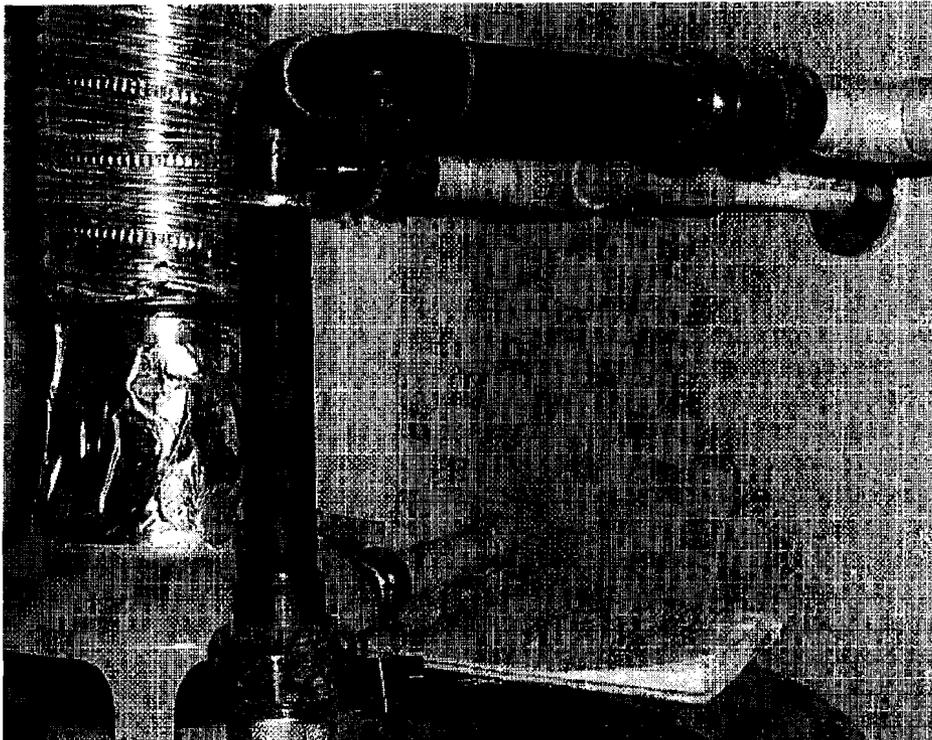
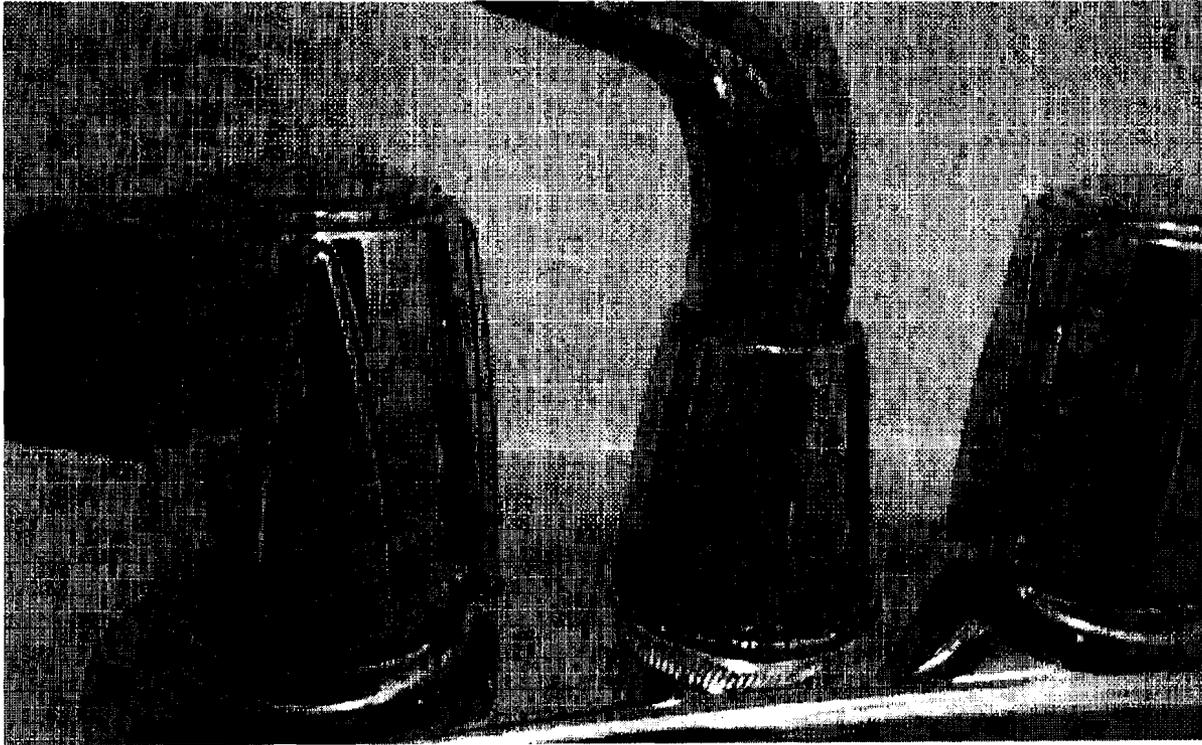


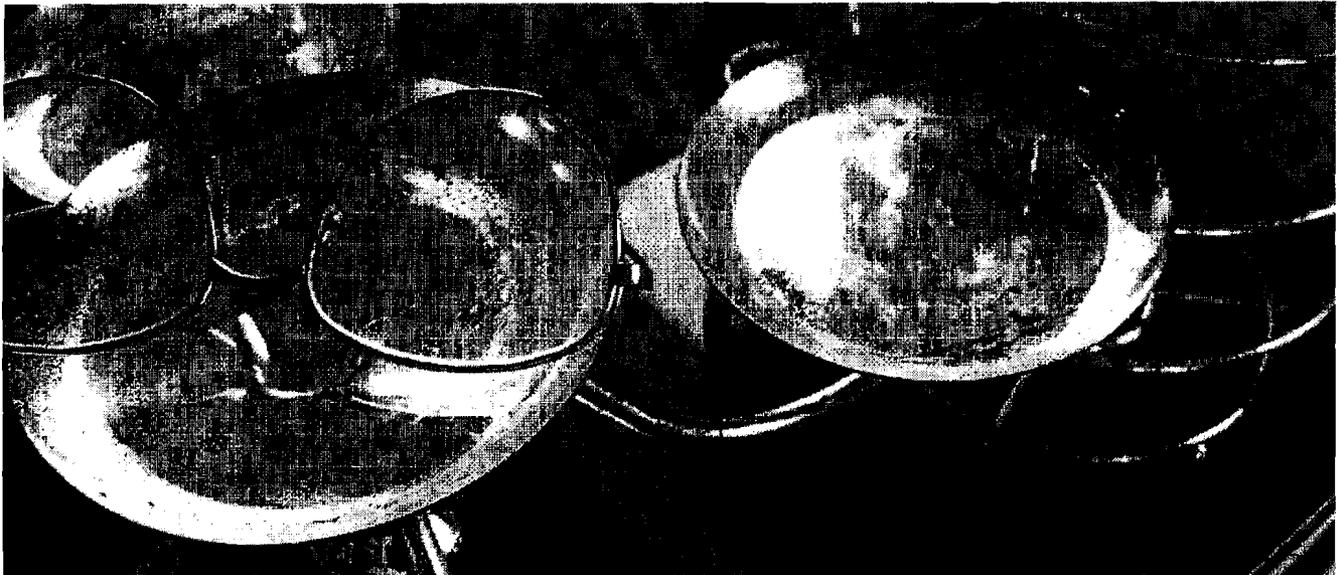
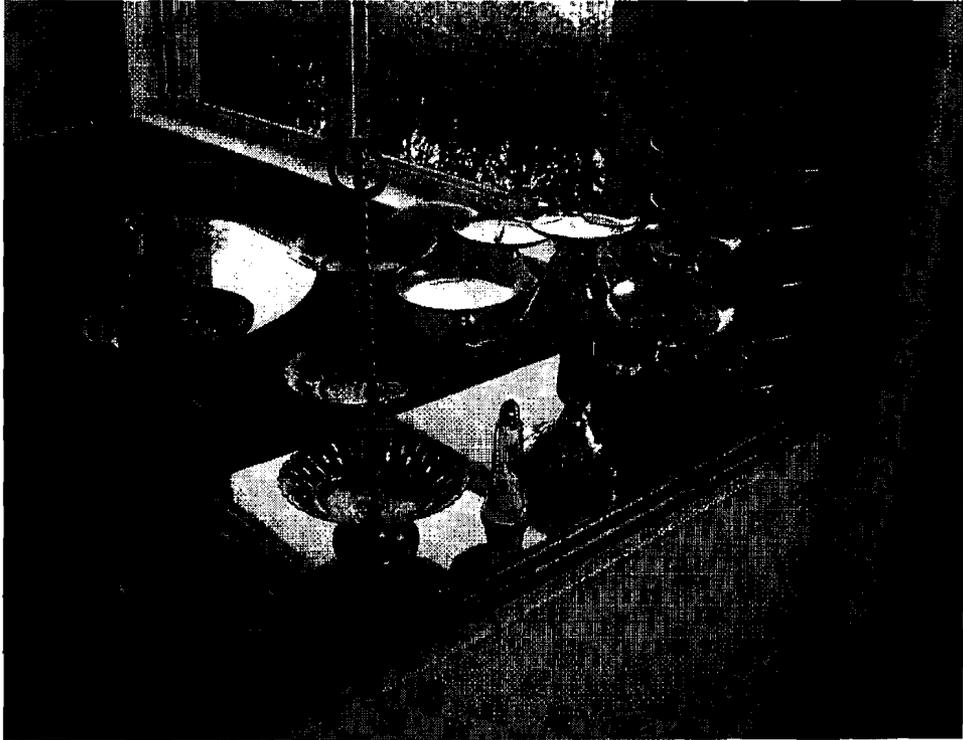


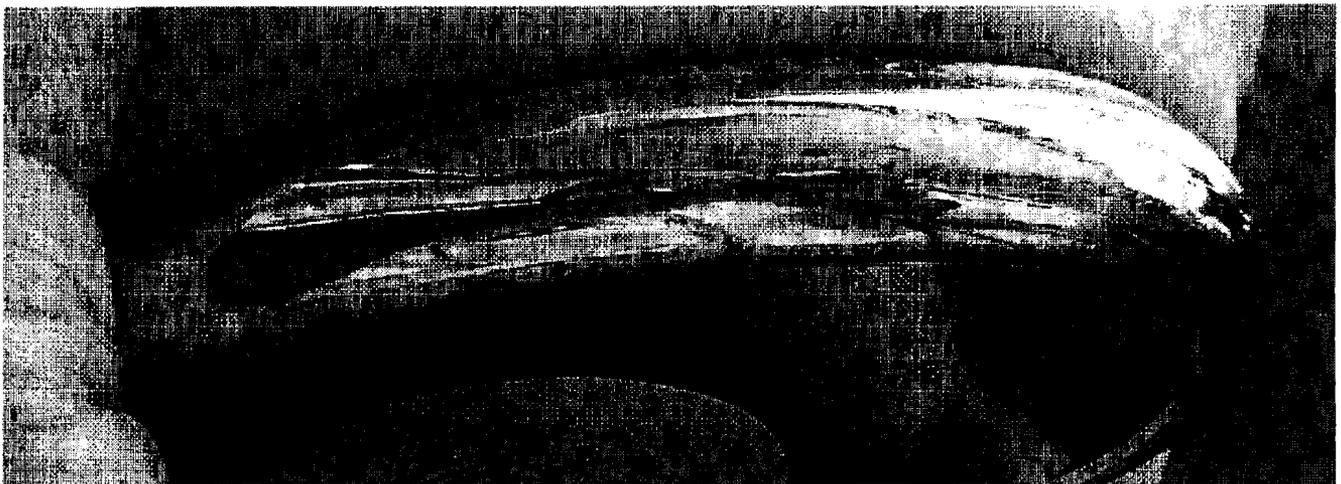
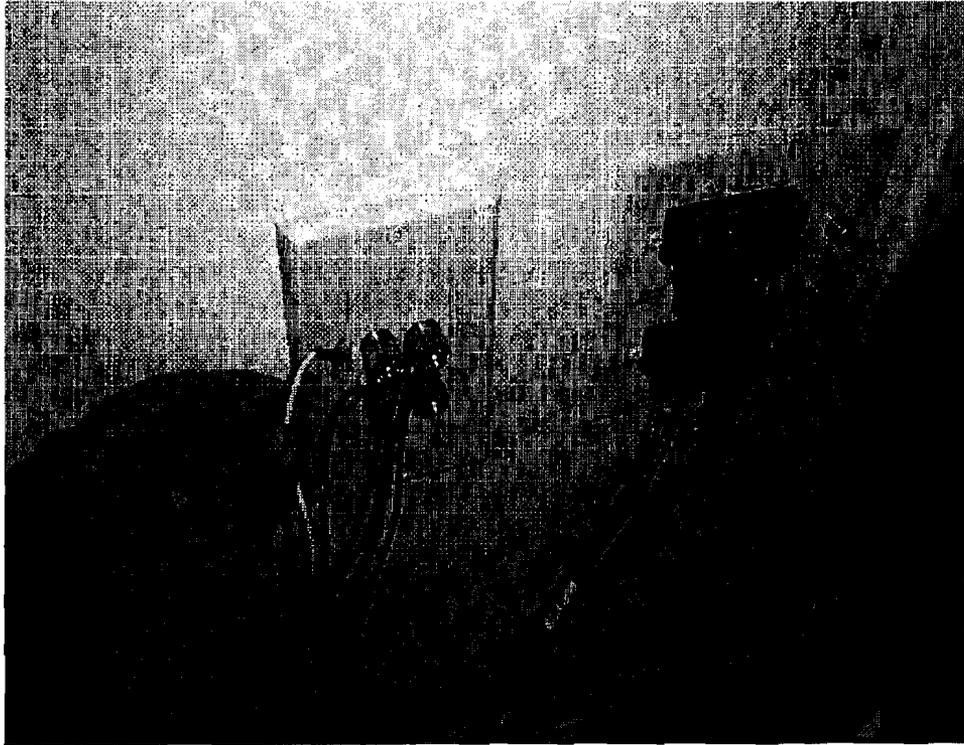


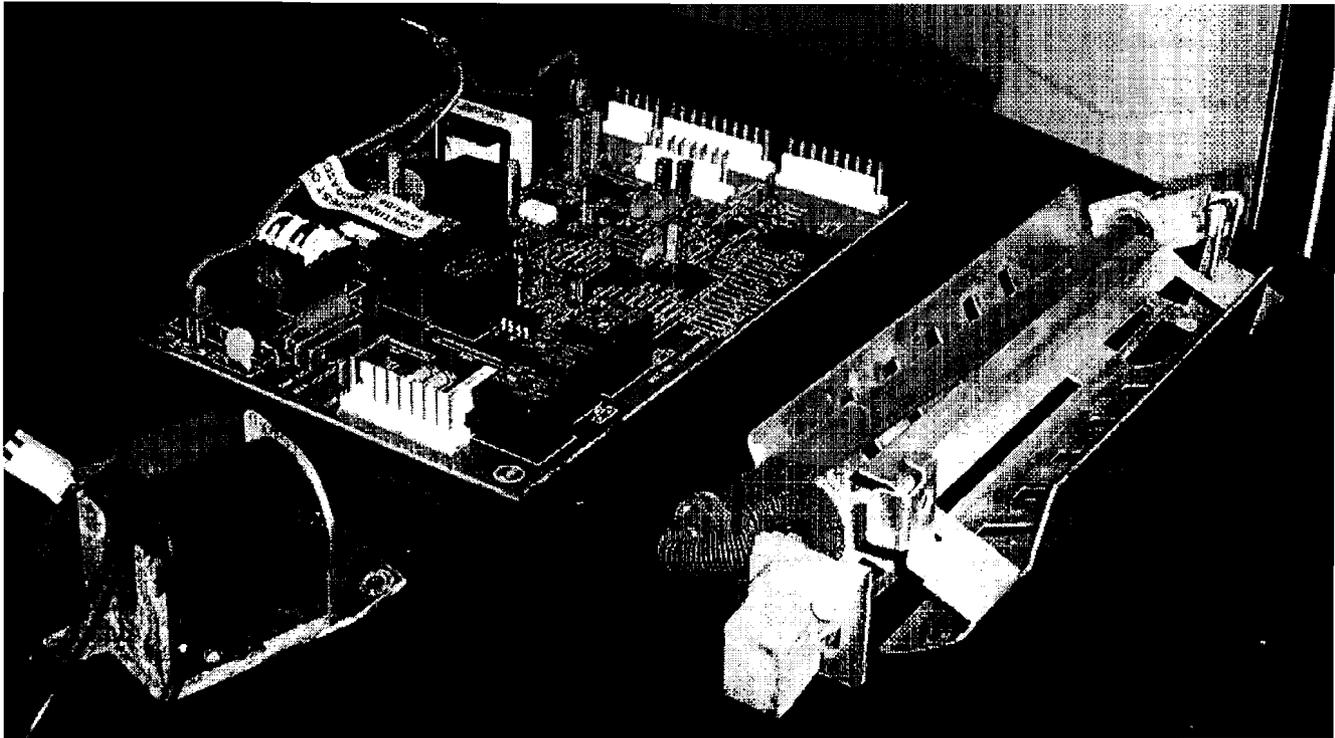




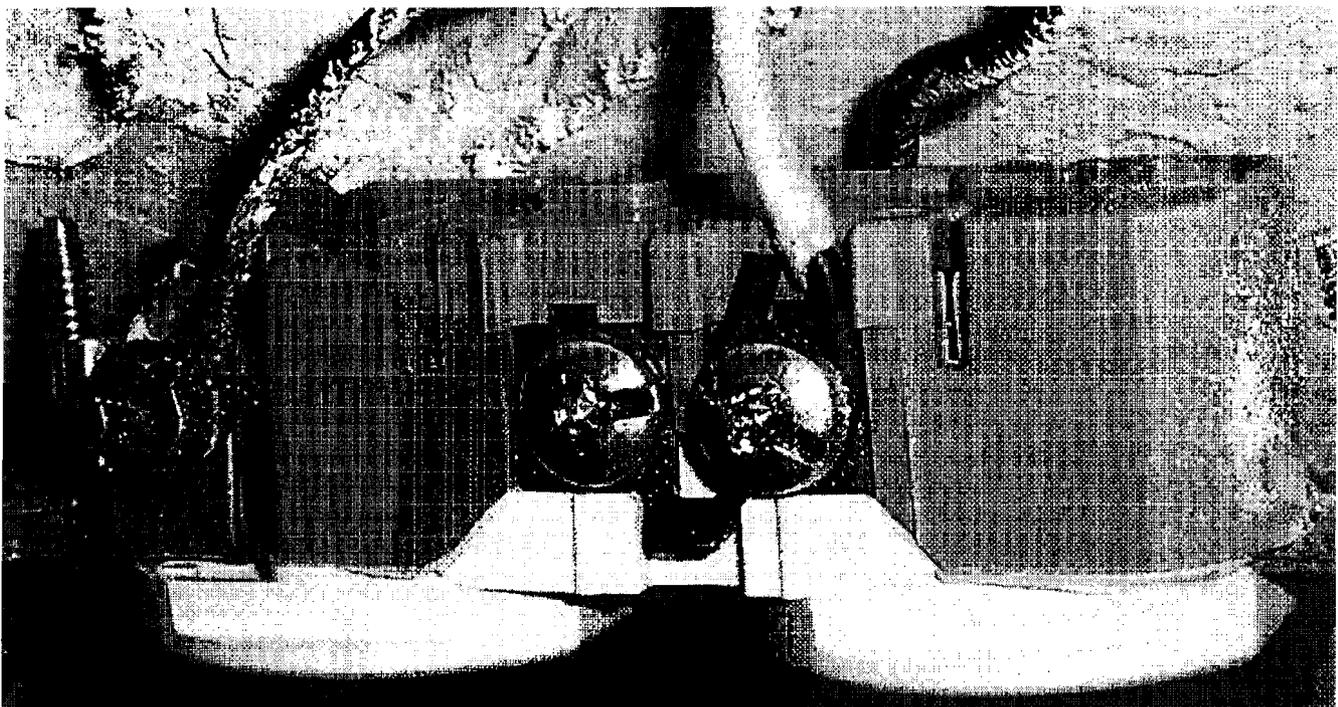


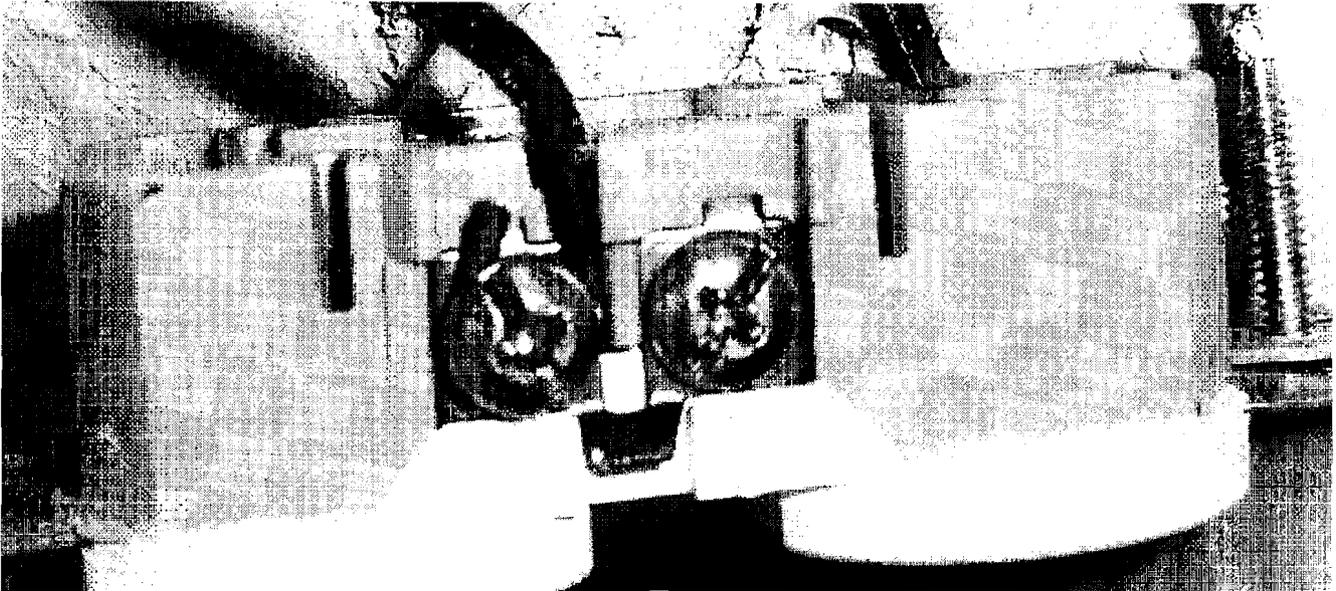






The refrigerator had the heating element,









Type search phrase here

1-800-WCI-400

MCI Communities

irs

nization

ns

enters

Search

[Profile](#) | [Governance](#) | [Press Releases](#) | [Historical Annual Reports & Proxy](#) | [Financials](#) | [Historical SEC Filings](#)  
[Detailed Quote](#) | [Email Alert](#) | [Request Info](#) | [Contact Us](#) | [Monthly Operating Reports](#)

unities, Inc., named America's Best Builder in 2004 by the National  
of Home Builders and Builder Magazine, has been creating amenity-  
r-planned lifestyle communities since 1946. Florida-based WCI caters to  
tirement, and second-home buyers in Florida, New York, New Jersey,  
t, Maryland and Virginia. The Company offers traditional and tower home  
h prices from the high-\$100,000s to more than \$10 million and features  
y of recreational amenities in its communities. In addition to  
ng, WCI generates revenues from its Prudential Florida Realty Division,  
isinesses, and its recreational amenities, as well as through land sales  
entures.

- [User Preferences](#)
- [Mobile Office](#)
- [Online Briefcase](#)
- [Email Alert](#)
- [Request Info](#)
- [Feedback Center](#)
- [RSS Feed](#)

**Investor Relations**

Phone: (239) 498-8269

**Address:**

WCI Communities, Inc.  
(239) 498-8200  
24301 Walden Center Drive  
Bonita Springs, FL 34134  
United States Of America  
Employees: 1,800

**Management:**

**David L. Fry**  
Interim President and CEO

**Jonathan M. Pertchik**  
Chief Restructuring Officer

**Russell Devendorf**  
Senior Vice President and Chief  
Financial Officer

**Paul D. Appolonia**  
Senior Vice President of Human  
Resources

**Vivien N. Hastings**  
Senior Vice President and  
General Counsel

:

Information included herein and in other company reports, Securities and Exchange Commission filings, and presentations is forward-looking within the meaning of the Private Securities Litigation Reform Act, including, but not limited to, statements about the company's ability to operate its business while in Chapter 11 proceedings, anticipated operating results, financial resources, ability to acquire land, ability to develop and properties, ability to deliver homes from backlog, and ability to secure materials and services. Such forward-looking information involves important risks and uncertainties that could materially affect actual results and cause them to differ materially from expectations expressed herein and in

any reports, filings, statements and presentations. These risks and uncertainties include WCI's ability to compete as a going concern in real estate markets where we conduct business; WCI's ability to obtain favorable results with respect to motions in the chapter 11 proceeding prosecuted by it from time to time; the ability of WCI to develop, prosecute, confirm and consummate one or more plans of reorganization with respect to the chapter 11 cases; risks associated with third parties seeking and obtaining court approval to shorten the exclusivity period for WCI to propose and confirm one or more plans of reorganization, for the appointment of a chapter 11 trustee or to convert the cases to chapter 7 cases; WCI's ability to obtain and maintain normal terms with vendors and service providers; WCI's ability to maintain relationships that are critical to its operations; the potential adverse impact of the chapter 11 cases on WCI's operating results of operations; the ability of the WCI to fund and execute its business plan; the ability of WCI to motivate and/or retain key executives and associates; WCI's ability to maintain or increase historical operating and profit margins; WCI's ability to obtain necessary permits and approvals for the development of projects; the availability of capital to WCI and our ability to effect growth strategies successfully; availability of materials and material increases in insurance, labor and material costs; increases in interest rates and the availability of mortgage financing; the ability of prospective residential buyers to obtain mortgage financing due to tightening credit markets, appraisal problems or other factors; increases in construction and insurance and availability of insurance, the continuing negative buyer sentiment and erosion of confidence; the negative impact of claims for contract rescission or increasing cancellation rates by purchasers; adverse legislation or regulations; adverse legal proceedings; the ability to retain employees; changes in generally accepted accounting principles; natural disasters; adverse weather conditions and changes in general economic, real estate and business conditions and other factors over which the company has little or no control. If one or more of the assumptions underlying our forward-looking statements proves incorrect, then the company's actual results, performance or achievements could differ materially from those expressed in, or implied by the forward-looking statements contained in this report. We caution you not to place undue reliance on our forward-looking statements. We undertake no obligation to update or revise any forward-looking statements, whether as a result of new information, future developments or otherwise. This statement is provided as permitted by the Private Securities Litigation Reform Act of 1995.

ed to providing unparalleled lifestyle experiences, WCI Communities is America's premier homebuilder of luxury homes and Sky Homes® comple  
aled golf, fitness, spa, marina, beach, resort and club amenities.

aster-planned communities, neighborhoods and highrise towers are located in superb destinations throughout Florida, Connecticut, New Jersey :  
rk.

---



Copyright 1996-2009 © WCI Communities, Inc. All Rights Reserved.

Use of this website is subject to [WCI Terms of Use](#). [Privacy Policy](#). [Contact us](#) at 1-800-WCI-4005.

[ [Privacy](#) ]



Search phrase here



QUESTIONS?

EMAIL PAGE

1-800-WCI-4005

[New Home](#)

[Visit Our Communities](#)

[Current Offers](#)

[Blog](#)

[Contact Us](#)

[About WCI](#)

> [About WCI Communities](#)

[About WCI Communities](#)

[Building and Design](#)

[Investors](#)

[Reorganization](#)

[Locations](#)

[Sales Centers](#)

[Customer Service](#)

[Resident Spotlight](#)

Contact: Sitrick And Company  
Sandra Sternberg  
Maya Pogoda  
212-573-6100  
310-788-2850

## COURT CLEARS WAY FOR WCI TO PROCEED TO CONFIRMATION OF ITS CHAPTER 11 PLAN

**Deals Reached With Senior Lender Groups, Unsecured Creditors Committee and Drywall Claimants; Confirmation Set for August 26**

**Bonita Springs, Florida - July 17, 2009** - WCI Communities, Inc. announced today that the Delaware Bankruptcy Court presiding over its chapter 11 cases has approved the adequacy of its Disclosure Statement for its Plan of Reorganization. At the hearing, it was announced that agreements on terms of the Plan had been reached with the steering committees for the Company's senior secured term and revolving lenders, the WCI Official Committee of Unsecured Creditors and representatives of a group of homeowners claiming damages related to Chinese drywall.

The Court's approval paves the way for WCI to begin soliciting votes to accept its Plan of Reorganization, which already enjoys the support of the steering committees for the Company's secured term and revolving lenders and the Official Committee of Unsecured Creditors. It is anticipated that Plan materials and ballots will be mailed by July 24, 2009. The deadline for returning ballots is August 19, 2009, in accordance with instructions in the Bankruptcy Court's order and on the ballots. A hearing to confirm the Plan is scheduled for August 26, 2009.

"We are very pleased to have cleared this important hurdle in our path toward exiting from chapter 11," said David L. Fry, Interim President and Chief Executive Officer. "With the voting process about to begin, and with the firm support of our primary constituencies, WCI is squarely on track to emerge from chapter 11 as a deleveraged lifestyle community developer and land holding company with the flexibility to navigate its business during these unprecedented times and beyond."

Under the Plan, it is anticipated that the Company's senior secured lenders will receive new first lien debt in the aggregate amount of \$450 million, which includes a \$150 million payment-in-kind (PIK) component and an initial 95% equity stake in the reorganized company. The remaining 5% would be shared by the Company's unsecured creditors. The unsecured creditors' share would begin to increase when the new debt is

fully retired and would reach a maximum of 34% after the secured lenders have received payments that are equivalent to the amount currently owed to them (approximately \$740 million).

The Plan also includes an agreement reached with the lead attorneys representing the Chinese drywall claimants. The terms of the agreement as described in the Plan provide for the creation of a Chinese Drywall Trust and allow the Chinese drywall claimants to pursue causes of action related to the manufacture and installation of defective imported drywall in their homes.

"Today marks an important step in WCI's restructuring. The Company and its secured lenders and the Official Committee of Unsecured Creditors have been able to work together to maximize value under extremely challenging circumstances and to ensure that recoveries are allocated fairly among the Company's stakeholders," said Thomas Lauria of White & Case, WCI's counsel in the Chapter 11 case. "This consensual resolution is a tribute to all involved, given that we had no agreement with any of our creditors when we commenced these cases just 11 months ago, and in light of the unprecedented events that have transpired since."

Email Address: \*

Name: \*

Name: \*

#### About WCI Communities

WCI is a fully integrated homebuilding and real estate services company with more than 50 years experience in the design, construction and operation of leisure-oriented, amenity rich master-planned communities. It has operations in Florida, New York, New Jersey, Connecticut, Virginia and Maryland. The company directly employs approximately 1,170 people, as well as approximately 1,800 sales representatives as independent contractors.

#### Forward Looking Statement

Certain information included herein and in other company reports, Securities and Exchange Commission filings, statements and presentations is forward-looking within the meaning of the Private Securities Litigation Reform Act of 1995, including, but not limited to, statements about the company's ability to operate its business while in Chapter 11 proceedings, anticipated operating results, financial resources, ability to acquire land, ability to sell homes and properties, ability to deliver homes from backlog, and ability to secure materials and subcontractors. Such forward-looking information involves important risks and uncertainties that could significantly affect actual results and cause them to differ materially from expectations expressed herein and in other company reports, filings, statements and presentations. These risks and uncertainties include WCI's ability to compete as a going concern in real estate markets where we conduct business; WCI's ability to obtain court approval with respect to motions in the chapter 11 proceeding prosecuted by it from time to time; the ability of WCI to develop, prosecute, confirm and consummate one or more plans of reorganization with respect to the chapter 11 cases; risks associated with third parties seeking and obtaining court approval to terminate or shorten the exclusivity period for WCI to propose and confirm one or more plans of reorganization, for the appointment of a chapter 11 trustee or to convert the cases to chapter 7 cases; WCI's ability to obtain and maintain principles; natural disasters; adverse weather conditions; and changes in general economic, real estate and business conditions and other factors over which the company has little or no control. If one or more of the assumptions underlying our forward-looking statements proves incorrect, then the company's actual results, performance or achievements could differ materially from those expressed in, or implied by the forward-looking statements contained in this report. Therefore, we caution you not to place undue reliance on our forward-looking statements. We undertake no obligation to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise. This statement is provided as permitted by the Private Securities Litigation Reform Act of 1995. normal terms with vendors and service providers; WCI's ability to maintain contracts that are critical to its operations; the potential adverse impact of the chapter 11 cases on WCI's liquidity or results of operations; the ability of the WCI to fund and execute its business plan; the ability of WCI to attract, motivate and/or retain key executives and associates; WCI's ability to maintain or increase historical revenues and profit margins; WCI's ability to obtain necessary permits and approvals for the development of its lands; the availability of capital to WCI and our ability to effect growth strategies successfully; availability of labor and materials and material increases in insurance, labor and material costs; increases in interest rates and availability of mortgage financing; the ability of prospective residential buyers to obtain mortgage financing due to tightening credit markets, appraisal problems or other factors; increases in construction and homeowner insurance and availability of insurance, the continuing negative buyer sentiment and erosion of consumer confidence; the negative impact of claims for contract rescission including the impact of any Chinese drywall claims or lawsuits by contract purchasers; adverse legislation or regulations; adverse legal proceedings; the ability to retain employees; changes in generally accepted accounting

[Reorganization](#) | [Careers](#) | [Investors](#) | [Experience WCI](#) | [Brokers](#) | [Prudential](#) | [Title](#) | [Mortgage](#) | [Sitemap](#)

**WCI Communities, Inc.**

**1-800-WCI-4005**

Dedicated to providing unparalleled lifestyle experiences, WCI Communities is America's premier homebuilder of [luxury new homes](#) and [Sky Homes®](#) complemented by unrivaled [golf](#), [fitness](#), [spa](#), [marina](#), [beach](#), [resort](#) and [club](#) amenities.

WCI's master-planned communities, neighborhoods and [highrise towers](#) are located in superb destinations throughout [Florida](#), [Connecticut](#), [New Jersey](#) and [New York](#).



Use of this website is subject to [WCI Terms of Use](#), [Privacy Policy](#), [Contact us](#) at 1-800-WCI-4005.



Search phrase here

[QUESTIONS?](#)

[EMAIL PAGE](#)

**1-800-WCI-4005**

[New Home](#)

[Visit Our Communities](#)

[Current Offers](#)

[Blog](#)

[Contact Us](#)

[About WCI](#)

> [About WCI Communities](#)

About WCI Communities

Building and Design

Investors

Reorganization

Locations

Sales Centers

Customer Service

Resident Spotlight

Designed to give guests a feel for the overall community, each WCI sales center offers a rich variety of displays and information on community amenities, home styles, location and more. A professionally trained and licensed staff of Community Representatives is on hand to answer any questions, give tours of the community and models, and guide guests through the homebuying process.

Email Address: \*

Name: \*

Name: \*



<p><b>ENCORE ATLANTIC SHORES</b></p> <p>Encore Atlantic Shores Sales Center 59 Encore Boulevard Eastport, NY 11941</p> <p>(631) 325-1616 <a href="#">Visit Community Website</a></p>	<p><b>FOUR CORNERS</b></p> <p>Four Corners Sales Office 11 Mulberry Place East Fishkill, NY 12533</p> <p>(800) 924-4005 <a href="#">Visit Community Website</a></p>
<p><b>HAMMOCK BAY</b></p> <p>Hammock Bay Sales &amp; Information Center 950 Mainsail Dr. Naples, FL 34114</p> <p>(239) 389-7500 (800) 525-8840 <a href="#">Visit Community Website</a></p>	<p><b>LOST KEY GOLF &amp; BEACH CLUB</b></p> <p>Lost Key Sales &amp; Information Center 14000 Perdido Key Drive Perdido Key, FL 32507</p> <p>(850) 549-2120 (866) 770-2989 <a href="#">Visit Community Website</a></p>
<p><b>LOST KEY MARINA &amp; YACHT CLUB</b></p> <p>Lost Key Marina Sales &amp; Information Center 14000 Perdido Key Drive Perdido Key, FL 32507</p> <p>(850) 549-2120 (866) 770-2989 <a href="#">Visit Community Website</a></p>	<p><b>OLD PALM GOLF CLUB</b></p> <p>Old Palm Golf Club 11089 Old Palm Drive Palm Beach Gardens, FL 33418</p> <p>(561) 493-7220 (866) 499-6742 <a href="#">Visit Community Website</a></p>
<p><b>ONE SINGER ISLAND</b></p> <p>One Singer Island Sales Office 3800 N. Ocean Drive Singer Island, FL 33404</p> <p>(561) 340-1772 (800) 924-4005 <a href="#">Visit Community Website</a></p>	<p><b>PARKLAND GOLF &amp; COUNTRY CLUB</b></p> <p>Parkland Golf &amp; Country Club 9425 Old Club Road Parkland, FL 33076</p> <p>(954) 757-7747 (866) 500-7422 <a href="#">Visit Community Website</a></p>
<p><b>PELICAN PRESERVE</b></p> <p>Pelican Preserve 10571 Veneto Drive Fort Myers, FL 33913</p> <p>(239) 985-1600 (877) 881-5973 <a href="#">Visit Community Website</a></p>	<p><b>RIVINGTON</b></p> <p>Rivington Sales and Information Center 1 Reserve Road Danbury, CT 06817</p> <p>(203) 798-6000 (800) 924-4005 <a href="#">Visit Community Website</a></p>

---

[Reorganization](#) | [Careers](#) | [Investors](#) | [Experience WCI](#) | [Brokers](#) | [Prudential](#) | [Title](#) | [Mortgage](#) | [Sitemap](#)

---

**WCI Communities, Inc.**

**1-800-WCI-4005**

---

Dedicated to providing unparalleled lifestyle experiences, WCI Communities is America's premier homebuilder of luxury new homes and Sky Homes® complemented by unrivaled golf, fitness, spa, marina, beach, resort and club amenities.

WCI's master-planned communities, neighborhoods and highrise towers are located in superb destinations throughout Florida, Connecticut, New Jersey and New York.



Copyright 1996-2009 © WCI Communities, Inc. All Rights Reserved.

Use of this website is subject to [WCI Terms of Use](#). [Privacy Policy](#). [Contact us](#) at 1-800-WCI-4005.



[Home](#)

[Services](#)

[Gallery](#)

[Clientele](#)

[Contact](#)

## Contact Distinctive Finishes, LLC

You can use the following form to email us any questions, concerns or comments:

Name:

Email:

Phone:

Comments:

Alternatively, you can use any of the following information to contact us by phone or mail:

**ADDRESS**

12631 Westlinks Dr., Unit#1  
Ft. Myers, FL 33913

**PHONE:** (239) 561-1955

**FAX:** (239) 561-2445

**License:** CGC1513307



[Home](#)

[Services](#)

[Gallery](#)

[Clientele](#)

[Contact](#)

## Welcome to Distinctive Finishes, LLC

**Specializing In:** Stucco, Metal Framing, Drywall, Paint, Designer Finishes

**Performing In:** High Rises, Custom Homes, New Homes, Residential, Commercial

### Mission:

Complete customer satisfaction by consistently providing superior service and exceptional quality cost effectively.

### Goals:

- Build an organization of people dedicated to excellence.
- Maintain a commitment to providing exceptional service to our builders, clients and residential customers.
- Consult with our customers and explore new and old ideas to enhance the appearance of their products.



### Values:

- We believe our customers are the reason for our existence and satisfied customers are our best endorsement.
- We honor our commitments.
- We adhere to the highest standards of honesty, integrity, and fairness for our customers.

Formed in 1999 and located in Fort Myers, Florida, Distinctive Finishes, LLC grew from a satellite office of their parent company in New Jersey to one of the premier specialty contractors in the southern Florida. Since 2006, the original founder, Mr. Robert J. Quillen, President has expanded the organization throughout all of southern and central Florida. Professionals employed at Distinctive Finishes are some of the most experienced and knowledgeable in the industry and all share the commitment to complete customer satisfaction.


[Home](#)
[Services](#)
[Gallery](#)
[Clientele](#)
[Contact](#)

## Description & Background of Distinctive Finishes Clientele - 2008

### WCI

Distinctive Finishes does 90% of all of WCI homebuilding in both Lee County and Collier County markets. The total homes, multi-family units and customs relate to 750 to 800 annually WCI was voted 2004 Nations Best Builder by Builder Magazine. They went public and have continued to grow and expand in all areas of Florida and recently other states. WCI has 2 billion dollar annual revenue and maintains our markets number one developer/builder. Distinctive Finishes and WCI have remained strong partners in the last 5 years and both look forward to have continued success and growth for 2005 and beyond.

### Description of work that Distinctive Finishes does for WCI:

- Homebuilding - 750 to 800 units per year
- Amenities - Clubhouses, gatehouses, Fitness Buildings, along with golf related buildings.
- High Rises - 12 to 30 story buildings in Naples, Ft. Myers, Sarasota, Miami and Daytona markets.
- Luxury Homes - from 4 million to 10 million dollar homes.
- Villa Homes - from 2 to 4 millions dollars per home.

### BBL of Florida

Based out of New York, BBL has quickly become one of Southwest Florida's premier high rise builders.- With annual sales of 700 million dollars, this privately held company is rated consistently in the top 3 builders in southwest Florida. Their versatility consist of high-rises, multifamily units, hotels, condos and miscellaneous amenities projects. Distinctive Finishes and BBL have an outstanding relationship and have consistently done between 10-11 million dollars a year between them.

### Description of work that-Distinctive Finishes does for BBL:

- High Rises -12 to 22 story high rises in both "Collier and Lee Counties. We're working together to expand to both Sarasota and Miami markets.
- Amenities - Clubhouses, commercial offices, luxury town homes are consistently a part of the product that is produced.

### Boca Developers

Fort Lauderdale, West Miami, and West Palm are some of the areas where Distinctive Finishes and Boca Developers have settled on where they will partner up starting in 2005. Boca Developers have a major presence in the Miami market, as the areas largest high rise and condo developer. With annual sales of over 750 million plus, Boca Developers continues to he one of the areas strongest condo developers and builders in both the luxury and production markets.

### Description of work that Distinctive Finishes does with Boca Developers:

- High Rises - 22 to 40 story buildings in west Miami. We currently have 4 contracts totaling 22 million dollars

to start late 2005.

- Awaiting contracts on 12 - 19 plexes starting early 2006. With 14 22 story buildings to follow the initial 4 from 2005.

## **BCBE**

Local Builder from Naples Florida, BCBE has done the majority of all high rises in Collier County. It has a reputation as the areas most luxury high rise builder. It matches that with it's versatility in both the commercial and production commercial markets. With annual sales of 700 million plus, BCBE has expanded its market to Sarasota, Miami, Daytona, along with Collier and Lee counties.

### **Description of work that Distinctive Finishes does with BCBE:**

- Villa market - Distinctive Finishes does 15 to 20 villas per year at 3 million dollars per home.
- Amenities - Clubhouses, luxury multifamily and miscellaneous golf related buildings
- High rises - 20 to 30 story buildings in all southwest/southeast markets.

## **John McGarvey Developers, Inc.**

Naples area premier custom home builder and commercial office contractor. Major custom builder with villas and homes ranging from 2 to 12 million dollars. Distinctive Finishes has done some of the most incredible estates in the areas most prestigious developments in Naples. These homes are located in Port Royal, Quail West, Mediterra, Twin Eagles, Bay Colony and Tuscany Reserve. They are the ultimate of the custom home market.

### **Description of work that Distinctive Finishes does with John McGarvey:**

- Homes - Estate and High end villas, penthouses and custom homes in Collier County.
- Offices - Miscellaneous office parks, office plexes and commercial buildings.

**[Home](#) • [Services](#) • [Gallery](#) • [Clientele](#) • [Contact](#)**

All information Copyright © 2002, Distinctive Finishes, LLC.

# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

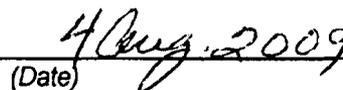
Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

- I request that you do not release my name. My identity is to remain confidential.
- You may release my name to the manufacturer but I request that you do not release it to the general public.
- You may release my name to the manufacturer and to the public.

  
(Signature)

  
(Date)

FINAL RELEASE & WAIVER OF LIABILITY FORM

[To Be Signed by All Residents 18 Years or Age or Older]

I, Anthony Josephson, do hereby acknowledge that with my permission the U.S. Consumer Product Safety Commission and any of its designated representatives, consultants, or other designees ("CPSC") utilized my residence located at 333 Cipriani Way for a preliminary pilot indoor air-quality monitoring and testing study on 8-04-2009, 2009.

On today's date, I have completed a walk-through inspection of my residence with Celena Dunlap, a CPSC employee. I further acknowledge that except for any items listed and described below, no items are missing, damaged, or destroyed in my residence.

Notation of missing, damaged or destroyed items in residence (if applicable):

None

I acknowledge that CPSC offered reimbursement for the None, but I have declined CPSC's offer. I acknowledge that I have not requested that the None be repaired or replaced by CPSC.

Anthony Josephson  
Signature of Resident

8/04/2009  
Date



[REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

## Top of lamp ✓

- ② picture frames ✓
- ③ Toilet tank handle ✓
- ④ Laundry room facet
- ⑤ Kitchen - under the sink copper
- ⑥ Mirrors in bathrooms
- ⑦ Shower head in the bathroom
- ⑧ Salt & pepper shakers
- ⑨ Refrigerator parts
- ⑩ Air conditioner
- ⑪ Eye glasses - frame
- ⑫ Candleabra
- ⑬ Electrical outlet grounding wires <sup>in</sup> all them
- ⑭ Chandelier metal parts.
- ⑮ Top of water tank pipes corroded
- ⑯ Door hinges
- ⑰ Waste basket metal part corroded.
- ⑱ Entire lamp base
- ⑲ Computer in the garage
- 20 Copper lamp
- 21 Copper tier dish
- 22 Air conditioner coil
- 23 Attic board w/ identification
- 24 Furniture knobs - (table w/ lamp)
- 25 Soap dish
- 26 Toilet bowl cleaner
- 27 Trash can w/ metal base
- 28 Furniture handle - under the water for



**SERVICE INVOICE**

1080 Enterprise Court  
Nokomis, Florida 34275

42658

1-5-5

1395

BILL TO:

WCI 40592859

THIS WORK TO BE  WARRANTY  OTHER  
 C.O.D.  SERV. AGREE # 211

CALL SLIP NO. <u>73137</u>	DATE <u>12-4-07</u>	MODEL <u>24ABA336A300</u>	MODEL <u>58STAD90</u>
NAME <u>Anthony Josephson</u>	SERIAL NO. <u>1006ED7968</u>	SERIAL NO. <u>1906A16757</u>	
STREET <u>333 CIPRIANI WAY</u>	INST. DATE <u>7-12-06</u>	INST. DATE <u>7-12-06</u>	
CITY <u>NOKOMIS</u>	ZIP <u>34275</u>	REPAIR CODE#	AMOUNT
PHONE <u>485-7242</u>	TECHNICIAN <u>Dave 168</u>	TRUCK # <u>125</u>	QTY. PARTS USED
SOLUTION CODES		<u>21-005</u>	<u>636.00</u>
ARRIVE		<u>Tuneup</u>	<u>82-</u>
CLOSE		<u>Warranty</u>	<u>85-</u>
			<u>1 DR21002</u>
			<u>1 PK010</u>
			<u>2 FRECCS</u>

- System Pumped Down  
- REPLACED EVAPORATOR COIL with filter  
DRIER  
- PLACED UNDER DEEP VACUUM 60 500  
MICRONS  
- PERFORMED MAINT. ON SYSTEM AND  
PLACED UNDER ONE YEAR LABOR  
AGREEMENT

Paint  
Cabinet  
DISPENSER  
Disinfectant.

REFRIGERANT TYPE 410A

ADDED  YES  NO RECOVERED  YES  NO

OPERATING SEER      X 5 YRS. S     

TYPICAL OP SEER      X 5 YRS. S     

UTILITY OVERPAYMENT  X 5 YRS. S     

EQUIPMENT REPORT YES  NO

DEHUMIDISTAT  A

FPL ON CALL  A

LIGHTNING ARRESTOR  A

COMP TIME DELAY  A

HEAT RECOVERY UNIT  A

SERVICE MONITOR  A

THERMOSTAT TYPE PROGRAMMABLE

FILTER TYPE      SIZE     

UV TYPE      SIZE     

HOUSE HUMIDITY      %

STATIC PRESSURE     

PERCENTAGE MOLD IN A/H     

HOUSE PRESSURIZATION  
 Positive  Neutral  Negative

	OKAY	CLEANED	NEEDS REPAIR
INDOOR COIL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
OUTDOOR COIL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRAIN PAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRAIN LINE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BLOWER WHEEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COOLING MODE     

SUPPLY TEMP 51

RETURN TEMP 72 AT 18

OUTDOOR TEMP 124

LOW SIDE PSIG 300

HIGH SIDE PSIG     

SUCTION LINE TEMP     

SUPER HEAT     

LIQUID LINE TEMP     

SUB COOL     

COMP. AMPS 9

COND MOTOR AMP 13.3

EVAP MOTOR AMPS     

HEAT PUMP - YES  NO

HEATER KW     

HEATER AMPS     

ONE (1) YEAR WARRANTY ON REPLACED PARTS.	
AMT. PAID	TRIP CHARGE
	REPAIRS <u>636.00</u>
CHECK #	TUNE-UP <u>82-</u>
	AGREEMENT INVESTMENT <u>85-</u>
CASH	TOTAL <u>636.00</u>
CC# (last four digits)	
AUTH #	
Visa	Mastercard Discover

Tri County Air Conditioning & Heating, Inc. warrants that the work outlined in this invoice has been satisfactorily completed. I agree that Seller retains title to equipment / materials furnished until payment received in full. If payment is not made as agreed, Seller can remove said equipment / materials at Seller's expense. Any damage resulting from said removal shall not be the responsibility of Seller. Purchaser agrees to pay all costs and reasonable attorney's fee if this invoice is placed in the hands of an attorney for collections.

Anthony Josephson 12-4-07  
SIGNATURE DATE

PLEASE PAY BY THIS INVOICE  
Lic #CAC042759

Manatee 341 740 0750      Sarasota 341 465 0000      Charlotte 341 225 1000      Toll Free 1 800 774 0015

## ARTICLE XI.

### THE CHINESE DRYWALL TRUST

#### **11.1. Creation of the Chinese Drywall Trust and Appointment of the Chinese Drywall Trustee.**

- (a) On the Effective Date, the Chinese Drywall Trust will be created pursuant to the Chinese Drywall Trust Declaration.
- (b) The Chinese Drywall Trust shall be administered by the Chinese Drywall Trustee who shall be identified in the Chinese Drywall Trust Declaration no later than five (5) days prior to the Voting Deadline. The appointment of the initial Chinese Drywall Trustee and the terms of its compensation shall be subject to the approval of the Bankruptcy Court.
- (c) The Debtors (if prior to the Effective Date) or the Chinese Drywall Trustee (if after the Effective Date) shall designate the person who shall initially serve as the Delaware Trustee for the Chinese Drywall Trust.
- (d) The Chinese Drywall Trustee and the Delaware Trustee shall have and perform all of the rights, powers, and duties set forth in this Plan and the Chinese Drywall Trust Declaration.
- (e) On the Effective Date, New WCI shall transfer to the Chinese Drywall Trust \$900,000 in Cash to pay the reasonable costs and expenses associated with the administration of the Chinese Drywall Trust, including, but not limited to, reasonable costs and expenses to be incurred by the Chinese Drywall Trust in connection with the prosecution of Insurance Coverage Actions and Chinese Drywall Actions. New WCI shall not be reimbursed for such transfer but shall have no further obligation to fund the Chinese Drywall Trust.

#### **11.2. Property of the Chinese Drywall Trust.**

As contemplated by Section 8.2(b), on the Effective Date, New WCI shall issue to the Chinese Drywall Trust the New WCI Preferred B Stock. Notwithstanding any prohibition of assignability under applicable non-bankruptcy law, on the Effective Date, the Debtors shall be deemed to have automatically transferred to the Chinese Drywall Trust all of their right, title, and interest in and to all of the Insurance Coverage Actions and Chinese Drywall Actions and the proceeds thereof, and any right, title or interest in pursuing and receiving any and all Insurance Recoveries. In accordance with section 1141 of the Bankruptcy Code, on the Effective Date, the transfer of the Insurance Coverage Actions, Insurance Recoveries and Chinese Drywall Actions shall automatically vest in the Chinese Drywall Trust free and clear of all Claims and interests for the benefit of the holders of Chinese Drywall Trust Interests. Notwithstanding the foregoing, the Debtors reserve the right, in their sole discretion, to retain the Insurance Recoveries and pay the net proceeds of such recoveries (after the deduction of the reasonable and

necessary unreimbursed costs and expenses associated with obtaining such proceeds) to the Chinese Drywall Trust if, after consultation with the Chinese Drywall Trust, it is determined that such retention better preserves such assets.

21

### **11.3. Purpose of the Chinese Drywall Trust.**

The Chinese Drywall Trust shall be established for the primary purpose of (a) liquidating its assets in accordance with Treas. Reg. § 301.7701-4(d) with no objective to continue or engage in the conduct of a trade or business, except to the extent reasonably necessary to, and consistent with, the liquidating purpose of the Chinese Drywall Trust, and (b) liquidating, resolving, paying, and satisfying all Chinese Drywall Claims pursuant to claims liquidation procedures established by the Chinese Drywall Trustee, after consultation with and approval by the Chinese Drywall Trust Advisory Board.

Accordingly, the Chinese Drywall Trustee shall, in an expeditious but orderly manner, liquidate and convert to Cash the Insurance Coverage Actions, Insurance Recoveries and Chinese Drywall Actions, make timely distributions to the holders of Chinese Drywall Trust Interests of Cash and property and not unduly prolong its duration. The Chinese Drywall Trust shall not be deemed a successor-in-interest of the Debtors or the New WCI Group for any purpose other than as specifically set forth herein or in the Chinese Drywall Trust Declaration. The Chinese Drywall Trust is intended to qualify and shall be treated as a “qualified settlement fund” within the meaning of Treasury Regulation section 1.468B-1, and the Chinese Drywall Trustee shall be the “administrator” of the Chinese Drywall Trust pursuant to Treasury Regulation section 1.468B-2(k)(3). No election shall be made to treat the Chinese Drywall Trust as a grantor trust for U.S. federal income tax purposes. Accordingly, the Chinese Drywall Trust shall be treated as a taxable entity for federal income tax purposes.

### **11.4. Powers of the Chinese Drywall Trustee.**

The Chinese Drywall Trustee shall have the power to administer the assets of the Chinese Drywall Trust in a manner consistent with the Chinese Drywall Trust Declaration, and the Chinese Drywall Trustee, in consultation with the Chinese Drywall Trust Advisory Board, shall be the estate representative designated to prosecute any and all Insurance Coverage Actions and Chinese Drywall Actions transferred to the Chinese Drywall Trust, and to object to and resolve objections to Chinese Drywall Claims pursuant to the claims liquidation procedures established by the Chinese Drywall Trustee, after consultation with and approval by the Chinese Drywall Trust Advisory Board. Without limiting the generality of the foregoing, the Chinese Drywall Trustee shall (a) hold, administer and prosecute the assets of the Chinese Drywall Trust and any proceeds thereof; (b) have the power and authority to retain, as an expense of the Chinese Drywall Trust, attorneys, advisors, other professionals and employees as may be appropriate to perform the duties required of the Chinese Drywall Trustee hereunder or in the Chinese Drywall Trust Declaration; (c) object to Chinese Drywall Claims and prosecute and resolve such objections; (d) otherwise resolve all Chinese Drywall Claims; (e) make distributions as provided in the Chinese Drywall Trust Declaration; and (f) provide periodic reports and updates regarding the status of the administration of the Chinese Drywall Trust. The Chinese Drywall Trustee shall be deemed a Disbursing Agent under the Plan when

making distributions to holders of Chinese Drywall Trust Interests pursuant to the Chinese Drywall Trust Declaration. Further, except for any obligations to consult with the Creditor Trustee, the Chinese Drywall Trustee shall be deemed the Disbursing Agent in Article XIII with respect to the filing, prosecution and resolution of objections to Chinese Drywall Claims.

#### **11.5. Chinese Drywall Trust Advisory Board.**

On the Effective Date, the Chinese Drywall Trust Advisory Board shall be created pursuant to the Chinese Drywall Trust Declaration. The initial members of the Chinese Drywall Trust Advisory Board shall be those individuals identified no later than five (5) days prior to the Voting Deadline. The Chinese Drywall Trust Advisory Board shall consult with and advise the Chinese Drywall Trustee regarding the administration of the Chinese Drywall Trust and the liquidation and resolution of Chinese Drywall Claims in accordance with the provisions of this Plan and the Chinese Drywall Trust Declaration.

#### **11.6. Cooperation Between Chinese Drywall Trustee and Disbursing Agent.**

(a) The right to control the Insurance Coverage Actions, Insurance Recoveries and the Chinese Drywall Actions, including negotiations relating thereto and settlements thereof, shall be vested in the Chinese Drywall Trust on and after the Effective Date. Notwithstanding the foregoing, to enable the Chinese Drywall Trustee to perform its duties under the Chinese Drywall Trust Declaration and the Plan, New WCI shall cooperate with the Chinese Drywall Trustee in pursuing the Insurance Coverage Actions, Insurance Recoveries and the Chinese Drywall Actions, and shall provide the representatives of the Chinese Drywall Trust with reasonable access to personnel and books and records of the Debtors and/or New WCI relating to the Insurance Coverage Actions, Insurance Recoveries and the Chinese Drywall Actions. New WCI shall provide the Chinese Drywall Trust with advance notice of any proposed disposition of any books and records relating to the Insurance Coverage Actions, Insurance Recoveries and the Chinese Drywall Actions and a reasonable opportunity for the Chinese Drywall Trust to segregate and remove such books and records as the Chinese Drywall Trust may select. The Chinese Drywall Trustee and the Disbursing Agent shall consult and cooperate reasonably in the performance of their duties under the Plan.

(b) If the Chinese Drywall Trust obtains from New WCI or its representatives any documents or communications (whether electronic, written, or oral) to which any privilege attaches, the Chinese Drywall Trust shall be deemed the privilege holder for purposes of fulfilling the Chinese Drywall Trust obligations and preserving the privilege, shall be required to take all reasonable steps to maintain any such privilege and may not waive any such privilege without the consent of New WCI, which consent shall not be unreasonably withheld. Any disputes between the Chinese Drywall Trust and New WCI regarding the production of any documents or communications or the waiver of any privileges shall be decided by the Bankruptcy Court. In the event that any third party challenges any such privilege, New WCI or the Chinese Drywall Trustee may seek protection from a court of competent jurisdiction.

(c) New WCI shall cooperate with the Chinese Drywall Trust and use commercially reasonable efforts to take or cause to be taken all appropriate actions and to do or cause to be done all things necessary or appropriate to effectuate all transfers and assignments identified herein to the Chinese Drywall Trust. New WCI shall, without limitation, (i) provide the Chinese Drywall Trust with copies of insurance policies and settlement agreements, if any, included within or relating to any Chinese Drywall Claims; (ii) provide the Chinese Drywall Trust with information necessary or helpful to the Chinese Drywall Trust in connection with its efforts to obtain insurance coverage for the Chinese Drywall Claims as well as the Insurance Recoveries;

(iii) execute assignments or allow the Chinese Drywall Trust to pursue claims in its own name with respect to Chinese Drywall Claims (subject to appropriate disclosure of the fact that the Chinese Drywall Trust is doing so and the reasons why it is doing so), including by means of arbitration, alternative dispute resolution proceedings, or litigation, to the extent necessary or helpful to the efforts of the Chinese Drywall Trust to obtain insurance coverage for the Chinese Drywall Claims as well as the Insurance Recoveries; and (iv), at the sole cost and expense of the Chinese Drywall Trust, pursue and recover insurance coverage for the Chinese Drywall Claims, including the Insurance Recoveries, in its own name or right to the extent that any or all of the transfers, assumptions, and assignments of the Insurance Coverage Actions, Insurance Recoveries and Chinese Drywall Actions provided for herein are not able to be fully effectuated, with any and all recoveries therefrom to be transferred to the Chinese Drywall Trust.

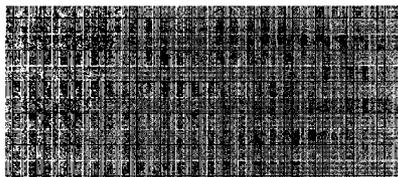
#### **11.7. Assumption of Liabilities by the Chinese Drywall Trust.**

Upon the occurrence of the Effective Date, in exchange for the consideration provided for herein, the Chinese Drywall Trust shall be deemed, without need for further action, to have assumed responsibility and liability for all Chinese Drywall Claims. The Chinese Drywall Trust shall have no recourse, claims, causes of action or right to recovery against the New WCI Group on account of the Chinese Drywall Claims.

#### **11.8. Termination of the Chinese Drywall Trust.**

The Chinese Drywall Trust shall exist for an initial term of five (5) years following the Effective Date (subject to extension under certain circumstances). On or prior to the date of termination, the Bankruptcy Court, upon motion by a party in interest, may extend the term of the Chinese Drywall Trust for a finite period, if such an extension is necessary to liquidate the assets of the Chinese Drywall Trust or for other good cause. Multiple extensions of the termination of the Chinese Drywall Trust may be obtained so long as Bankruptcy Court approval is obtained prior to the expiration of each extended term and the Chinese Drywall Trustee receives an opinion of counsel or a favorable ruling from the Internal Revenue Service that any further extension would not adversely affect the status of the Chinese Drywall Trust as a qualified settlement fund for federal income tax purposes. Notwithstanding the foregoing or any other provision of the Plan or the Chinese Drywall Trust Declaration, the Chinese Drywall Trustee may make distributions

of Cash and property held by the Chinese Drywall Trust to the holders of Chinese Drywall Trust Interests at such times as the Chinese Drywall Trustee, after consultation with the Chinese Drywall Trust Advisory Board, shall determine, in its discretion.



- Home
- About Knauf Insulation
- Introducing ECOSE Technology
- Applications
- Products
- Basics of Insulation
- Create a Better Environment
- 2009 Tax Credit for Insulation
- Web Links
- Case Studies
- Literature & Files
- News
- Employment Opportunities
- Contacts
- LEED Certification Information

**Knauf Insulation - Comfortable, Energy efficient, Thermal protection to lower your heating bills. »** [Contacts](#)

e-Mail PDF Open PDF Print Friendly

**Website Options**

- Language
- English (United States)
- français (Canada)
- Links To Other Country Sites

**Contacts**

**US Headquarters**

**Knauf Insulation**  
 One Knauf Drive  
 Shelbyville, IN 46176  
 TEL: 317-398-4434  
 FAX: 317-398-3675  
[Map](#)



**Questions or Information Requests**

E-mail: [info.us@KnaufInsulation.com](mailto:info.us@KnaufInsulation.com)

**Media Contact**

Stacey Lee  
 MARC USA/Indianapolis Public Relations  
 E-mail: [slee@marcindy.com](mailto:slee@marcindy.com)

**Sales Offices**

**Residential/Light Commercial (Building) Insulation**

Knauf Insulation  
 One Knauf Drive  
 Shelbyville, Indiana 46176  
 TEL: 800-825-4434 ext. 8300  
 FAX: 317-398-3675

**Commercial and Industrial Insulation**

**US and Canada**  
 Knauf Insulation  
 One Knauf Drive  
 Shelbyville, Indiana 46176  
 TEL: 800-825-4434 ext. 8283  
 FAX: 317-398-3675

**Mexico**

Gunder and Associates  
 11500 Stemmons Freeway, Suite 107  
 Dallas, Texas 75229  
 TEL: 972-620-2801  
 FAX: 972-620-2755

**Export**

International Building Products Corporation  
 11000 NW 36th Avenue  
 Miami, Florida 33167  
 TEL: 305-685-5010  
 FAX: 305-685-5014

**Manufacturing Facilities**

**Plant 1**

Knauf Insulation  
 400 East Walker Street  
 Shelbyville, IN 46176  
 TEL: 317-421-3341  
 FAX: 317-398-5501  
[Map](#)



**Plant 2**

Knauf Insulation  
 3502 43<sup>rd</sup> Street SW  
 Lanett, AL 36863  
 TEL: 334-576-8141  
 FAX: 334-576-2494  
[Map](#)



**Plant 3**

Knauf Insulation  
 100 Knauf Drive  
 Shelbyville, IN 46176  
 TEL: 317-421-3343  
 FAX: 317-398-5502  
[Map](#)



Search

**Plant Conversion Brings Eco-Ready Insulation to East Coast**

Lanett facility conversion means the next generation of sustainable insulation is now available nationwide.

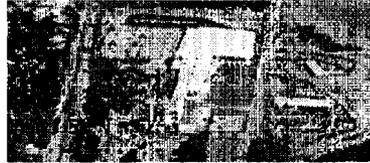
**Knauf Insulation North America**

Bob Knauf, President of Knauf Insulation North America, says, "Knauf Insulation is a company that has always been associated with innovation and quality. Our products even more sustainable, confirms Knauf's position as the innovative industry leader."

Insulation does not produce or sell drywall, plasterboard or any other gypsum or gypsum-related product."

**Plant 4**

Knauf Insulation  
3100 Ashby Road  
Shasta Lake, CA 96019-0819  
TEL: 530-275-9665  
FAX: 530-275-4993  
Map



© KNAUF INSULATION

[Text Only](#) | [Print](#) | [Site Map](#) | [Privacy Policy](#) | [Terms of Use](#)

**Doc No: I0950405A**

**Issue: 33**

**05/12/2009**

05/11/2009 13:54:55

Name = Josephson, Philomin and Anthony  
Address = 333 Cipriani way  
City = N.VENICE  
State = Florida  
Zip = 34275  
Email = philomindory@yahoo.com  
Telephone = 941-485-7262  
Name of Victim = Anthony Josephson and Philomin Josephson  
Victim's Address = 333 Cipriani way  
Victim's City = N.Venice  
Victim's State = Florida  
Victim's Zip = 34275  
Victim's Telephone = 941-485-7262

Incident Description = Our house was built in 2006, after April closing date was 08/18/2006. Within a year the air condition went out and the black coil was replaced which is black again!. We had issues with all the plumbing and refrigerator. Our health is also affected. We are having upper respiratory problems which very severe at times. Up until March of this year, we let the doors and windows open and let the fresh air pass through on a daily basis until the Oak pollen got really bad. I was getting sick and I thought it could be the pollen so we closed all the doors and windows and then on I began coughing and clear mucus build up which I have to use the throw up method to get it out of my lungs my windpipe gets blocked during these episode which happens average every two hours including during the sleep. My eyes are burning and swelled up too most of the time when I am in a room , closet or in the garage where there is no ventilation. I went to my doctor and got some prescription allergy medicine, which did not help, and he sent me to an Allergist. The Allergist told he recommend and me that I am not allergic but I am irritated by something in the house constantly a skin analysis. At least four other homeowners that I spoke to have the same symptoms. I exercise every day, and was in very good health all these years. Now I am sensitive to every cleaning liquid, most of the soaps and most of the perfumes, which I was not sensitive to in the past. When I am exposed to these chemicals, I got pain radiating down on my left arm and I thought I had a heart problem went to a heart doctor last year, and underwent MRI, stress test, chest x-rays, thyroid tests, several blood tests etc and as a result, heart problem was ruled out. Then I kept track of when I was getting this pain on my left arm and it was proven that it was the sensitivity to soaps cleaning liquids and perfumes was causing this left arm pain. My husband also developed rash, which was treated with prescription medication. He also is very sensitive to any cleaning products and the entire aerosol sprays that he was not sensitive to before we moved in to this home. The sensitivity to products in the house that we once loved, in our life is no longer acceptable in the house, simple things such as simple green, pine sol, Clorox, white vinegar, body lotion, most of the deodorant, conditioners and shampoos list goes on. We both can only use one kind of soap, shampoo, conditioner and deodorant, no perfumes, talc, oil or any kind of air fresheners.

I spoke to our Sarasota county health department and I was told that the only remedy is to move out of the house, which is not practical because we are retired and do not have another house to go to, like the other neighbors who is running away from their houses to their houses in the North. We have only this house, and cannot afford to move out. We both are retired from our work two years ago. WCI communities, the builder sent an inspector and he found all the copper in the house is black, mirror is turning black, silver and chrome is turning black, appliances are breaking down within a year or purchase, plumbing is not working. Our builder has filed Chapter 11 and in the name of that they are not cooperating. We need your help. A dozen houses built in 2006 in our street alone were inspected and results are positive. Our wallboard in the attic has numbers and identifying letters and it proves it was made in China.

When it get very muggy and hot, we will not be able to open the windows and doors all day or night, how are we going to survive in this condition. We paid \$621,800 for the house now it is worth only 250,000 on top of that we cannot live in it, everything that can go wrong did go wrong with us. We need your help in finding a remedy for this situation. WCI is not contacting any homeowners, we have to call them and beg for the inspection. There is a smell in all our houses too from the very beginning, which we told the construction manager during the walk through, which she denied.

WCI knows exactly which houses they used Chinese wall boards, according to the construction managers, you would think they will volunteer to get the houses inspected, no way, we have to request it and it is done two weeks after the request. They do not provide us with the inspection reports either, if we call them they will say, since they are under Chapter 11, the Judge do not allow them to do anything, including air sample and wall board testing in a lab etc, which we need to get done in our house,

The CDC, CPSC, DOH and EPA is involved and testing an empty home. However, how long are we supposed to suffer like this? If this is a health hazard, should we live and endure this on a daily basis? We do not know what the long term affect of these health issues that we are facing now, so please help us remedy this as quickly as possible.

**Doc No: I0950405A**

**Issue: 33**

**05/12/2009**

We need your help please.

Victim's age at time of incident = 59

Victim's sex = female

Date of incident = 08/18/2006 on

Product involved = Chinese Wall board

Product brand name/manufacturer = Do not know only the builder WCI communities Inc knows it

Manufacturer street address = Do not know only the builder WCI communities Inc knows it

Place where manufactured (City and State or Country) = Do not know only the builder WCI communities Inc knows it

Product model and serial number, manufacture date = Do not know only the builder WCI communities Inc knows it

Product damaged, repaired or modified = no

If yes, before or after the incident =

Description of damage, repair or modification = Do not know only the builder WCI communities Inc knows it

Date product purchased = Do not know only the builder WCI communities Inc knows it

Product involved still available = yes

Have you contacted the manufacturer = no

If not, do you plan to contact them =

Name Release = Do not release name



1. Task Number 090619CNE4523		2. Investigator's ID 9102		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2007 11 01	5. Date Initiated YR MO DAY 2009 06 19		
6. Synopsis of Accident or Complaint <span style="float: right;">UPC</span>  The family of four, a 56 year old male, 57 year old female, 17 year old male and 96 year old female began experiencing respiratory problems and other affects due to Chinese Drywall after living in the home three months and smelling an odd sulphur smell. The health issues continue to get worse and the corrosion to their air conditioner and copper continues.  <div style="text-align: right;"> <b>MFR/PRVLBR NOTIFIED</b>  COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  <input checked="" type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED  <input checked="" type="checkbox"/> EXCISIONS/FOIA EXS 3, 4, 25 <i>we</i>  <input type="checkbox"/> DO NOT RE-NOTIFY <input checked="" type="checkbox"/> RE-NOTIFY <i>with 2/20/09</i>  <div style="border: 1px solid black; padding: 2px; display: inline-block;">(b)(3): CPSA Section 6(b)</div> </div>				
7. Location (Home, School, etc) 1 - HOME		8. City CAPE CORAL		9. State FL
10A. First Product 1876 - House Structures, Repair Or		10B. Trade/Brand Name KNAUF CHINESE DRYWALL		10C. Model Number KNAUF
10D. Manufacturer Name and Address KNAUF INSULATION One Knauf Drive Shelbyville, IN 46176				
11A. Second Product 381 - Air Conditioners		11B. Trade/Brand Name (b)(3): CPSA Section 6(b)		11C. Model Number
11D. Manufacturer Name and Address (b)(3): CPSA Section 6(b)				
12. Age of Victim 56	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 68 - Poisoning	
16. Body Part(s) Involved 85 - ALL OF BODY	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 15 / 8	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 05 - Newspaper	22. Sample Collection Number 098107074	
23. Permission to Disclose Name (Non NEISS Cases Only) <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal <input type="radio"/> Yes for Manuf. Only				
24. Review Date 07/17/2009		25. Reviewed By 9001		26. Regional Office Director Dennis R. Blasius
27. Distribution Rose, Blake; Blasius, Dennis; Matheson, Joanna; Trotta, Andrew; Khanna, Rohit			28. Source Document Number N0960305A	

This investigation was initiated by the U.S. Consumer Product Safety Commission's receipt of complaints by the consumer to various other agencies and the CPSC.

The information contained in this investigation was supplied by the following sources:

1. An onsite interview with the owners of the home on 7-09-2009.

Family Members:

Husband – 56 year old male

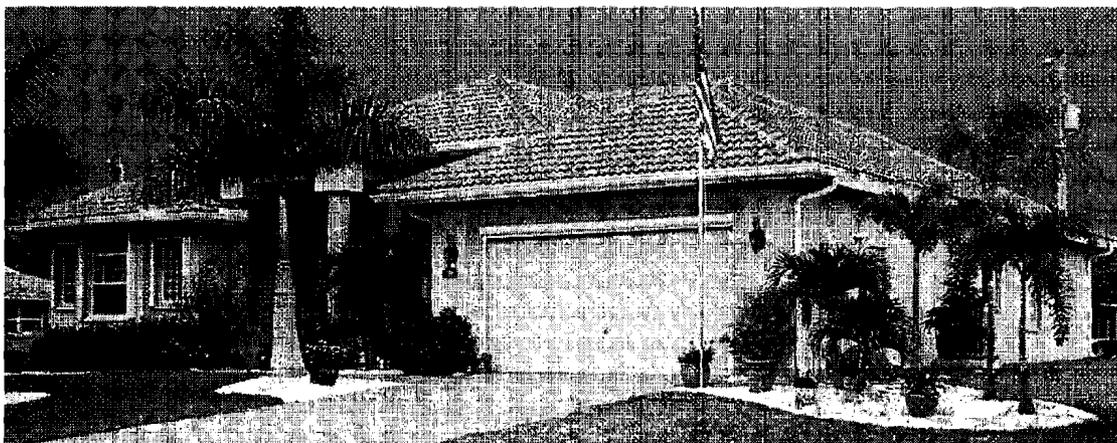
Wife – 57 year old female

Son – 17 year old male

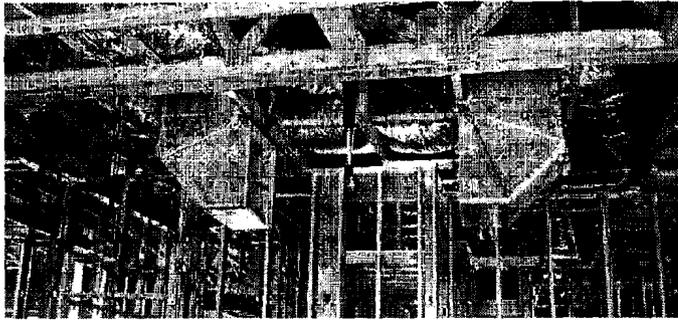
Mother – 96 year old female

This incident involves health issues and copper and metal corrosion at the non seasonal home of the victims over an extended period of time as will be detailed in this report which the owners believe were caused by contaminated Chinese drywall used in the construction of their home.

The home was a 3 bedrooms, 3.5 bathrooms new construction, 3,229 square foot ranch style (Veranda Model), cinder block and stucco home built in 2006 and occupied by the owners on a full time basis on 7-23-2007 in Cape Coral, FL. The owners noticed the sulphur odor upon acceptance of the home from the builder on November 1, 2006.



The home was constructed with metal studs with wood studs for framing doors and windows, and wooden roof trusses. The home was all electric with central air conditioning. The home had tile throughout and had undergone no renovations or changes since it was built.



Photograph of the metal studs and wood rafters.



Photograph of the interior of the home with tile floors.

The family immediately noticed an odd sulphur or sour paint smell when they moved into the home. They believed it was "new home odor" and thought it would eventually dissipate. The owners were in excellent health prior to moving into the home and began experiencing adverse health conditions after about three months of living in the home. They had become somewhat accustomed to the odor of the home however guests would immediately remark about the odd sulphur smell of the home. The odor seemed stronger in the master bedroom half bath and by the front door and the odor in the garage of the home was the most severe. When the air conditioner was broken and it was humid the odors in the home were at their strongest.

The male owner began having daily nose bleeds in the morning and a constant raspy throat and burning eyes. The wife was experiencing severe dry eyes at night along with burning eyes which she was treating with over the counter

---

medications. She recently began having problems with the nerves in her legs fluttering and waking her up at night. Both owners had to see their physician for skin surgery melanomas that they had had minimal problems with prior to moving into the home. No medical records were provided.

Their son had not been experiencing any ill effects however in December of 2008 he developed an upper respiratory infection. His physician did unspecified tests to rule out mononucleosis and pneumonia. He was lethargic and none of the medications seemed to help and he was bed ridden for seven days. He finally and slowly recovered but the physician was unable to determine the source of his illness.

The home owners could not determine if the 96 year old mother was having any health effects.

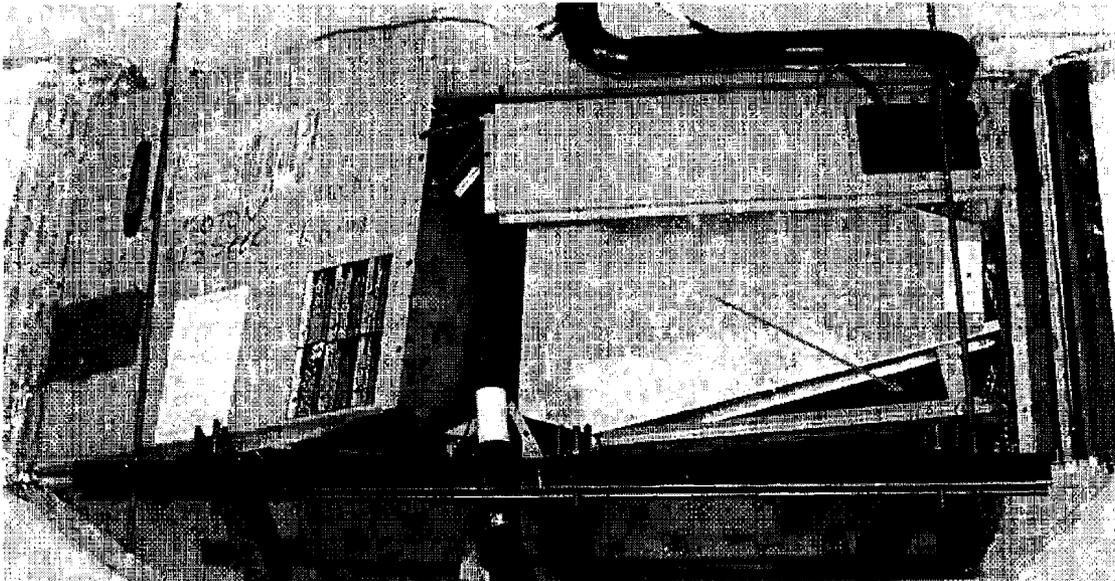
The family believed that their nose bleeds were less frequent when they were away from the home and the skin itch seemed to abate. Their physician told the family that the home was aggravating any respiratory symptoms they might have.

The family pet cat did not seem to be experiencing any health effects from the home.

The home had numerous electrical and air conditioning problems. The computer had the mother board replaced three times. Technicians had been to their home 10-12 times to conduct various repairs on the computer. The X-Box had been repaired three times and the manufacturer finally replaced the unit as it could not be repaired on the third time it was sent in for repairs. The 52 inch Samsung 1080 LCD television which was only one year old had pixels burned into the screen and it would take 10 minutes to turn on. On startup it would automatically turn off and on four times before it would actually stay on for viewing. The A/C thermostat was replaced on 7-19-2007. The refrigerator in the garage was now freezing up and beginning to fail. Light bulbs in the home have to be replaced much more frequently than normal.

An electrical switch in the bedroom stopped working. On six occasions all of the lights in the entire house would flicker. On one occasion the owner checked with the power company for problems in the neighborhood and they stated there had been none. The transformer to the home only supplies electricity to their home and one other and it had been recently replaced. His clocks had reset but his neighbor's home had had no electrical interruptions. The power lines and power poles had been replaced prior to the electrical problems and the homeowner felt that any conditions contributing to the electrical problems had been mitigated on the supply side by the electrical provider.

The home's air conditioner had been serviced 15 times between July 2007 and December 2008. The A/C coils had been replaced four times, the first time on 10-18-2007. The fourth set was replaced in December of 2008 and the current set of coils have a special orange coating and appear to be doing fine, but an orange colored water is seen in the condensate pipe and so is probably being corroded/dissolved by the home's air circulation but has been slowed by the coating. No repair receipts were provided.



Photograph of the home's air conditioner. The orange on the evaporator coils is a coating intended to prevent corrosion.

The homeowner has kept a time line log of all the problems, firms and individuals he has contacted or encountered with the home. A copy of the time line log is included in the exhibits.

On an unspecified date the home owners notified the builder of a Florida Chapter 558 defect to their home as required by Florida law. The builder's attorney wrote the home owner's attorney a letter indicating that "the builder has made several inspections of the premises and cannot conclude that there are any construction defects that need a response." The family had no reports or correspondence from the builder supporting this conclusion. A copy of the Chapter 558 defect Notice of Claim is included in the exhibits.

The letter also stated, "I also note that with respect to the drywall the "Drywall Supplier" offered to deal with your client's claim and your client specifically rejected this offer and insists that the builder who is not the supplier of the material, is responsible for the drywall." The home owners adamantly stated that they have received no offer of remediation or compensation from the "Drywall

Supplier.” In fact they have insisted to the builder that they had a contract with the builder for construction of the home and not with the supplier of the drywall. And any remediation to be conducted should be through the builder.

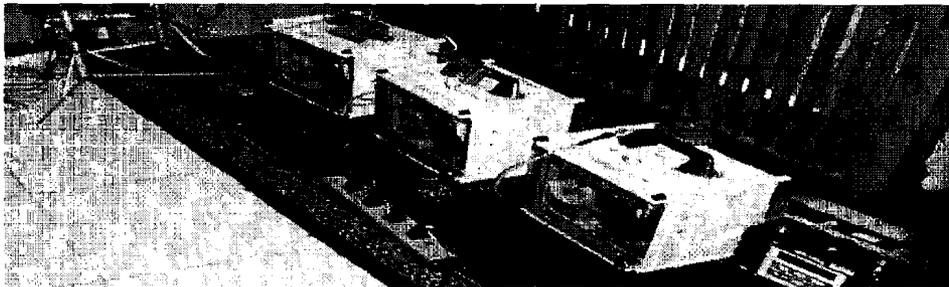
The Builder and the Drywall Supplier inspected the home on 10-27-2008. The builder told the owners at that time, that they claimed the home owners were the first to bring this problem with Chinese Drywall to their attention. They claimed to have never heard of the problem before that visit to the home, however the Drywall Supplier brought a copy of the 2006 Manufacturer’s study where they claimed the drywall did not pose any health hazard. At that time the Drywall Supplier confirmed that the drywall in the home was made in China by the manufacturer listed at the end of this report.

The family has contacted several outside agencies regarding the problems being caused by the Chinese Drywall in their home including the EPA, Florida Department of Health, Lee County Health Dept. etc. Please see the list in the exhibits on contacts.

An employee of the manufacturer of the A/C told the home owners that they had discovered that drywall imported from China and installed in certain homes had elevated levels of sulphur which was corroding the copper, turning it black and the chemical reaction continues until a pin hole leak is formed in the coils.

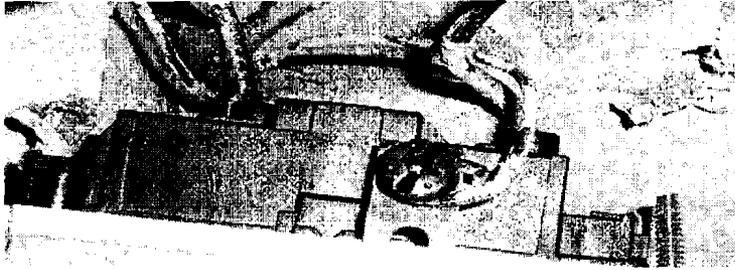
On 5-21-2009 the homeowner testified at a Congressional hearing before the Senate Committee on Commerce, Science and Transportation (Subcommittee on Consumer Protection, Product Safety and Insurance) in Washington, D.C.

On 6-04-2009 the EPA conducted various unspecified air quality testing at the consumer’s home. Results had not been released at the time of this report.



Photograph of the EPA’s testing equipment.

Two electrical outlets were removed from the wall which showed moderate blackening/corrosion on the ground wire.



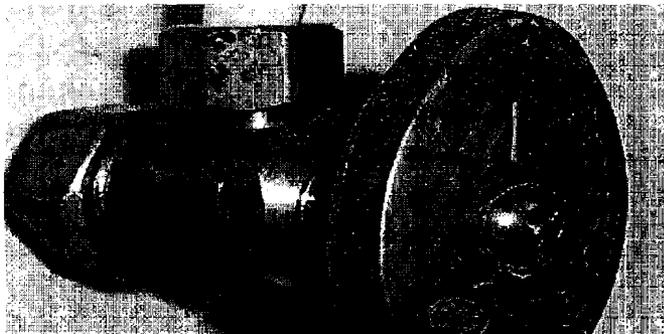
Photograph showing moderate blackening of the copper ground wire.

Some of the chrome bathroom fixtures show mild pitting and corrosion while others did not.



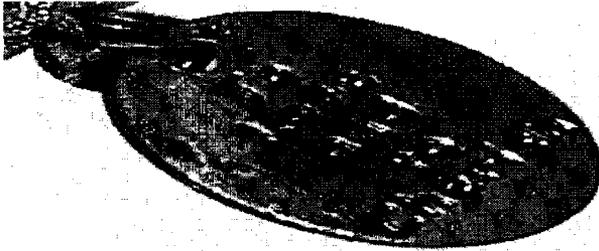
Photograph of mild corrosion on one of the bathroom fixtures.

The brass water cut offs to the bathrooms, kitchen and hot water heater had turned an odd golden-bronze color.



Photograph of a sink water cutoff.

Silver jewelry tarnished quickly to a dark black color.



Photograph of a silver medallion which had turned dark black.

The bicycles which the family had purchased in December of 2008 were showing severe corrosion/pitting on the surface of the chrome fenders.



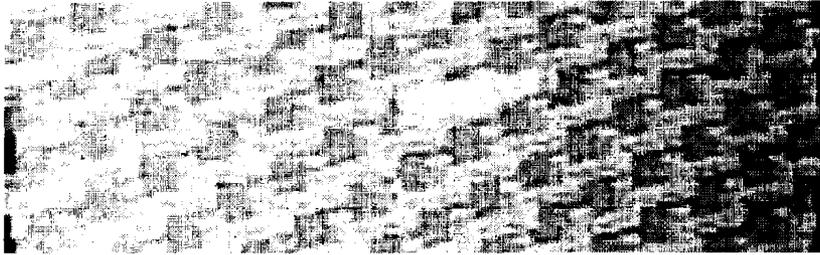
Photograph of the bicycle's rear fender.

The family has organized a community meeting for the victims of this particular builder to be held 7-27-2009 at the Cape Coral Regional Library in Cape Coral, FL. The flyer for the event is included in the exhibits. The family is very annoyed with the builder because they have refused to accept responsibility and admit that there is a problem with corrosion in the home due to the Chinese drywall.

The family had photographs of the ongoing construction of the home. Photographs of the drywall edge labeling could not be enlarged sufficiently to read the printing however when compared to known product labeling they appear identical.



Exemplar photograph of known product labeling from another location.



Photograph of a stack of drywall used during construction of the complainant's home.

The family continues to work with others to attempt to convince the builder to remedy the problematic drywall. They do not have the funds to move out of the home and hope to eventually get the builder to remedy the problem.

The family had an engineering consultant come to the home on 2-12-2009. The family did not pay for an inspection and report and the engineer said he had not produced a report making any specific conclusions from his examination of the home. The family stated that he had used an infrared camera to view the circuit breakers for the home and that the breakers for the bedrooms were hotter than other breakers. The engineer indicated that he could not conclude that there had been a problem as he believed that the type of breakers to the bedrooms might run hotter than a normal breaker under normal usage.

The builder indicated the attorney for Drywall Supplier which is listed at the end of this report.

The family indicated their permission to release their name to the manufacturer and the general public. Please see the release of name form in the exhibits. The family is no longer using the attorney listed on various documents. The male complainant stated that one of the most stressing items in the home is that one of the appliances will fail and cause a fire. Because the smoke detectors could also fail they may not sound during a fire and he would often have nightmares believing the home was on fire and awake very startled and disturbed. The smoke detectors are interconnected and he has not had any false alarms or beeping up to the date of this investigation. A sample of the smoke detector from the home was collected for possible review by the CPSC and was submitted as SCR 09-810-7074.

**Product Information:**

**Product: Chinese Drywall  
Knauf of Tianjin, China**

According to the complainant the legal representative contact for Knauf is:  
Douglas B. Sanders  
Baker & McKenzie, LLP

---

One Presidential Plaza  
130 E. Randolph Dr.  
Chicago, IL 60601  
T: 312/861-8075  
F: 312/698-2375  
E: [douglas.b.sanders@bakernet.com](mailto:douglas.b.sanders@bakernet.com)

Contact Information from the web site:  
US Headquarters  
Knauf Insulation  
One Knauf Drive  
Shelbyville, IN 46176  
TEL: 317-398-4434  
FAX: 317-398-3675  
Questions or Information Requests  
E-mail: [info.us@KnaufInsulation.com](mailto:info.us@KnaufInsulation.com)  
Media Contact  
Stacey Lee  
MARC USA/Indianapolis Public Relations  
E-mail: [slee@marcindy.com](mailto:slee@marcindy.com)

**Builder:**

**Aranda Homes**

John Conti, Owner/President  
Corporate Office  
1310 SW 4th Terrace  
Cape Coral, FL 33991  
Phone: 239-573-2611  
Fax: 239-573-4611

**Drywall Subcontractor:  
Unknown**

**Drywall Supplier:**

**Banner Supply**

7195 N.W. 30th Street  
Miami, FL 33122 U.S.A.  
Contact Us  
Toll Free: 888-511-4004  
Telephone: 305-593-2946  
FAX: 305-477-2775  
Their Attorney:  
Greg Victor  
Hanover Insurance Co.  
305-460-1000

**Attachments:**

- Exhibit #1       Contacts
- Exhibit #2       Photographs of the home (27)
- Exhibit #3       Internet information on the Builder
- Exhibit #4       Internet information on the Drywall Supplier
- Exhibit #5       Release of name form
- Exhibit #6       Time line and contacts by the complainant
- Exhibit #7       Letter from the builder to consumer
- Exhibit #8       SCR 09-810-7074, Receipt for Sample, Purchase replacement  
invoice from consumer and photographs of smoke detector (w)
- Exhibit #9       EPA Report
- Exhibit #10      Public Meeting Notice
- Exhibit #11      Legal notice letter of defect to the builder
- Exhibit #12      Email from the Drywall supplier indicating the legal  
representative for the Drywall Manufacturer
- Exhibit #13      Contact information for the Drywall Manufacturer

**Contacts:**

7-09-2009

Richard and Patricia Kampf  
233 SE 44<sup>th</sup> Terrace  
Cape Coral, FL 33904  
239-233-2168  
[Sealsle7109@comcast.net](mailto:Sealsle7109@comcast.net)

7-10-2009

Zdenek Hejzlar PhD CSP  
Engineering Systems Inc.  
12750 Commonwealth Dr  
Fort Myers Fl. 33913  
Phone 239-482 0500 Mobile 239-898 8106  
Fax 239- 482 2941

6-29-2009

David Krause, Ph.D., MSPH, CIH  
State Toxicologist  
Tel: (850) 245-4115, sc 205-4115  
Cell: (850) 491-8397

6-29-2009

Jim Love  
Lee County Environmental Health Director  
Phone (239) 690-2103  
Mobile (239) 349-0276  
Email: [James\\_Love@doh.state.fl.us](mailto:James_Love@doh.state.fl.us)

**Consumer Contacts:**

Here is the Knauf representative information:

Douglas B. Sanders  
Baker & McKenzie, LLP  
One Presedential Plaza  
130 E. Randolph Dr.  
Chicago, IL 60601  
T: 312/861-8075  
F: 312/698-2375  
E: [douglas.b.sanders@bakernet.com](mailto:douglas.b.sanders@bakernet.com)

11-06-2008  
Greg Victor  
Hanover Insurance  
T: 305/460-1000  
E: [gav@adorno.com](mailto:gav@adorno.com)

(b)(3):CPSA Section 6(b)

10-24-2008  
AMRC Environmental  
Ft. Myers, FL

10-24-2008  
Aranda Homes  
10-27-2008

Aranda Homes inspect the complainant's home by Mr. David Harp  
1-21-2009  
John Conti of Aranda Homes, Letter written regarding A/C replacements

10-27-2008  
Lee County Health Dept  
690-2100  
Jim Love

10-27-2008  
Paul speak  
239-574-0609  
City of Cape Coral, FL  
Chief Plumbing and AC Inspector

10-27-2008  
Keith Prusak  
Banner Supply Co.  
Inspected and confirmed home had Knauf drywall from China in their home.

10-28-2008  
Copper Development Institute  
Harold Moret  
706-658-0067  
Contacted to ask about the effects of Chinese drywall on copper.

11-13-2008  
Bob Kollatte

1-12-2009  
Clark Eldridge  
Florida Dept of Health  
Tallahassee, FL

1-29-2009  
Onsite visit by Dr. David Krause, Bob Kollatte and Tim Wheeler  
Florida Dept of Health

2-12-2009 Engineer conducts an unpaid, no report review of the home at no cost to consumer.  
Zdenek Hejzlar PhD CSP  
Engineering Systems Inc.  
12750 Commonwealth Dr  
Fort Myers Fl. 33913  
Phone 239-482 0500 Mobile 239-898 8106  
Fax 239- 482 2941

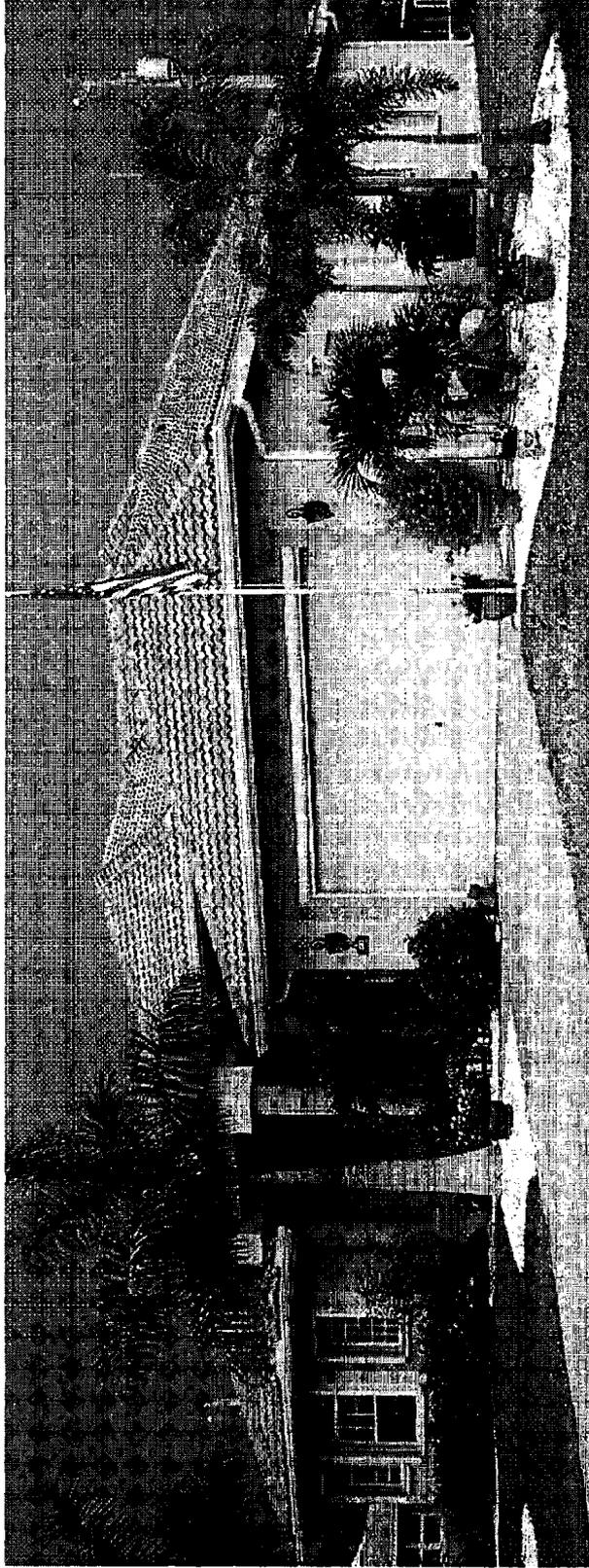
2-17-2009  
Consumer writes letter to:  
Senator Bill Nelson  
Washington, D.C.  
United States Senate  
716 Senate Hart Office Building  
Washington, DC 20510  
Phone: 202-224-5274  
Fax: 202-228-2183

2-19-09  
Writes letter to:  
John McConnell  
City of Cape Coral Building Inspector

2-25-2009  
Writes letter to:  
CPSC offering home for inspection

4-13-2009  
Files a formal complaint with:  
Florida Attorney General

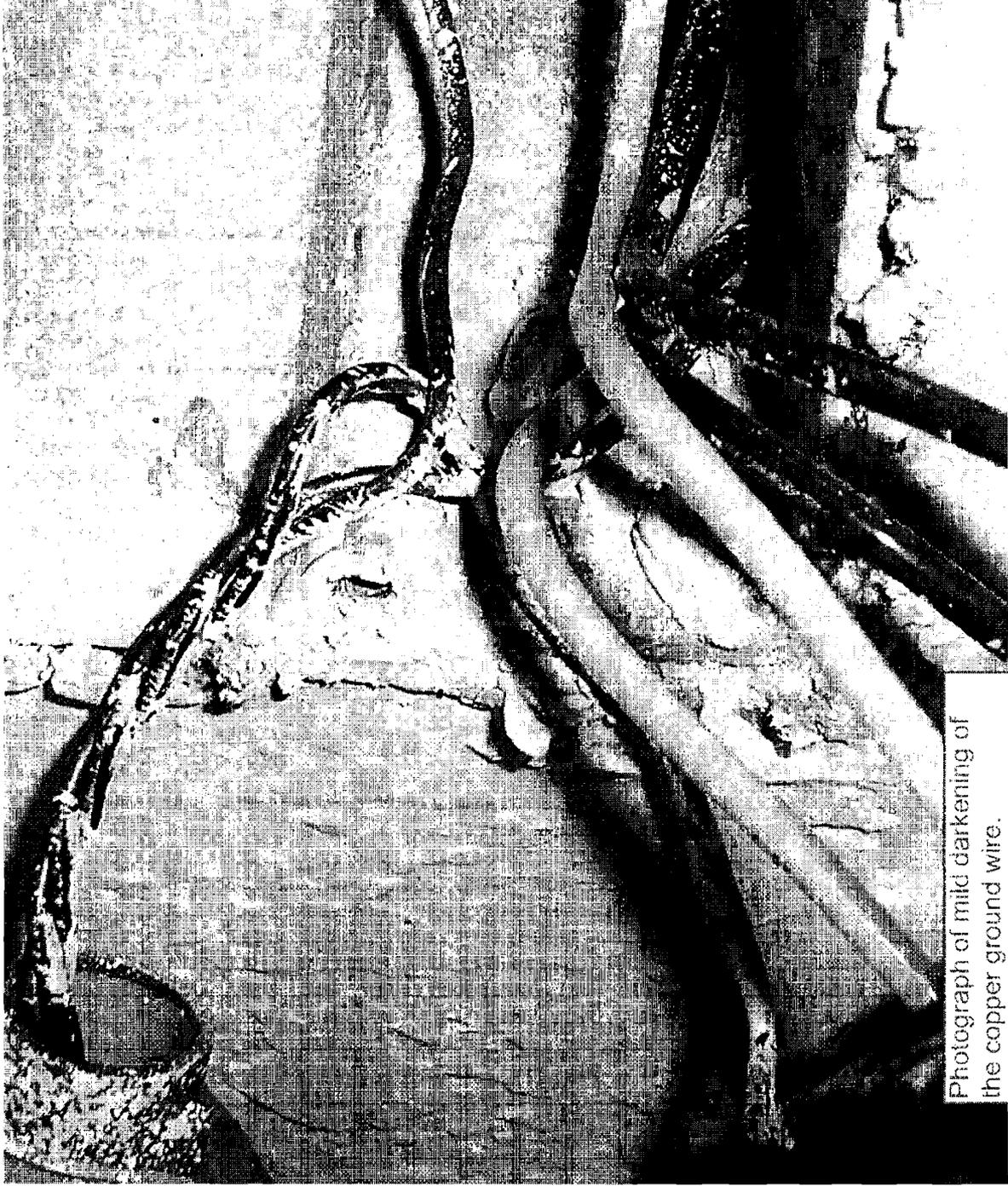
6-04-09  
EPA onsite  
Raj Singhvi  
Alan M. Humphrey



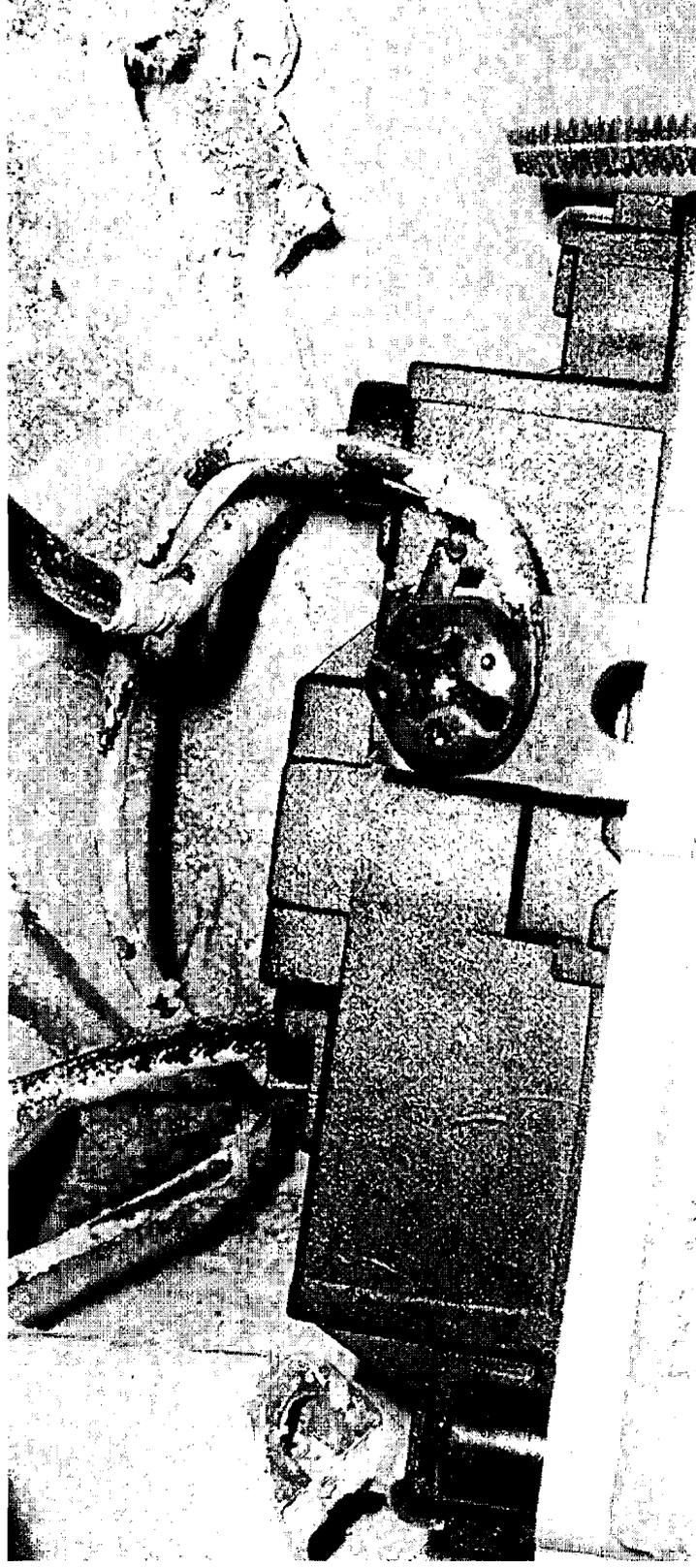
Photograph of the front of  
the home.



Photograph of the interior of the home.

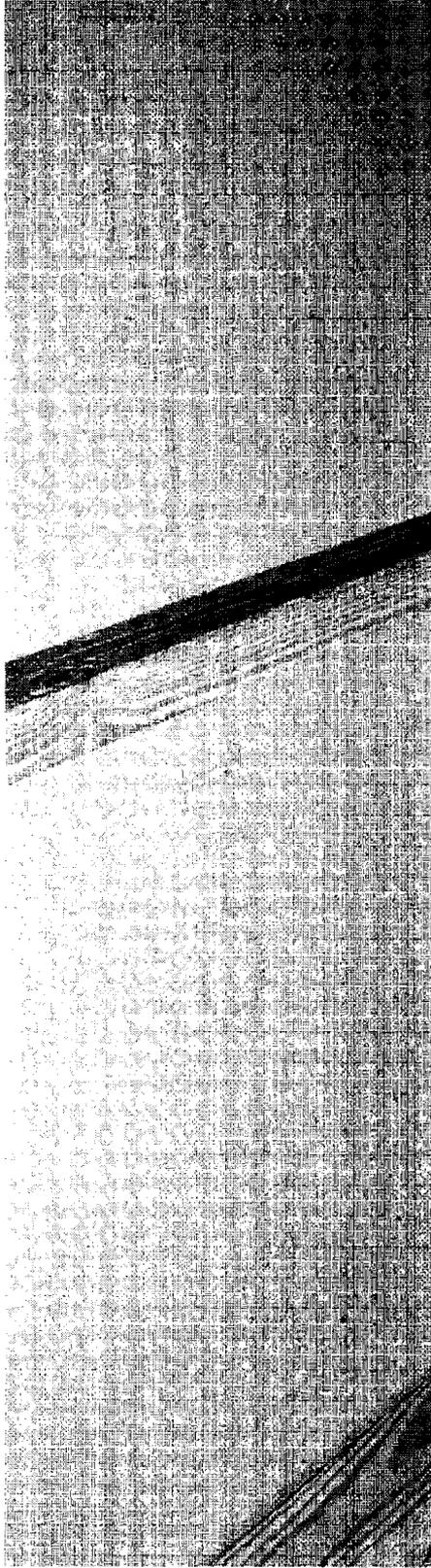


Photograph of mild darkening of the copper ground wire.



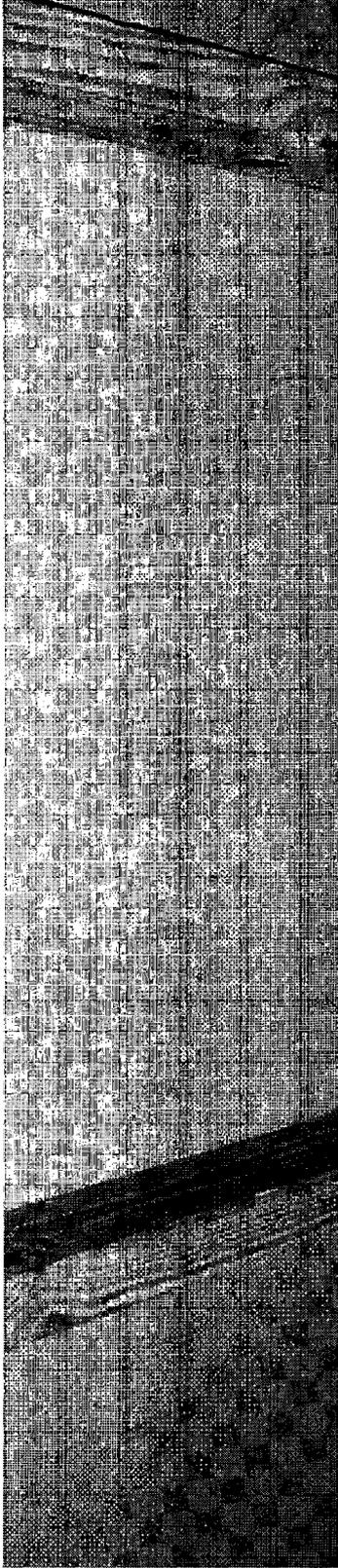
Photograph of moderate darkening on the copper ground wire.

Photograph of labeling on the drywall in the attic of the home.

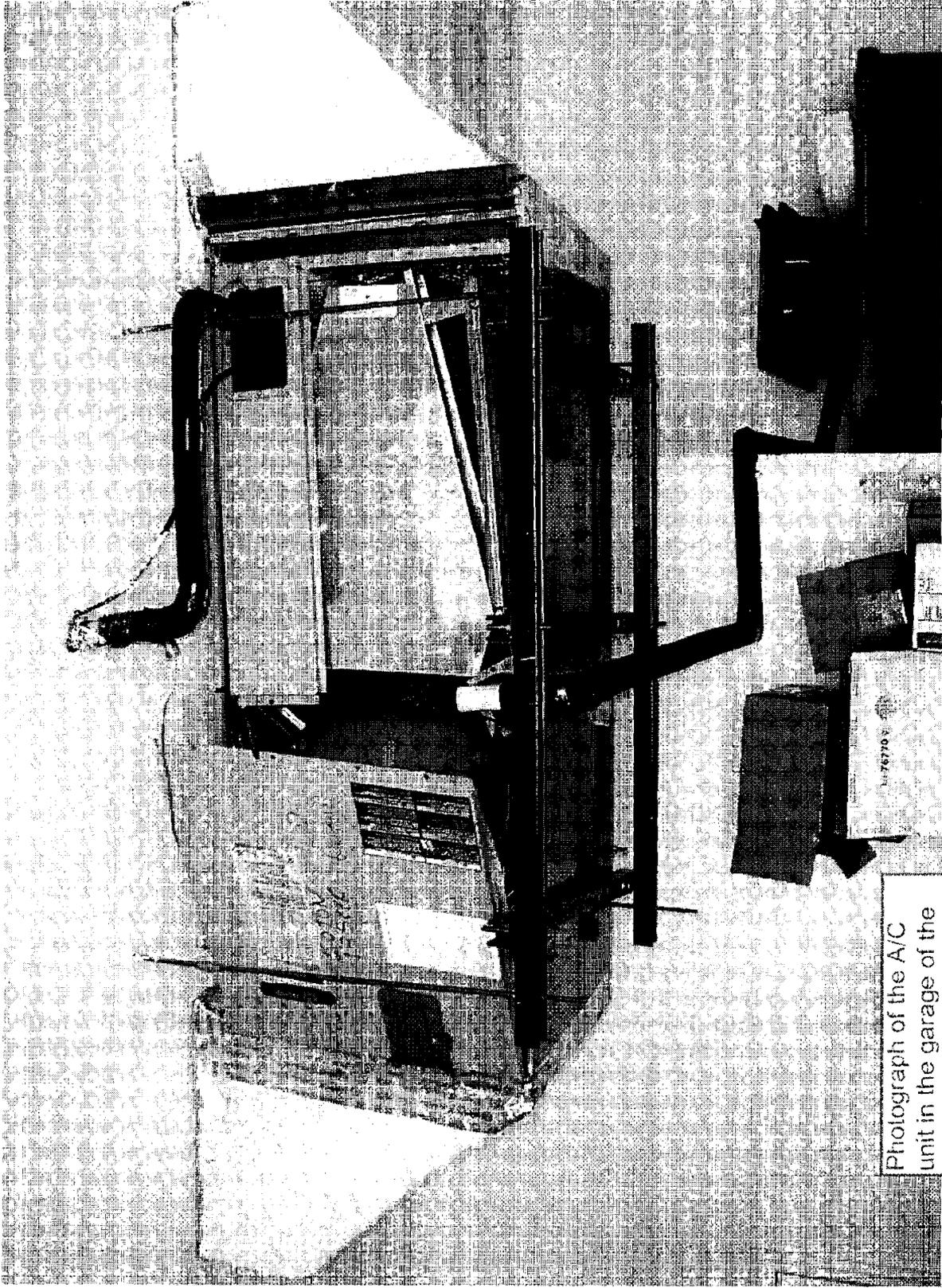


NJIN CHINA -- AST

Photograph of labeling on the  
drywall in the attic of the home.



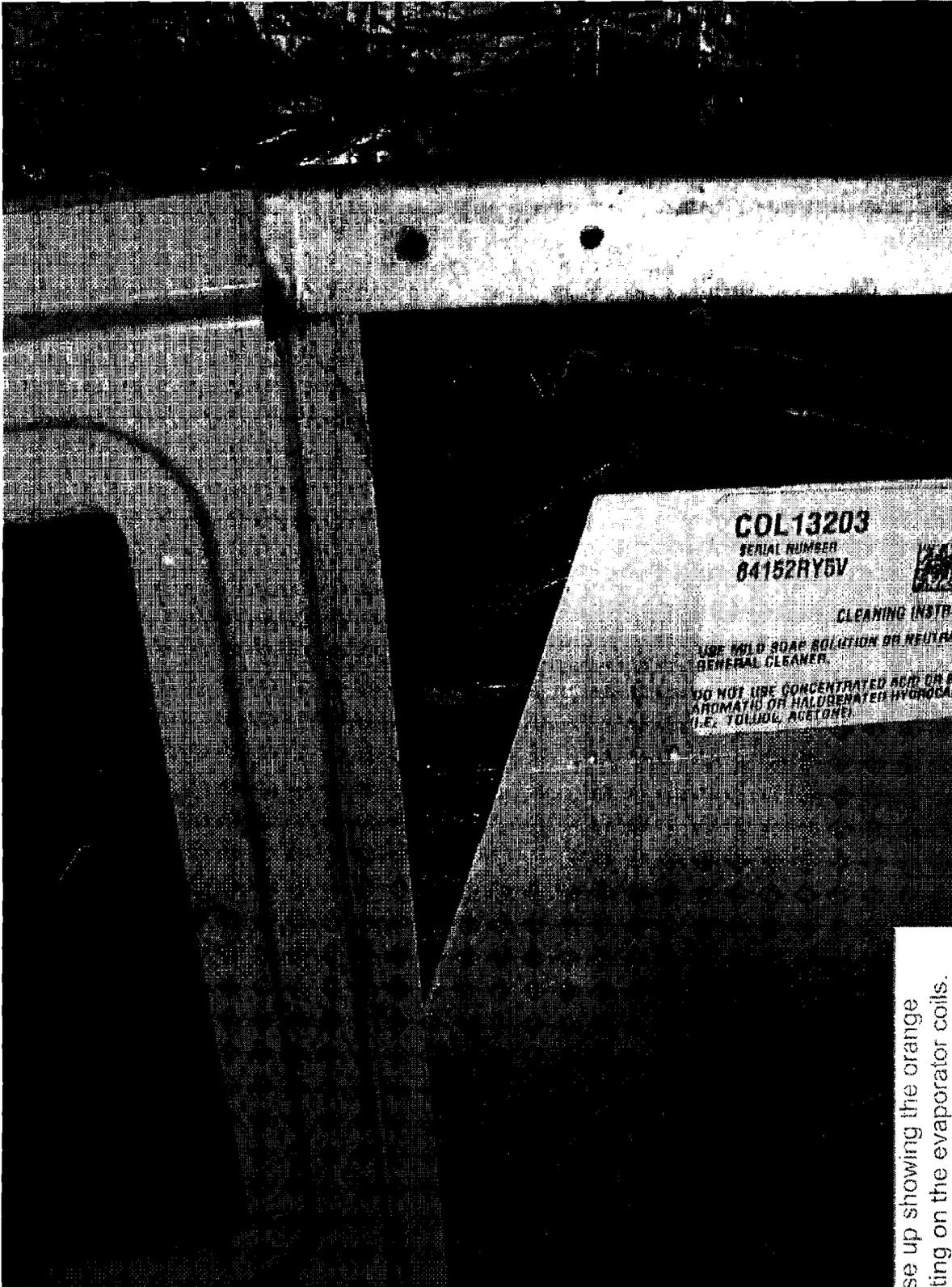
China-ASTM C3



Photograph of the A/C unit in the garage of the home.

(b)(3):CPSA  
Section 6(b)

Close up labeling on the A/C.



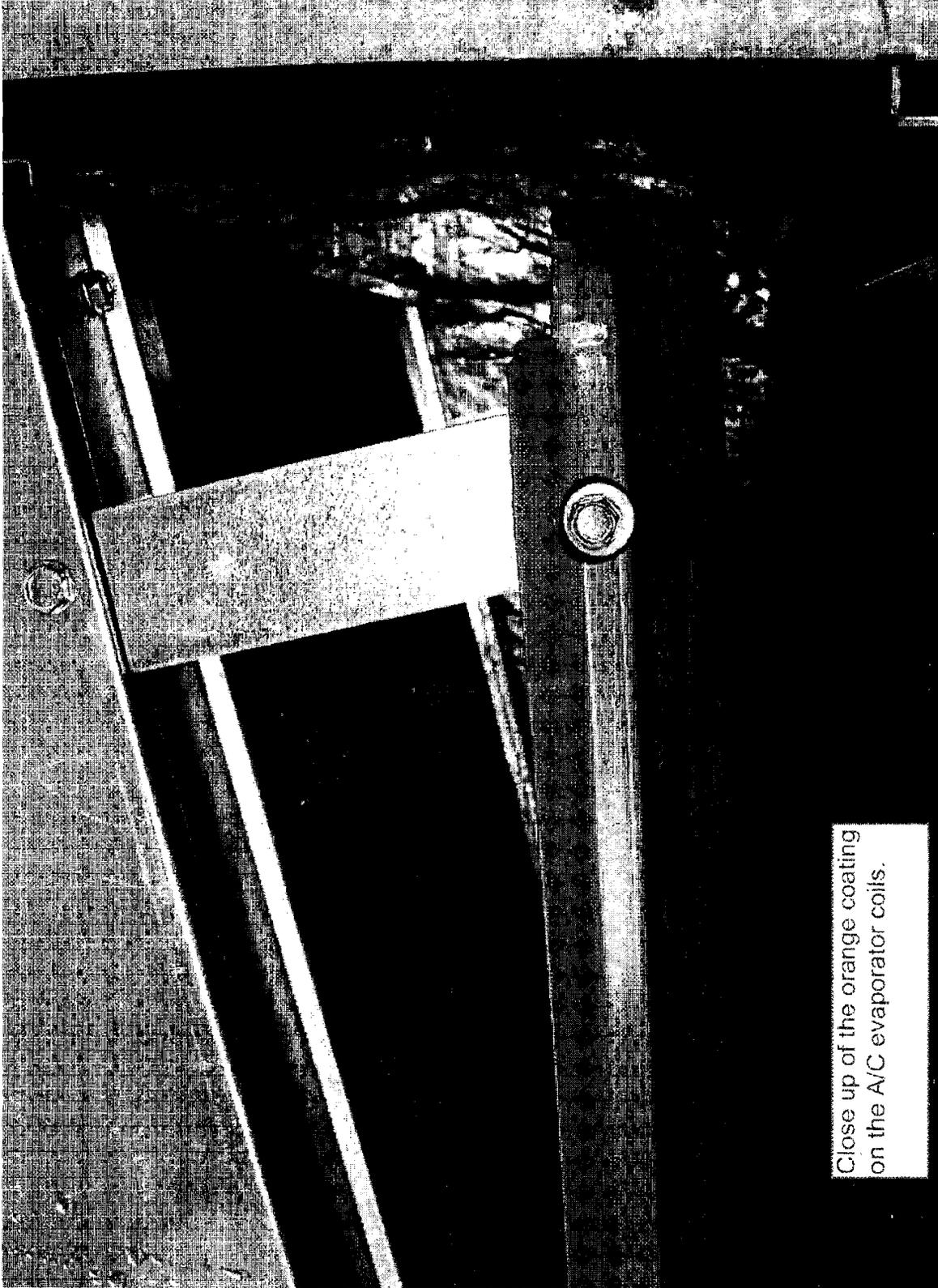
**COL13203**  
SERIAL NUMBER  
**04152RY6V**

**CLEANING INSTRUCTIONS**

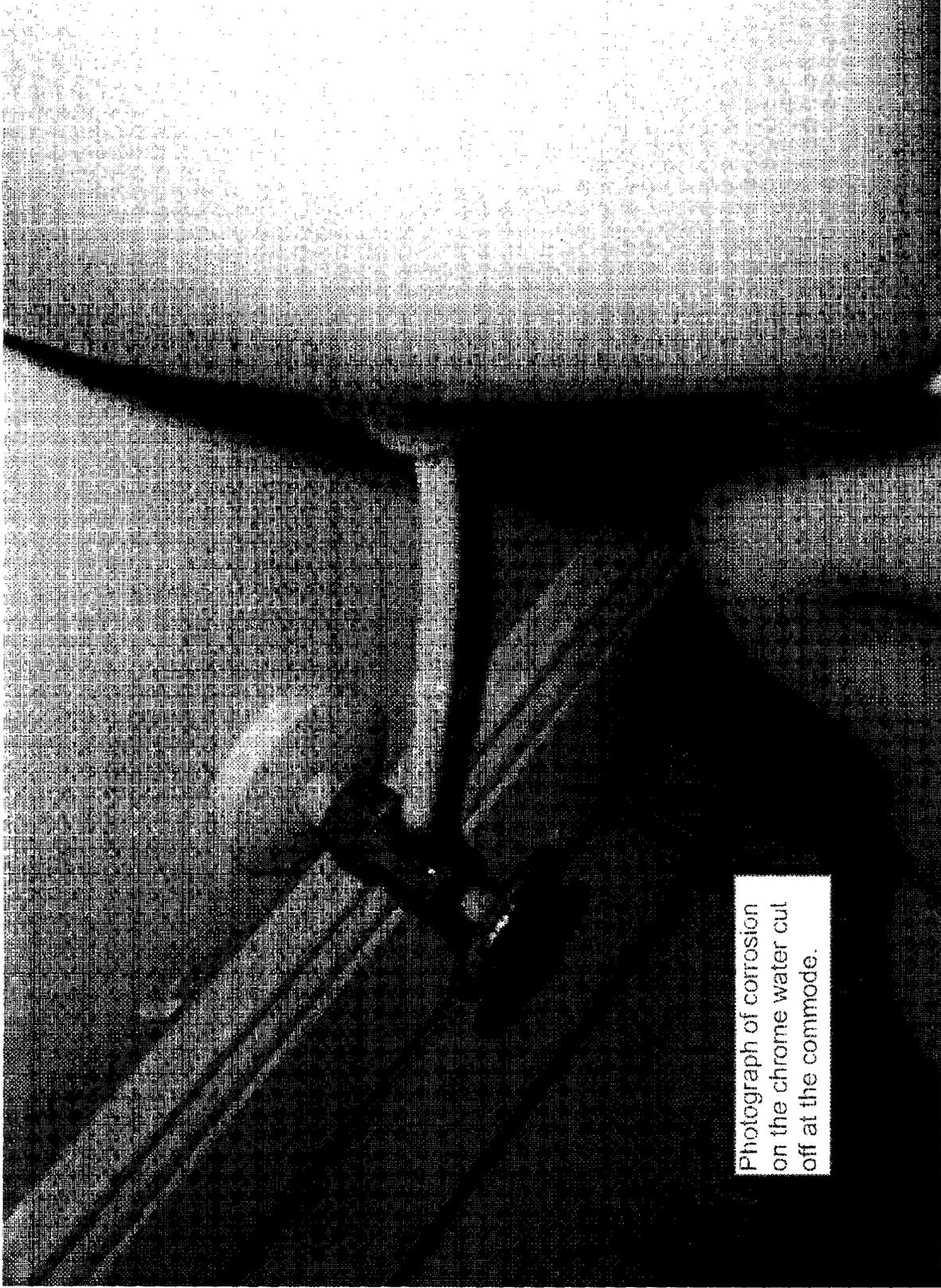
USE MILD SOAP SOLUTION OR NEUTRAL  
GENERAL CLEANER.

DO NOT USE CONCENTRATED ACID OR  
AROMATIC OR HALOGENATED HYDROCARBON  
(I.E. TOLUENE, ACETONE)

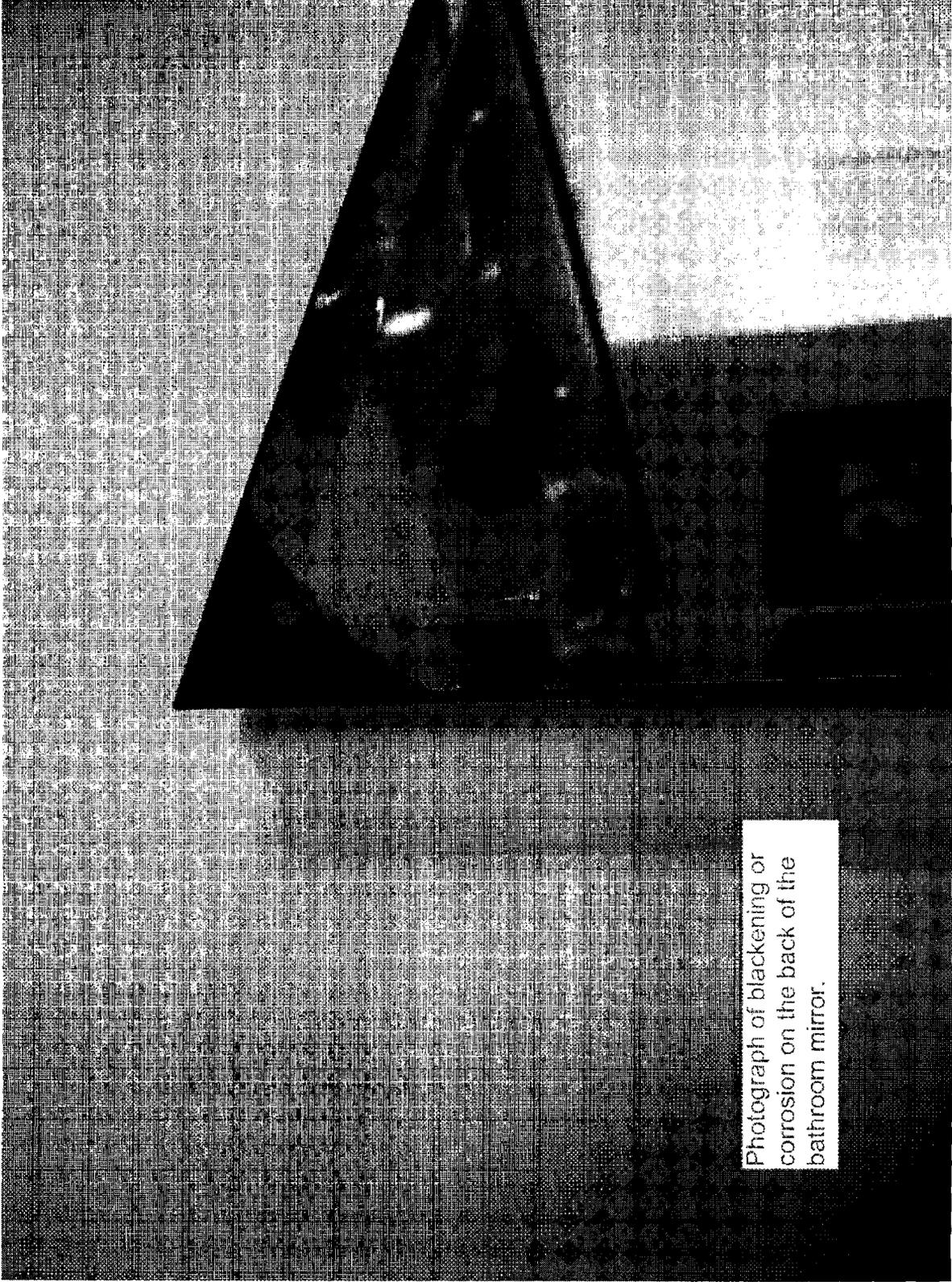
Close up showing the orange  
coating on the evaporator coils.



Close up of the orange coating  
on the A/C evaporator coils.



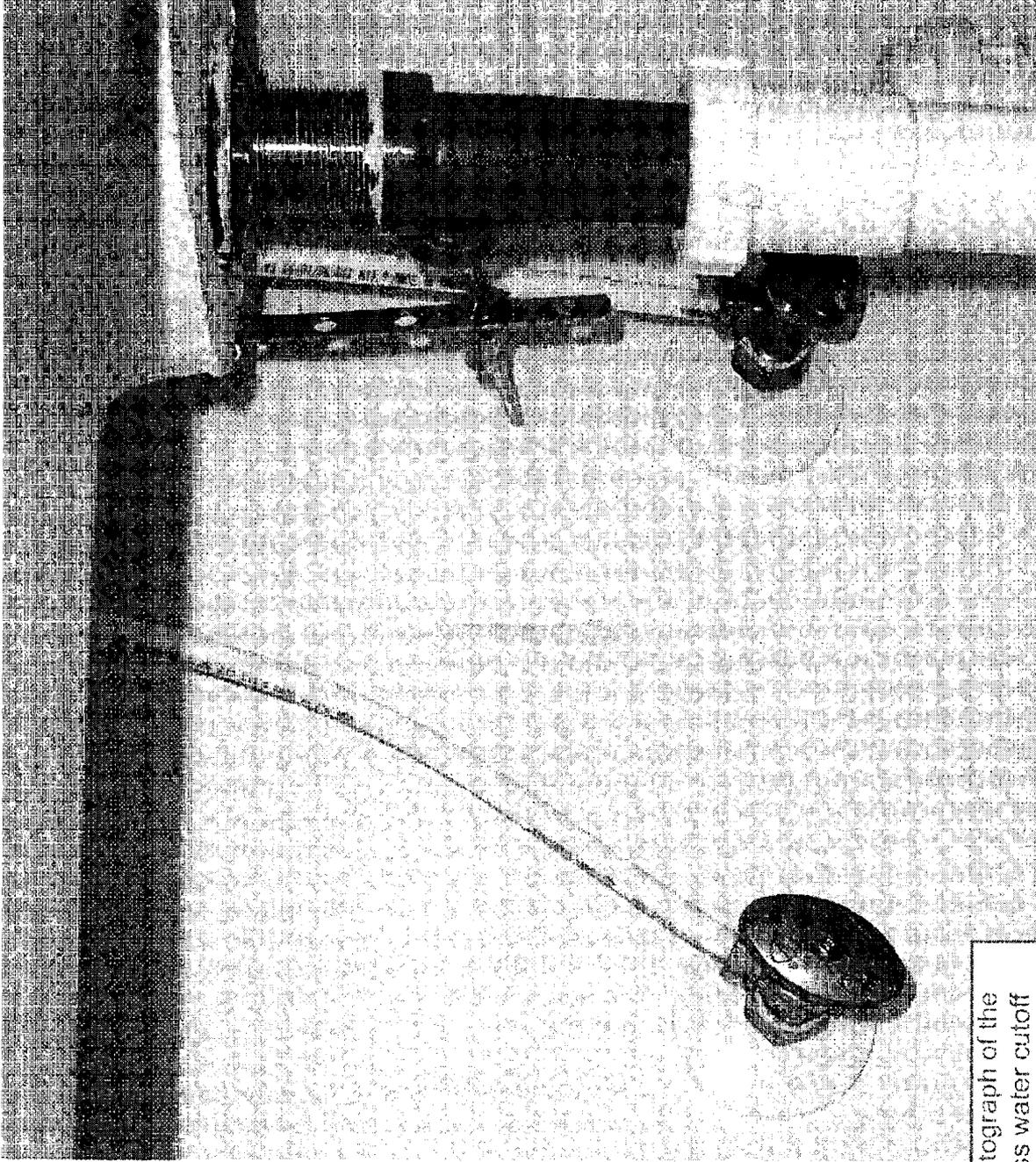
Photograph of corrosion on the chrome water cut off at the commode.



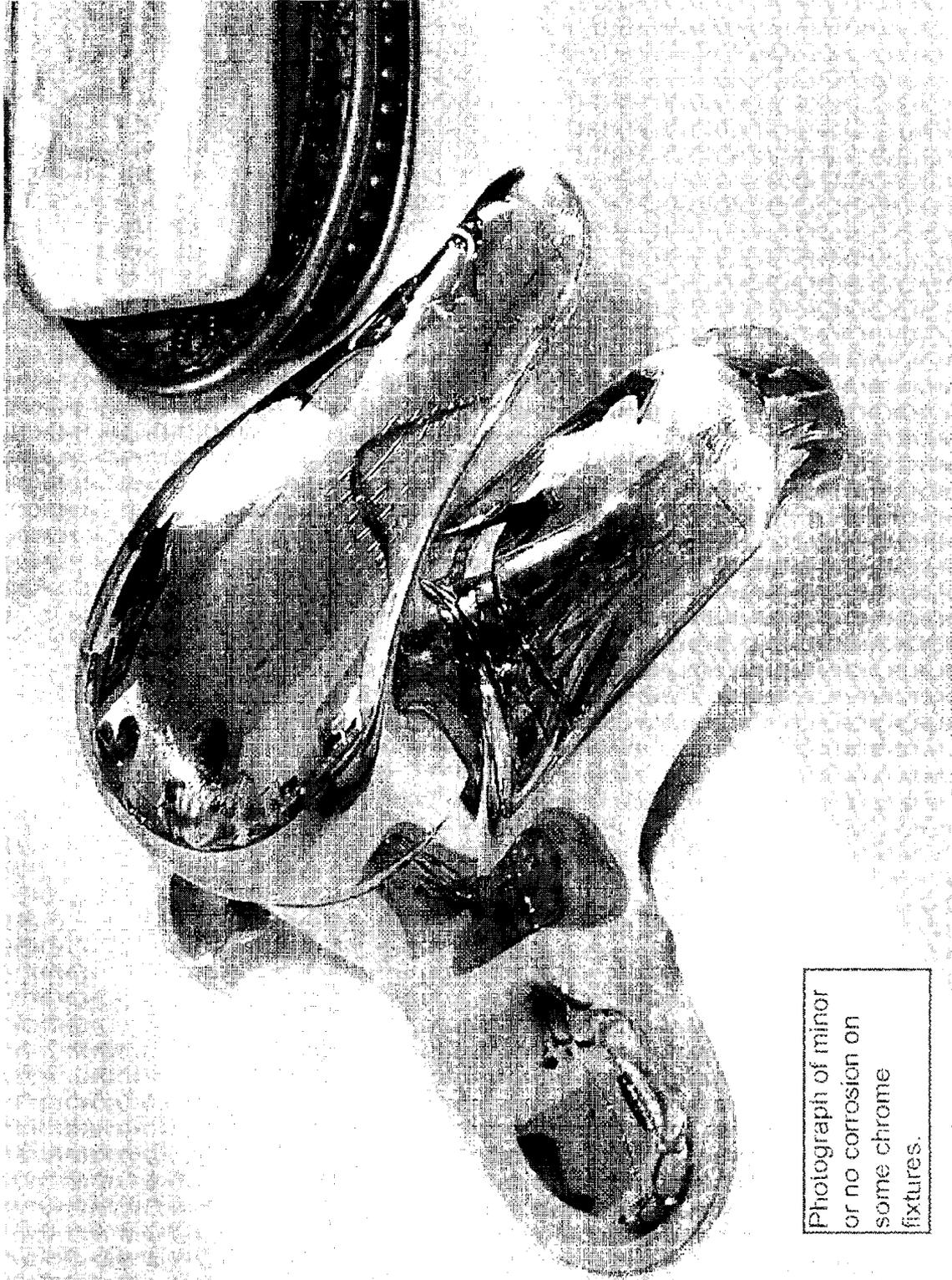
Photograph of blackening or corrosion on the back of the bathroom mirror.



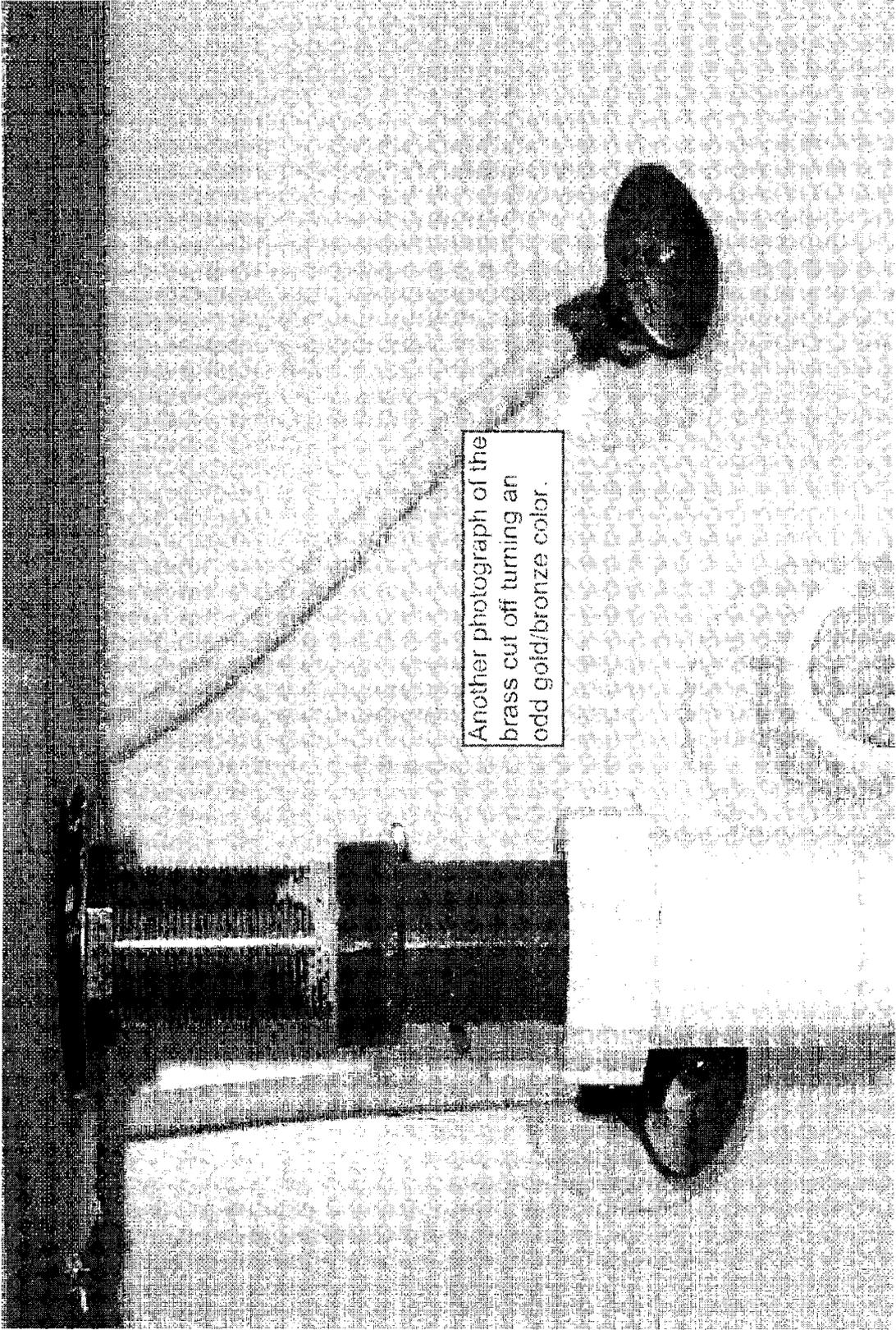
Another photograph of corrosion or darkening at the corner of the bathroom mirror.



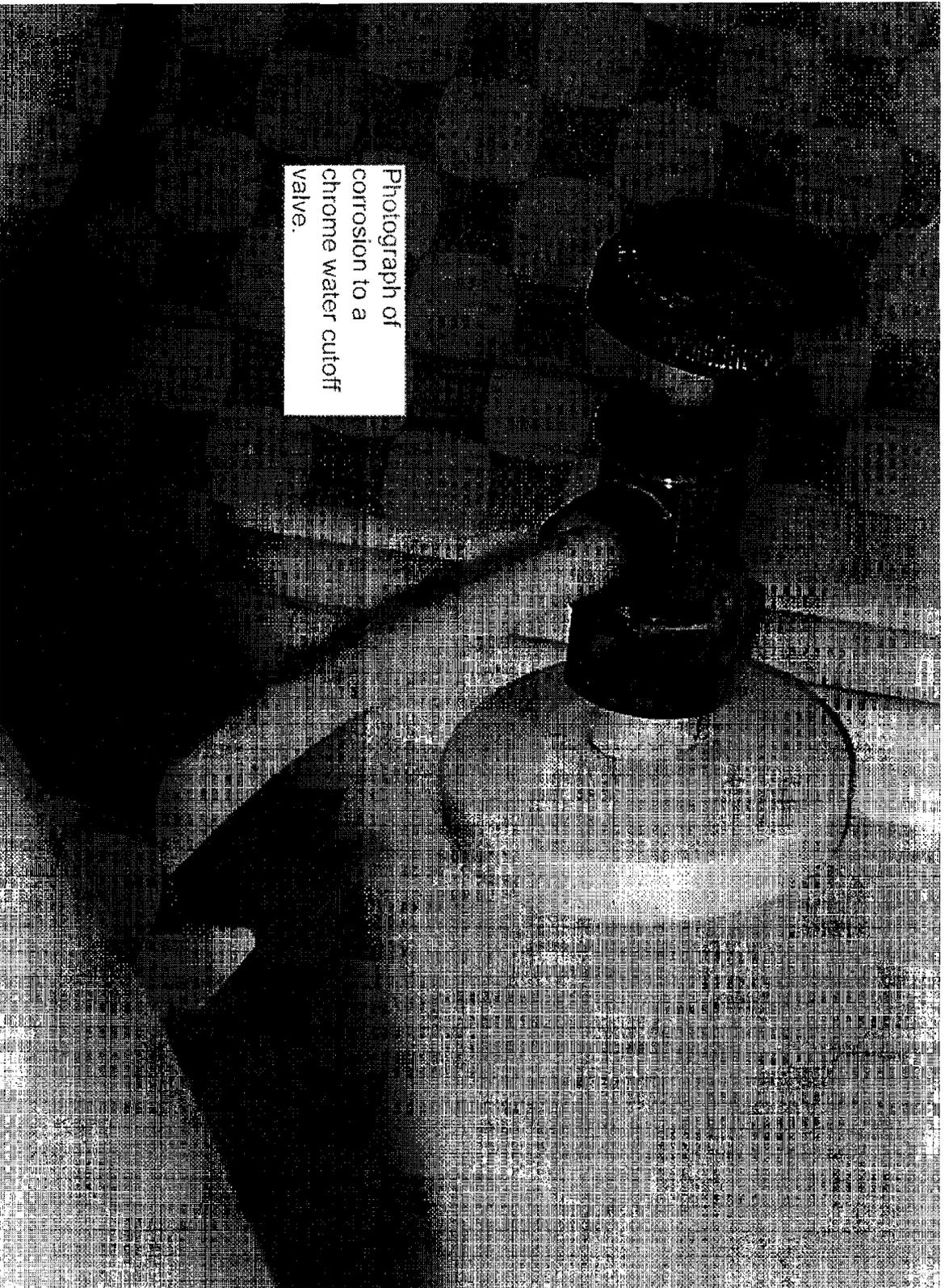
Photograph of the  
brass water cutoff  
turning an odd gold/  
bronze color.



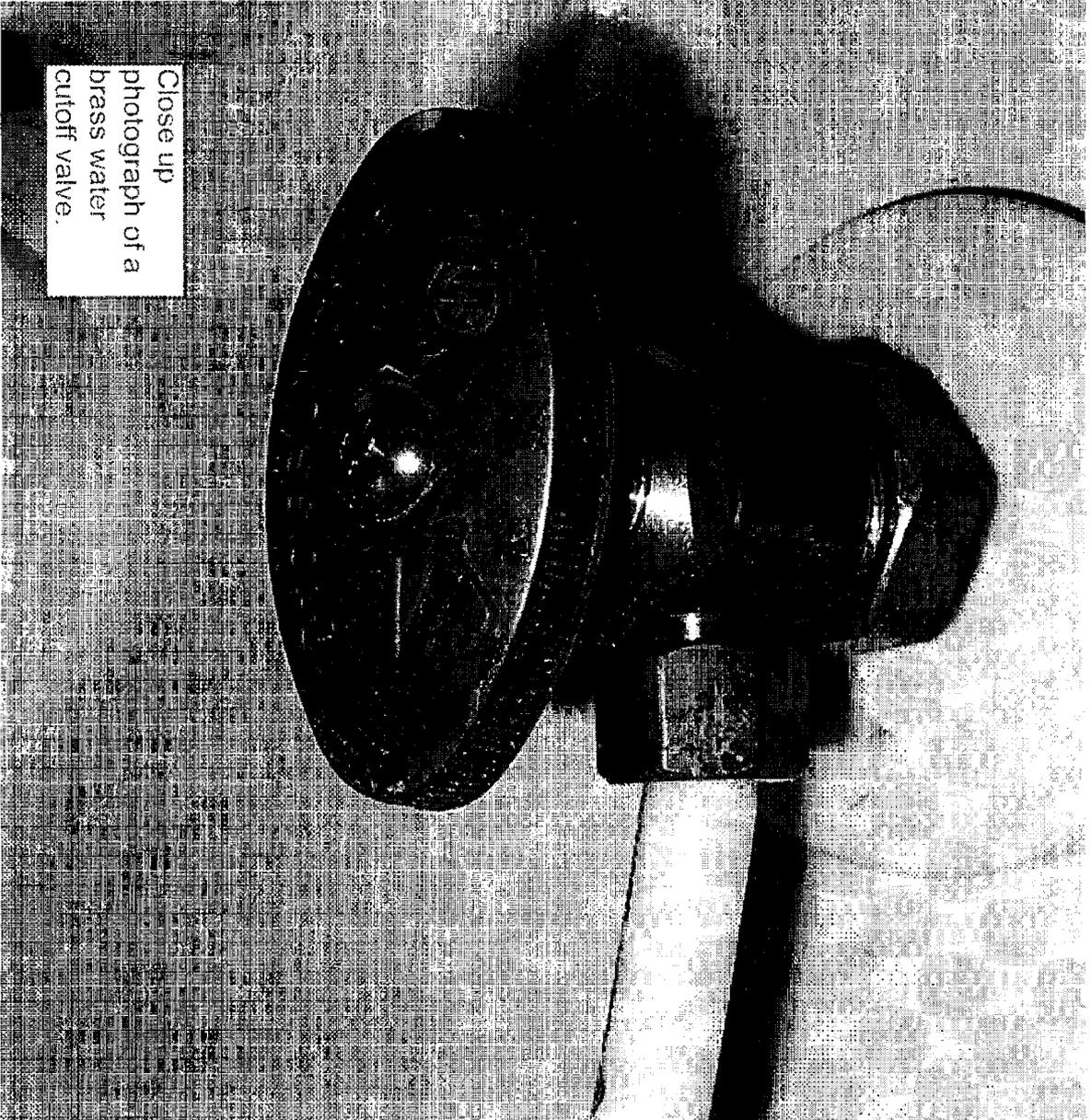
Photograph of minor  
or no corrosion on  
some chrome  
fixtures.



Another photograph of the  
brass cut off turning an  
odd gold/bronze color.



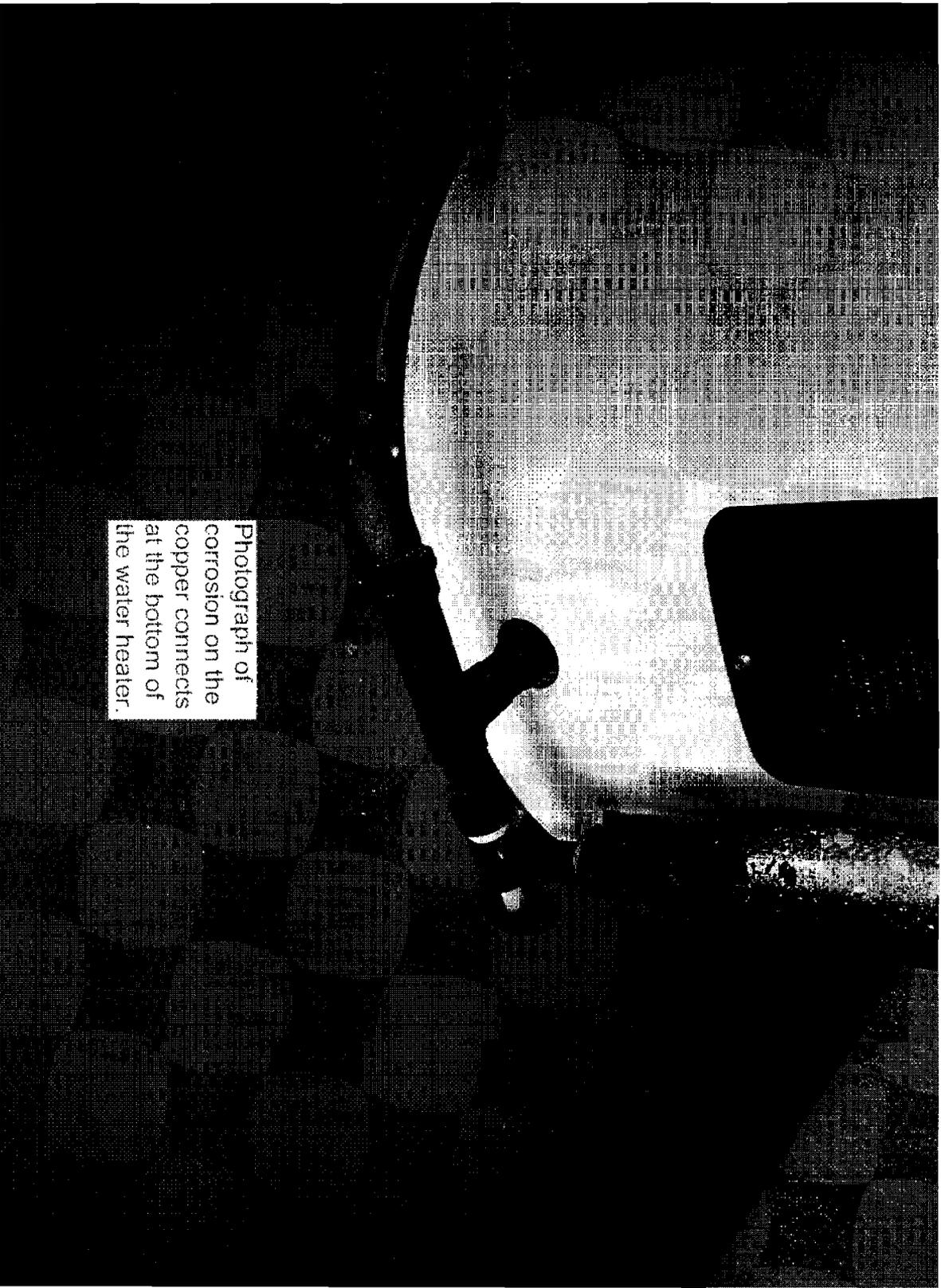
Photograph of  
corrosion to a  
chrome water cutoff  
valve.



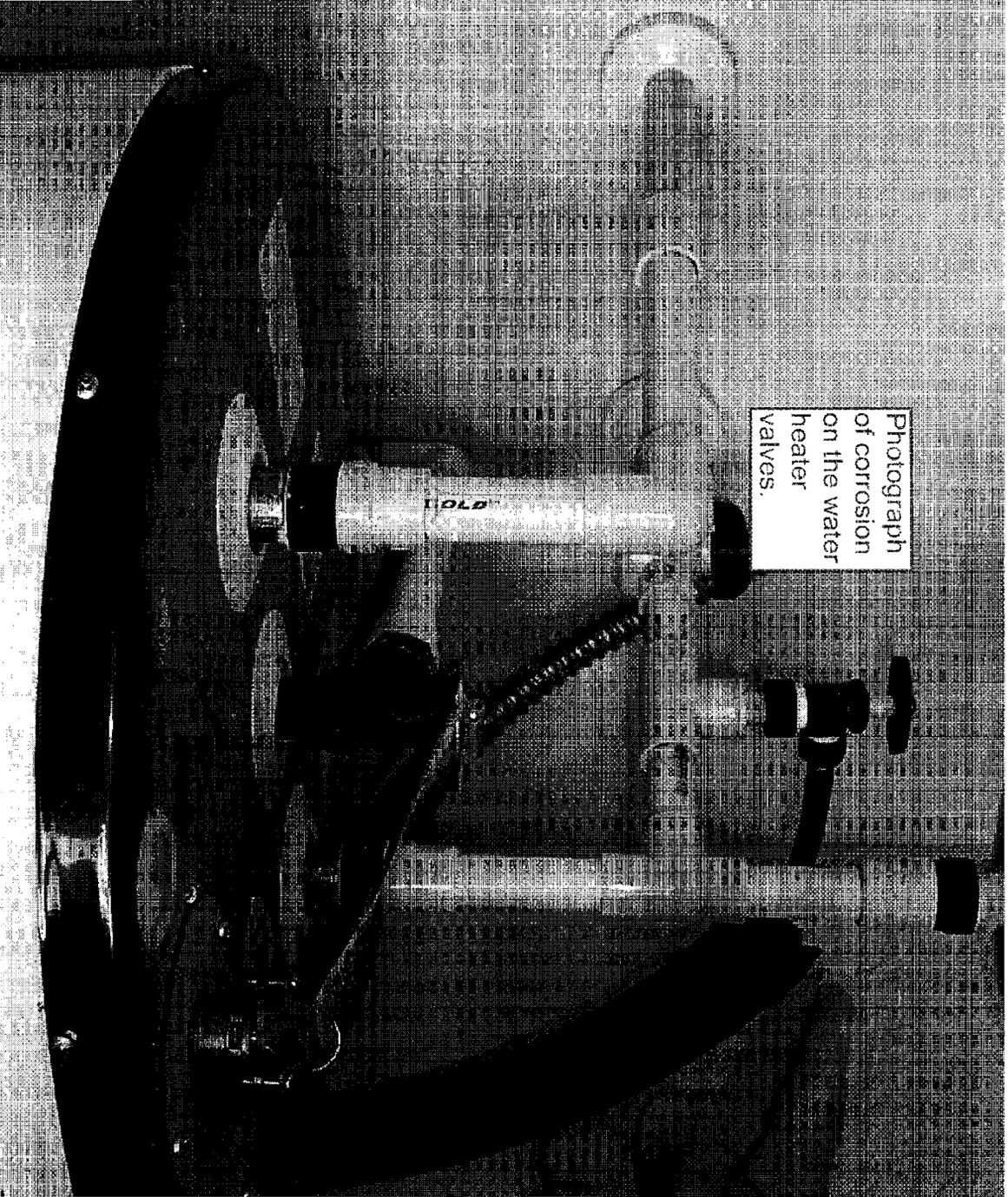
Close up  
photograph of a  
brass water  
cutoff valve.

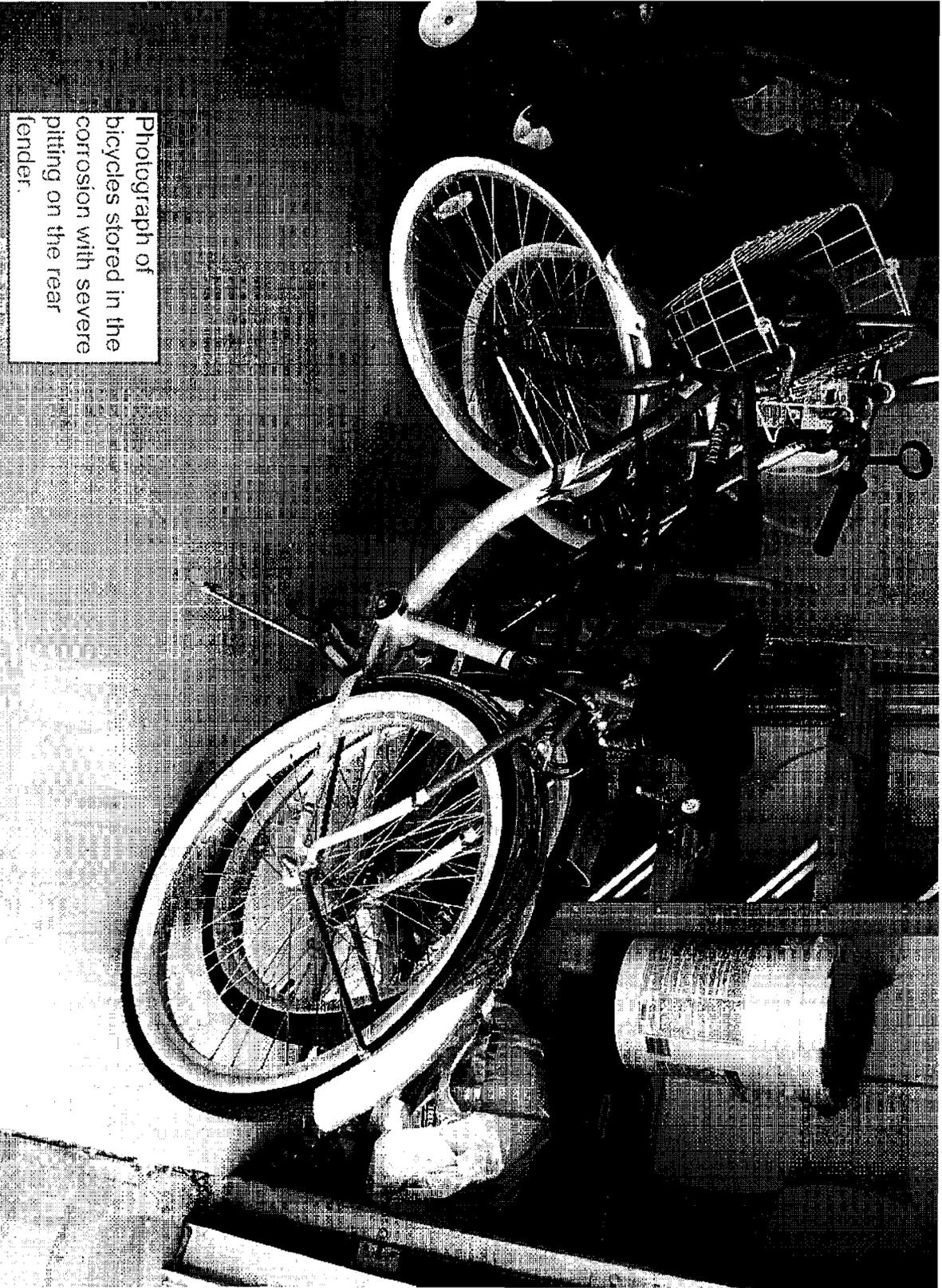


Close up photograph of mild pitting on one of the bathroom shower fixtures.

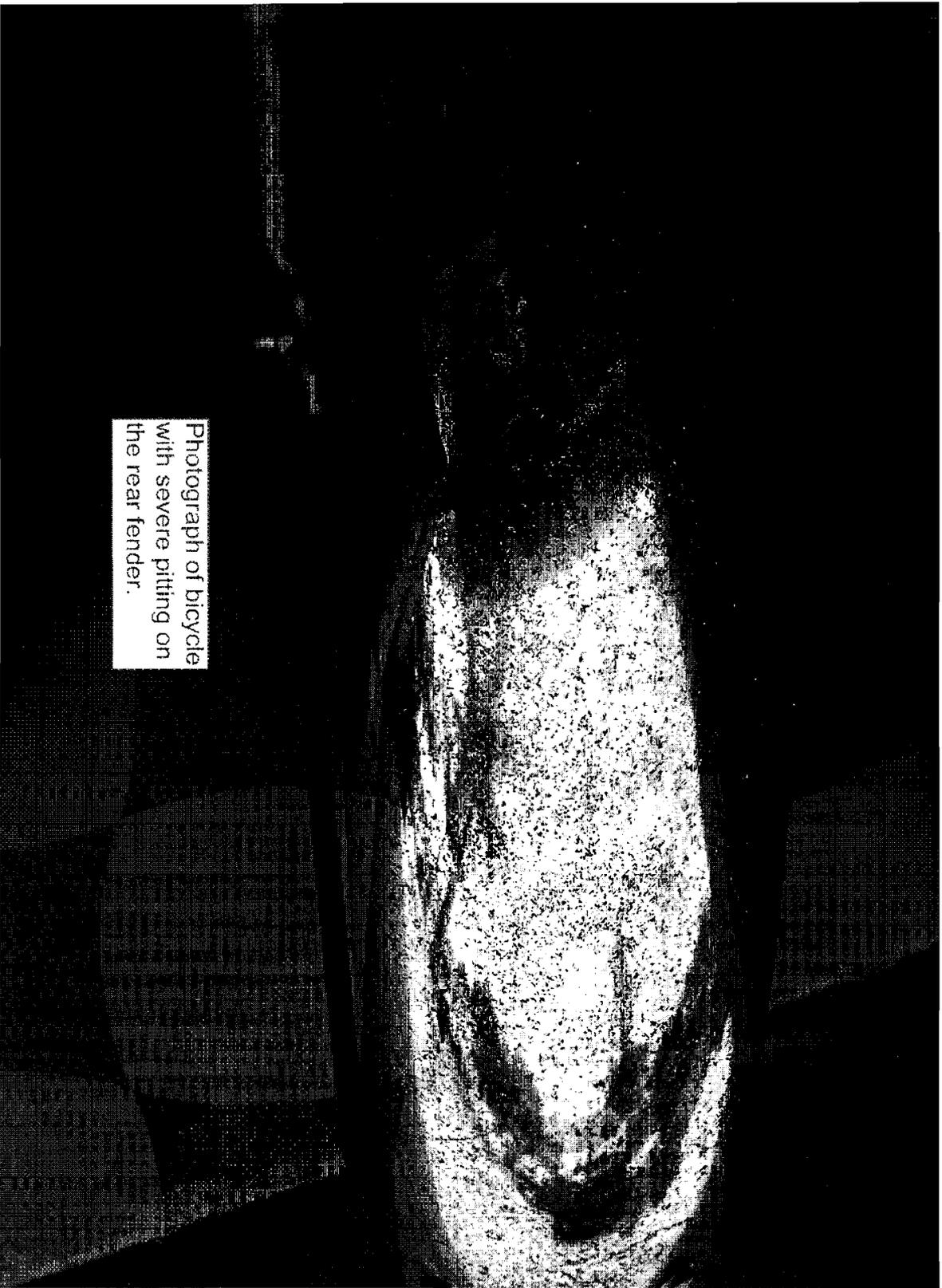


Photograph of corrosion on the copper connects at the bottom of the water heater.

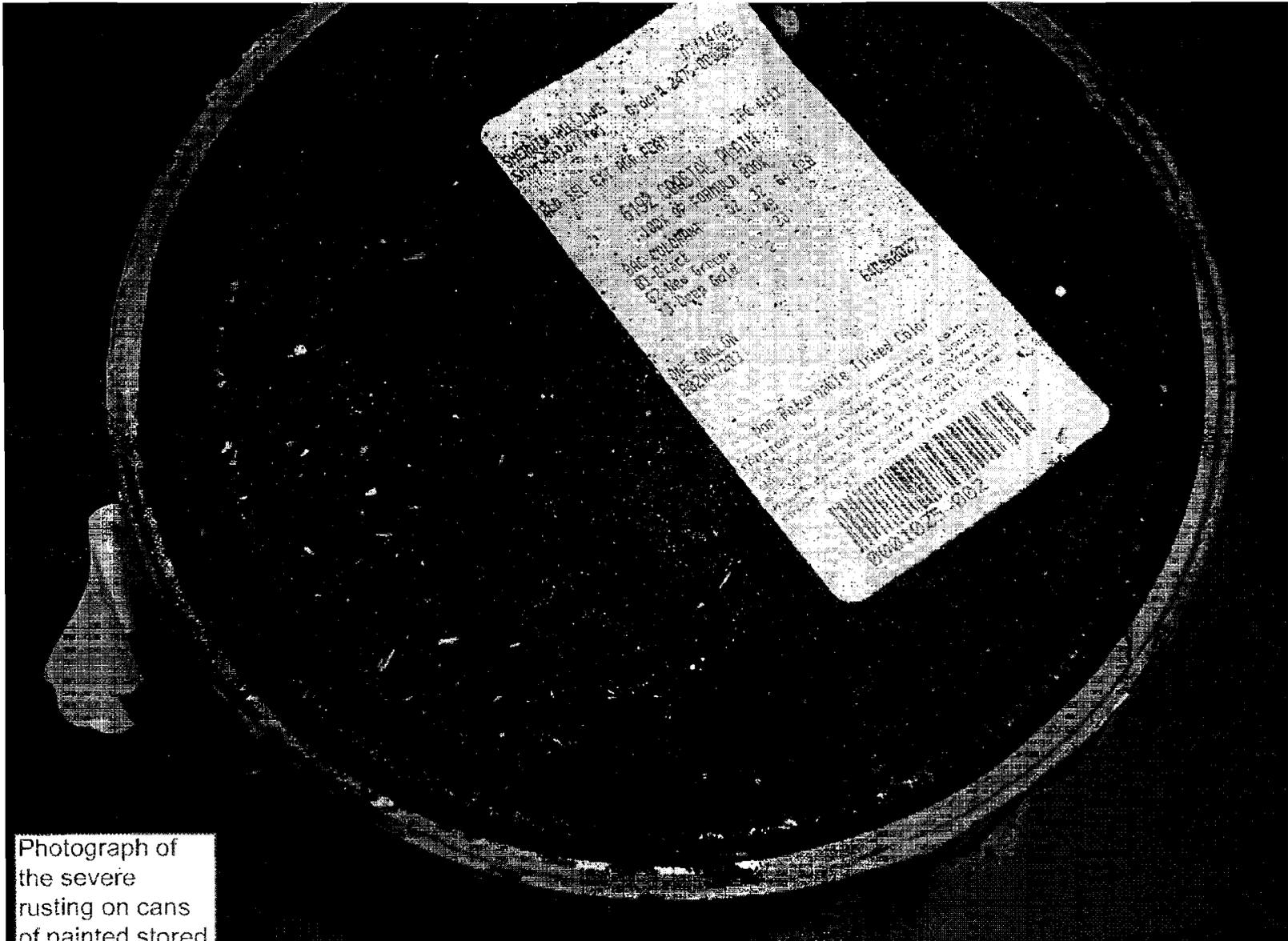




Photograph of bicycles stored in the corrosion with severe pitting on the rear fender.



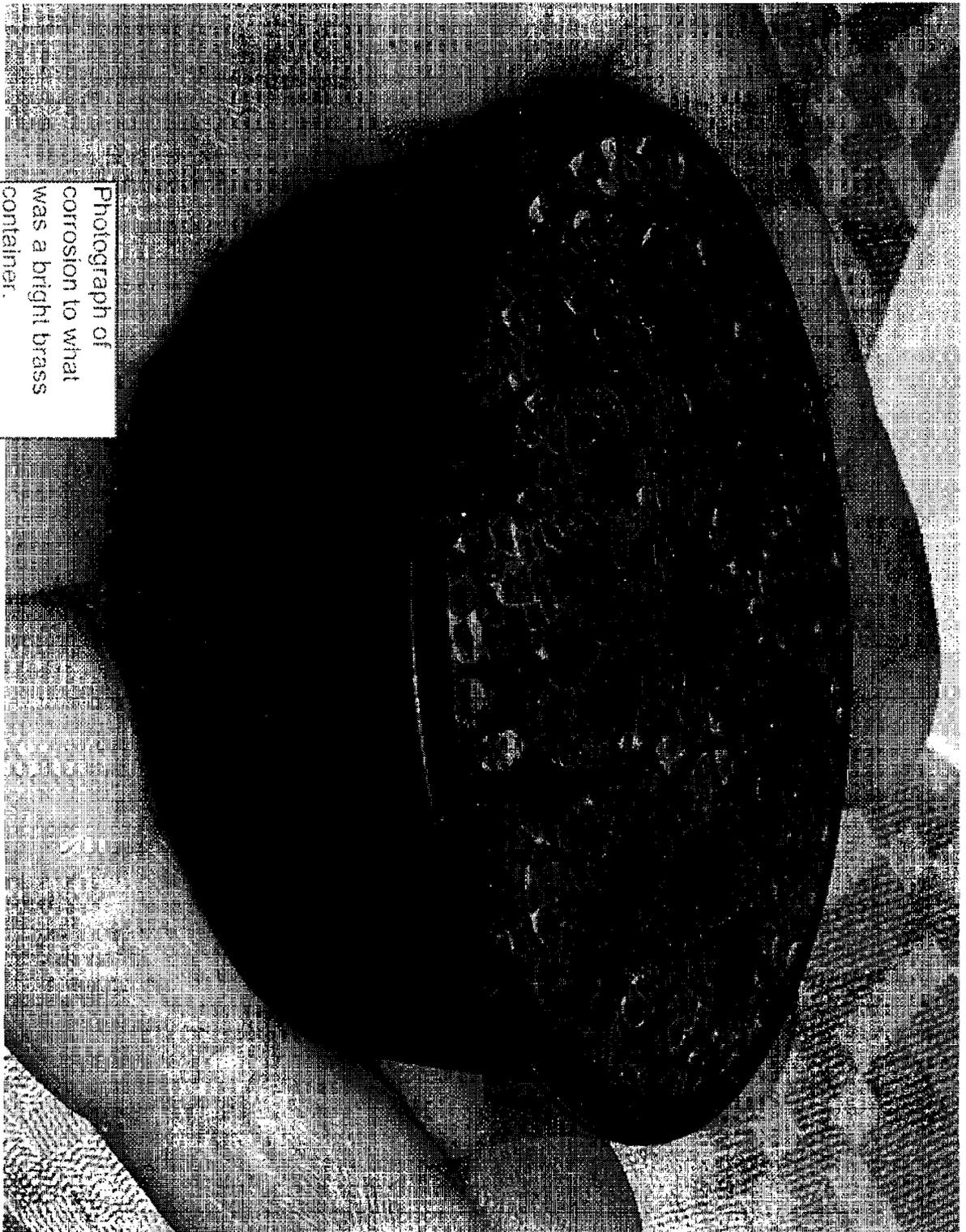
Photograph of bicycle  
with severe pitting on  
the rear fender.



Photograph of the severe rusting on cans of painted stored in the garage.



Photograph of  
corrosion to a silver  
locket.



Photograph of corrosion to what was a bright brass container.

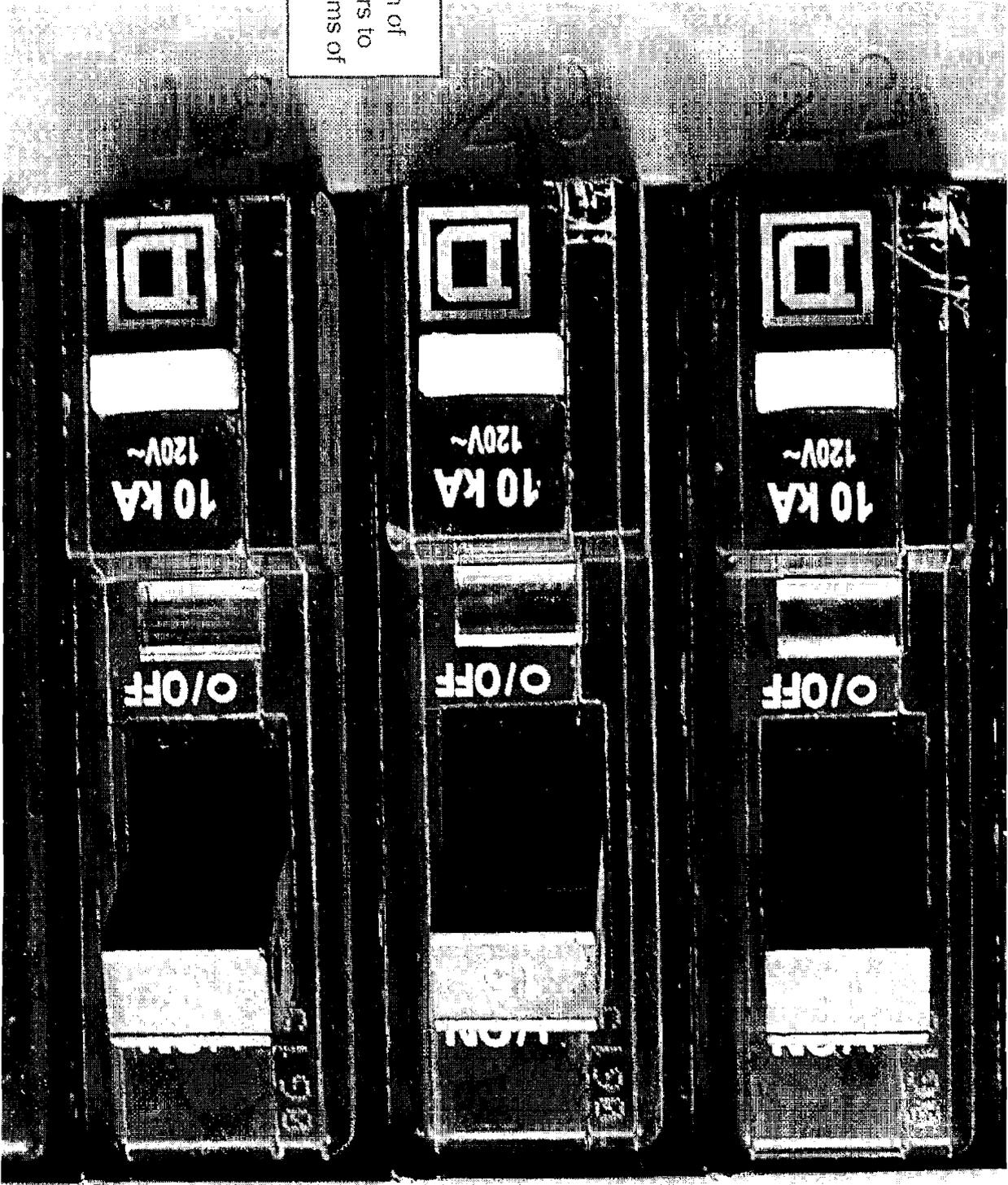


Photograph of the drywall product.



Photograph of the home's breaker panel.

Close up  
photograph of  
the breakers to  
the bedrooms of  
the home.

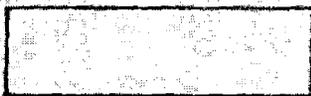


ne sont pas respectées, cela entraînera des blessures graves.

QO® Load Center Cover /  
Frente del centro de carga QO®

# QOC40US

Series / Serie: S01



# A

Mains Rating /  
Valor nominal de  
la línea principal

Type 1 Enclosure / Gabinete Tipo 1

Accessories / Accesorios

QOFP - Branch breaker filler plate / Placa de  
relleno del interruptor automático derivado

QOM2FP - Main breaker filler plate / Placa de  
relleno del interruptor automático principal

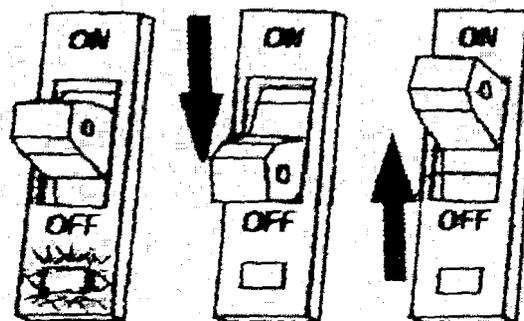
PK6FL - Door Lock Kit / Accesorio de  
cerradura de puerta

4020513002K - Cover Screw Kit / Accesorio  
de tornillos de la cubierta

See Wiring Diagram for additional Accessories.  
Consulte el diagrama de alambrado para obtener  
información sobre accesorios adicionales.

Photograph of the  
labeling on the  
breaker panel.

Circuit Breaker Reset /  
Restablecimiento del  
interruptor automático



Tripped /  
Disparado (1) (2)



**LISTED**

Electric Cabinet  
Front  
ISSUE NO.  
R-2160

# SQUARE D

www.SquareD.com

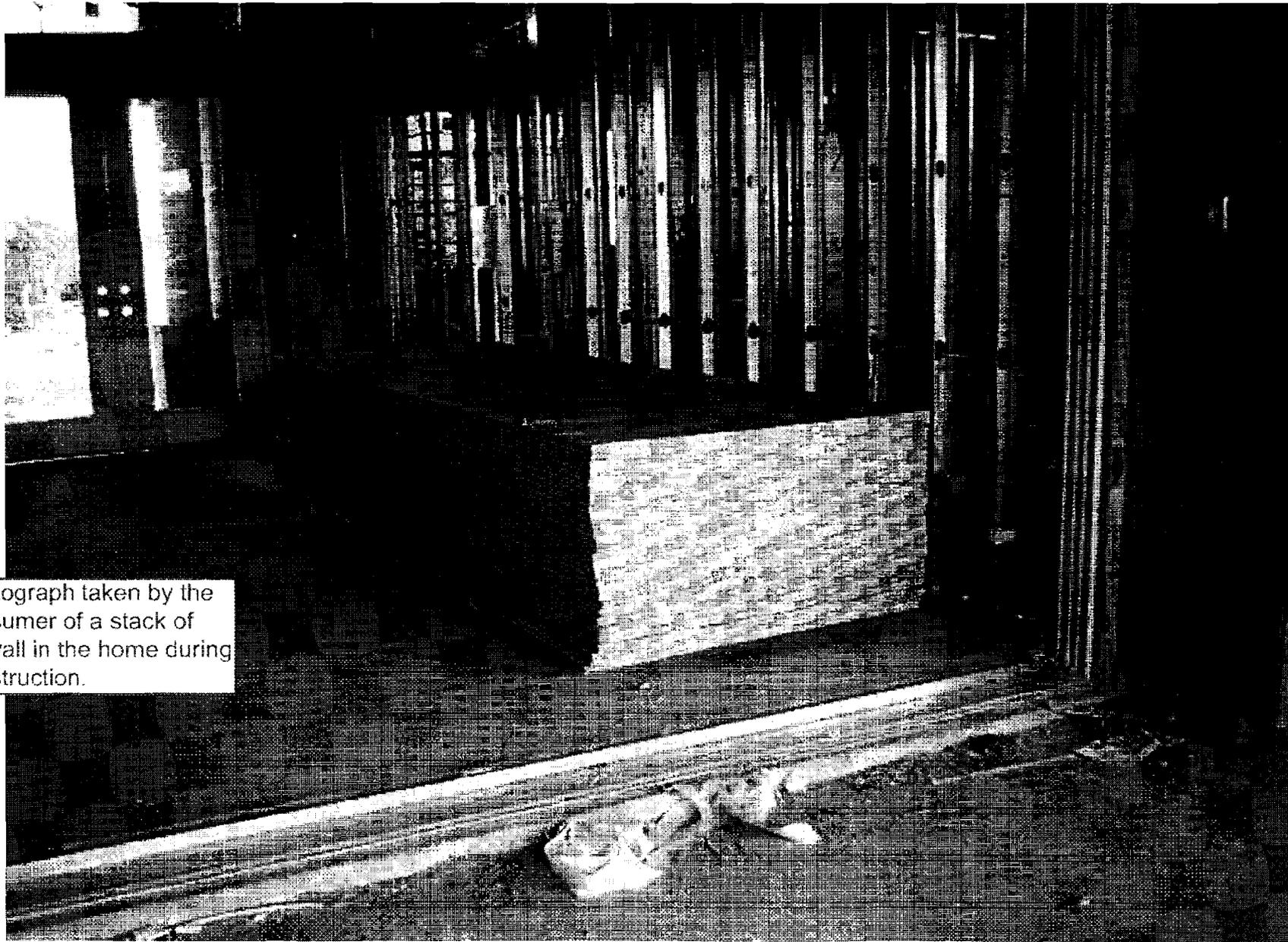
Made in U.S.A.

Hecho en EUA

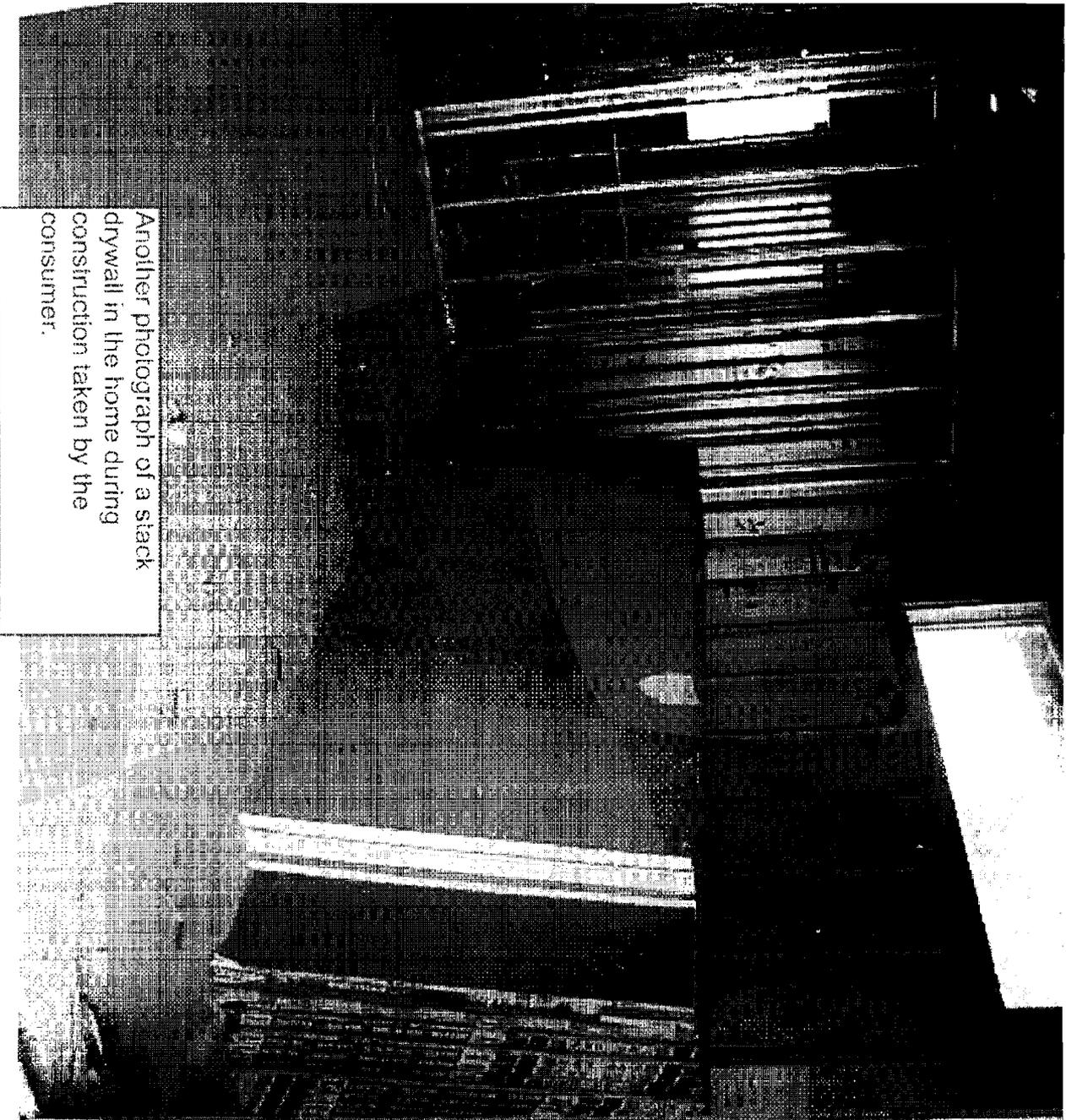
062712



40265-444-06



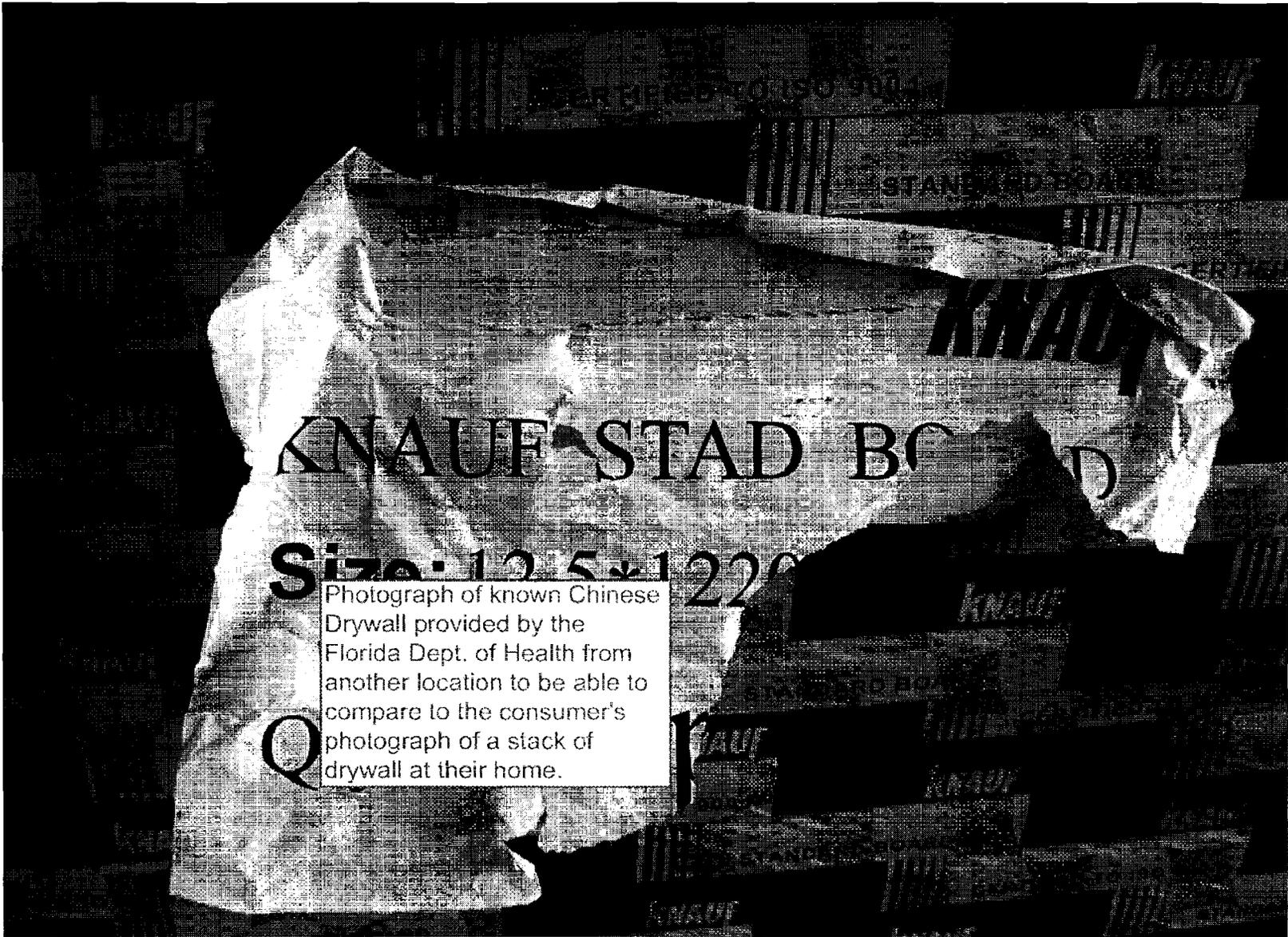
Photograph taken by the consumer of a stack of drywall in the home during construction.



Another photograph of a stack  
drywall in the home during  
construction taken by the  
consumer.



Photograph of the interior of the home during construction taken by the consumer.



**Size: 12.5 x 1220**

Q Photograph of known Chinese Drywall provided by the Florida Dept. of Health from another location to be able to compare to the consumer's photograph of a stack of drywall at their home.



*Established Since 1976*

[Company History](#) | [Model Centers](#) | [Floor Plans](#) | [Testimonials](#) | [Contact Us](#)

## *Contact Us*



**Corporate Office**

1310 SW 4th Terrace  
Cape Coral, FL 33991  
Phone: 239-573-2611  
Fax: 239-573-4611

**North Model**

3201 SW 4th Lane  
Cape Coral, FL 33991  
Phone: 239-283-4440  
Fax: 239-283-4445

**South Model**

4801 SW 24th Avenue  
Cape Coral, FL 33914  
Phone: 239-945-4444  
Fax: 239-945-6644

Warranty: [David@ArandaHomes.com](mailto:David@ArandaHomes.com) | Accounting: [Kim@ArandaHomes.com](mailto:Kim@ArandaHomes.com)

Sales: [Sales@ArandaHomes.com](mailto:Sales@ArandaHomes.com)

[Company History](#) | [Model Centers](#) | [Floor Plans](#) | [Testimonials](#) | [Contact Us](#)

**North Model-** 3201 SW 4th Lane - Cape Coral, FL 33991 - 239-283-4440  
**South Model-** 4801 SW 24th Avenue - Cape Coral, FL 33914 - 239-945-4444  
**Office -** 1310 SW 4th Terrace - Cape Coral, FL 33991 - 239-573-2611

All Content © Copyright 2009 Aranda Homes, Inc. ALL RIGHTS RESERVED.

WELCOME TO:

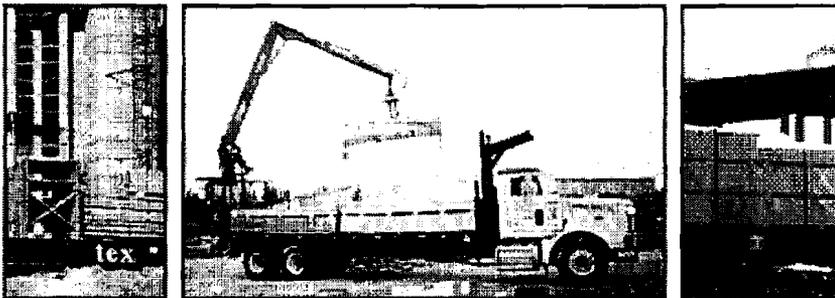


**Small enough to know you.**

***WE EXPORT BUILDING SUPPLIES ALL OVER THE WORLD***



- We handle a full line of building products
- All types of Building Materials
- We provide fixed costs on all our building products
- Interior and Exterior Specialists
- Over 45 years in lath & plaster business
- Multi-Million dollar building products inventory
- We sell drywall tools, sheetrock, plaster, steel studs, drywall, gypsum, plaster, lumber, etc.
- **ORDER FREE LITERATURE NOW...**
- **BUILDING INDUSTRY LINKS**



Fill in your eMail address, click on "Watch this site for me " and we will send you an eMail when our site is updated. We will not send you any promotional eMail or broker it. Since this is automated, please **ONLY** enter your eMail address, nothing else (eg: **username@domain.com**):

Your eMail address:

Watch this site for me



Small enough to know you.

Banner Supply™  
Copyright © 1997-2006. All Rights Reserved.

**Banner Supply**  
7195 N.W. 30th Street  
Miami, FL 33122 U.S.A.  
Contact Us  
**Toll Free: 888-511-4004**  
**Telephone: 305-593-2946**  
**FAX: 305-477-2775**

**Website produced by: BuildingOnline**  
**The Building Industry's Web Design and Marketing Agency.**

# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

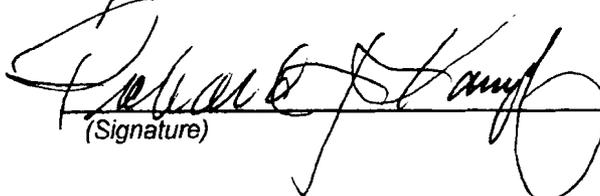
We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

I request that you do not release my name. My identity is to remain confidential.

You may release my name to the manufacturer but I request that you do not release it to the general public.

You may release my name to the manufacturer and to the public.

  
(Signature) \_\_\_\_\_ (Date) 7/9/09

RICHARD AND PATRICIA KAMPF  
233 SE 44<sup>TH</sup> TERRACE  
CAPE CORAL, FL 33904

**CHRONOLOGY OF EVENTS – CONTAMINATED DRY WALL  
(updated as of July 6, 2009)**

House was built in 2006 by Aranda Homes

Settlement occurred November 2006  
(per EPA questionable drywall was purchased in 2005-2006 period; drywall in our home is dated April 2006)

AC unit was installed 8/16/06 and started up

We moved into the home after retirement in July 2007

July 19, 2007 the thermostat for the AC was replaced because the unit was not working properly.

August 1, 2007 we had a free maintenance check and signed a contract with Baker for the coming year.

10/18/07 Evaporator coil was replaced under warranty

6/10/08 Unit was down again; 6/11/08 Baker found leak in Freon line of the coil that was previously installed in October '07.

6/23/08 unit was down again; Baker performed dye test to look for leaks

6/25/08 unit was down again; Mike, owner at Baker installed a "stop-leak" additive in the unit

7/28/08 called Mike for checkup on unit; 7/30/08 unit down again

7/31/08 Rich went to see Mike at Baker's offices to complain about the unit; technician, Josh, found leak on evaporator coil again. 2<sup>nd</sup> coil was necessary.

8/1/08 wrote to (b) (3):CPSA king for a 3<sup>rd</sup> party technician to review the maintenance record on our unit in an attempt to figure out why this kept happening. Also explained that we were finding it difficult to obtain an extended warranty for the unit.(copy attached)

8/4/08 evaporator coil not in yet; called Baker for schedule; 8/5/08 unit down again and new coil installed.

10/23/08 unit down and water leaking into our garage; coil frozen and needing replacement again.

10/24/08 Rich spoke to (b)(3):CPSA Section 6(b) about continuing breakdowns; he informed us that they discovered drywall imported from China and installed in certain homes had elevated levels of sulphur which was corroding the copper, turning it black and the chemical reaction continues until a pin hole leak is formed.

10/24/08 (b)(3):CPSA order a new coil to be sent first to Texas to be "coated" to keep it from being corroded. There is a projected 3-week timeframe for installation of that coil in our home.

10/24/08 Rich contacted AMRC Environmental in Ft Myers asking for indoor air quality advice. Spoke to Morgan who confirmed the drywall imported from China is causing corrosion of copper and other metals in houses. Referred us to Henry Slack in EPA's regional office in Atlanta. (see copy of email attached)

10/24/08 wrote email to Aranda Homes to see if they were aware of the problem but received no response. (see copy of email)

10/27/08 called Lee County Health Dept (690-2100) and spoke with Jim Love about this issue. He was aware of the drywall and copper problem and said it was being handled by a professional engineer in the Sarasota Health Dept (Bob Kallotte) 941-861-6059. Spoke with Mr. Kallotte who, under contract with the Center for Disease Control, has been studying this issue in the Sarasota area. He said that Lennar Homes has hired a certified industrial hygienist, Robert Demott, Environ Corporation, Tampa (813-628-4325) to conduct a study on the impacts of the drywall on copper and other metals. The study has not been released yet. As Collette understands it, carbonyl sulfide, along with other sulphur compounds are causing corrosion to the copper in the affected homes. He also said that the problem has just recently started to surface in Cape Coral and recommended a simple test to determine drywall contamination in our home. We have not yet done this because we were able to see the drywall in our attic and confirm that it was made in China.

10/27/08 contacted Paul Spiak 239-574-0609 (City of Cape Coral, Chief Plumbing and AC inspector). He was unaware of this issue and referred us to Copper Development Institute for any research they may be doing on this.

10/27/08 Keith Prusak, Banner Supply Co., inspected and confirmed Knauf drywall was made in China and that it is installed in our home. Joining Mr. Prusak was David Harp from our builder, Aranda Homes. Mr. Prusak provided two documents, i.e., the results of a study conducted by Knauf to determine if the drywall posed any potential health problems (attached); and the name and telephone number of the law firm representing Knauf (Douglas B. Sanders, Baker and McKenzie LLP, 1 Prudential Plaza, 130 E. Randolph Drive, Chicago, IL 60601;

telephone 312-861-8075; fax 312-698-2375; email:  
[Douglas.b.sanders@bakernet.com](mailto:Douglas.b.sanders@bakernet.com).

10/28/08 Rich sent an email to Copper Development Institute asking about impacts of contaminated drywall on copper. Received response to contact regional manager, Harold Moret, 706-658-0067 (copy attached). Called and left message but no response as yet.

10/29/08 called David at Aranda Homes because we received no email response. Left voice message for him to contact us. Also, as requested on his voicemail we stated our problem in writing and faxed it to his office. (copy attached).

10/30/08 David from Aranda Homes (239-887-1205) contacted Rich by phone indicating that he was not aware of this issue. He asked the drywall distributor to contact us. Rich indicated that we did not contract with the distributor; we contracted with Aranda to build our house and it is Aranda's responsibility to deal with the drywall contractor, not ours. He agreed to work with us and to contact us again today.

Copies of AC maintenance records attached for information.

Drywall company website home page attached.

**January 12 update:**

11/6/08 – Banner Supply provided name and number of their insurance company who is forwarding claims to Knauf (Greg Victor, Hanover Insurance Co., 305-460-1000). Copy of email attached.

11/13/08 – Wrote letter to Bob Kollatte, Sarasota Department of Health (attached). Sent copy of study done by Knauf. We copied Aranda Homes owner, John Conti, Lee County Health Department and Lennar Homes, among others. No one attempted to respond to us.

12/05/08 – Baker's installed 4<sup>th</sup> AC coil which is now coated. No info as yet on whether this coating will prevent corrosion. (info attached)

Copies of news articles attached.

**January 12 add'l update:**

Call received from Clark Eldridge, FL Dept of Health, Tallahassee. He received a copy of our letter to Bob Kollatte and under FOIA will be releasing it to the press. He indicated that the press may pay us a visit. Tim Wallace is the DOH contact for indoor air quality program.

January 13, 2009 – State Health Dept called again to ask if Rich would contact a local TV station in Tampa. Rich refused.

**January 22, 2009 update:**

1/21/09 – We wrote a letter to John Conti, owner of Aranda Homes, informing him of the number of times our AC coil has been replaced so far, our concern over the potential health effects, corrosion and fire hazards from the Chinese drywall. We requested that they follow the lead of Lennar Homes to remove drywall, check for other potential damage and relocating us during that process.

1/22/09 – David Harp, Aranda, called in regard to the letter. He would not admit that the corrosion was caused by the drywall and that Lennar acted independently in removing drywall. Rich requested that Aranda do the same. David said he would talk to Banner Supply (drywall supplier) and call us back. He still seems to think that Banner's insurance company should cover this. Rich reiterated that we will not deal with any insurance company and that Aranda is our contractor.

1/22/09 – Received call from Dept of Health. Dr. David Krause, Bob Kollatte, and Tim Wheeler will be coming to our house on 1/29 to do some testing of the copper.

1/22/09 – Email received from Keith Prusak, Banner Supply, attempting to refer us to his insurance company (again). We replied that we appreciate his efforts, but that Aranda is the responsible party.

1/22/09 – Section 558 Construction Defect notice sent to Aranda Homes.

**February 10, 2009 update:**

1/29/09 Dept of Health representatives (Dr. David Krause and Tim Wheeler) visited our house and were here for two hours examining the AC coil, various copper lines and other metals, as well as checking the electrical outlets for corrosion. They took a number of photographs throughout the house and measured the moisture level of the drywall in our garage (ranged from .5 to .7). David also found that the ground wires in several electrical outlets sampled were corroded, posing a potential fire hazard. He suggested we contact an electrical engineer to assess the situation. He recommended Zed Hejzlar in Fort Myers.

2/10/09 – David Krause, State Dept of Health, called to see if we contacted an electrical engineer to assess the safety of our house. We indicated that we do not have the resources to finance any kind of inspection/study but that we would contact Mr. Hejzlar to get an estimate.

2/10/09 – Rich contact Mr. Hejzlar who agreed to inspect our house free of charge. We are waiting to hear when it would be convenient for him to do so.

**February 12, 2009 update:**

Dr. Zed Hejzlar, PhD, Engineering Systems Inc., inspected our house for copper corrosion in the electrical system. He showed us graphed result from prior tests done at another location on electrical ground wires and on AC coils. He took photographs throughout our house, and used an infrared camera to measure the heat levels of the wiring in the main electric box; he inspected the ground wires in several electrical outlets, and measured the moisture level of the suspect drywall, which matched the levels detected earlier by the state toxicologist when he was here. Zed also took a sample scraping from the corroded copper pipe leading into our AC evaporator coil, and took a piece of corroded ground wire from a bedroom outlet. He also took with him a sample of the Knauf drywall cut from our garage ceiling, with the name clearly stamped on it. He indicated that he would keep these items secured and if someone should order a test, he would then run it.

**February 16, 2009**

Baker's AC came out for regular maintenance check up. Replaced filters and checked unit. All appears to be ok so far.

**February 19, 2009 update:**

2/17/09 – Wrote to Senator Bill Nelson letting him know of our issues and of the testing done in our home to date. Also, informed him of potential fire hazard that could result from copper corrosion in electrical wiring systems. Raised issue of R22 Freon discharges into the homes during A/C coil repairs (State Health Dept was concerned about this).

2/19/09 - Richard Kampf called John McConnell, City of Cape Coral Building Inspector. The purpose of the call was to determine what the City Building Code called for in construction of drywall ceilings. The State Health Inspectors suggested that our home was built with one-half inch drywall on the ceilings as opposed to 5/8 inch; thought to be the code.

Mr. McConnell returned Rich's call and said that the City Code allows for ½ inch drywall on ceilings except in garages with living space above, 5/8 would be required. Since we do not have living space above our garage, ½ inch drywall is acceptable.

Rich explained to McConnell that we had Chinese Drywall in our home. McConnell said he knew of two properties in the City that are currently having Chinese Drywall removed. Adams Homes is removing drywall at a home in the NE section and an area Bank is removing Chinese drywall from a foreclosed home prior to its sale. In all cases McConnell stressed the need for City Permits which we understood was required.

5

**February 25, 2009 Update:**

2/25/09 – Wrote email to Consumer Product Safety Commission offering up our house for inspections/data collection regarding corrosion effects of drywall on copper and other metals.

**February 27, 2009 Update:**

2/26/09 – Received a call from another Aranda Homeowner, Joe Macri, who was referred to us by Baker A/C. He wanted to discuss affects of drywall since he discovered that he also has it. (Aranda Homes told us that we were the only ones who have complained about this). Turns out there are 16 known complaints now, yet Aranda has never attempted to get back in touch with us about the matter. Mr. Macri visited our house to look at the corrosion evidence, and to talk about the things we have found in the past six months so he can be educated on the matter. He indicated that he recently spoke with David Harp and Dom Izzo at Aranda Homes and is of the impression that they now realize they have to make good on this for their customers. He also indicated that Dom Izzo represented Aranda at the recent Builders' conference that was held on 2/25/09.

Wrote email to Dr Krause offering up our house to any CPSC representatives who wants to examine damage to electrical systems. Dr. Krause indicated that if he is able to obtain services of CPSC engineers, he intends to include our house on the list. His presentation from the builders' meeting will be posted on the DOH website shortly. He also indicated that he did not recommend that homeowners contact their insurance companies. He said that one of the attorneys in attendance made that comment.

**March 6, 2009 Update:**

3/6/09 – Received via Pavese Law Firm a copy of Aranda Homes, a disappointing response to our 558 notice. It does not appear to address the items listed in the notice. It would be nice if Aranda would follow the lead of Lennar Homes who is working with its clients to rectify the situation. Knowing that they have been doing business here for over 30 years we expected they would have more loyalty to their customers.

**March 16, 2009 update:**

Received email from Dr. Krause, Dept of Health indicating that drywall test results are not likely to be conclusive regarding health. He also indicated that EPA lab testing is underway and that he recommended our home as a test bed for CPSC electrical and material testing specialists.

**April 7, 2009 update:**

March 25, 2009 - Sent email to Frank Pavese letting him know that a CPSC team would be visiting our home. On March 26, 2009 a team of experts from CPSC and the state visited our home to assess corrosion issues related to the drywall. They took a sample of the Knauf drywall and observed various corroded electrical outlets and copper pipes. They also took pictures with an infrared camera.

**April 22, 2009 update:**

On April 13, we filed a formal complaint with the Florida Attorney General's office against Aranda Homes for non-responsiveness to our concerns over the drywall.

April 21, 2009 – Spoke to FL Department of Health offering our home for their upcoming indoor air sampling tests.

**April 29, 2009 update:**

Clark Eldridge from FL Dept of Health informed us that our house is on the list of those to be tested by CPSC and the state for indoor air quality in a few weeks.

Spoke to numerous Aranda Homeowners who contacted us following our story which hit the New-Press on Sunday, April 26.

April 29, 2009 – Wrote to Robert Schwartz, attorney for Hanover Insurance (Banner Supply's insurer) requesting the status of our claim which Banner told us was submitted to Hanover in October 2008.

**May 4, 2009 Update:**

5/4/09 – Dr. Krause, FL Dept of Health, and others visited our home to take drywall samples and develop protocols for their upcoming air quality sampling/testing. Representatives from the Agency for Toxic Substances and Disease Registry, ATSDR (an arm of the CDC), EPA's Atlanta Regional Office, and EPA contractors from its Emergency Response Team took readings of moisture content throughout our house and took pictures of the various corrosive items such as copper lines to the hot water heater and AC unit. Dr. Krause took two large samples of Knauf drywall and one of our spoke detectors.

**May 15, 2009 Update:**

5/13/09 - received a call from Dr. Krause, FL Dept of Health, asking if we would allow the state to set up indoor air monitoring equipment in our house. We agreed. They also want to do comparison testing in another house that does not contain Chinese drywall. We are awaiting further instructions and an actual date for the testing.

of certain household cleaning and disinfecting fluids, sprays, etc. The house is to be unoccupied during the testing period.

**July 6, 2009 Update:**

June 15, 2009 – Received a call from the State Attorney General's office asking about our experiences with the drywall situation and, in particular, with the responsiveness of our builder, Aranda Homes.

June 24, 2009 – Received letter from Glenn Dunlap, Product Safety Investigator, CPSC requesting another visit to our house. He will be taking photographs of the corrosion, gathering data on our builder and sheetrock supplier. He also wants to look at our digital pictures taken during construction of the house and will be taking one of our smoke detectors for testing.

June 27, 2009 – Received email from Dr. Krause, FL Dept of Health indicating that DOH and EPA also want to come back and do some more sampling and that they will coordinate the visit with CPSC. The state wants to sample condensate coming from our AC as well as more air sampling for pesticides and other trace gasses.

June 29, 2009 – We developed and mailed a flyer for a community meeting of Aranda Homeowners that we plan to have on July 27 at the Cape Coral Regional Library. Dr. Krause will be attending. Senator Nelson has also been invited but has not yet committed. We also invited the Lee County Property Appraiser and plan to invite the new CPSC Director.

July 6, 2009 – Received copy of an email from Dr. Krause to CPSC indicating that EPA does not need to do further air sampling in our home but that DOH wishes to collect samples of HVAC condensate and bulk materials from inside our A/C handling unit. Jim Love from Lee County Health Dept will collect the samples. Mr. Dunlap from CPSC will also be coming to interview us.

9

**ROBERT T. MAHER**  
ATTORNEY

CERTIFIED CIRCUIT COURT MEDIATOR  
CERTIFIED COUNTY COURT MEDIATOR  
BUSINESS LAW  
CONSTRUCTION & LIEN LAW

1611 SANTA BARBARA BOULEVARD  
SUITE C  
CAPE CORAL, FLORIDA 33991  
(239) 574-1796  
(239) 574-2714 FAX  
businesslawbob@aol.com

**Received**

**March 4, 2009**

**Christopher H. Burrows, Esq.**  
**Pavese Law Firm**  
**4635 Del Prado Boulevard South**  
**Cape Coral, Florida 33904**

**Re: Richard J. Kampf and Patricia A. Kampf**  
**Chapter 558 Notice of Claim**

**Dear Mr. Burrows:**

**This is the response of Aranda Homes, Inc. to the Chapter 558 notice you sent to Aranda Homes, Inc. dated January 22, 2009.**

**Notwithstanding the assertions in the notice that recent scientific tests have proven that the Knauf Plasterboard causes corrosion of interior metal fixtures and electronics, potentially posing a risk of fire and a risk to human health, Aranda Homes, Inc. has neither received any such test results, or heard of any such test results. The test results provided to Aranda Homes, Inc. by the supplier, which were also furnished to your clients, concludes exactly the opposite.**

**Aranda Homes, Inc. has made several inspections of the premises and cannot conclude there are any construction defects that need a response.**

**I also note that with respect to the drywall, Banner Supply offered to deal with your client's claim and your client specifically rejected this offer, and insists that Aranda Homes, Inc., who is not the supplier of the material, is responsible for the drywall.**

**Enclosed are the documents required to be provided pursuant to Chapter 558.**

**Please forward all responsive documents by return mail.**

**Sincerely yours,**

  
**Robert T. Maher**



**METHOD OF COLLECTION**

#22. Sample remained under lock & key, or in investigator's possession from the time of collection until submission.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

1. AREA OFFICE

Glenn Dunlap 407-671-5737  
US Consumer Prod Safety Comm  
2344 Pear Tree Court  
Orlando, FL 32807

2. NAME OF INDIVIDUAL

Richard Kampf

3. TITLE OF INDIVIDUAL

Home Owner

4. DATE

7-9-09

5. FIRM NAME

NA

6. SAMPLE NUMBER

09-810-7074

7. NUMBER AND STREET

233 SE 44th Tr

8. CITY AND STATE (Include Zip Code)

Cape Coral, FL

9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)

The following samples were collected by the Consumer Product Safety Commission pursuant to Section 27(f) of the Consumer Product Safety Act (15 U.S.C. 2076(f) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.

I Glenn L. Dunlap collected from Mr. Kampf one smoke detector by Firex 120-1182 B for possible review/examination by the CPSC.

10.

SAMPLES

a. AMOUNT RECEIVED FOR SAMPLE

\$18.79

b. SIGNATURE (Person from whom sample received)

*Richard Kampf*

11. SAMPLES WERE

PURCHASED

BORROWED (To be returned)

12.

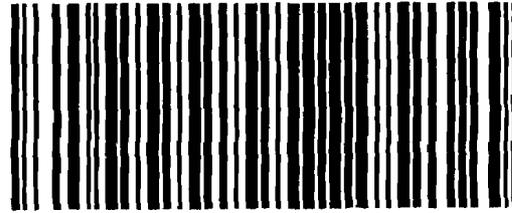
COLLECTOR

a. NAME (Print or type)

Glenn Dunlap

b. SIGNATURE

*Glenn Dunlap*



200044750

**Order #200044750**

**Shipping Address**

richard kampf  
233 se 44th terrace  
cape coral, 33904, Florida  
United States  
T: 239-471-7605

**Billing Address**

richard kampf  
233 se 44th terrace  
cape coral, 33904, Florida  
United States  
T: 239-471-7605

**Shipping Method**

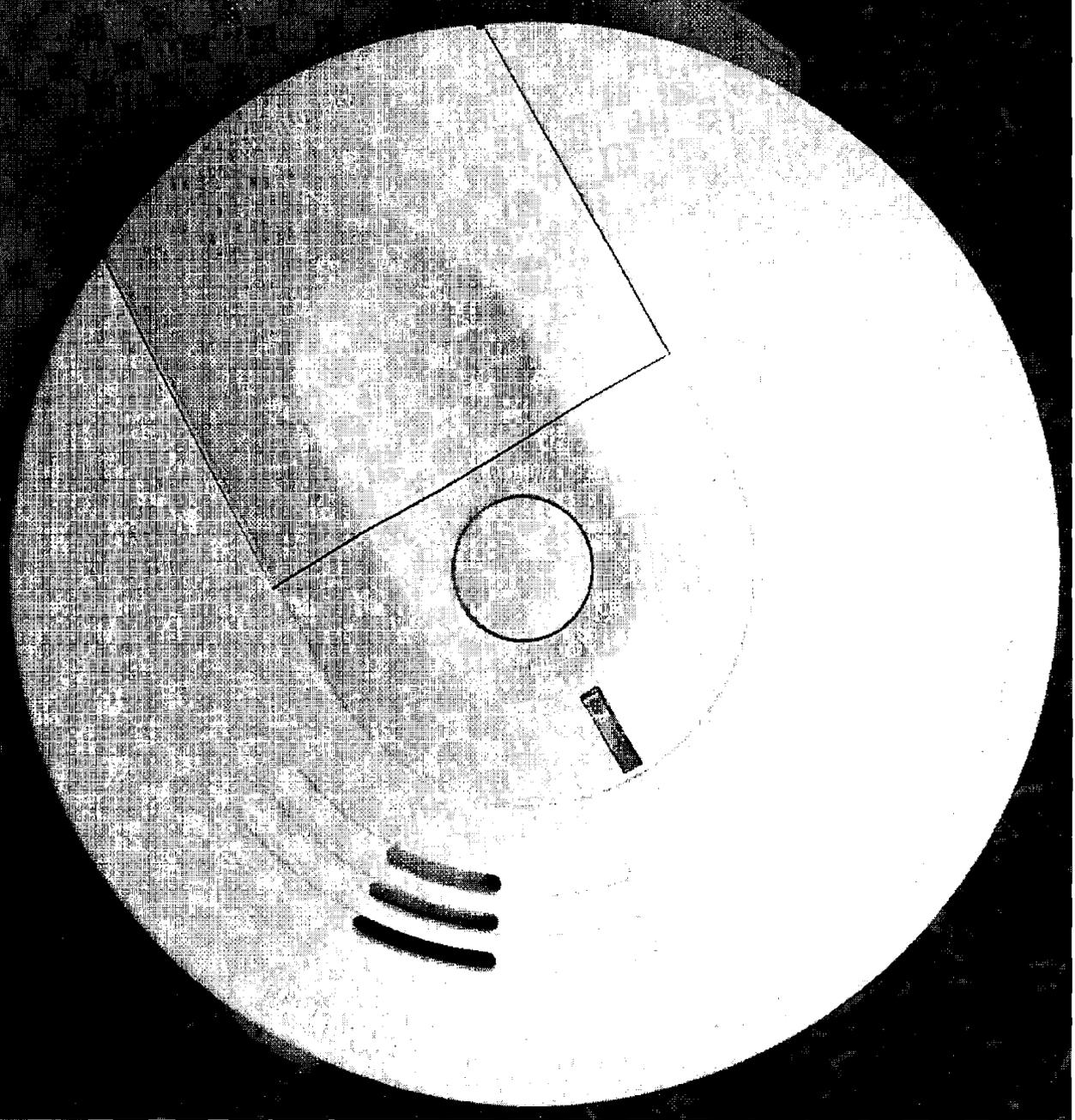
UPS - UPS Ground

**Payment Method**

Credit Card Type: Visa  
Credit Card Number:   
Expiration Date: 05/2011

**Items Ordered**

Product Name	Price	Qty Ordered	Qty Shipped	Subtotal
Firex 120V Hardwired, Ionization Smoke Alarm with 3 Year Alkaline Battery Back-up and Quick Quiet	\$ 11.99	1	1	\$ 11.99
			Order Subtotal	\$ 11.99
			Shipping & Handling	\$ 6.80
			Grand Total	\$ 18.79



**WARNING!**  
Do not remove  
this label

120-10960

**WARNING**  
DO NOT REMOVE THIS LABEL  
REMOVING THIS LABEL MAY VOID THE WARRANTY  
AND MAY BE A VIOLATION OF THE FEDERAL  
COMMUNICATIONS COMMISSION (FCC) REGULATIONS  
REGARDING THE USE OF BATTERIES IN  
ELECTRONIC DEVICES. ALWAYS USE THE  
CORRECT BATTERY TYPE AND SIZE.  
DO NOT MIX BATTERIES OF DIFFERENT  
TYPES OR BRANDS. DO NOT RECHARGE  
RECHARGEABLE BATTERIES IN THIS  
DEVICE. ALWAYS USE THE CORRECT  
BATTERY POLARITY. ALWAYS USE THE  
CORRECT BATTERY TYPE AND SIZE.  
DO NOT MIX BATTERIES OF DIFFERENT  
TYPES OR BRANDS. DO NOT RECHARGE  
RECHARGEABLE BATTERIES IN THIS  
DEVICE. ALWAYS USE THE CORRECT  
BATTERY POLARITY. ALWAYS USE THE  
CORRECT BATTERY TYPE AND SIZE.



SINGLE AND/OR MULTIPLE STATION  
SMOKE ALARM

**TRIX**  
SMOKE ALARM

**FIREX**  
SMOKE ALARM 120-1182B

BLINKING RED LIGHT (WAKE-MANAGE) TESTS FOR PRESENCE OF A GOOD BATTERY (SIX MONTHS); FLASHING RED LIGHT (ALARM) INDICATES SMOKE; FLASHING GREEN LIGHT (LOW BATTERY) INDICATES GREEN LIGHT ALARM IS INTERCONNECTED TO ANOTHER SMOKE ALARM

MODEL FADC: 120 VAC, 60Hz, .05 AMPERES  
AC SINGLE AND/OR MULTIPLE STATION SMOKE  
ALARM WITH 9 VOLT BATTERY BACK-UP. WARNING:  
ALARM WILL NOT OPERATE IF POWER IS INTERRUPTED  
AND BATTERY IS DEAD, DISCONNECTED OR IMPROPERLY  
INSTALLED. USE ONLY 9 VOLT BATTERY: EVEREADY 522  
OR 1222, OR DURACELL MN 1604, OR ULTRA LIFE USVL-J



SINGLE AND/OR MULTIPLE STATION  
SMOKE ALARM

ISSUE NO. 71,507

S1966

**WARNING** USE SPECIFIED BATTERIES ONLY.  
OTHER BATTERIES MAY CAUSE  
IMPROPER OPERATION. CONSTANT USE AT HIGH OR LOW  
TEMPERATURE OR AT HIGH HUMIDITY MAY REDUCE BATTERY LIFE.

THIS SMOKE ALARM CAN BE INTERCONNECTED ONLY WITH FIREX  
MODELS FADC, AD, ADC, TFCI, PAD, FPAD, COE, COQ8, ADH, OR FADCO.

IMPORTANT: REFER TO MANUAL FOR OPERATING INSTRUCTIONS  
AND SAFETY INFORMATION. U.S. NRC LICENSE NO. 12-15537-02E.  
CONTAINS RADIOACTIVE MATERIAL AMERICIUM 241-1.0 MICROCURIE.

WHEN HORN BEEPS AT  
APPROXIMATELY ONE  
MINUTE INTERVALS  
REPLACE BATTERY.  
CONTINUOUS HORN  
INDICATES ALARM.

RETURN UNITS UNDER WARRANTY TO:  
INVENSYS CONTROLS AMERICAS  
280 LEIGH FISHER BLVD  
EL PASO, TX 79906  
MADE IN MEXICO

OBSCURATION 1.35 ± 0.7%/ft

2008 JUL 24





# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Drywall Sampling Analysis

### Background

Consumers from more than 10 States and the District of Columbia have reported concerns related to drywall imported from China that is in their houses. The Consumer Product Safety Commission (CPSC) is the lead federal agency for this issue. The U.S. Environmental Protection Agency (EPA) is working with CPSC and the Centers for Disease Control and Prevention-Agency for Toxic Substances and Disease Registry (CDC-ATSDR), in coordination with State and local authorities, to investigate this matter.

To gather more information about Chinese drywall, CDC-ATSDR requested that EPA conduct an elemental analysis of Chinese drywall and compare it with drywall manufactured in the United States.

### Analysis of Drywall Samples

With CDC-ATSDR's concurrence, two wallboard samples from Florida houses known to have been manufactured in China were selected by the Florida Department of Health (FDOH) for analysis. Additionally, four samples of U.S.-manufactured drywall were purchased by EPA from local stores in Edison, New Jersey and included in the analysis.

Prior to analysis, the thin layer of paint was scraped off of the two Chinese drywall samples for metals analysis. The paper was then separated from the solid (gypsum) material of all six drywall samples and placed into separate glass jars. The paper portions of the samples were analyzed for metals, semi volatile organic compounds (SVOCs) and formaldehyde. The gypsum samples were analyzed for metals, SVOCs, volatile organic compounds (VOCs), formaldehyde, sulfide, water soluble chlorides, total organic carbon (TOC), pH and loss on ignition (LOI).

The results of this analysis will inform additional testing by CPSC to help determine the compounds that may be affecting residents and their houses.

### Results

The results of the analysis are noted below. It is important to note that the analysis included a very small sample size, and the results of this testing may not be representative of all drywall products. The analysis was conducted to identify the elemental material contained in the drywall samples and is not itself intended to establish a definitive link between the drywall and the conditions being observed in houses.

- Sulfur was detected at 83 parts per millions (ppm) and 119 ppm in the Chinese drywall samples. Sulfur was not detected in the four US-manufactured drywall samples.
- Strontium was detected at 2,570 ppm and 2,670 ppm in the Chinese drywall samples. Strontium was detected in the US-manufactured drywall at 244 ppm to 1,130 ppm. Total acid soluble sulfides were not detected in any samples.
- Iron concentrations of 1,390 ppm and 1,630 ppm were detected in the Chinese drywall samples and in the range of 841 ppm to 3,210 ppm for the US-manufactured drywall samples. Additional drywall samples will be tested to determine whether the iron is present as oxide, sulfide or sulfate.

EPA's analysis showed the presence of two organic compounds in the Chinese drywall that are associated with acrylic paints: propanoic acid, 2-methyl-, 2,2-dimethyl-1-(2-hydroxy-1-methylethyl) propyl ester at estimated concentrations of 58 ppm and 92 ppm, and propanoic acid, 2-methyl-, 3-hydroxy-2,4,4-trimethylpentyl ester at estimated concentrations of 50 ppm and 84 ppm. These compounds were not detected in the US-manufactured drywall.

EPA will continue to work with its federal and state partners to respond to this issue. EPA also is working with a multi-agency and state technical group to develop an indoor sampling protocol for use by CPSC and states to conduct indoor air testing in houses suspected of containing Chinese drywall. The group's goal is to complete the protocol by June 30, 2009. EPA expects that results from the indoor sampling will be evaluated by CDC-ATSDR for possible health implications.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
ENVIRONMENTAL RESPONSE TEAM  
Edison, New Jersey 08837

May 7, 2009

Ms. Lynn Wilder  
Environmental Health Scientist  
Agency for Toxic Substances and Disease Registry  
Department of Homeland Security  
4770 Buford Highway, NE  
Mailstop F-57  
Atlanta, GA 30341-3717

Subject: Drywall Sample Analysis

Dear Ms. Wilder,

The Agency for Toxic Substances and Disease Registry (ATSDR) contacted the Environmental Response Team (ERT) of the USEPA Office of Superfund Remediation and Technology Innovation (OSRTI) for analytical assistance with the Chinese-manufactured drywall used in Florida. On March 5, 2009, a teleconference was held with ERT, ATSDR and the Florida Department of Health (FDOH). The FDOH provided background information, including the work that had been previously performed by contractors from Lennar and Knauf (a German company that manufactures drywall in China). ATSDR requested that ERT conduct an independent elemental analysis of the Chinese drywall and compare it with the drywall manufactured in the U.S. With ATSDR's concurrence, six wallboard samples were selected for analysis. Two drywall samples known to have been manufactured in China were extracted by FDOH from affected homes in Florida. Four samples of U.S.-manufactured drywall were purchased from local stores in Edison, New Jersey.

### **Drywall Sample Analysis**

ATSDR requested that the ERT analytical laboratory provide support to analyze drywall samples from China suspected of emitting rotten egg odors and causing copper corrosion (e.g., power switches, appliances) throughout the houses with complaints. The corrosion of copper containing items may lead to releases of chlorofluorocarbons (CFCs) and natural gases, depending on their construction materials. Individuals complaining about the drywall in their homes have also reported health issues such as problems with asthma, respiratory irritation, breathing difficulties, coughing, insomnia, eye irritation and headaches. At this time, FDOH has been unable to determine if these issues are directly linked to the suspect drywall. To date, a relatively low number of

samples have been analyzed, and the emission levels detected from samples tested in the laboratory are far lower than those typically associated with such symptoms.

Two Chinese painted drywall samples extracted from Florida homes by FDOH were shipped to Edison for analysis by USEPA/ERT. ERT purchased four US-manufactured drywall samples from local stores for comparison. First, the thin layer of paint was scraped off of two Chinese drywall samples for metals analysis. The top and bottom layers of paper were separated from the solid (gypsum) material of all six drywall samples and placed into separate glass jars. The paper portions of the samples were analyzed for metals, semi volatile organic compounds (SVOCs) and formaldehyde. The gypsum samples were analyzed for metals, SVOCs, volatile organic compounds (VOCs), formaldehyde, sulfide, water soluble chlorides, total organic carbon (TOC), pH and loss on ignition (LOI). Also, an optical microscopic examination was conducted to determine the presence of fly ash.

The drywall sample manufacturers and product names are as follows: (b)(3)  
(b)(3):CPSA Section 6(b)

(China). The ERT/REAC analytical methods were modified to analyze these samples, as standard methods were not available in the area of sample digestion/preparation procedures.

## Analytical Methods

**Semi Volatile Organic Compounds:** The gypsum and paper portions of the drywall samples were analyzed using ERT/REAC SOP #1805. A specific weight of sample in grams is extracted with a 1:1 methylene chloride/acetone mix in a Soxhlet extractor. The extract is concentrated, spiked with an internal standard mixture and subsequently analyzed by gas chromatography/mass spectrometry (GC/MS). Target analytes are identified by comparing the measured mass spectra and retention times with those obtained from calibration standards acquired under the same operating conditions used for the samples. Quantitation of each identified target analyte is calculated based on the internal standard method. The method was modified to determine the presence of any non-target compounds via a library search for the purpose of tentative identification. The NIST/EPA/NIH Mass Spectral Library containing more than 100,000 spectra was used. The elemental sulfur was analyzed using the sample extracts by GC/MS using an ERT/REAC modified method.

**Volatile Organic Compounds:** The two Chinese and one US-manufactured drywall gypsum samples were analyzed using ERT/REAC SOP #1807. A known amount of gypsum is weighed into a 40-milliliter (mL) Teflon®-lined septum vial, 5 mL of commercially available water suitable for VOC analysis is added, and the sealed vial is placed in the auto sampler. An additional 5-mL portion of VOC-free water containing surrogate/internal standards is added by the autosampler. In order to purge the compounds out of the dry wall, the samples were heated for five minutes at 75°C. These samples were then purged with helium for 20 minutes at the same temperature,

3

desorbed (trapped) onto the trap for four minutes and injected into the GC and detected using a 5975 MSD. The method was modified to determine the presence of any non-target compounds via a library search for the purpose of tentative identification. The NIST/EPA/NIH Mass Spectral Library containing more than 100,000 spectra was used.

**Metals:** The gypsum samples were first screened using a NITON x-ray fluorescence detector (XRF) to determine the presence of any metals. The XRF will help to ascertain whether additional metals that are not included in the Target Analyte List (TAL) routinely analyzed by the laboratory need to be added. The gypsum, paper and paint samples were analyzed for TAL metals using ERI/REAC SOP #1811, *Determination of Metals by Inductively Coupled Plasma (ICP) Methods*, and SOP #1832, *Determination of Mercury by Cold Vapor Atomic Absorption (CVAA)*. Based on the XRF screening, strontium and sulfur were added to the list of analytes.

**Formaldehyde, Sulfide, Total Organic Carbon:** Analyses for these compounds were contracted to outside laboratories. Formaldehyde was analyzed by high pressure liquid chromatography (HPLC), ultraviolet detection (UV) in accordance with modified NIOSH Method 2016. For acid soluble sulfides, the gypsum samples were distilled using EPA SW-846 Method 9030B, which separates the sulfides from the matrix by adding sulfuric acid to the sample and heating to 70°C. The sulfide was quantified using an iodometric method. TOC was determined using a carbonaceous analyzer in accordance with EPA Region II SOP #C-88.

**Water Soluble Chlorides:** A specific weight of sample was mixed with a known volume of water prior to analysis. Samples were analyzed using a five-point calibration curve by a modified ferricyanide spectrophotometric technique, as outlined in the Standard Methods for the Examination of Water and Wastewater, Method 4500-Cl-E.

**Loss on Ignition and pH:** Loss on ignition data were obtained by weighing a known amount of sample into a crucible and igniting at 750°C using the modified Standard Methods for the Examination of Water and Wastewater, Method 2540G. A 5 percent weight by volume of a gypsum sample in water was prepared and mixed using a magnetic stirrer. The pH of the resulting aqueous solution was measured electrometrically using a calibrated pH meter.

**Alkalinity and Sulfate:** Alkalinity was performed in accordance with the Standard Methods for the Examination of Water and Wastewater, Method 2320B, that uses an acid titrant to measure the buffering capacity or ability to react with acids to a specific pH. Sulfates were determined using EPA Region II SOP #C-19.

**Optical Microscopic Examination:** The optical microscopic examination was performed at the ERI-Las Vegas laboratory using an Olympus optical microscope.

## Discussion of the Results:

The significant differences between the Chinese drywall and the US-manufactured drywall analysis are as follows:

ERT analysis shows the presence of sulfur at 83 ppm and 119 ppm in the Chinese drywall samples and sulfur not detected in four US-manufactured drywall samples. The metal analysis shows the presence of strontium at 2,570 ppm and 2,670 ppm in the Chinese drywall samples, whereas strontium was detected in the US-manufactured drywall at 244 ppm to 1,130 ppm. The total acid soluble sulfides were not detected in any of the drywalls. Further investigation is critical to determine the presence of strontium as strontium sulfate or strontium sulfide using x-ray diffraction.

Iron concentrations of 1,390 ppm and 1,630 ppm were detected in the Chinese drywall samples and in the range of 841 ppm to 3,210 ppm for the US drywall samples. The highest concentration of iron detected in the National Gypsum/Gold Bond drywall was twice as high as the amount found in the Chinese drywall. An investigation will be done using additional drywall samples to determine whether the iron is present as oxide, sulfide or sulfate.

No evidence of fly ash in the Chinese drywall samples was noted based on the optical microscopic examination.

The ERI/REAC SVOC analysis results show the presence of two organic compounds in the Chinese drywall, as tentatively identified by the mass spectrometry library search for the Chinese drywall. The FDOH has requested that ERI further investigate these compounds. The two compounds were propanoic acid, 2-methyl-, 2,2-dimethyl-1-(2-hydroxy-1-methylethyl) propyl ester (CAS # 74367-33-2) at estimated concentrations of 58 and 92 ppm, and propanoic acid, 2-methyl-, 3-hydroxy-2,4,4-trimethylpentyl ester (CAS # 74367-34-3) at estimated concentrations of 50 and 84 ppm. These compounds were not detected in the US-manufactured drywall. ERI analyzed two samples for VOCs by GC/MS. The analyses confirm the presence of the above two compounds in the Chinese drywall, as tentatively identified by the mass spectrometry library search. ERI is in the process of obtaining standards of propanoic acid, 2-methyl-, 2,2-dimethyl-1-(2-hydroxy-1-methylethyl) propyl ester (CAS # 74367-33-2) and propanoic acid, 2-methyl-, 3-hydroxy-2,4,4-trimethylpentyl ester (CAS # 74367-34-3) to confirm the findings. The literature search reveals that these compounds are found in acrylic paints as reported in the following website:

[http://www2.mst.dk/common/Udgivramme/Frame.asp?http://www2.mst.dk/udgi v/publications/2008/978-87-7052-763-7/html/kap02\\_eng.htm](http://www2.mst.dk/common/Udgivramme/Frame.asp?http://www2.mst.dk/udgi v/publications/2008/978-87-7052-763-7/html/kap02_eng.htm)

The summary of analytical results of the six drywall (gypsum, paper, and paint) samples is presented in Summary Table 1. The semi-quantitative XRF data for gypsum

5

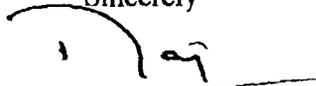
analysis are presented in Table 2. The tentatively identified compounds detected by the GC/MS library search for the SVOC analysis are presented in Table 3 for the gypsum and paper portions of the drywall samples.

### **Work in Progress**

The additional drywall samples to be received from CPSC will be analyzed semi-quantitatively for calcium sulfate, strontium sulfide, strontium sulfate, pyrites and iron oxide by x-ray diffraction. The drywall samples from the United States and China will also be analyzed for VOCs, SVOCs, metals including strontium, sulfide, sulfite, formaldehyde, TOC and LOI. An optical microscopic examination for fly ash will also be conducted. Based on these analyses and the chamber study, ERT will conduct indoor air monitoring in Florida and Louisiana in three test houses for predetermined parameters. A QAPP is under preparation for the Technical Workgroup to review based on the available information to date, and will be modified based on any new information.

If there are any questions, please call me at 732-321-6761

Sincerely



Raj Singhvi, Chemist

### **Enclosures**

cc: David Krause, FDOH  
Barnes Johnson, OSRII  
Arnold Layne, OSRII/TIFSD  
Jeff Heimerman, OSRII/TIFSD  
Dave Wright, ERI  
Harry Compton, ERI

Table-1 Results of the Analysis for Metals in Solid Drywall Material, Paper and Paint

Sample No. Sample ID	(b)(3):CPSA Section 6(b)						
	Method	US	China	China	US	US	US
%LOI at 750C		21	22	24	21	19	24
pH of 5% slurry		7.08	7.41	7.35	7.28	7.29	7.31
Analyte		mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
Aluminum	Modified REAC SOP 1811	305	1180	948	957	9570	1140
Barium	Modified REAC SOP 1811	6.14	33.3	42.8	14.2	12.8	16.0
Calcium	Modified REAC SOP 1811	278000	288000	254000	267000	245000	248000
Chromium	Modified REAC SOP 1811	1.92	5.28	3.88	2.81	4.34	1.98
Cobalt	Modified REAC SOP 1811	<0.87	<0.87	<0.83	<0.88	2.89	<0.80
Copper	Modified REAC SOP 1811	<1.52	1.78	2.80	<1.71	8.16	2.07
Iron	Modified REAC SOP 1811	841	1380	1630	1170	3210	1850
Lead	Modified REAC SOP 1811	<2.17	<2.18	<2.33	<2.44	3.48	2.61
Magnesium	Modified REAC SOP 1811	463	8020	10300	834	8250	4880
Manganese	Modified REAC SOP 1811	3.24	48.8	71.3	18.1	89.1	72.4
Mercury	Modified REAC SOP 1832	2.08	0.682	0.190	0.0668	<0.047	<0.045
Nickel	Modified REAC SOP 1811	<1.30	1.88	1.44	1.62	6.41	2.09
Potassium	Modified REAC SOP 1811	108	388	333	135	883	1480
Selenium	Modified REAC SOP 1811	8.94	2.81	<3.03	3.43	<2.87	<2.92
Sodium	Modified REAC SOP 1811	<2.17	428	498	<244	<220	<225
Vanadium	Modified REAC SOP 1811	<0.87	2.52	2.28	2.77	3.38	2.34
Zinc	Modified REAC SOP 1811	<8.71	<8.71	<7.24	<7.58	<8.83	10.1
Strontium (Drywall/Paper)	Modified REAC SOP 1811	244/48	2670/670	2670/838	489/110	638/19	1130/166
Strontium (Paint)	Modified REAC SOP 1811	NA	289	122	NA	NA	NA
Alkalinity (CaCO3)	SM2320B	<88	<88	870	<88	840	230
Alkalinity - Bicarbonate	SM2320B	<88	<88	870	<88	840	230
Sulfide (Lab 1)	8030B	<4	<4	<4	<4	<4	12
Sulfide (Lab 2)	8030B	<10	<10	<10	<10	<10	<10
Sulfate	Region I SOP#C-19	888000	535000	507000	652000	888000	567000
Chloride (water soluble)	Modified SM 4500-CI-E	74	250	180	38	58	143
Sulfur*	Modified REAC SOP 1805	<8.23	119	83	<8.13	<7.84	<7.84
Formaldehyde (Drywall/Paper)	Modified NIOSH 2108	ND/O.68	ND/O.44	ND/ND	ND/O.83	0.64/ND	0.24/O.87
Total Organic Carbon	Region II SOP#C-88	4300	2800	4300	2200	5500	18000
TOTAL ORGANIC COMPOUND* (Drywall/Paper)	REAC SOP 1805	7.776	145/125	243/248	18.3/289	31.5/70	2350/2400

\* GC/MS analysis results from BNA extract including TICS

Raj April, 28, 2009

Table 2 Qualitative Analysis of Drywall Gypsum- XRF

Sample #	Sample ID		Ca	Fe	Sr
1	(b)(3):CPSA Section 6(b)	US	222000 +/- 1200	410 +/- 90	180 +/- 10
2		China	240000 +/- 1300	720 +/- 110	1970 +/- 32
2(Duplicate)		China	241000 +/- 1300	730 +/- 100	1960 +/- 32
3		China	238000 +/- 1300	830 +/- 120	2130 +/- 34
4		US	226000 +/- 1200	990 +/- 120	370 +/- 14
5		US	210000 +/- 1200	2010 +/- 150	460 +/- 16
6		US	220000 +/- 1200	1210 +/- 130	844 +/- 21

A. Major - Calcium

Present - Iron, Strontium, Sulfur

Note: the sulfur line appears as weak peak in the XRF spectrum of each sample  
(sulfur cannot be quantified in these samples with Niton XRF unit)

B. XRF Results (total concentration) in ppm +/- 1 standard deviation

Table 3 Tentatively Identified Organic Compounds, estimated concentration (mg/kg)

Sample #	Tentatively Identified Organic Compounds	(b)(3); CPSA Section 6(b)											
		US		China		China		US		US		US	
		Gypsum	Paper	Gypsum	Paper	Gypsum	Paper	Gypsum	Paper	Gypsum	Paper	Gypsum	Paper
	Propylene Glycol	3.74									1.67		
	Ethanol, 2-butoxy-	6.40									0.99		
	Hexylene Glycol	6.60									1.98		
	2-Propanol, 1-butoxy-	6.04									0.76		
	Ethanol, 2,2'-oxybis-	7.24					3.62						
	Hexanoic acid	7.38									1.48		
	Ethanol, 2,2'-oxybis-	7.43											
	2-Propanol, 1-(2-methoxy-1-methylethoxy)-	7.83			1.17								
	Ethane, 1,1'-oxybis(2-ethoxy)-	7.86			3.29	3.18							
	2-Propanol, 1-(2-nitroethoxypropoxy)-	8.03			2.06								
	dipropylene glycol	8.52					2.56						
	Hexanoic acid, 2-ethyl-	8.40									0.65		
	1,3-Pentanediol, 2,2,4-trimethyl-	10.04					1.45						
	Ethanol, 1-(2-butoxyethoxy)-	10.48			6.94	4.28	23.92	1.07					
	Unknown	11.11					2.39						
	Quinolone	11.27									0.65		
	Unknown	11.45											
	Unknown	11.49					1.52						
	2-Propanol, 1-(2-(2-methoxy-1-methylethoxy)-1-methylethoxy)-	11.69			0.80								
	2-Propanol, 1-(2-(2-methoxy-1-methylethoxy)-1-methylethoxy)-isomer	11.74			2.22								
	2-Propanol, 1-(2-(2-methoxy-1-methylethoxy)-1-methylethoxy)-isomer	11.78			0.97								
	Hexaethylene glycol dimethyl ether (?)	11.92			1.37								
	2-Propanol, 1-(2-methoxy-1-methylethoxy)-isomer	11.98			1.48	1.69							
	Cyclohexadecane dodecamethyl-	11.99									0.65		
	2,2,4-Trimethyl-1,3-pentanediol dibutylate	12.67					18.35				1.00		
	Propanoic Acid, 2-methyl-2,2-dimethyl-1-(2-hydroxy-1-methylethyl)propyl ester	12.57							2.79				
	Propanoic Acid, 2-methyl-2,2-dimethyl-1-(2-hydroxy-1-methylethyl)propyl ester-unknown	12.63			57.84		92.38						
	Propanoic Acid, 2-methyl-2,2-dimethyl-1-(3-hydroxy-1-methylethyl)propyl ester-unknown	12.83			60.46		83.57						
	Vanillin	13.08					1.98			0.98	0.93	1.58	
	Cyclododecane	13.75					6.24						
	Phenol, 2,6-bis(1,1-dimethylallyl)-4-ethyl-	14.81					1.78						
	Unknown	15.11										1.21	
	Cedric	15.47									1.28		
	Benzyl Benzoate	16.84					4.24						
	Homomenthyl succinate	17.94			0.58								
	n-Hexadecanoic acid	18.27		1.28		1.98	1.19			1.12	0.79	2.44	
	9-Octadecenoic acid, (E)- or oleic acid	19.72		2.76					0.19			1.28	
	Bis(2-ethylhexyl) malate	19.88					7.00		1.01				
	Octadecanoic acid	19.87										1.91	
	C21 alkane	20.16						6.16	0.20				24.61 1.14
	n-alkane	20.89	0.27	1.62	0.75	1.94			0.85		0.83		79.78 3.56
	Tetradecane	21.80	3.45	3.59	1.71	3.56	2.13		1.88	1.32	1.89	1.83	198.23 7.97
	mercaptolan, 4-phenyl-	22.26						2.13					
	C25 alkane	22.27	0.62	6.61	2.16	8.57	2.67		2.76	3.29	3.03	4.98	368.70 14.28
	dihydroxyglycol diacetate isomer	22.34	0.36	6.28		18.13		7.98	0.18	2.93	0.81	8.66	
	unknown	22.68						1.32	0.19				
	C29 alkane	22.91	0.52	7.02	1.87	3.68	2.21		2.89	3.89	3.48	3.05	455.65 18.01
	C26 alkane	23.31											18.94 0.86
	C26 alkane	23.54	0.42	7.36	2.04	5.53	2.95		9.07	4.04	9.47	4.58	630.11 20.88
	Alkane	23.92							6.17				32.47 1.32
	Octacosane	24.15					1.12		1.37	3.06	1.64	8.58	
	Alkane	23.99											20.41
	Unknown	24.44						0.91					
	C28 alkane	24.14	0.29	4.47	0.92	3.07							113.86 6.60
	C28 alkane	24.77	0.23	4.06	0.83	9.93	1.08	1.20	1.20	2.68	1.16	3.88	128.56 8.18
	alkane	26.28		2.48		3.13	0.72	3.13	0.60	1.46		3.34	126.89 5.77
	alkane	27.21		1.99		3.11		3.11	0.30	0.94		2.78	108.49 4.36
	Bisnaphthyl sulfone isomer	27.30	0.27						0.25				
	Bisnaphthyl sulfone isomer	28.18					0.59						
	Heptacosane	28.36		1.33									
	C33 n-alkane	28.30										2.02	74.28 2.68
	beta-Sitosterol	29.51	0.17										
	Tetrahydrofuran	29.60		0.86								1.65	50.23 1.62
	Octadecanoic acid, ethanyl ester	30.82		2.07						1.43		1.13	
	Alkane	30.88											0.84
	C35 Alkane	31.19											28.45
	18-Pentatriacontanone	32.78		0.87									
	Unknown	32.78								0.94		0.89	
	Total organic		7.55	73.72	142.11	118.61	233.80	48.84	18.31	28.81	30.46	69.11	2344.74 95.80

9

# *Meeting of Aranda Homeowners*

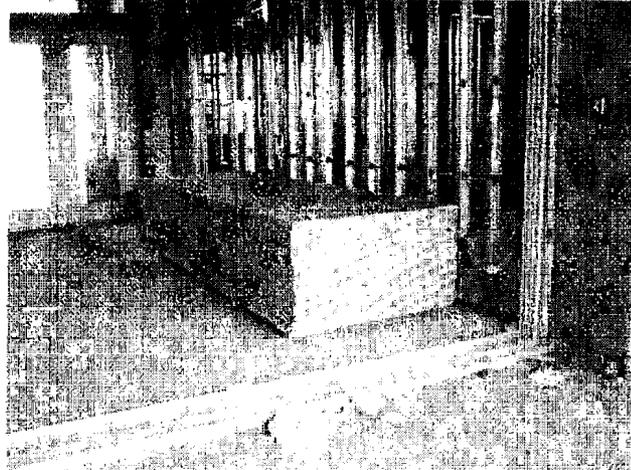
**Cape Coral-Lee County Public Library Meeting Room**  
921 SW 39<sup>th</sup> Terrace  
Cape Coral, Fl. 33914

**Chinese Drywall  
Meeting**

**Date: 07/27/09**

**Time: 6PM-8PM**

**PLEASE RSVP by**  
**July 22, 2009**



**Respond to:**  
**239-233-2168 or email:**  
**seaisle7109@comcast.net**

Chinese Drywall may be installed in your Aranda Home. To learn more about the effects of the drywall on your health and safety join me for a candid discussion about mutual experiences that we may be encountering with Aranda Homes, Inc., and how we may address this problem as a group.



Please pass this on to other Aranda Homeowners you may know who have the Chinese Drywall installed in their homes and who might be interested in learning more about this defective product and its effects.

We look forward to meeting you,

Richard and Patricia Kampf

January 22, 2009

VIA CERTIFIED MAIL: 7006 0810 0005 8975 0619  
RETURN RECEIPT REQUESTED  
AND FIRST CLASS U.S. MAIL

Aranda Homes, Inc.  
c/o John J. Conti, Registered Agent  
1310 SW 4<sup>th</sup> Terrace  
Cape Coral, Florida 33991

**Re: Richard J. Kampf and Patricia A. Kampf  
233 SE 44<sup>th</sup> Terrace, Cape Coral, Lee County, Florida 33904  
558 Notice of Claim**

Dear Sir/Madam:

Richard J. Kampf and Patricia A. Kampf (hereinafter the "Kampfs") hereby provide their written Notice of Claim to Aranda Homes, Inc. (hereinafter "Aranda") pursuant to Section 558 *et seq.*, Florida Statutes. The instant Notice of Claim pertains to the following existing defects in the work Aranda performed in constructing the residence located at 233 SE 44<sup>th</sup> Terrace, Cape Coral, Lee County, Florida 33904 (hereinafter the "Residence"): installation throughout the Residence of sulfur-emitting drywall produced by Knauf Plasterboard (Tianjin) Co. Ltd. and manufactured in China. Recent scientific testing has proven that the sulfur-containing compounds emitted by this drywall following incorporation of the product in a residential structure cause corrosion of interior metal fixtures and electronics, potentially posing a risk of fire and a risk to human health.

This Notice may require modification and supplementation if new information regarding construction defects in the Residence by Aranda become available. As previously mentioned, the Kampfs are hereby providing notification as to construction and design defects discovered by them as of the present date pursuant to Section 558, Florida Statutes.

In accordance with Section 558.004, Florida Statutes, the Kampfs expect Aranda to contact the undersigned to schedule a mutually convenient time for inspections which are to occur within thirty (30) days after receipt of this Notice of Claim. Additionally, the Kampfs expect Aranda, within ten (10) days after receipt of this Notice of Claim, to forward a copy of this Notice of Claim to each contractor, subcontractor, supplier, design professional or subconsultant whom Aranda reasonably believes is responsible for each defect, noting the specific defect for which Aranda believes the particular contractor, subcontractor, supplier, design professional or subconsultant is responsible. Be mindful that all persons, including Aranda and all other persons to whom it forwards a copy of this Notice of Claim, shall reasonably coordinate the timing and manner of any and all inspections with the Kampfs to minimize the number of inspections.

Further, the Kampfs expect Aranda, within forty-five (45) days after receipt of this Notice of Claim, to serve a written response to the undersigned, providing:

- (a) A written offer to remedy the alleged defects at no cost to the Kampfs, a detailed description of the proposed repairs necessary to remedy the defects, and a timetable for the completion of such repairs;
- (b) A written offer to compromise and settle the claim by monetary payment, that will not obligate the person's insurer, and a timetable for making payment;
- (c) A written offer to compromise and settle the claim by combination of repairs and monetary payment, that will not obligate the person's insurer, that includes a detailed description of the proposed repairs and a timetable for completion of such repairs and making payment;
- (d) A written statement that the person disputes the claim and will not remedy the defects or compromise and settle the claim; or
- (e) A written statement that monetary payment, including insurance proceeds, if any, will be determined by the person's insurer within thirty (30) days after notification to the insurer by means of forwarding the claim, which notification shall occur at the same time the Kampfs are notified of this settlement option, which the Kampfs can accept or reject. A written statement under this paragraph may also include an offer under paragraph (c) above, but such offer shall be contingent upon the Kampfs also accepting the determination of the insurer whether to make any monetary payment in addition thereto. If the insurer of the person receiving the claim makes no response within the 30 days following notification, then the Kampfs shall be deemed to have met all conditions precedent to commencing an action.

In accordance with Section 558.004(15), Florida Statutes, the Kampfs hereby request Aranda to provide the Kampfs, within thirty (30) days of receipt of this Notice of Claim, all available discoverable evidence relating to the construction defects and design defects at the Residence, including but not limited to, producing Aranda's entire file regarding the design and construction of any portion of the Residence.

In the event you have any questions or comments, please contact the undersigned at your earliest opportunity. The Kampfs maintain the right to supplement the specified defects contained within this Notice of Claim. Please forward all responses to this Notice of Claim to Christopher H. Burrows, Esquire, 4635 South Del Prado Boulevard, Cape Coral, Florida 33904.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

Sincerely,



Christopher H. Burrows

cc: Richard J. Kampf and Patricia Kampf

EMAIL FROM BANNER RE KNAUF AND INSURANCE REP FOR BANNER

----- Forwarded Message -----

From: Jon Graser <jbanner@embarqmail.com>  
To: seaisle7109n@comcast.com  
Sent: Thu, 6 Nov 2008 14:17:54 -0500 (EST)  
Subject: Knauf Board

Here is the Knauf representative information:

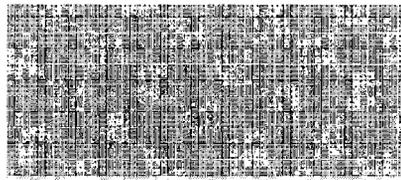
Douglas B. Sanders  
Baker & McKenzie, LLP  
One Presedential Plaza  
130 E. Randolph Dr.  
Chicago, IL 60601

T: 312/861-8075  
F: 312/698-2375  
E: douglas.b.sanders@bakernet.com

Here is the insurance company representative for Banner who is forwarding the claims to Knauf:

Greg Victor  
Hanover Insurance

T: 305/460-1000  
E: gav@adorno.com



- Home
- About Knauf Insulation
- Introducing ECOSE Technology
- Applications
- Products
- Basics of Insulation
- Create a Better Environment
- 2009 Tax Credit for Insulation
- Web Links
- Case Studies
- Literature & Files
- News
- Employment Opportunities
- Contacts
- LEED Certification Information

Knauf Insulation - Comfortable, Energy efficient, Thermal protection to lower your heating bills. » Contacts

**Website Options**

- Language
- English (United States)
- français (Canada)
- Links To Other Country Sites

e-Mail PDF Open PDF Print Friendly

**Contacts**

**US Headquarters**

**Knauf Insulation**  
 One Knauf Drive  
 Shelbyville, IN 46176  
 TEL: 317-398-4434  
 FAX: 317-398-3675  
 Map



**Questions or Information Requests**

E-mail: [info.us@KnaufInsulation.com](mailto:info.us@KnaufInsulation.com)

**Media Contact**

Stacey Lee  
 MARC USA/Indianapolis Public Relations  
 E-mail: [slee@marcindy.com](mailto:slee@marcindy.com)

**Sales Offices**

**Residential/Light Commercial (Building) Insulation**

Knauf Insulation  
 One Knauf Drive  
 Shelbyville, Indiana 46176  
 TEL: 800-825-4434 ext. 8300  
 FAX: 317-398-3675

**Commercial and Industrial Insulation**

**US and Canada**  
 Knauf Insulation  
 One Knauf Drive  
 Shelbyville, Indiana 46176  
 TEL: 800-825-4434 ext. 8283  
 FAX: 317-398-3675

**Mexico**

Gunder and Associates  
 11500 Stemmons Freeway, Suite 107  
 Dallas, Texas 75229  
 TEL: 972-620-2801  
 FAX: 972-620-2755

**Export**

International Building Products Corporation  
 11000 NW 36th Avenue  
 Miami, Florida 33167  
 TEL: 305-685-5010  
 FAX: 305-685-5014

**Manufacturing Facilities**

**Plant 1**

Knauf Insulation  
 400 East Walker Street  
 Shelbyville, IN 46176  
 TEL: 317-421-3341  
 FAX: 317-398-5501  
 Map



**Plant 2**

Knauf Insulation  
 3502 43<sup>rd</sup> Street SW  
 Lanett, AL 36863  
 TEL: 334-576-8141  
 FAX: 334-576-2494  
 Map



**Plant 3**

Knauf Insulation  
 100 Knauf Drive  
 Shelbyville, IN 46176  
 TEL: 317-421-3343  
 FAX: 317-398-5502  
 Map



Search

**Plant Conversion Brings  
EcoSE Insulation to  
East Coast**

Lanett facility conversion means the next generation of sustainable insulation is now available nationwide.

**Knauf Insulation North America**  
 888-888-8888  
[www.knaufinsulation.com](http://www.knaufinsulation.com)  
 Knauf Insulation Company  
 One Knauf Drive  
 Shelbyville, Indiana 46176  
 TEL: 317-398-4434  
 FAX: 317-398-3675  
 Knauf Insulation is North America's leading provider of sustainable insulation products even more sustainable coatings. All of our products are not associated with the innovative industry leader.

Insulation does not produce or sell drywall, plasterboard or any other gypsum or gypsum-related product."

**Plant 4**

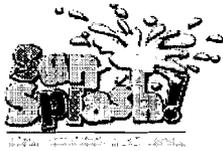
Knauf Insulation  
3100 Ashby Road  
Shasta Lake, CA 96019-0819  
TEL: 530-275-9665  
FAX: 530-275-4993  
Map



© KNAUF INSULATION

[Text Only](#) | [Print](#) | [Site Map](#) | [Privacy Policy](#) | [Terms of Use](#)

#090619CNE4523 N0960305A 6/22/09 ISSUE 39



Richard Kampf  
233 SE 44th Terrace  
Cape Coral, FL 33904

Mobile | News Feeds | E-Newsletters | Text Messaging | E-Edition Find it: Jobs | Cars | Homes | Classifieds | Place an ad

NEWS-PRESS.COM

SEARCH ALL

All Local News Calendar Jobs More »



SPONSORED BY:



HOME LOCAL NEWS NEWS TOPICS SPORTS ENTERTAINMENT WATCHDOG MULTIMEDIA OPINION WEATHER CLASSIFIEDS CUSTOMER SERVICE

Bonita Springs Cape Coral Estero Fort Myers Lehigh Acres North Fort Myers Sanibel Island South Fort Myers Other communities



Comment, blog & share photos  
Log in | Become a member | Search people

THE NEWS-PRESS

### Cape Coral man testifies in D.C. on drywall issue

BY MARY WOZNIAK • MWOZNIAK@NEWS-PRESS.COM • MAY 21, 2009

Read Comments(4) Recommended(1) Print this page E-mail this article Share

• Plug in: Your resource for the Chinese drywall investigation

10:38 a.m. update

Richard Kampf, a Cape Coral resident who has an Aranda Home built with defective Chinese drywall, will testify today before a Congressional committee called to discuss the drywall issue.

• Read Kampf's testimony below and watch it here

The hearing was called by U.S. senators Bill Nelson of Florida and Mary Landrieu of Louisiana.

Both states are dealing with the defective drywall in residents' homes — Florida more so because it is estimated that 36,000 homes are affected.

Kampf, 56, is former chief of staff for the EPA in Philadelphia. He moved here to a \$315,000 home built in 2006 to retire with his wife, Patti, and son Stephen.

The Kampfs say they still have not yet received a satisfactory response from their builder.

The drywall, found in homes in at least 13 states, emits sulfur compounds that corrode air conditioning units and other metal fixtures in homes, including jewelry.

Many residents have complained about headaches, nausea, nosebleeds and other health problems they say is due to the drywall.

No health connection has yet been proven.

Also testifying will be David Krause, toxicologist for the state Department of Health, who is heading the Florida investigation of the drywall.

#### Testimony of Richard J. Kampf

Cape Coral, Florida  
Before the United States Senate  
Committee on Commerce, Science and Transportation  
Subcommittee on Consumer Protection, Product Safety and Insurance



The Cape Coral home of Richard Kampf, left, and his wife Patti, was built using Chinese drywall. (news-press.com file photo)

Contextual linking provided by Topix

#### More News Headlines

- Coming @ 10 a.m.: Live chat about customer service
- Live video chat @ 11: Rep. Nick Thompson
- Coming @ 1 p.m.: Live chat about relocating a business
- 3 tickets have every Fantasy 5 number
- Judge set to consider releasing Caylee Anthony's autopsy report (1)

THE FLAGSHIP OF FLAGSHIPS

Rollover to design your LS, view photos and videos, and find a local dealer.

LEXUS

ADVERTISMENT

SOUTH CAPE WHITE

ADVERTISMENT

WEINSTEIN WILKIN

A Powerful Commitment  
Securities and Advisory Services offered.



May 21, 2009

## Cape Coral man testifies in D.C. on drywall issue

By MARY WOZNIAK  
mwozniak@news-press.com

### • Plug in: Your resource for the Chinese drywall investigation

#### 10:38 a.m. update

Richard Kampf, a Cape Coral resident who has an Aranda Home built with defective Chinese drywall, will testify today before a Congressional committee called to discuss the drywall issue.

### • Read Kampf's testimony below and watch it here

The hearing was called by U.S. senators Bill Nelson of Florida and Mary Landrieu of Louisiana.

Both states are dealing with the defective drywall in residents' homes — Florida more so because it is estimated that 36,000 homes are affected.

Kampf, 56, is former chief of staff for the EPA in Philadelphia. He moved here to a \$315,000 home built in 2006 to retire with his wife, Patti, and son Stephen.

The Kampfs say they still have not yet received a satisfactory response from their builder.

The drywall, found in homes in at least 13 states, emits sulfur compounds that corrode air conditioning units and other metal fixtures in homes, including jewelry.

Many residents have complained about headaches, nausea, nosebleeds and other health problems they say is due to the drywall.

No health connection has yet been proven.

Also testifying will be David Krause, toxicologist for the state Department of Health, who is heading the Florida investigation of the drywall.

## Testimony of Richard J. Kampf

Cape Coral, Florida  
Before the United States Senate  
Committee on Commerce, Science and Transportation  
Subcommittee on Consumer Protection, Product Safety and Insurance

“HEALTH AND PRODUCT SAFETY ISSUES ASSOCIATED WITH IMPORTED DRYWALL”  
May 21, 2009

Thank you, Chairman Pryor and members of the Committee for this opportunity to provide testimony to the Senate Subcommittee on Consumer Protection, Product Safety and Insurance. I would also like to express my personal appreciation to Senator Bill Nelson for his commitment to helping affected homeowners whose houses are contaminated by sulphur compounds emitted from Chinese drywall. I am convinced that these compounds are causing health and safety problems for my family and countless Americans.

My wife Patricia and I are retired career Federal Employees and have been married for 35 years. We have two great children, Kristen, who resides in Philadelphia and Stephen who lives with us and attends High School in Ft. Myers. Our dream was to retire early, build our first ever new home in Florida, and share responsibility with my sister in caring for my 96-year-old Mother, Sophia.

#### HIGH EXPECTATIONS AFTER RETIREMENT

After spending countless hours researching which home design and homebuilder we would prefer, we settled on a local Cape Coral builder, Aranda Homes., Inc. In July 2007 we finally moved into what we thought would be our dream home. Little did we know we would be embarking on a journey consisting of countless breakdowns of our air conditioning system, a number of computer equipment failures, and various family health problems.

Beginning in July 2007 our air conditioning system failed fifteen (15) times in one year. Since we did not have air conditioning, we could not care for my mother and the full burden of caretaking fell to my sister and her husband, Carol and Delbert Cochran. During the many visits by the air conditioning company the unit was charged and recharged with R22 refrigerant, as many as ten (10) times, all of which leaked into the air ducts and throughout our home.

Our air conditioning coil has been replaced four (4) times. The most recent coil was installed in December 2007. The manufacturer (b)(3):CP, sent the coil to Aero-Marine Engineering, Inc., located in Texas, prior to installing it in our house. Aero-American Marine's literature indicates the coil is protected "with Technicoat 10-2", an anti-corrosion coil coating.

#### HOW WE FOUND WE HAD A PROBLEM

With so many breakdowns of the air conditioning unit, we asked the manufacturer (b)(3):CPSA we could purchase an extended warranty. They have never responded to that request. The only time we ever heard from (b)(3):CP was on October 24, 2007 when the Fort Myers technical representative informed us that we likely had contaminated drywall imported from China installed in our home. The representative said other air conditioning manufacturers were experiencing similar breakdowns and they confirmed that the drywall combined with high humidity exacerbates the corrosion of the copper coils causing premature failure. We were devastated. Our first thought was, what about our health?

We made many calls and wrote letters to our builder, Aranda Homes, Inc., asking for help. Their representative consistently pushed us off to the supplier of the drywall, Banner Supply Company in Fort Myers, Florida. Aranda's representative arranged for Banner Supply to inspect our home on October 27, 2007. Banner's representative (accompanied by a representative from Aranda Homes) confirmed that "Knauf-Tianjin China," was embossed on the back side of the drywall. Banner's representative said, "I can deliver 250 sheets of drywall in your driveway tomorrow." I declined because no offer was made to install it.

We also made telephone calls to the Florida Health Department who referred us to the Sarasota County Health Department, who at the time was taking the lead on this emerging crisis. Mr. Robert Kollatte was very aware of the problem and informed us that the only remedy at this time would be complete removal of the drywall. Mr. Kollatte also said that other factors need to be addressed in the remediation, including removal of any corroded copper piping, electrical wiring and possibly other metals. He explained that the corrosion caused by sulphur, once started, continues even if the contaminated drywall is removed. Try to imagine how many products used in your daily lives contain copper? Mr. Kollatte also said the corrosion is not limited to just copper. Again, we thought, if it's doing this to copper and other metals, what's it doing to our lungs?

We started looking through our home, and found mirrors turning black, electrical switches stopped working for no reason, our son's computer and game console both broke down three times and were finally replaced by the manufacturers under warranty.

#### REALIZING OUR DREAMHOUSE MAY BE KILLING US

Nearly every day I have a nosebleed; some days they are not as severe as others, but none-the-less, I did not have them before moving into my home. Stuffy noses and raspy throats are commonplace in our household; there is not a night that goes by that I don't wake up worried that I may be harming my family by allowing them to stay in the house. My wife, Patti keeps vials of eye drops at her bedside because her eyelids become so dry that they are difficult to open if she wakes up during the night. My son, Stephen, who is very healthy and rarely sick, came down with a respiratory ailment recently. He lost five days of school and we made two visits to the physician in that same period. The doctor could not understand why he was not responding to the medication. Stephen was tested for mononucleosis and the flu, both which were negative. Finally after being bedridden for seven consecutive days he was able to return to his classes. But he continued to complain of weakness for at least a week or two afterward. He even took naps after school which we have never seen him do. I am convinced that the background sulphur contamination emitted from the drywall contributed to his lengthy recovery.

#### ARANDA HOMES, INC., RESPONSE

Feeling abandoned by our builder, we hired an attorney who filed a latent defect complaint against Aranda Homes, Inc., under Chapter 558 of the Florida Statute. The 558 Notice claims that Aranda Homes, Inc. is responsible for installing defective drywall in our home and provided Aranda Homes 45 days to respond as to how they intended to remediate.

On March 4, 2009, Counsel for Aranda Homes, Inc., responded to the Chapter 558 Notice. The response says, "Notwithstanding the assertions in the notice that scientific tests have proven that the Knauf plasterboard causes corrosion of interior metal fixtures and electronics, potentially posing a risk of fire and a risk of human health, Aranda Homes, Inc., has neither received any such test results, nor heard of any such test results". It further states, "Aranda Homes, Inc. has made several inspections of the premises and cannot conclude there are any construction defects that need a response." Needless to say, we are disappointed with and insulted by this response.

Shortly before receiving the builder's response we were informed by our law firm that our attorney was no longer with the firm and we have not retained another attorney since.

We also inquired with Aranda Homes, Inc., as to who their insurance carrier was. The Counsel for the builder said that our claim was sent to their insurer. However, Aranda Homes, Inc. has refused to tell us who their insurance carrier is.

#### REGULATORY RESPONSE TO OUR DRYWALL PROBLEM

The Florida Health Department has been in the forefront trying to confirm whether any health or other risks exist from the drywall emissions. Dr. David Krause, in particular, has been a wonderful resource to us and we want to bring this to your attention.

We also had the opportunity to have our house inspected by the U.S. Consumer Products Safety Commission, the U.S Environmental Protection Agency, and the Agency for Toxic Substance and Disease Registry. Representatives from these agencies sampled our home for potential sources of contamination caused by the drywall. In addition, we provided one of our smoke detectors to the Florida State Fire Marshall for inspection to determine if the corrosion could cause our fire alarm system to malfunction during a fire.

Lastly, we have been asked to allow the U.S. Environmental Protection Agency's Emergency Response Team and the Florida Department of Health to install indoor air monitors in our home during the first week of June 2009 for a three day period, during which we may be asked to vacate. Coincidentally, we are attending a wedding in Pennsylvania during this time period. We are only too



happy to accommodate these agencies in their efforts for the benefit of all those impacted by this unfortunate tragedy.

I ASK THAT THE COMMITTEE CONSIDER THE FOLLOWING IDEAS:

Establish a Federal Task Force led by U. S. EPA or FEMA and made up of Federal agencies charged with looking at existing regulatory authorities to fund the removal and remediation of the drywall contamination. This would be similar to having a response to a hurricane, earthquake or other natural catastrophe. I suggest this activity be coordinated with the appropriate State and local entities, which can provide their expertise in the various elements of the remediation process.

Direct the U.S. EPA and U.S. Department of Housing and Urban Development the responsibility of establishing a protocol for cleanup and remediation. This protocol should provide standard guidelines so that remediation of the drywall and corrosion problem is consistent from State to State or builder to builder.

Require the U.S. Consumer Products Safety Commission to issue a recall of the defective drywall, and a directive that no other drywall imports from China be permitted until such time as minimum health and safety standards can be developed by this agency.

The manufacturers of the contaminated drywall need to be held accountable for any remediation costs rather than the taxpayer. I think that enforcement of this effort could be performed by several federal agencies with the lead agency efforts being undertaken by the U.S. Consumer Products Safety Commission.

In developing the costs of remediation, I would suggest that the Federal Task Force consider other costs for complete remediation as: moving and relocation expenses of the homeowners during reconstruction, including utilities; storage costs for contents of their homes; replacement of all corroded items including but not limited to: televisions, computers, smoke detectors, refrigerators, mirrors.

In conclusion, I would like to again express my appreciation to the Committee and to Senator Nelson for this opportunity to provide testimony on this important issue. I stand ready to answer any questions the Committee may have. Thank you.

© 2009 News-Press, Inc. All rights reserved. This document is the property of News-Press, Inc. and is not to be distributed, copied, or otherwise used without the express written permission of News-Press, Inc.

## Cape Coral man to testify in D.C. today on drywall issue

Thursday, May 21, 2009 posted by Larry

Richard Kampf, a Cape Coral resident who has an Aranda Home built with defective Chinese drywall, will testify today before a Congressional committee called to discuss the drywall issue.

The hearing was called by U.S. senators Bill Nelson of Florida and Mary Landrieu of Louisiana.

Both states are dealing with the defective drywall in residents' homes — Florida more so because it is estimated that 36,000 homes are affected.

Kampf, 56, is former chief of staff for the EPA in Philadelphia. He moved here to a \$315,000 home built in 2006 to retire with his wife, Patti, and son Stephen.

You can read the text of the entire testimony he will give the committee when the hearing begins at 10:30 a.m.

The Kampfs say they still have not yet received a satisfactory response from their builder.

<http://www.news-press.com/article/20090521/NEWS0101/90521024/1075>

Tags: [Cape Coral](#), [Congressional committee](#), [Florida](#), [Louisiana](#), [Richard Kampf](#), [U.S. senators Bill Nelson](#)  
[Share your comment here 0](#)

Chinese Drywall is proudly powered by [WordPress](#)

[Entries \(RSS\)](#) and [Comments \(RSS\)](#)





This investigation was initiated by a complaint received by the U.S. Consumer Product Safety Commission.

The information contained in this investigation was supplied by the following sources:

1. An onsite interview with the owners of the home on 8-12-2009.

**Family Members:**

Husband – 47 year old male

Wife – 47 year old female

Grandmother – 86

Son – 19 year old male

Daughter – 15 year old female

This incident involves health issues and copper and metal corrosion at the non seasonal home of the victims over an extended period of time as will be detailed later in this report which the owners believe were caused by contaminated Chinese drywall used in the construction of their home.

An engineering firm was hired by the CPSC to collect and conduct air and drywall sampling and examination at the home and the results will be provided to the consumer once completed.

The home was a 5 bedrooms, 4 bathrooms new construction, 4200 square foot home in Miami, FL. The owner contacted the CPSC on 3-03-2009. The incident date is being listed as when both Air Conditioner coils for the two systems were replaced on an unspecified date in August of 2007.



The home was built in 2006 by the consumer's brother who is a licensed general contractor and the homeowners occupied the home in January of 2007. The home is a single story ranch style home with marble floors throughout. The home was a cinder block and stucco construction home with wood studs. The home was electric with propane gas to the stove.

The homeowners lived in the home on full time since January of 2007. The brother-in-law is a licensed contractor and built the home for the family during the latter half of 2006. He purchased the drywall from the firm listed below. The family indicated they would try to obtain receipts and forward if possible.

The homeowners had no invoices they could locate to document the drywall supplier or installer however a firm they believe installed the drywall is included at the end of this report. The home owners conducted no changes or replacements to the drywall, paint etc. They had one cat which seemed unaffected by the Chinese drywall.

The family noticed a "sour, rotten egg, ammonia odor" when they moved into the home but thought that it was simply a "new home odor" and that it would eventually dissipate. However the odor never did abate and continues to be very noticeable when the family returns to the home and then they become acclimated to the odor and do not notice it except in the study and the children's bedrooms where it appears to be stronger. The odor seems to get worse after it has rained and the humidity is higher.

Approximately eight months after living in the home both the air conditioners quit cooling and the A/C installer was very baffled and had to replace the evaporator coils to both units. He could not offer any explanation. The family indicated that they would try to find copies of the repair tickets. The air conditioners appear to be working fine since then but the coils on the main unit were examined and showed blackening and corrosion but not much rusting around the copper lines.



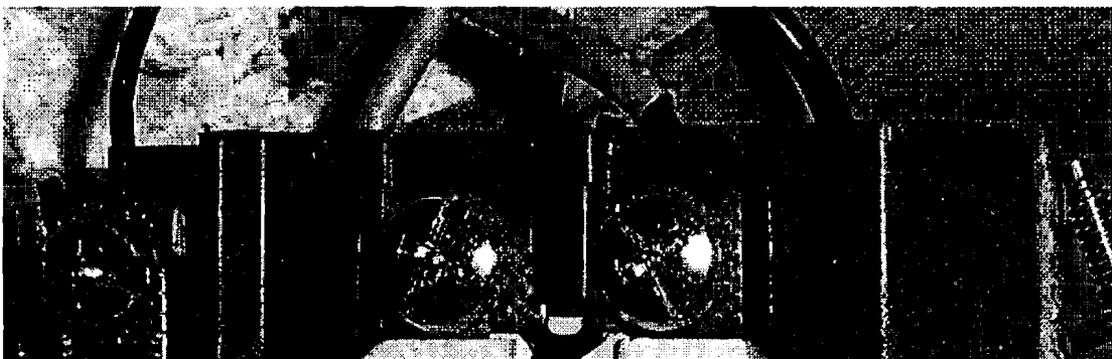
Many of the copper products in the house have turned a blackish brown and the bathroom fixtures show pitting and darkening. The microwave circuit board has been replaced three times and has died again. The bedroom television has been repaired four times. The living room television has been repaired twice. The cable TV signal has been worked on recently with no success and all the televisions have snowy reception. The home's two computers have been repaired numerous times and the mother boards replaced twice. The computer printer has died twice. The coffee maker died on an unspecified date. Various pieces of silver jewelry turned black and were discarded. Numerous bathroom faucets are showing pitting.



Photograph of copper canister corrosion and darkening.



Photograph of pitting on the shower faucet.



Photograph of corrosion/blackening of the hot, ground and neutral wires of an electrical receptacle.

The consumer's brother climbed around in the attic of the home and moved insulation to be able to read the labeling on the back of the pieces of drywall. The labeling indicates imported Chinese drywall which is specified by name at the end of this report. Photographs taken by the family of the attic and labeling are included in the exhibits.



Labeling on the attic drywall, "KNAUF."

All of the family was in excellent health prior to moving into the home and were not experiencing any of the symptoms previously. The grandmother who was most severely affected was in excellent health and had no previous sinus or respiratory conditions. Approximately six to eight months after living in the home all of the family began experiencing respiratory symptoms. The grandmother began wheezing and having shortness of breath and eventually spent one month in the respiratory intensive care unit at the hospital and had to move out of the home.

The husband has a continuous dry cough and severe dry eyes and sore throat. He saw his physician who placed a scope down his throat and indicated that his throat was very red and raw and administered a course of unspecified antibiotics. He did not have a specific diagnosis for the condition.

The wife had sinus problems, headaches and severe dry burning eyes. She saw her physician who was unable to diagnose the problem.

Their son has continuous sinus problems and occasional bloody noses and would wake up with a bloody pillow. Their daughter has migraines and headaches, continual sinus drainage, a dry cough, severe dry eye and a sore throat. Her physician said it was caused by general allergies. No medical records were provided. The mother believed that their symptoms would alleviate some after being away from the home for three to four days but did not totally go away. When they returned to the home the symptoms would immediately start again.

The home had not had any flickering lights but one of the electrical switches had become very warm to the touch in their son's bedroom. Various breakers to the home would flip approximately three to four times each month for the past six months. Some part of the house would lose power and the father would have to go to the garage and flip the breaker back on. None of the smoke detectors had exhibited any problems other than beeping and the battery was then replaced.

The husband indicated he had written letters to his congressional representatives and to the White House regarding this issue. No authoritative or remedial response was received from any of the political representatives. The family contacted their home owner's insurance who indicated that the problem was not covered by their policy. The builder checked with his insurance company who also indicated that the policy would not cover said problem. No corroborating documents were provided.

In January of 2009 the family saw a news article about the effects of homes with Chinese drywall and immediately began to realize why they were having so many problems with their electrical products and health issues in their home. They are very concerned about the health of their children and the long term health affects of breathing the tainted odors from the drywall.

Photographs of the home and attic are included in the exhibits. The consumer indicated his desire to have his name remain confidential. Please see the release of name form in the exhibits. A copy of the permission to examine the home is included in the exhibits. The exit final release form is included in the exhibits.

**Product Information:**

**Builder:**

**Carlos Lanza General Contractor**  
Consumer's brother

**Product:**

**Chinese Drywall**  
**Knauf of Tianjin, China**

According to the complainant the legal representative contact for Knauf is:

Douglas B. Sanders  
Baker & McKenzie, LLP  
One Presidential Plaza  
130 E. Randolph Dr.  
Chicago, IL 60601  
T: 312/861-8075  
F: 312/698-2375  
E: [douglas.b.sanders@bakernet.com](mailto:douglas.b.sanders@bakernet.com)

Contact Information from the web site:

US Headquarters  
Knauf Insulation  
One Knauf Drive  
Shelbyville, IN 46176

TEL: 317-398-4434  
FAX: 317-398-3675  
Questions or Information Requests  
E-mail: info.us@KnauffInsulation.com  
Media Contact  
Stacey Lee  
MARC USA/Indianapolis Public Relations  
E-mail: slee@marcindy.com

**Drywall Subcontractor:**

**Mandy's Drywall**

No further data was provided

**Drywall Supplier:**

**Banner Supply**

7195 N.W. 30th Street  
Miami, FL 33122  
305-593-2946  
305-477-2775 fax

**Attachments:**

Exhibit #1	Contacts
Exhibit #2	Consent to allow drywall testing form
Exhibit #3	Final walk through release form
Exhibit #4	Release of name form
Exhibit #5	Photographs of the home (16)
Exhibit #6	Contact information on the drywall supplier
Exhibit #7	Contact information on the drywall importer

(b)(6)

RELEASE & WAIVER OF LIABILITY FORM

(b)(6)

[by All Residents 18 Years or Age or Older]

I, [redacted], do hereby give permission to the U.S. Consumer Product Safety Commission and any of its designated representatives, consultants, or other designees ("CPSC") to utilize my residence located at [redacted] for an indoor air-quality monitoring and testing study. This work is being undertaken as a part of an exploratory study to assess potential associations between constituents that may be present in indoor air and constituents that may be detected in drywall imported from China.

I understand that CPSC will be testing my residence for a variety of gases and/or other substances. Additionally, I understand that while CPSC will inform me of the chemical analysis results for my own residence, CPSC will not be providing further individualized analysis or recommendations concerning possible actions regarding health, safety and/or remediation which occupants could take in light of the information provided. However, CPSC will inform me if the chemical analysis results for my residence indicate the presence of gases or other substances above established risk levels.

I understand that this testing will take one full day of active testing and up to one to two week(s) of having passive sampling equipment in my home. I understand that after one to two week(s) of passive sampling, CPSC will contact me to arrange a time for CPSC to retrieve the passive sampling equipment. I represent that neither I nor members of my household will touch the passive sampling equipment while it is present in my home. CPSC requests that homeowners refrain from using cleaning supplies containing bleach, ammonia, and acetone. There may be other limited household activities which CPSC will request the homeowner to minimize, and CPSC will explain those activities in more detail when the testing begins.

I understand that CPSC intends to take small nail-size samples (less than 1/8 inch) from multiple inconspicuous locations throughout the home, such as behind switch plates and near baseboards. Additionally, CPSC may take drywall sample(s) of an approximate size of 6 inches by 6 inches and will cover the resulting hole(s) with a blank access panel.

I understand that neither I nor other members of my household, including minor children, will be compensated for our participation in this study nor will we receive any per diem allowance or other funds.

I understand that this study involves multiple residences and the final study and analysis will not be completed for a period of time, likely in the fall of 2009. I also understand that CPSC will likely not release information to the general public until the completion of the entire study. I further understand that this study may be widely disseminated to the public and that my own residence will not be identifiable by personally identifiable information such as address, name, etc. within the larger study.

I assume the risk of any and all injury or damage to my person or property that may arise, whether directly or indirectly, as a result of my participation in this study.

I hereby release and hold harmless CPSC, its officers, employees, consultants, representatives, and other designees and the United States Government from any liability for illness, injury, property loss or damage arising from participation in this study.

This agreement is made upon the express condition that for the period of time which CPSC or any of its equipment is in my residence for the purpose of conducting this testing, I shall be free from all liabilities and

Ne  
Cl  
P.M  
Cor

claims for damages and/or suits for or by reason of any illness, injury, or death to any CPSC officers, employees, consultants, representatives, and other designees of the CPSC or the United States Government, and that I shall be free from all liabilities and claims for damages and/or suits resulting to damage of CPSC property. CPSC hereby agrees to release and hold me harmless from any liability for illness, injury, death, and/or property loss or damage in connection with the testing as outlined above, however occurring.

(b)(6)  
\_\_\_\_\_  
Signature

8/2/09  
\_\_\_\_\_  
Date

[REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

### FINAL RELEASE & WAIVER OF LIABILITY FORM

I, (b)(6) [redacted] (d by All Residents 18 Years or Age or Older] do hereby acknowledge that with my permission the U.S. Consumer (b)(6) any of its designated representatives, consultants, or other designees ("CPSC") utilized my residence located at (b)(6) for a preliminary pilot indoor air-quality monitoring and testing study on 8-12, 2009.

On today's date, I have completed a walk-through inspection of my residence with Glenn Dunlap, a CPSC employee. I further acknowledge that except for any items listed and described below, no items are missing, damaged, or destroyed in my residence.

Notation of missing, damaged or destroyed items in residence (if applicable):

None

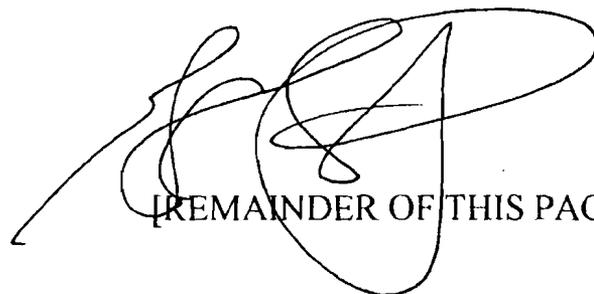
I acknowledge that CPSC offered reimbursement for the \_\_\_\_\_

but I have declined CPSC's offer. I acknowledge that I have not requested that the \_\_\_\_\_

be repaired or replaced by CPSC.

(b)(6)  
Signature of Resident

8/12/09  
Date

  
[REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

I request that you do not release my name. My identity is to remain confidential.

You may release my name to the manufacturer but I request that you do not release it to the general public.

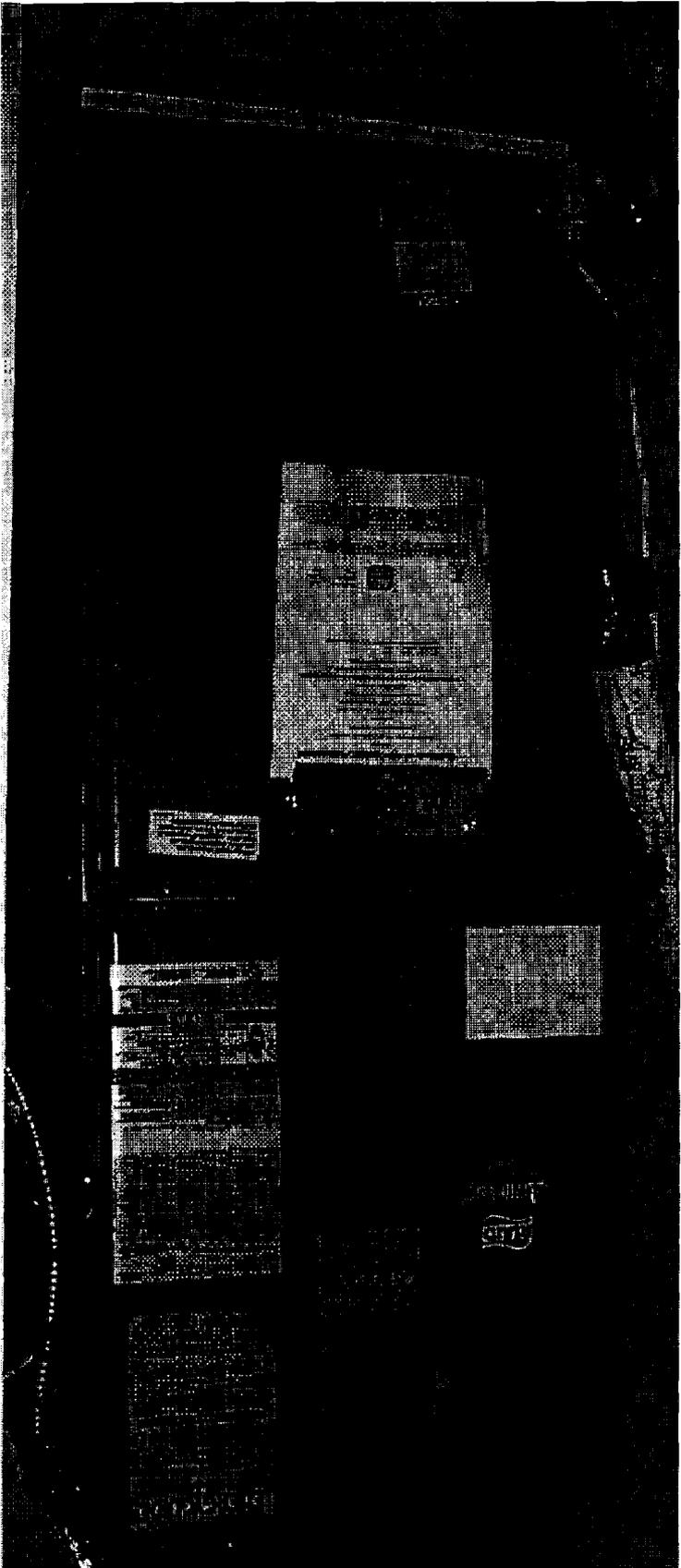
You may release my name to the manufacturer and to the public.

(b)(6)

(S)

Photograph of the front of the home

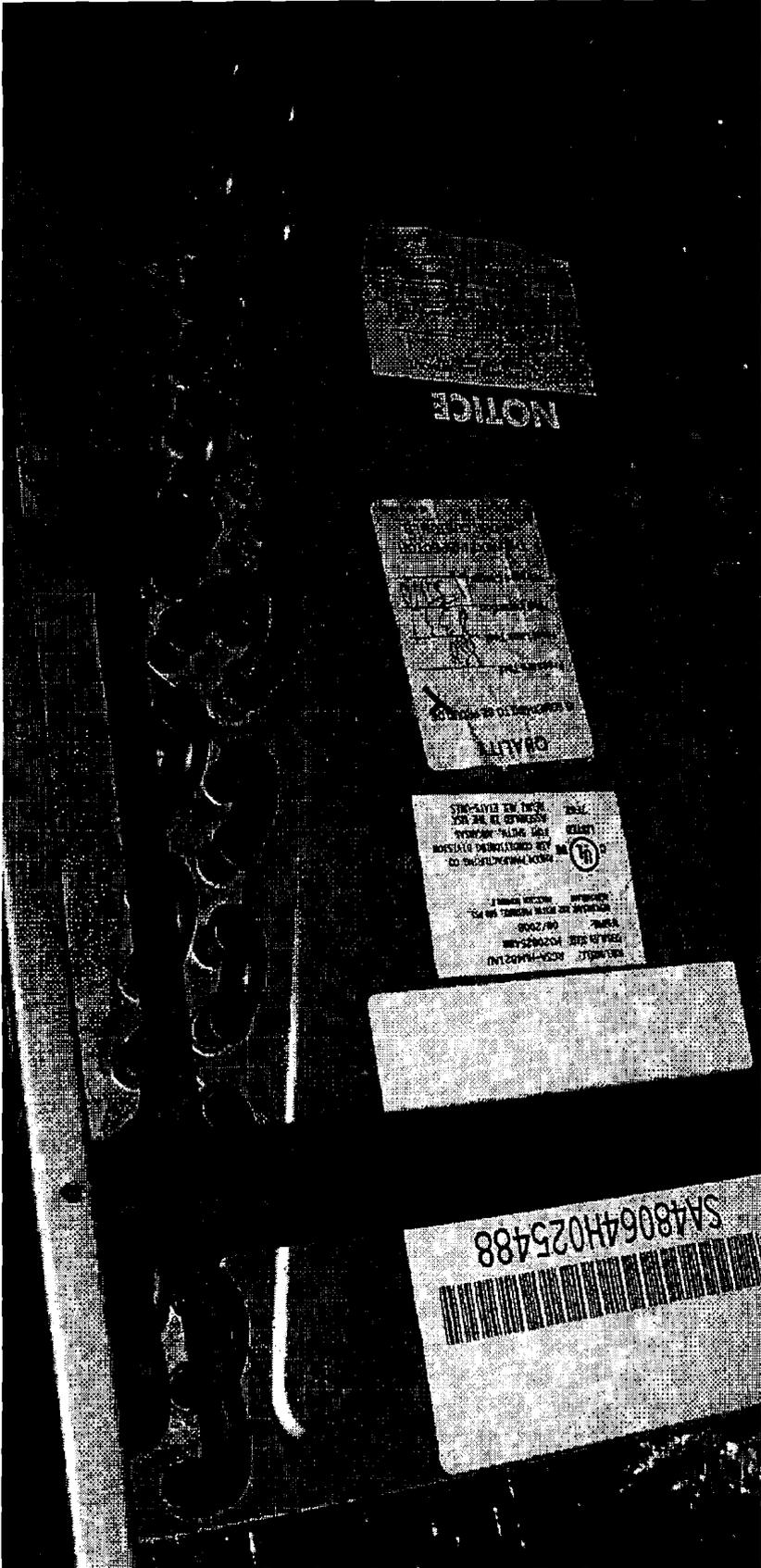


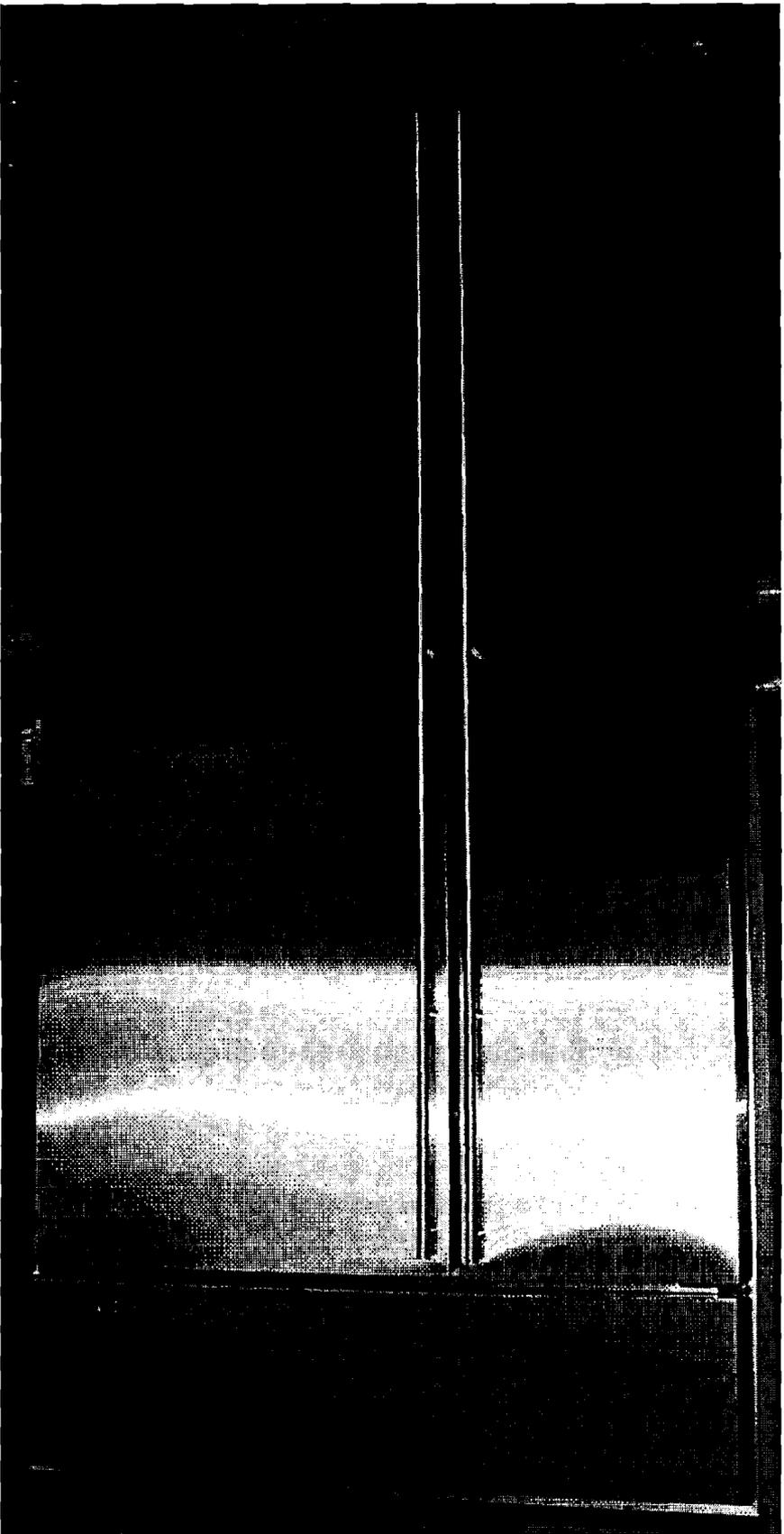


Photograph of one of the  
AC units in the home

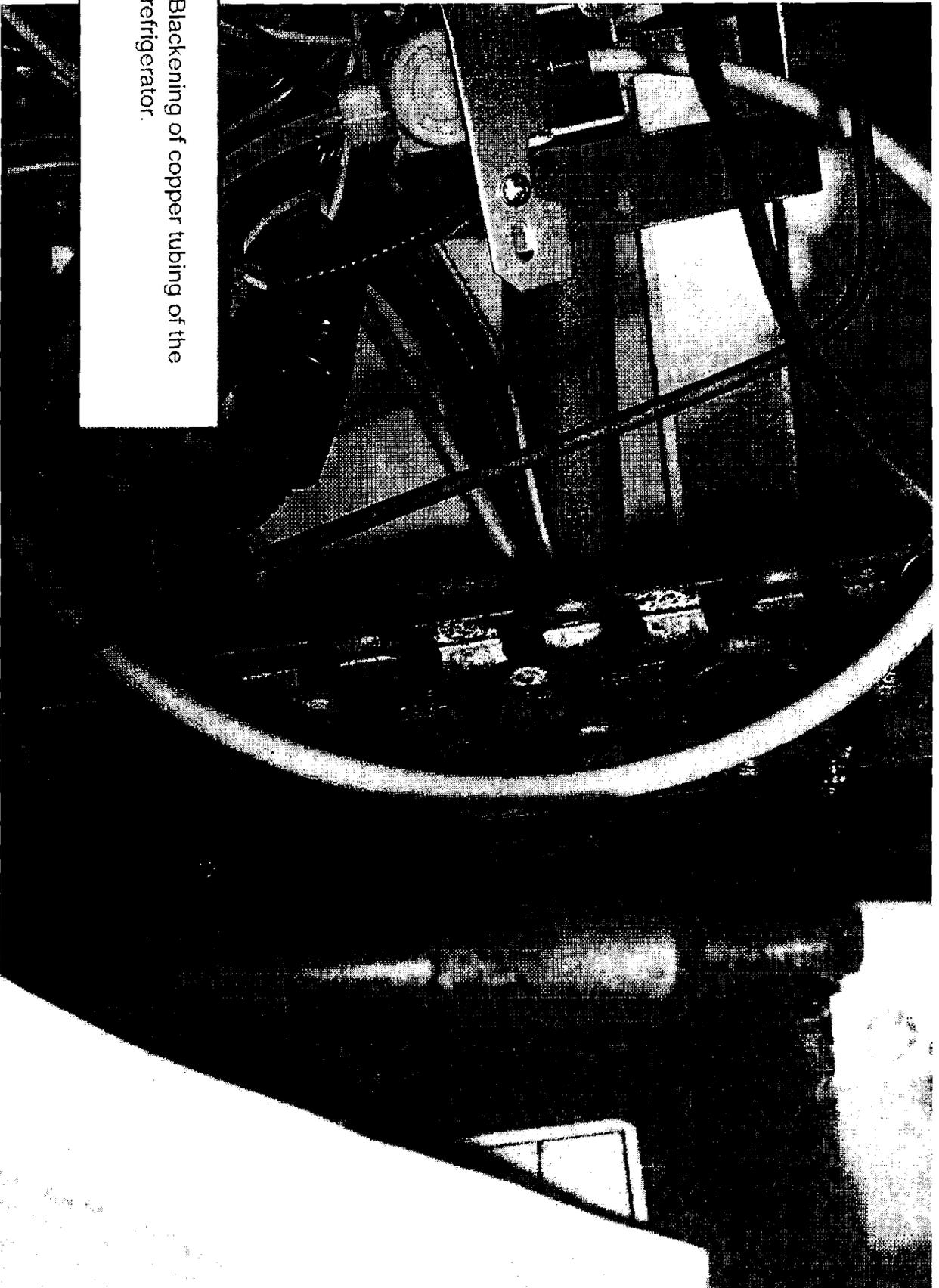


Blackening of the copper tubing.

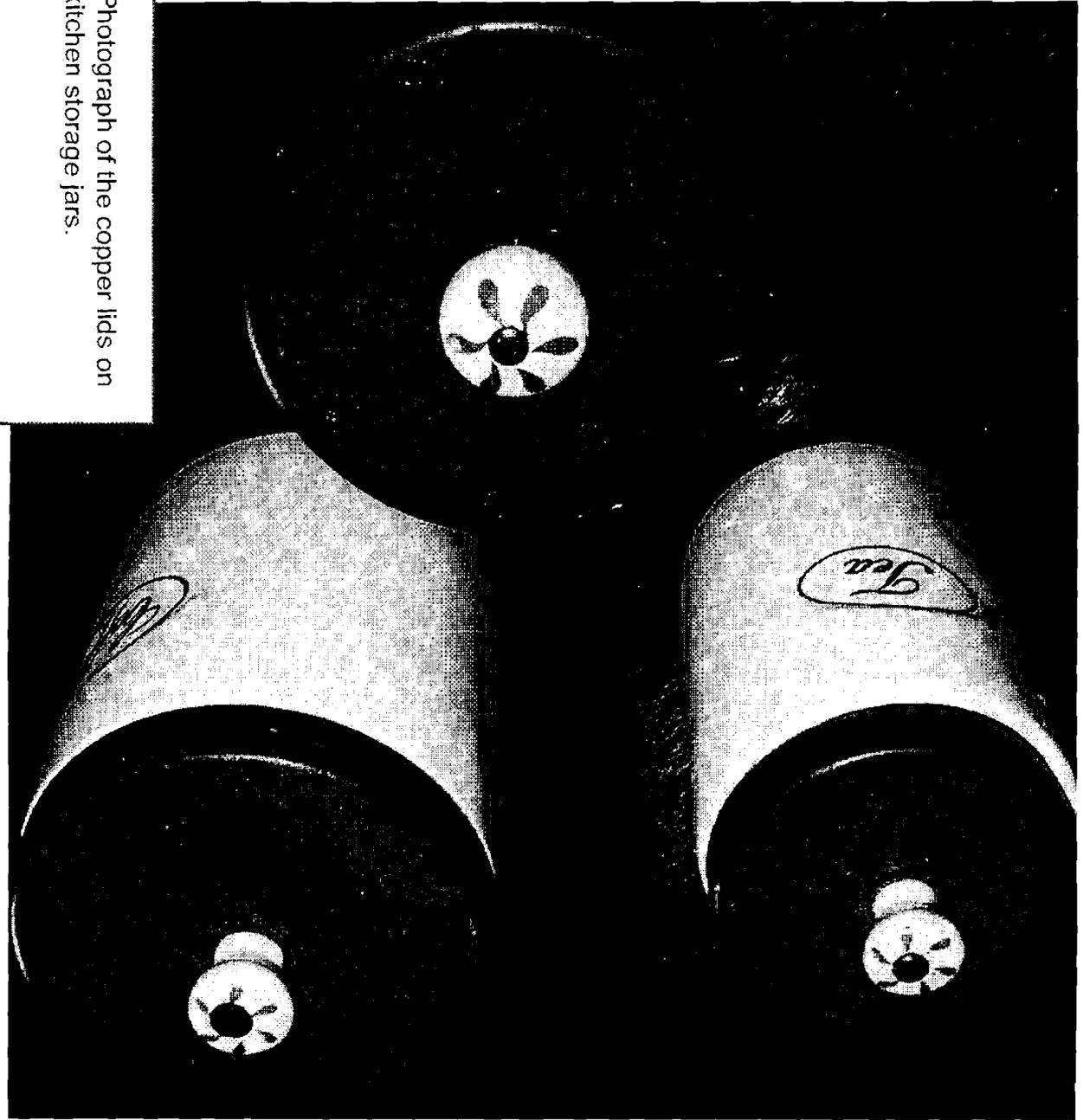




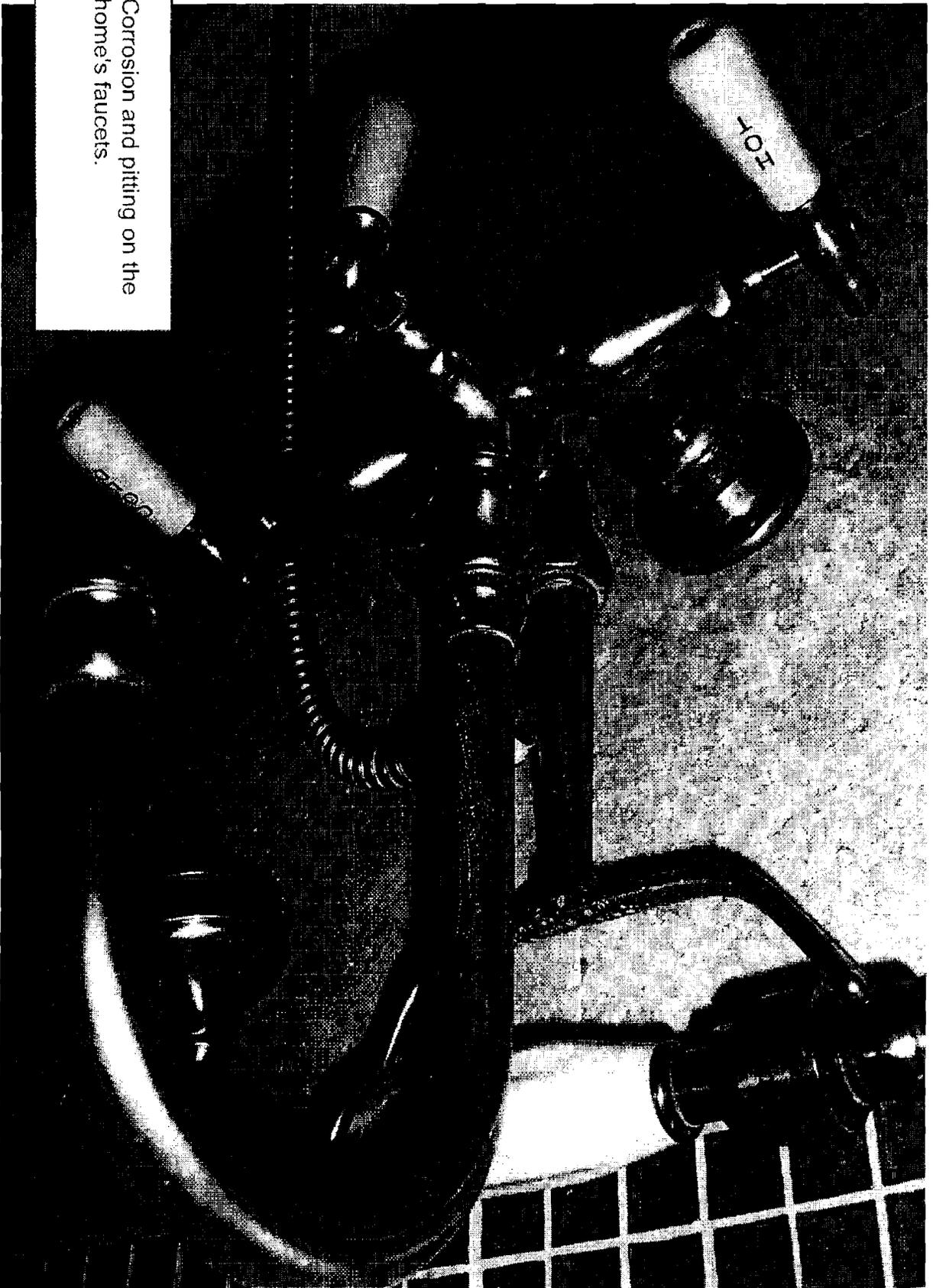
Photograph of the front of the refrigerator.



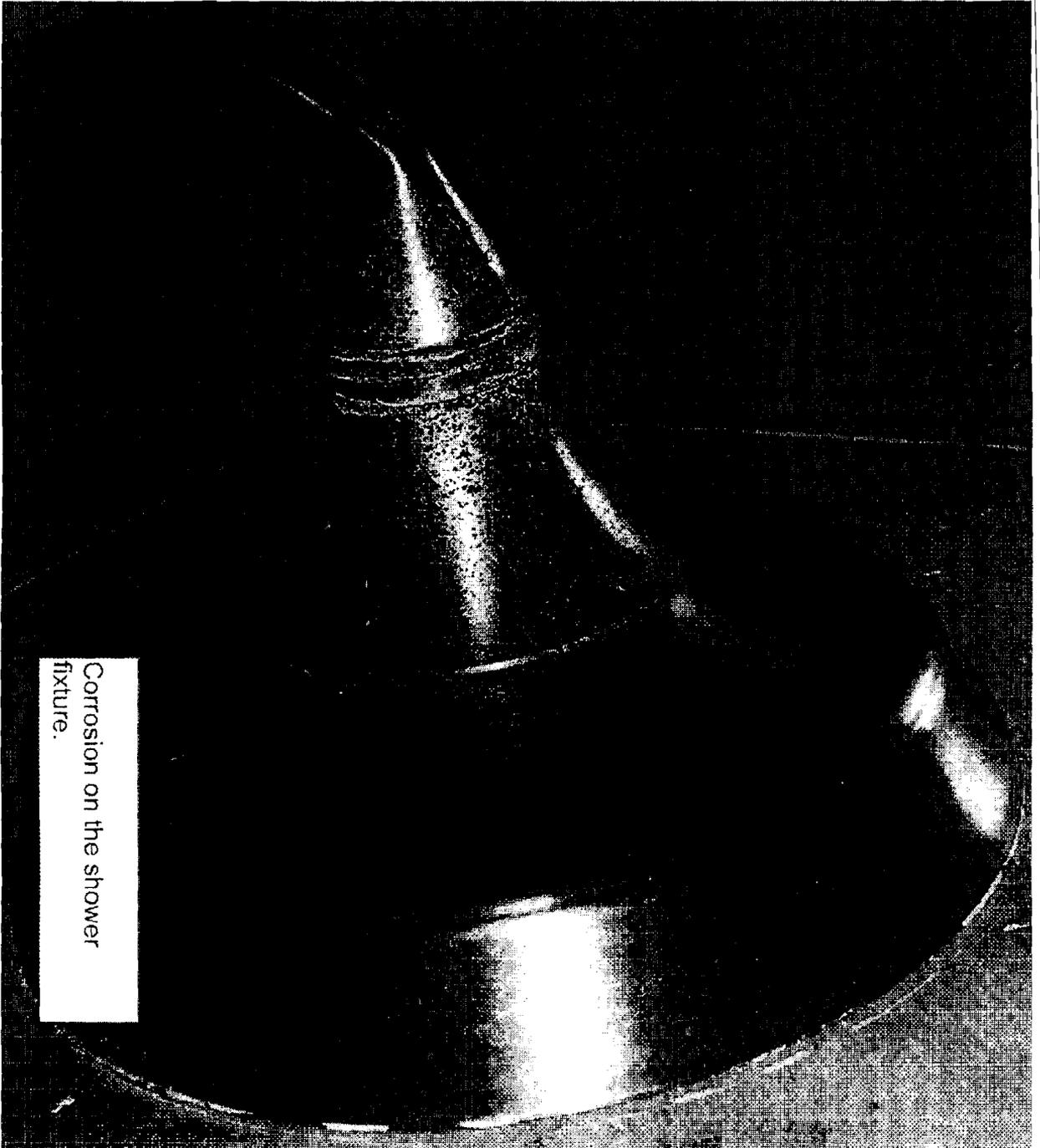
Blackening of copper tubing of the refrigerator.



Photograph of the copper lids on kitchen storage jars.

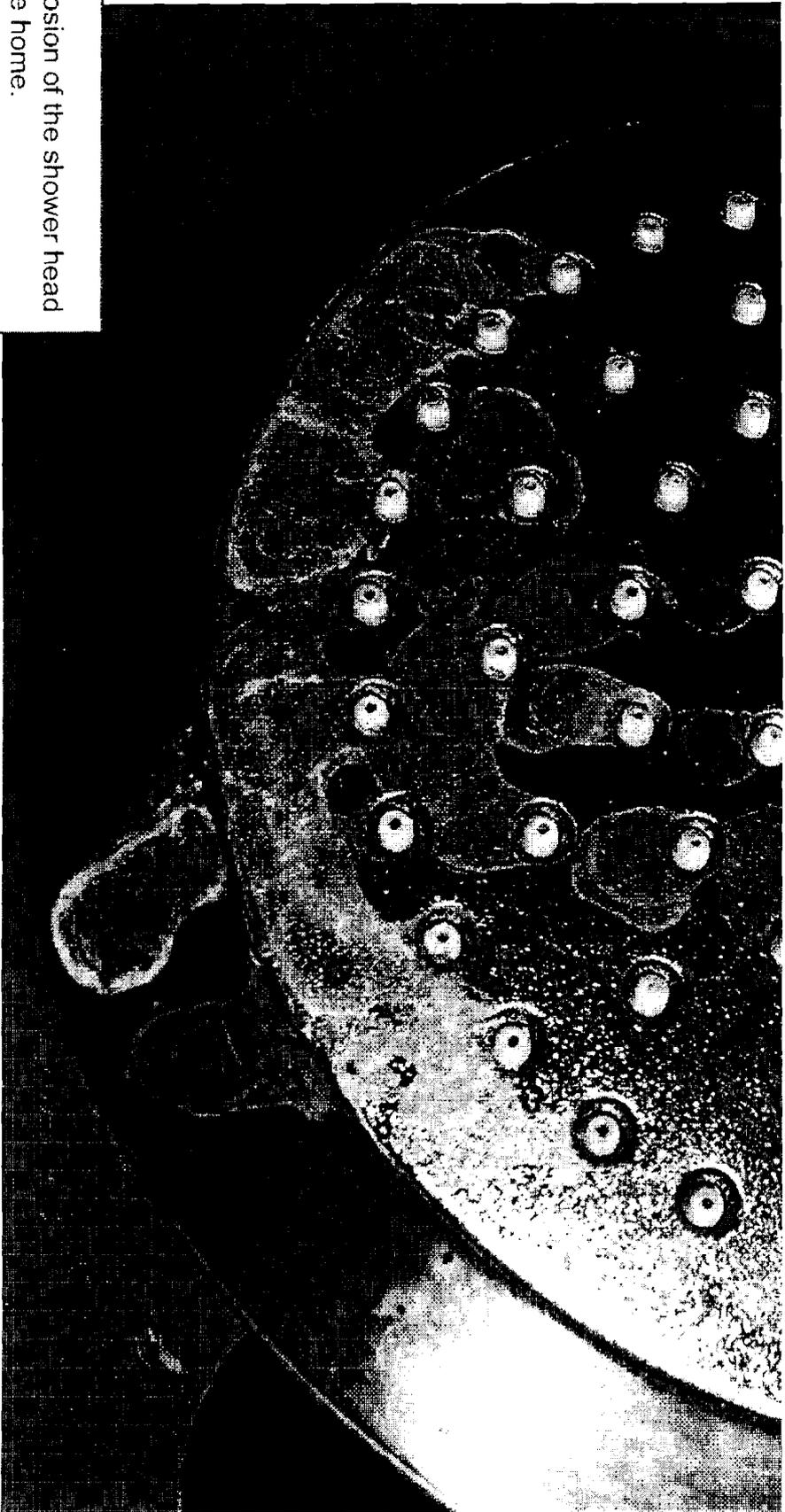


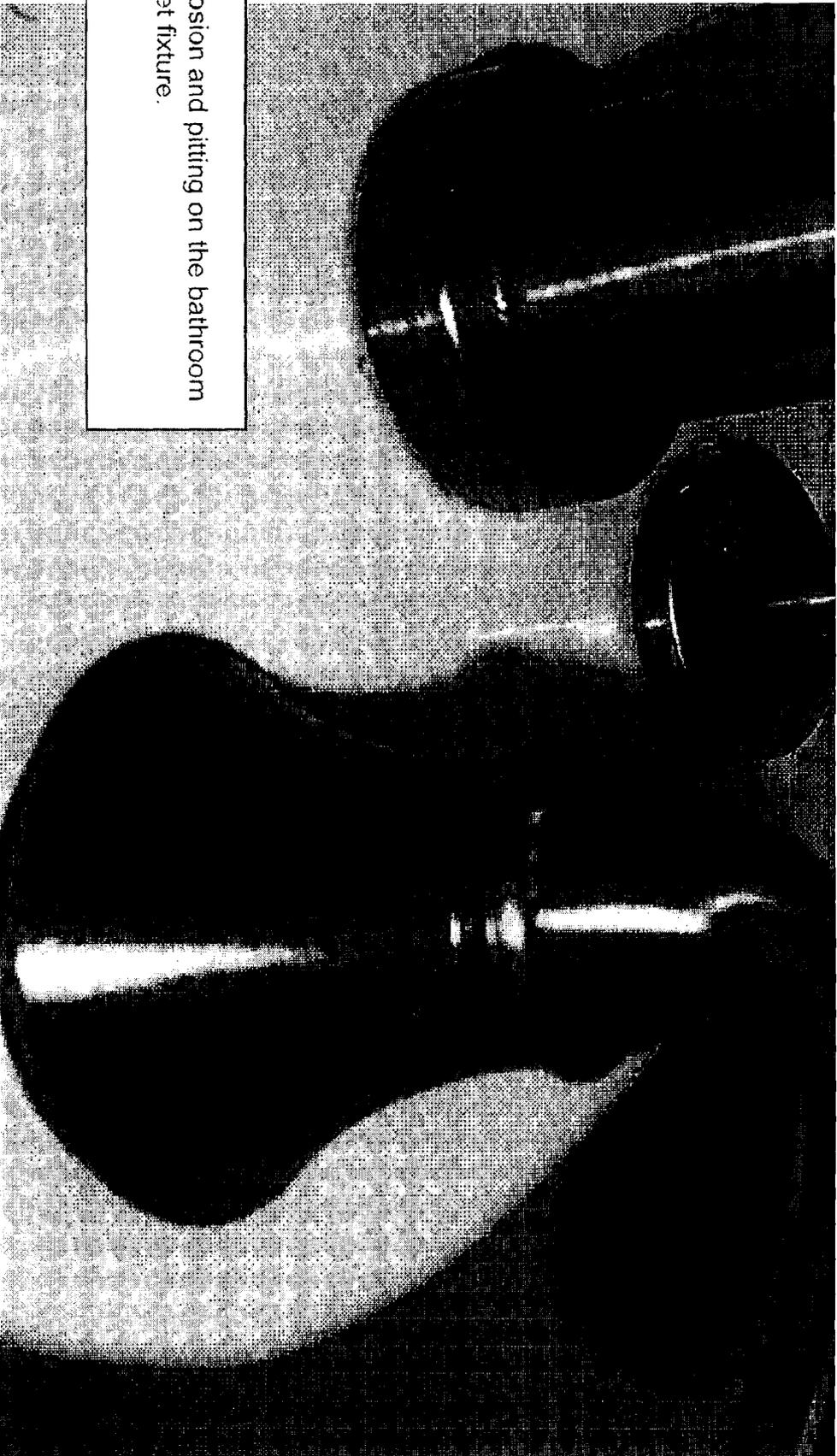
Corrosion and pitting on the home's faucets.



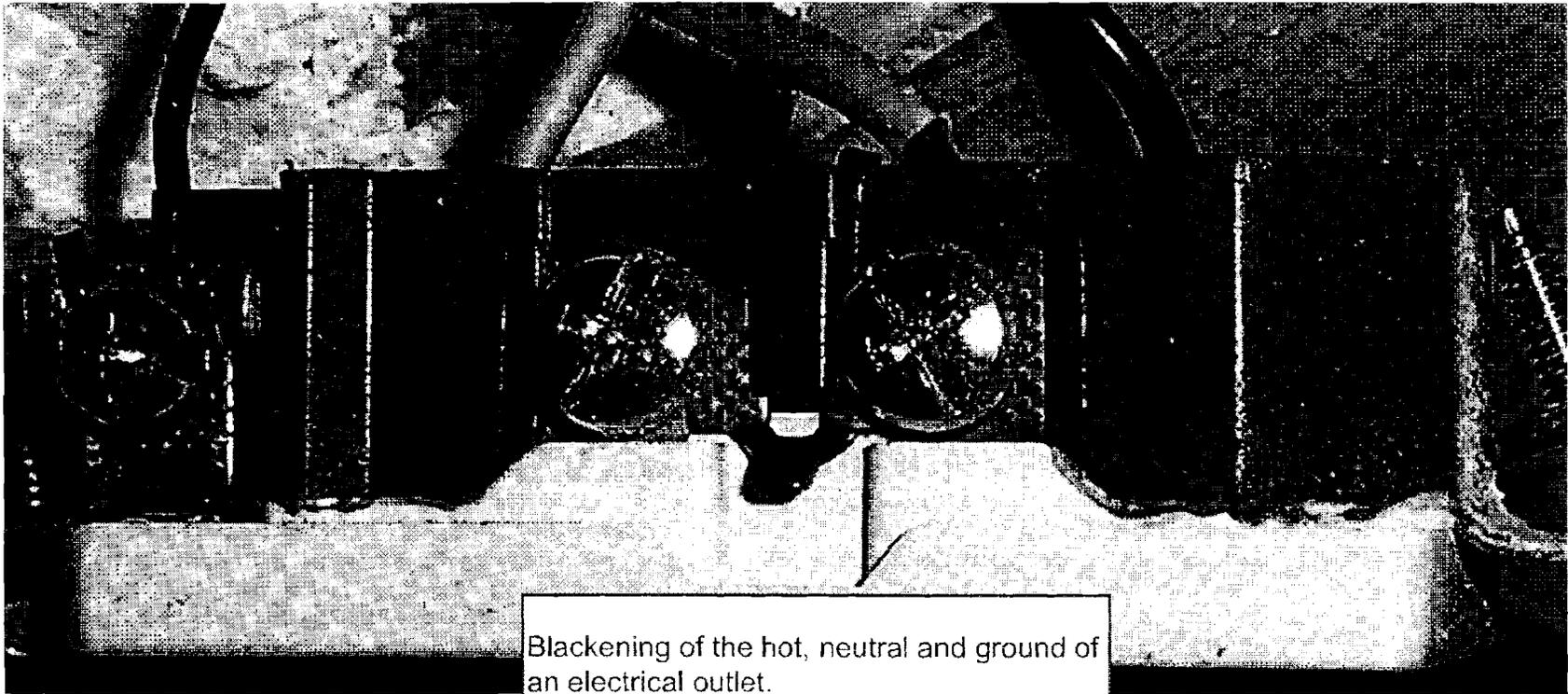
Corrosion on the shower  
fixture.

Corrosion of the shower head  
of the home.

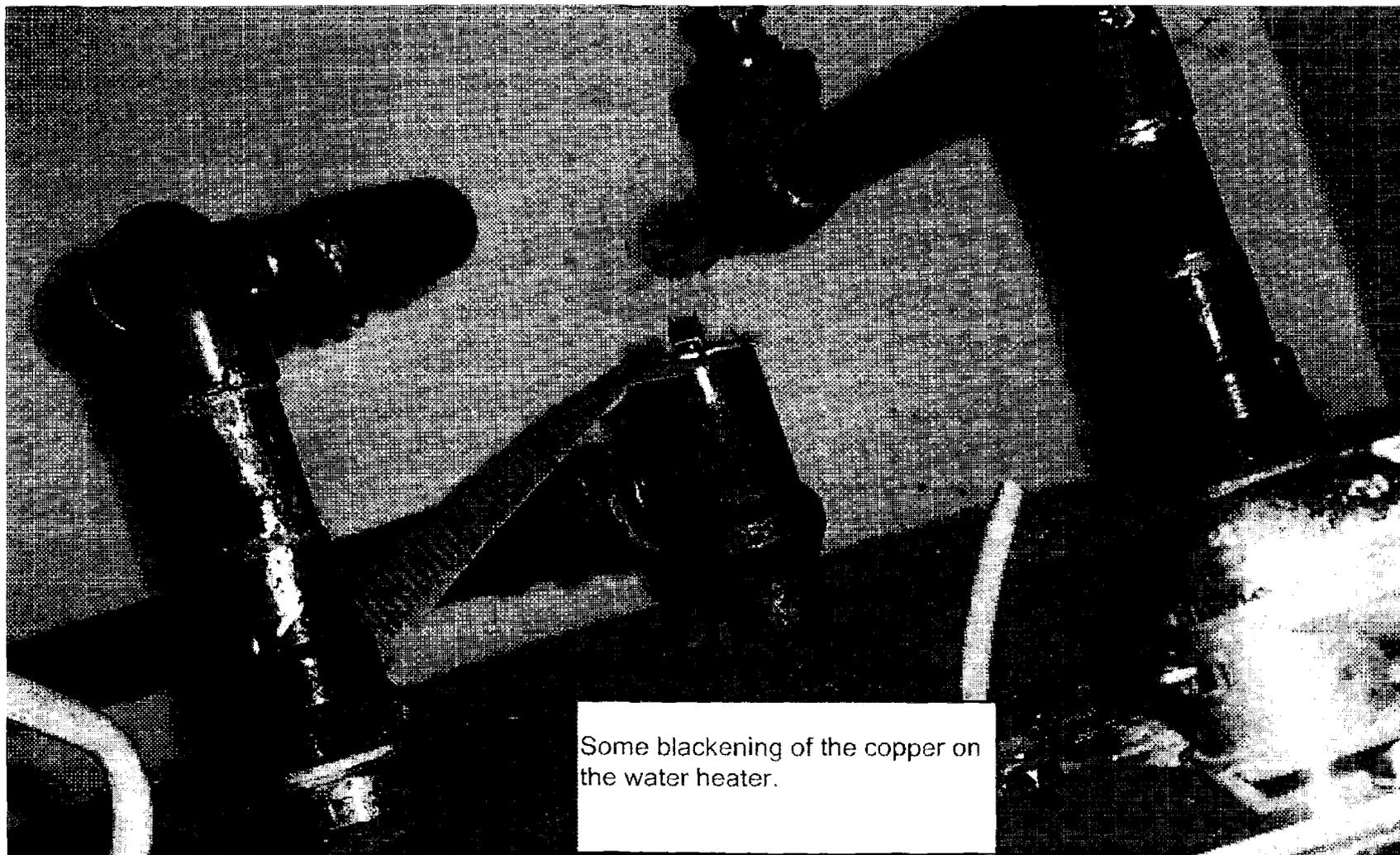




Corrosion and pitting on the bathroom faucet fixture.



Blackening of the hot, neutral and ground of an electrical outlet.

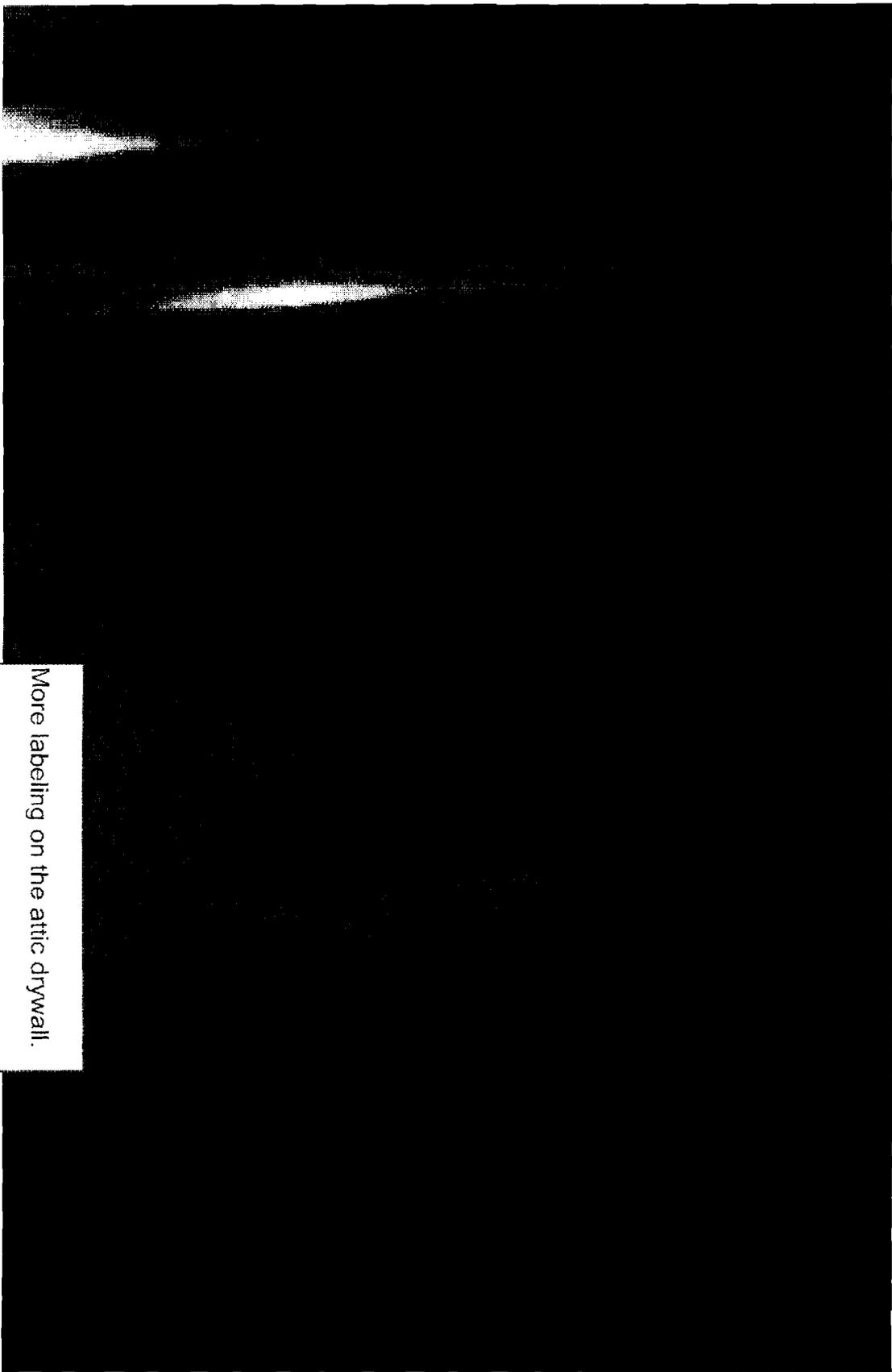


Some blackening of the copper on the water heater.



Photograph taken by the homeowner of drywall in the attic of the home.

"KNAUF"



More labeling on the attic drywall.  
"ASTM"



More labeling on the attic drywall.

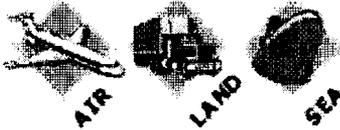
" \*\*\*\* JIN CHINA "

WELCOME TO:

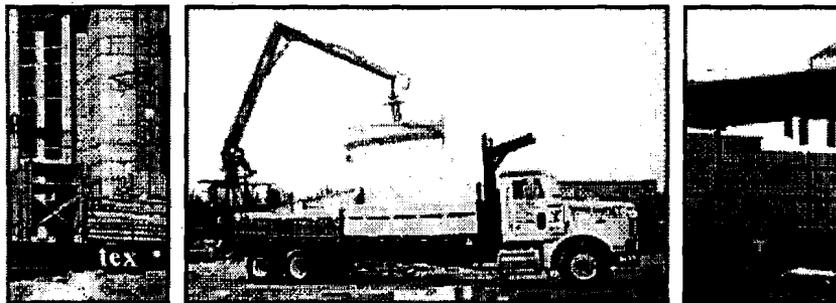


# Small enough to know you.

## *WE EXPORT BUILDING SUPPLIES ALL OVER THE WORLD*



- We handle a full line of building products
- All types of Building Materials
- We provide fixed costs on all our building products
- Interior and Exterior Specialists
- Over 45 years in lath & plaster business
- Multi-Million dollar building products inventory
- We sell drywall tools, sheetrock, plaster, steel studs, drywall, gypsum, plaster, lumber, etc.
- **ORDER FREE LITERATURE NOW...**
- **BUILDING INDUSTRY LINKS**



Fill in your eMail address, click on "Watch this site for me " and we will send you an eMail when our site is updated. We will not send you any promotional eMail or broker it. Since this is automated, please **ONLY** enter your eMail address, nothing else (eg: username@domain.com):

Your eMail address:

Watch this site for me

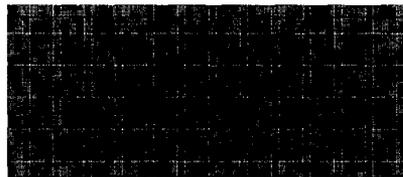


Small enough to know you.

**Banner Supply™**  
Copyright © 1997-2006. All Rights Reserved.

**Banner Supply**  
7195 N.W. 30th Street  
Miami, FL 33122 U.S.A.  
Contact Us  
**Toll Free: 888-511-4004**  
**Telephone: 305-593-2946**  
**FAX: 305-477-2775**

**Website produced by: BuildingOnline**  
**The Building Industry's Web Design and Marketing Agency.**



- [Home](#)
- [About Knauf Insulation](#)
- [Introducing ECOSE Technology](#)
- [Applications](#)
- [Products](#)
- [Basics of Insulation](#)
- [Create a Better Environment](#)
- [2009 Tax Credit for Insulation](#)
- [Web Links](#)
- [Case Studies](#)
- [Literature & Files](#)
- [News](#)
- [Employment Opportunities](#)
- [Contacts](#)
- [LEED Certification Information](#)

**Knauf Insulation - Comfortable, Energy efficient, Thermal protection to lower your heating bills. »** [Contacts](#)

[e-Mail PDF](#) [Open PDF](#) [Print Friendly](#)

**Website Options**

- [Language](#)
- [English \(United States\)](#)
- [français \(Canada\)](#)
- [Links To Other Country Sites](#)

[Search](#)

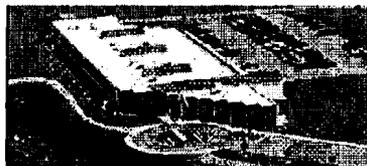
**Plant Conversion Brings EcoSE Insulation to East Coast**

Lanett facility conversion means the next generation of sustainable insulation is now available nationwide.

**Contacts**

**US Headquarters**

**Knauf Insulation**  
One Knauf Drive  
Shelbyville, IN 46176  
TEL: 317-398-4434  
FAX: 317-398-3675  
[Map](#)



**Questions or Information Requests**

E-mail: [info.us@KnaufInsulation.com](mailto:info.us@KnaufInsulation.com)

**Media Contact**

Stacey Lee  
MARC USA/Indianapolis Public Relations  
E-mail: [slee@marcindy.com](mailto:slee@marcindy.com)

**Sales Offices**

**Residential/Light Commercial (Building) Insulation**

Knauf Insulation  
One Knauf Drive  
Shelbyville, Indiana 46176  
TEL: 800-825-4434 ext. 8300  
FAX: 317-398-3675

**Commercial and Industrial Insulation**

**US and Canada**  
Knauf Insulation  
One Knauf Drive  
Shelbyville, Indiana 46176  
TEL: 800-825-4434 ext. 8283  
FAX: 317-398-3675

**Mexico**

Gunder and Associates  
11500 Stemmons Freeway, Suite 107  
Dallas, Texas 75229  
TEL: 972-620-2801  
FAX: 972-620-2755

**Export**

International Building Products Corporation  
11000 NW 36th Avenue  
Miami, Florida 33167  
TEL: 305-685-5010  
FAX: 305-685-5014

**Manufacturing Facilities**

**Plant 1**

Knauf Insulation  
400 East Walker Street  
Shelbyville, IN 46176  
TEL: 317-421-3341  
FAX: 317-398-5501  
[Map](#)



**Plant 2**

Knauf Insulation  
3502 43<sup>rd</sup> Street SW  
Lanett, AL 36863  
TEL: 334-576-8141  
FAX: 334-576-2494  
[Map](#)



**Plant 3**

Knauf Insulation  
100 Knauf Drive  
Shelbyville, IN 46176  
TEL: 317-421-3343  
FAX: 317-398-5502  
[Map](#)



**Knauf Insulation North America Plant Bob**  
Knauf Insulation North America Plant Bob is a leading manufacturer of sustainable insulation products even more sustainable controls. Knauf Insulation in North America and our products are not associated with the innovative industry leader.

Insulation does not produce or sell drywall, plasterboard or any other gypsum or gypsum-related product."

**Plant 4**

Knauf Insulation  
3100 Ashby Road  
Shasta Lake, CA 96019-0819  
TEL: 530-275-9665  
FAX: 530-275-4993  
Map



03/03/2009 19:01:41

Name = (b)(6)

Address =

City = Miami

State = Florida

Zip = 33176

Email = (b)(6)

Telephone = (b)(6)

Name of Victim = (b)(6)

Victim's Address =

Victim's City = Miami

Victim's State = Florida

Victim's Zip = 33176 (b)(6)

Victim's Telephone =

Incident Description = We built our home in 2006 in Miami Dade County Florida and have Chinese Drywall. Our family members have experienced various ailments i.e., respiratory ailments, headaches, dry cough). Our air conditioner coils, televisions, microwave and bathroom fixtures have been replaced and have turned black.

Victim's age at time of incident = various

Victim's sex = female

Date of incident = ongoing

Product involved = Chinese Drywall

Product brand name/manufacturer = Knauf

Manufacturer street address =

Place where manufactured (City and State or Country) = China

Product model and serial number, manufacture date =

Product damaged, repaired or modified = no

If yes, before or after the incident =

Description of damage, repair or modification =

Date product purchased = 2006

Product involved still available = yes

Have you contacted the manufacturer = no

If not, do you plan to contact them =

Name Release = Release name to manufacturer only

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

(b)(6)

Signature

3/17/09  
Date

*AD*

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



1. Task Number 090529CBB1742		2. Investigator's ID 9102		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2009 05 07	5. Date Initiated YR MO DAY 2009 05 29		
6. Synopsis of Accident or Complaint UPC The family moved into their home in December of 2005. They noticed that their allergy symptoms had increased in severity and periodically they smelled a rotten egg smell or dead animal smell after being in the home after three months. Their air conditioner had lost Freon on two occasions and the coils were rusty or corroded. The manufacturer of the drywall could not be specifically identified.  MFR/PRV/BR NOTIFIED COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <i>6/10/10</i> <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXCISIONS FOLA <i>H/G</i> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY				
7. Location (Home, School, etc) 1 - HOME		8. City ORLANDO		9. State FL
10A. First Product 1876 - House Structures, Repair Or		10B. Trade/Brand Name UNKNOWN		10C. Model Number UNKNOWN
10D. Manufacturer Name and Address UNKNOWN				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 45	13. Sex 2 - Female	14. Disposition 0 - No Injury	15. Injury Diagnosis 68 - Poisoning	
16. Body Part(s) Involved 85 - ALL OF BODY	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 14 / 2	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal <input checked="" type="radio"/> Yes for Manuf. Only				
24. Review Date 06/26/2009	25. Reviewed By 9001		26. Regional Office Director Dennis R. Blasius	
27. Distribution Blasius, Dennis; Rose, Blake; Matheson, Joanna; Trotta, Andrew; Khanna, Rohit; Woodard, Dean			28. Source Document Number 10950283A	

This investigation was initiated by a complaint received by the U.S. Consumer Product Safety Commission.

The information contained in this investigation was supplied by the following sources:

1. An onsite interview with the female owner/complainant of the home on 6-25-2009.

Family Members:

Husband – 54 year old male

Wife – 40's year old female/complainant

Son – 18 year old male

Son – 17 year old male

This incident involves health issues and copper and metal corrosion at the non-seasonal home of the victims over an extended period of time as will be detailed later in this report which the owners believe were caused by contaminated Chinese drywall used in the construction of their home. The home was a 3 bedrooms, 2 bathrooms new construction, 1900 square foot ranch style residence in Orlando, FL. The owner contacted the CPSC on 5-07-2009 and is the incident date. The home has no gas appliances.

The complainant indicated that they were the first owner's of the home; however, they purchased the home from an investor and not directly from the builder, which is listed below. The home was built in 2005 and they moved into the home in December of 2005.



Photograph of the front of the home.

Approximately six months earlier the complainant read an article on the Internet and realized that the symptoms and problems with their A/C may be related to Chinese Sheetrock and began to further research the subject.

The home had metal studs and had tile in the common rooms and carpeting in the bedrooms. They removed the carpet and installed tile in the remaining areas. They purchased Lowe's paint by Olympic and painted numerous walls with accent colors. The owner had no information on the source or installer of the sheetrock and other subcontracted items.

The family moved into the home in December of 2005 and did not notice any unusual odors. However one month later they began noticing an odd sulphur smell or dead animal smell in the home especially from their son's front bedroom. The wife indicated that the odor tended to be more noticeable when there was lots of rain and the humidity was higher than normal.

On an unspecified date the odor was so bad the wife asked her husband to look in the attic and see if he could locate a dead animal. He checked the attic especially around the affected room without success. The wife cleaned the home with various products which only covered up the odor. The home had several scent devices plugged into outlets and this investigator could not detect odors underneath the artificial fragrances

The wife indicated that she had a pinched nerve from a prior unspecified injury. Since moving into the home the symptoms have been amplified and she has been in more pain and having to use a heat pack more often.

Her existing allergies have been amplified since being in the home. In addition to sinus problems she and her husband have been experiencing severe dry mouth at night. The 18 year old son's allergy symptoms have increased since living in the home. The family had not been to see their physician but have been treating the symptoms with over-the-counter medications. The 17 year old son had not had any symptoms but could easily detect the odd odor in his room. The increase in allergy symptoms appeared to have increased after being in the home three to four months.

All of the family members noted that they sleep better the first night away from the house and that their allergy symptoms would decrease after two days.

The family had a Chihuahua dog for a short period of time. The wife believed that her allergy symptoms may have been caused by the dog so she sold it to a neighbor, however her symptoms did not abate. The dog had asthma and wheezing attacks which she had to administer OTC medications directed by her veterinarian.

The home's Air Conditioner froze up approximately one year ago and the technician added Freon to the unit. He commented that it was odd that a A/C unit this new would be loosing Freon. The husband had opened the PVC access to the drain pan and a lot of rust and water spilled out onto the floor.

Approximately 7-8 months ago the A/C again froze up and another technician added Freon to the unit. This investigator opened the access panel to the evaporator coils and noticed a substantial amount of rust on the unit. She could not provide any receipts of service



Photograph of the evaporator coil of the A/C.

The only electrical problem the family had noticed was that one of the kitchen GFI outlets would require occasional resetting. None of the appliances, outlets or electronics had failed.

The wife indicated that her son's silver jewelry seemed to tarnish quickly. She only had a few pieces which had been recently cleaned.

Three electrical outlets were removed and photographed. The hot and neutral wires could not be observed however the ground wire showed only mild darkening/tarnishing. Copper water supply lines underneath the sinks showed mild tarnishing. The thermostat appears to be failing as the temperature was set at 80 degrees however the home's ambient temperature was 72 degrees.

The wife stated that one odd thing about the drywall was that it seemed to indent and crack easily. On a couple of occasions the walls had been hit with minor force and it would leave a dent or crack much more easily than in her previous home.

The wife stated that she had contacted the builder and that they were scheduled to come inspect the home on June 30<sup>th</sup>, 2009. The complainant indicated she would forward any correspondence or results to this investigator.

The home's water fixtures did not show much corrosion. The husband had examined the drywall in the attic of the home and was not able to locate any labeling indicating the manufacturer of the drywall.

The mother indicated her permission to release her name only to the manufacturer. Please see the attachments.

**Product Information:**

**Product: Possible Chinese Drywall**  
**Manufacturer: Unknown**

**Builder:**

Standard Pacific Homes, Orlando Office  
4776 New Broad St., Suite 250  
Orlando, FL 32814 Voice: (407) 647-3811  
Fax: (407) 647-3435  
E-Mail: Orlando@stanpac.com  
David Pelletz - President

**Drywall Subcontractor:**  
**Unknown**

**Drywall Supplier:**  
**Unknown**

**Attachments:**

Exhibit #1	Contacts
Exhibit #2	Information on the builder
Exhibit #3	Release of name form
Exhibit #4	Photographs of the home (16)

6-25-2009

Contacts:





**STANDARD PACIFIC HOMES**  
*Making You Right At Home®*

Home  
About Us  
Investor Relations  
Realtor Registration  
Careers  
Contact Us



[FIND Your New Home](#)

[FINANCE Your New Home](#)

[BUYING Your New Home](#)

[PERSONALIZE Your New Home](#)

[Customer Care](#)

[My Home](#)

**CORPORATE HEADQUARTERS**

26 Technology  
Irvine, CA 92618  
Voice: (949) 789-1600  
Fax: (949) 789-1609  
E-Mail: [webmaster@stanpac.com](mailto:webmaster@stanpac.com)

**CALIFORNIA****Northern California**

3825 Hopyard Road, Suite 195  
Pleasanton, CA 94588  
Voice: (925) 847-8700  
Fax: (925) 847-9167  
E-Mail: [NorthernCalifornia@stanpac.com](mailto:NorthernCalifornia@stanpac.com)  
Thomas Burrill - President

**Ventura**

4360 Park Terrace Dr., Suite 220  
Westlake Village, CA 91361  
Voice: (818) 889-3765  
Fax: (818) 889-2282  
E-Mail: [Ventura@stanpac.com](mailto:Ventura@stanpac.com)  
Dale Casey - President

**Orange County**

26 Technology  
Irvine, CA 92618-2338  
Voice: (949) 789-1600  
Fax: (949) 789-1708  
E-Mail: [OrangeCounty@stanpac.com](mailto:OrangeCounty@stanpac.com)  
Ted McKibbin - President

**Inland Empire**

255 E. Rincon St., Suite 200  
Corona, CA 92879  
Voice: (951) 898-5500  
Fax: (951) 898-5580  
E-Mail: [InlandEmpire@stanpac.com](mailto:InlandEmpire@stanpac.com)  
August Belmont - President

**San Diego**

5750 Fleet St., Suite 200  
Carlsbad, CA 92008  
Voice: (760) 602-6800  
Fax: (760) 602-6880  
E-Mail: [SanDiego@stanpac.com](mailto:SanDiego@stanpac.com)  
Brian L. Utsler - President

**Sacramento**

2240 Douglas Blvd., Suite 200  
Roseville, CA 95661  
Voice: (916) 797-9500  
Fax: (916) 797-9505  
E-Mail: [Sacramento@stanpac.com](mailto:Sacramento@stanpac.com)  
Jon Nicholson - President

**Bakersfield**

4700 Stockdale Highway, Suite 104  
Bakersfield, CA 93309  
Voice: (661) 632-1000  
Fax: (661) 632-1060  
E-Mail: [Bakersfield@stanpac.com](mailto:Bakersfield@stanpac.com)  
Dale Casey - President

**Los Angeles**

125 Technology Dr., Suite 150  
Irvine, CA 92618  
Voice: (949) 789-1600

**ARIZONA****Phoenix**

6710 North Scottsdale Road, Suite 150  
Scottsdale, AZ 85253  
Voice: (480) 627-7500  
Fax: (480) 627-7600  
E-Mail: [Phoenix@stanpac.com](mailto:Phoenix@stanpac.com)  
John P. Moroney - President

**COLORADO****Denver**

4600 S. Syracuse St., Suite 400  
Denver, CO 80237  
Voice: (303) 779-4100  
Fax: (303) 779-1199  
E-Mail: [Denver@stanpac.com](mailto:Denver@stanpac.com)  
Timothy C. Little - President

**TEXAS****Dallas**

6333 N. Hwy. 161, Suite 350  
Irving, TX 75038  
Voice: (972) 590-2400  
Fax: (972) 550-7891  
E-Mail: [Dallas@stanpac.com](mailto:Dallas@stanpac.com)  
Michael W. Brady - President

**Austin**

11001 Lakeline Blvd.  
Bldg. 1, Suite 100  
Austin, TX 78717  
Voice: (512) 506-4000  
Fax: (512) 451-1936  
E-Mail: [Austin@stanpac.com](mailto:Austin@stanpac.com)  
Bill Peckman - President

**NEVADA****Las Vegas**

2500 N. Buffalo Drive, Suite 105  
Las Vegas, NV 89128  
Voice: (702) 568-2100  
Fax: (702) 568-2125  
E-Mail: [LasVegas@stanpac.com](mailto:LasVegas@stanpac.com)

**CAROLINAS****Raleigh**

1600 Perimeter Park Drive  
Suite 125  
Morrisville, NC 27560  
Voice: (919) 465-5900  
Fax: (919) 465-5901  
E-Mail: [Raleigh@stanpac.com](mailto:Raleigh@stanpac.com)  
Elliot Mann - President

**Charlotte**

11525 Carmel Commons Blvd.,  
Suite 301  
Charlotte, NC 28226  
Voice: (704) 759-6000  
Fax: (704) 752-5865  
E-Mail: [Charlotte@stanpac.com](mailto:Charlotte@stanpac.com)  
Elliot Mann - President

**FLORIDA****Orlando**

4776 New Broad St., Suite 250  
Orlando, FL 32814  
Voice: (407) 647-3811  
Fax: (407) 647-3435  
E-Mail: [Orlando@stanpac.com](mailto:Orlando@stanpac.com)  
David Pelletz - President

**Tampa**

5100 W. Lemon St., Suite 312  
Tampa, FL 33609  
Voice: (813) 288-7600  
Fax: (813) 288-7610  
E-Mail: [Tampa@stanpac.com](mailto:Tampa@stanpac.com)  
David Pelletz - President

**South Florida**

9900 SW 107th Avenue  
Miami, FL 33176  
Voice: (305) 595-3281  
Fax: (305) 595-2676  
E-Mail: [Miami@stanpac.com](mailto:Miami@stanpac.com)  
Diana Ibarria - President

**Jacksonville**

9143 Philips Highway, Suite 350  
Jacksonville, FL 32256  
Voice: (904) 538-5700  
Fax: (904) 538-5785  
E-Mail: [Jacksonville@stanpac.com](mailto:Jacksonville@stanpac.com)  
David Pelletz - President



# U.S. Consumer Product Safety Commission

## AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety concerns.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

I request that you do not release my name. My identity is to remain confidential.

You may release my name to the manufacturer but I request that you do not release it to the general public.

You may release my name to the manufacturer and to the public.

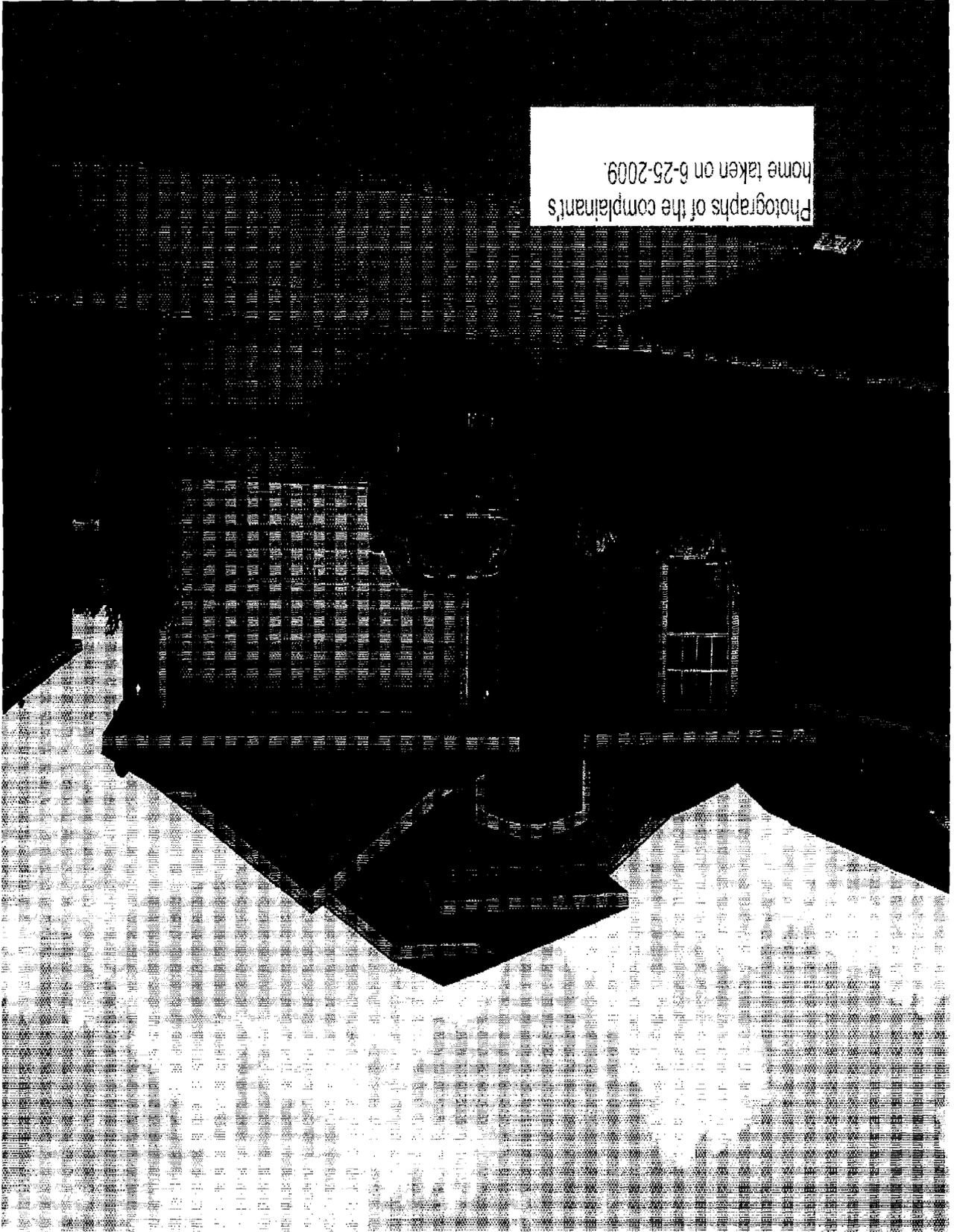
[Redacted Signature]

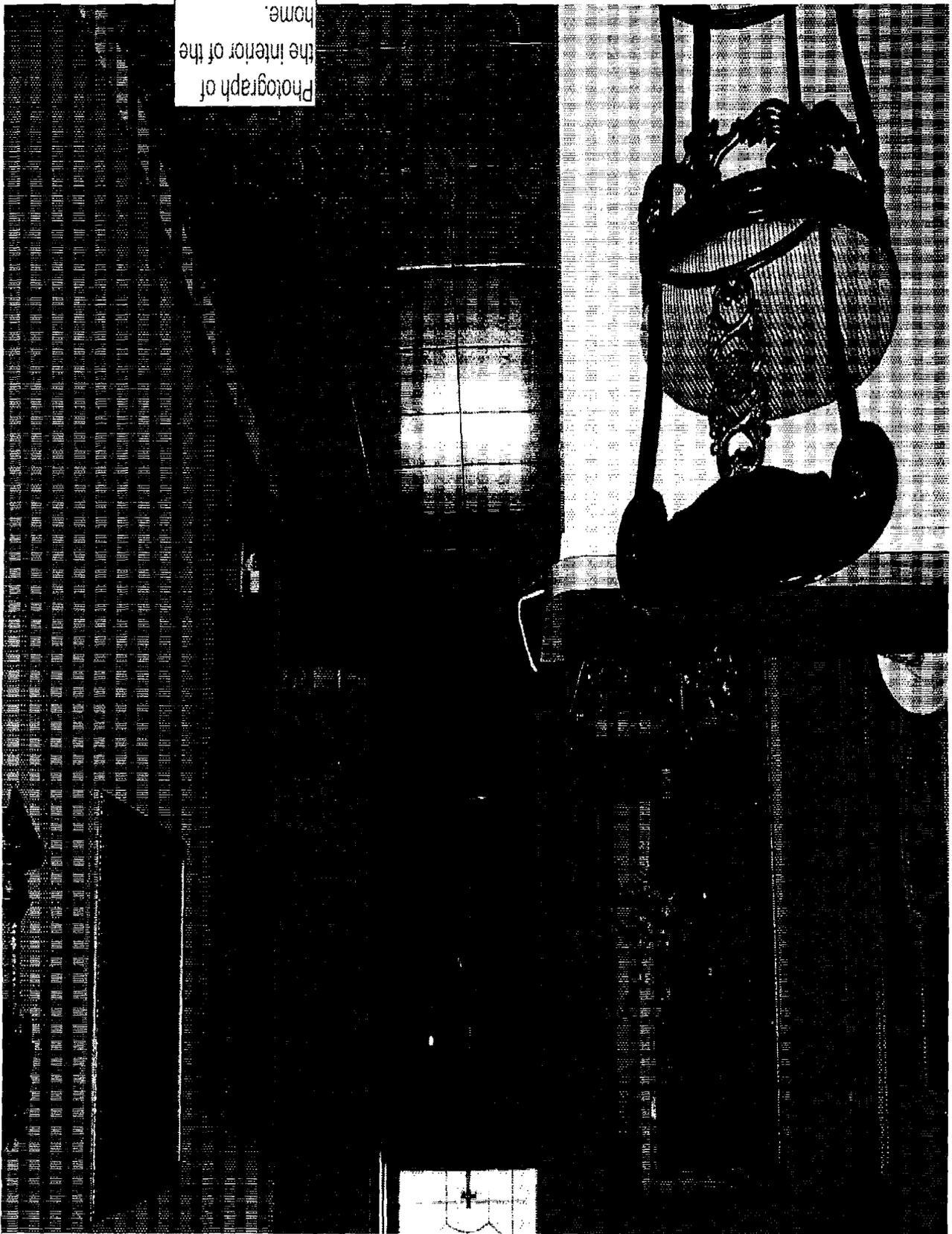
6/25/09

(Signature)

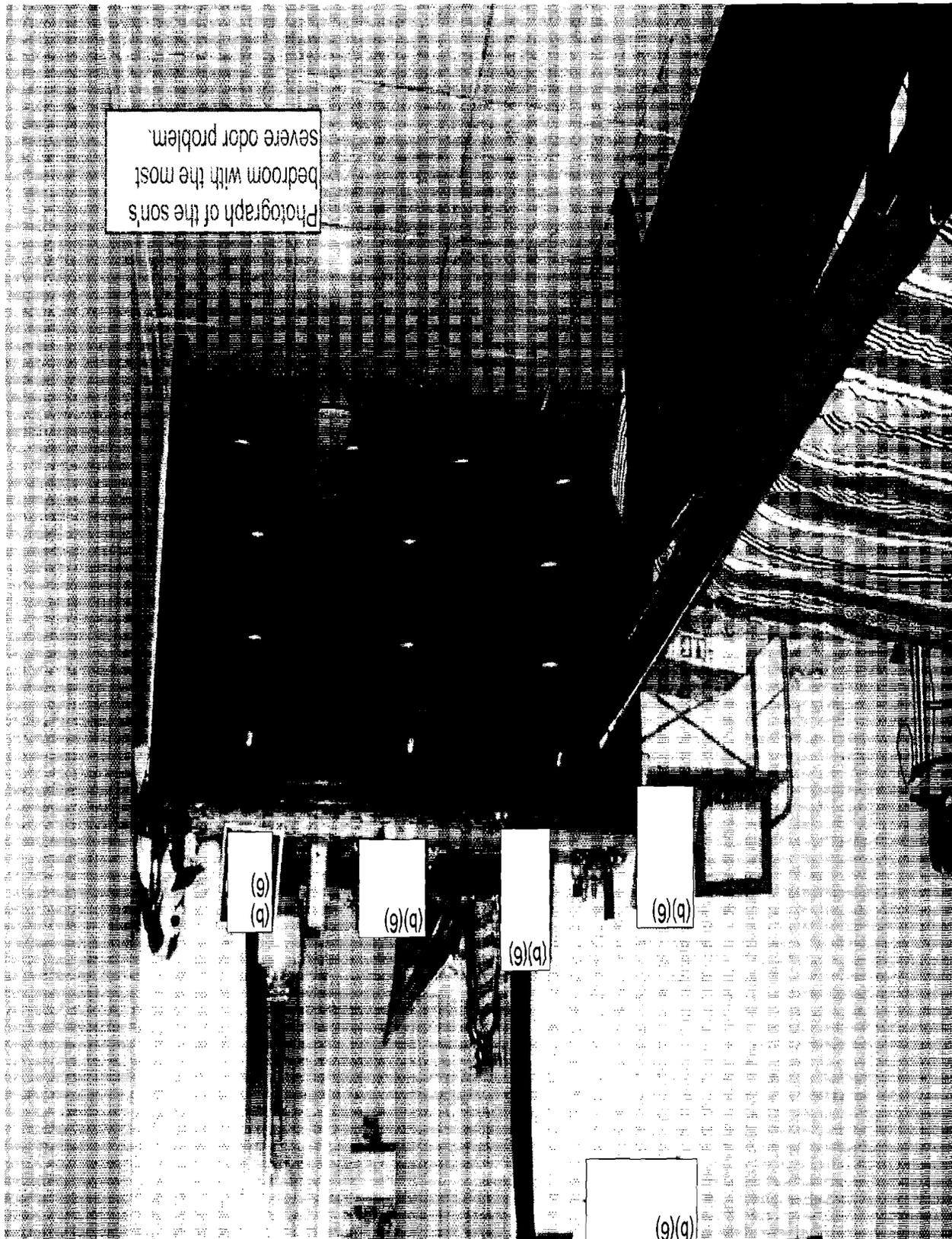
(Date)

Photographs of the complainant's  
home taken on 6-25-2009.





Photograph of the  
interior of the  
home.



Photograph of the son's bedroom with the most severe odor problem.

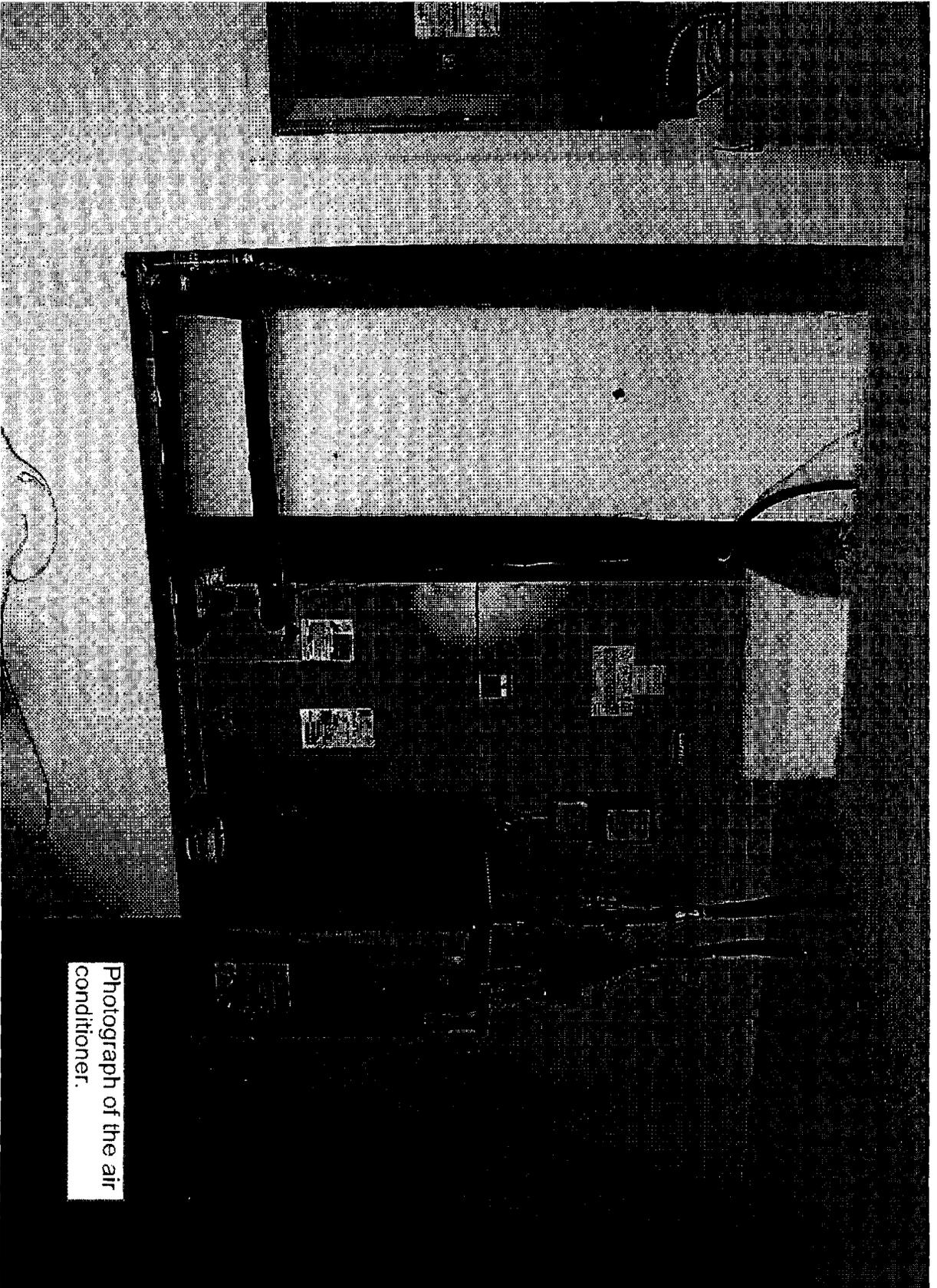
(b)(6)  
(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(b)(6)



Photograph of the air conditioner.

PRODUCT NO.	FC4CNF042000AAAA
MODEL NO.	FC4CNF042
SERIAL NO.	
VOLTS	208/230
MOTOR HP	1/2
MOTOR FLA	2.9
PHASE/HERTZ	1/60
TEST STATIC	.40 IN. W.C.
REFRIGERANT 22	DESIGN PSIG 300



**APPROVED ACCESSORIES**

KFCEH**01H10	KFCEH**01H15	KFCEH**01H20	KFCEH**01N05
KFCEH**01C06	KFCEH**01N08	KFCEH**01C08	KFCEH**01N09
KFCEH**01N10	KFCEH**01C10	KFCEH**01F15	KFCEH**01C15
KFCEH**01316	KFCEH**01F20	KFCEH**01C20	

\*\* - NUMERIC

INSTALLER: APPLY THIS INFORMATION PLATE OVER SPACE INDICATED ON DOOR RATING PLATE. SEE INSTALLATION INSTRUCTIONS FOR CLEARANCE REQUIREMENTS

SINGLE SUPPLY CIRCUIT	VOLTS	208/230	PHASE	1
L1/L2 HEATER AMPS	18.1/20.0	MIN AMPACITY	31.2	33.5
SUPPLY CIRCUIT HEATER AMPS		MAX OVERCURRENT PROTECTION	35	36
HEATER AMPS		MIN AMPACITY		
HEATER AMPS		MAX OVERCURRENT PROTECTION		
HEATER AMPS		MIN AMPACITY		

HEAT PACKAGE IN THIS UNIT **KFCEH0501N05**

LABEL P/N 324644-406

REV B

HEAT PACK INSTALLED N/A

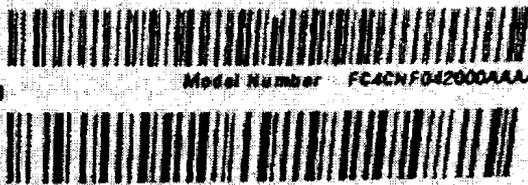
UNIT HAS INTEGRAL LIMIT CONTROL. MAX. OUTLET TEMP. 200F  
 MOTOR THERMALLY PROTECTED.  
 SEE INSTALLATION INSTRUCTIONS FOR SPECIFIC INSTALLATION REQUIREMENTS AND APPROVED ACCESSORY KIT INFORMATION.  
 MAX. VOLTAGE TO GROUND OF SUPPLY CIRCUIT NOT TO EXCEED 120 VOLTS IF HEATER HAS CIRCUIT BREAKER CONTROL.  
 COIL FOR COOLING ONLY EXCEPT WHEN INSTALLED AS PART OF A LISTED HEAT PUMP.  
 APPROVED HEATERS MFG'D BY CAC/BOP, INDIANAPOLIS, IN.  
 CLEARANCE TO COMBUSTIBLE MATERIALS TO BE 0" FOR CASING, PLENUM AND DUCT FOR UNITS WITH 0 TO 18KW HEATERS.  
 FOR UNITS WITH HEATERS 20KW AND ABOVE, CLEARANCE TO COMBUSTIBLE MATERIAL IS TO BE 0" TO CASING AND 1" FOR FIRST 36" OF PLENUM AND DUCT.

**CAUTION** METERING DEVICE FOR THIS COIL MUST MATCH THAT SHOWN ON OUTDOOR UNIT RATING PLATE. REPLACE IF NECESSARY. THIS UNIT IS EQUIPPED WITH METERING DEVICE.

TXV

CAC/BOP  
 7310 West Morris St.  
 Indianapolis, IN 46231

Model Number FC4CNF042000AAAA



Photograph of AC labling.

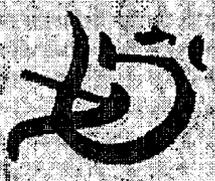


**TO OUR CUSTOMERS**

This service is provided by Energy Management Systems, which is owned and operated by Progress Energy. Please do not allow any action at your close without the approval from Progress Energy. Any delay may incur additional costs. If you need any information about Energy Management for the equipment, please call two to seven days before the maintenance appointment. Thank you.



For 24-hour



**FOR SERVICE CALL**

**DEL - AIR**

Heating • Air Conditioning  
Refrigeration, Inc.

**COOL**  
2665

www.delair.com

(407) 333-  
1000  
(407) 631-  
0000  
(407) 647-  
0000  
(321) 394-  
0000  
(386) 532-  
2665

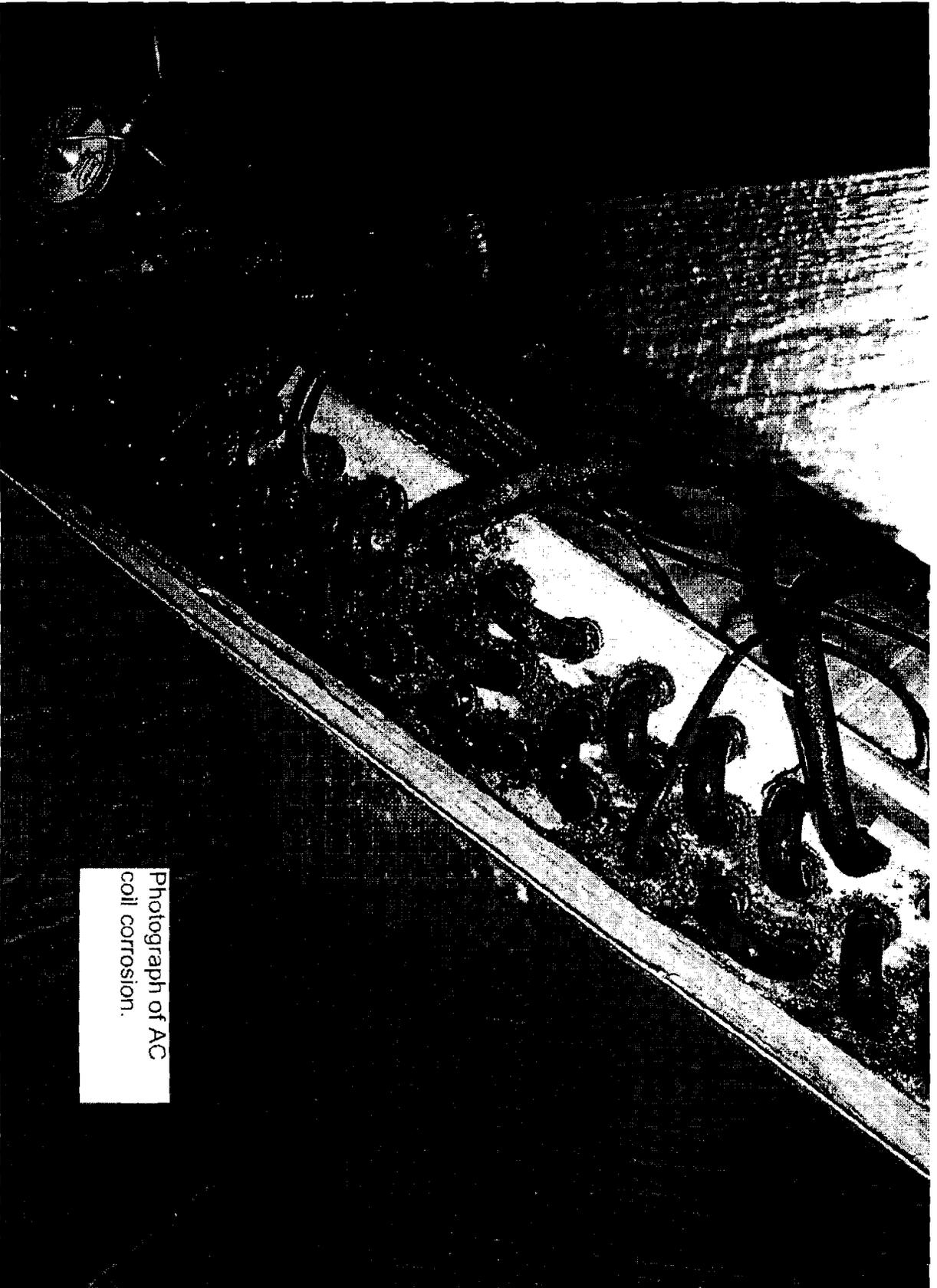
**IMPORTANT:** Filter must be checked and/or replaced monthly. Have system checked before cooling and heating seasons. This heating and air conditioning installed by Del-Air carries a twelve (12) month parts and labor warranty between seasons. Working hours Monday through Friday 8 a.m. to 6 p.m. (excluding holidays). Service requested at times other than normal stated shall result in extra charges to the owner. The warranty date begins at the date of start-up or at the date of first installation and terminated twelve (12) months after start-up or eighteen (18) months after installation, whichever occurs first. Replacement of filters, damaged equipment/thermostats, high voltage electrical problems, resetting/replacing circuit breakers or fuses are not included in the warranty. Any alterations of repair by anyone other than Del-Air will VOID the warranty. Attempting to remove, detach or change the date on the label shall automatically void this warranty.

Date installed  
21 Oct 09

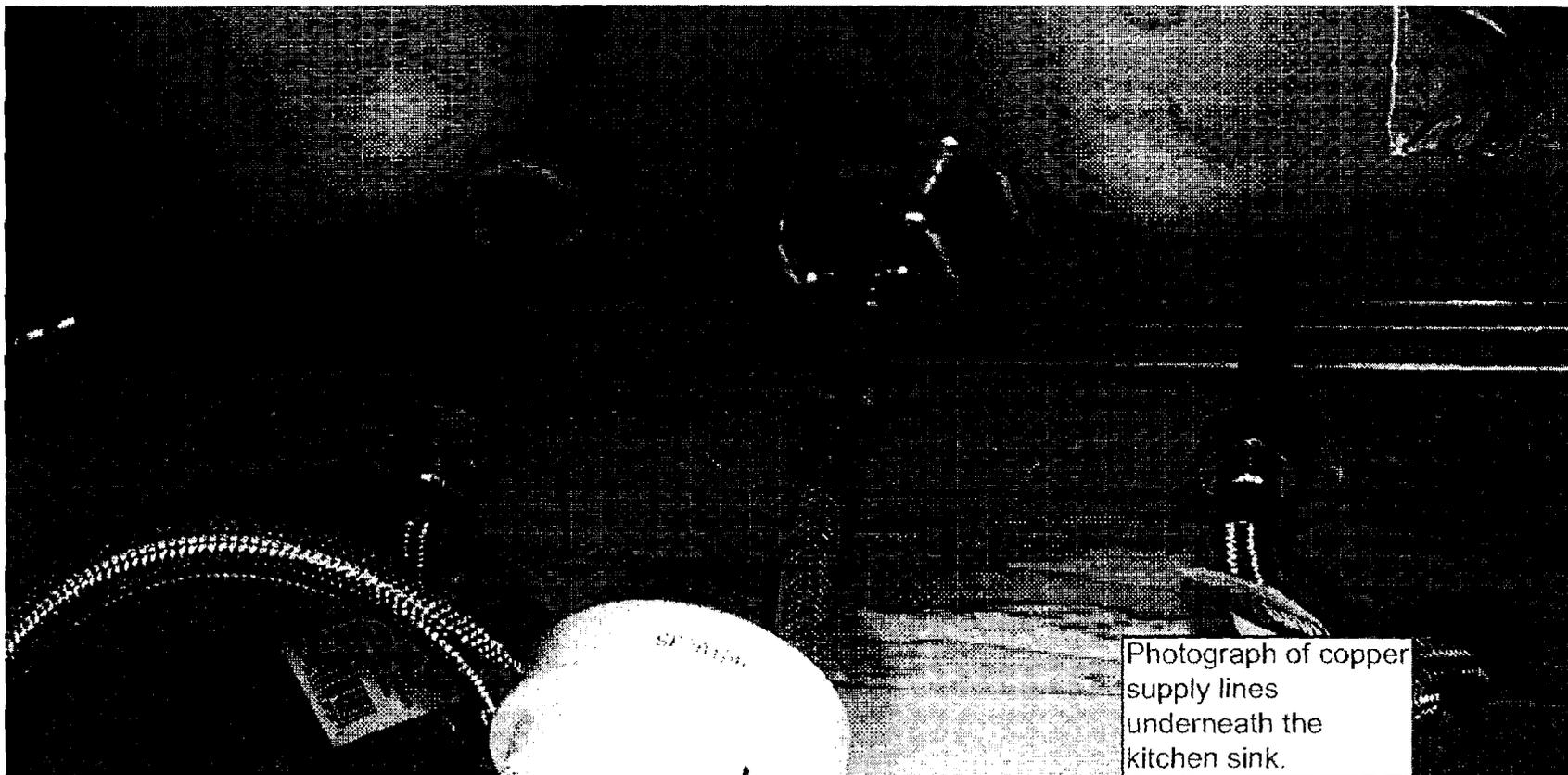
Installation Mechanic  
E. P. J. Kelly

Ask about Extended Warranty Program  
State Cert. License #CAC032448

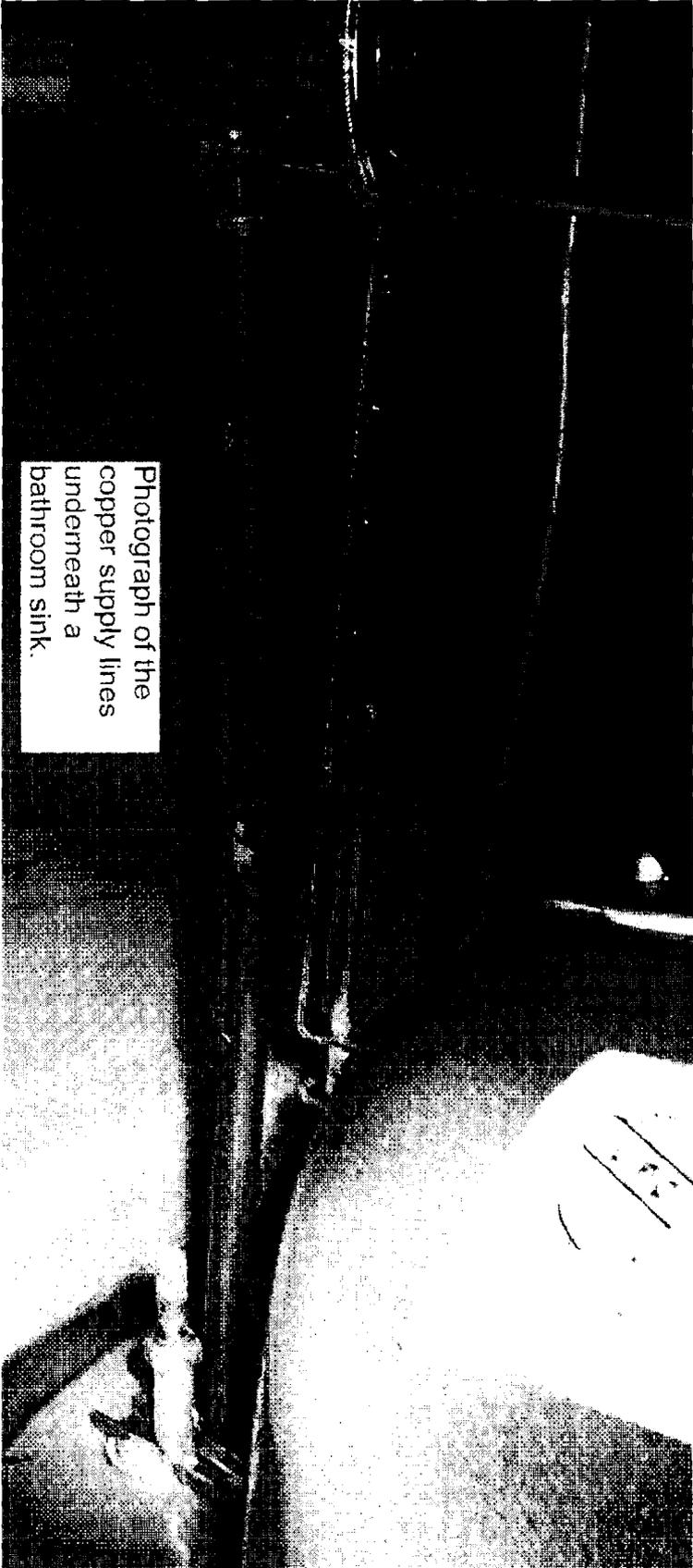
Photograph of  
the front panel of  
the AC.



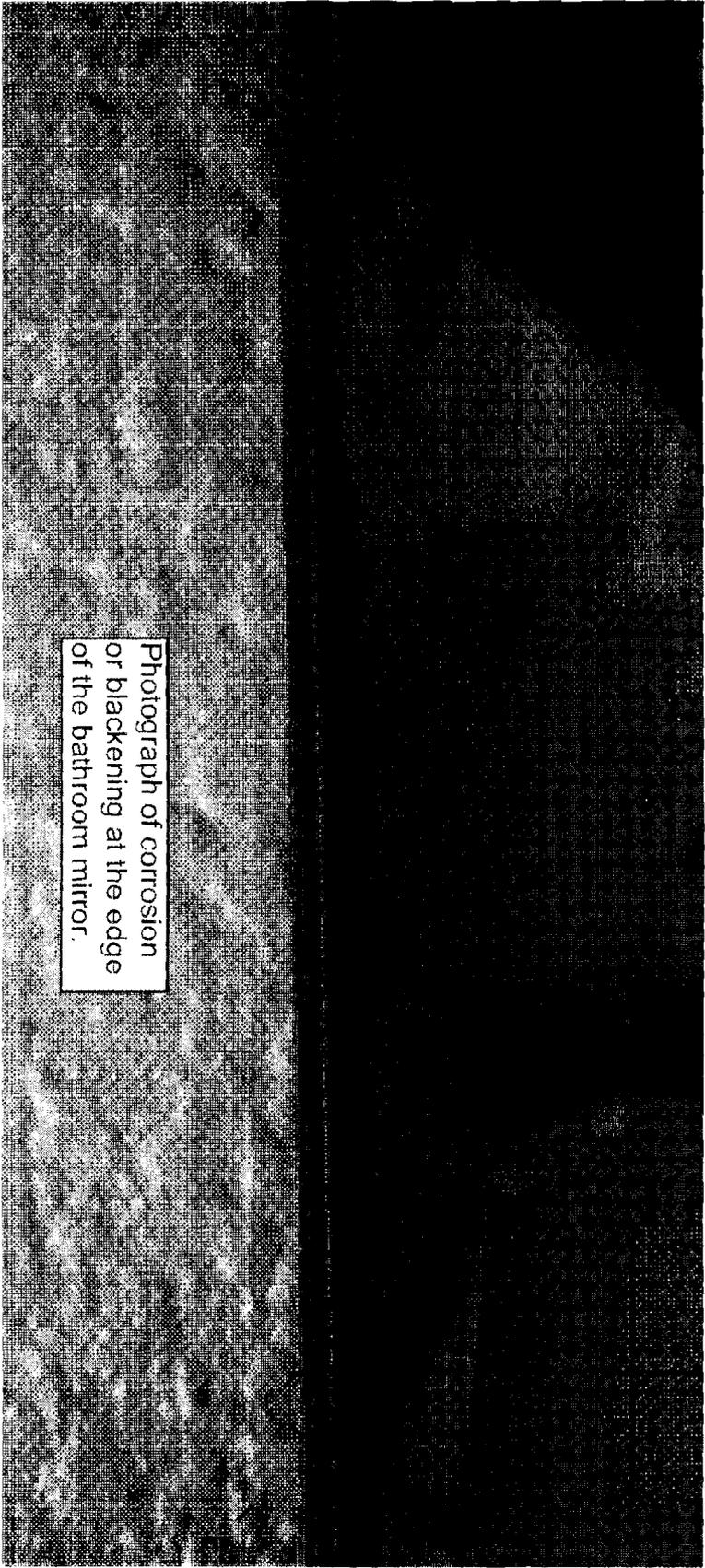
Photograph of AC  
coil corrosion.

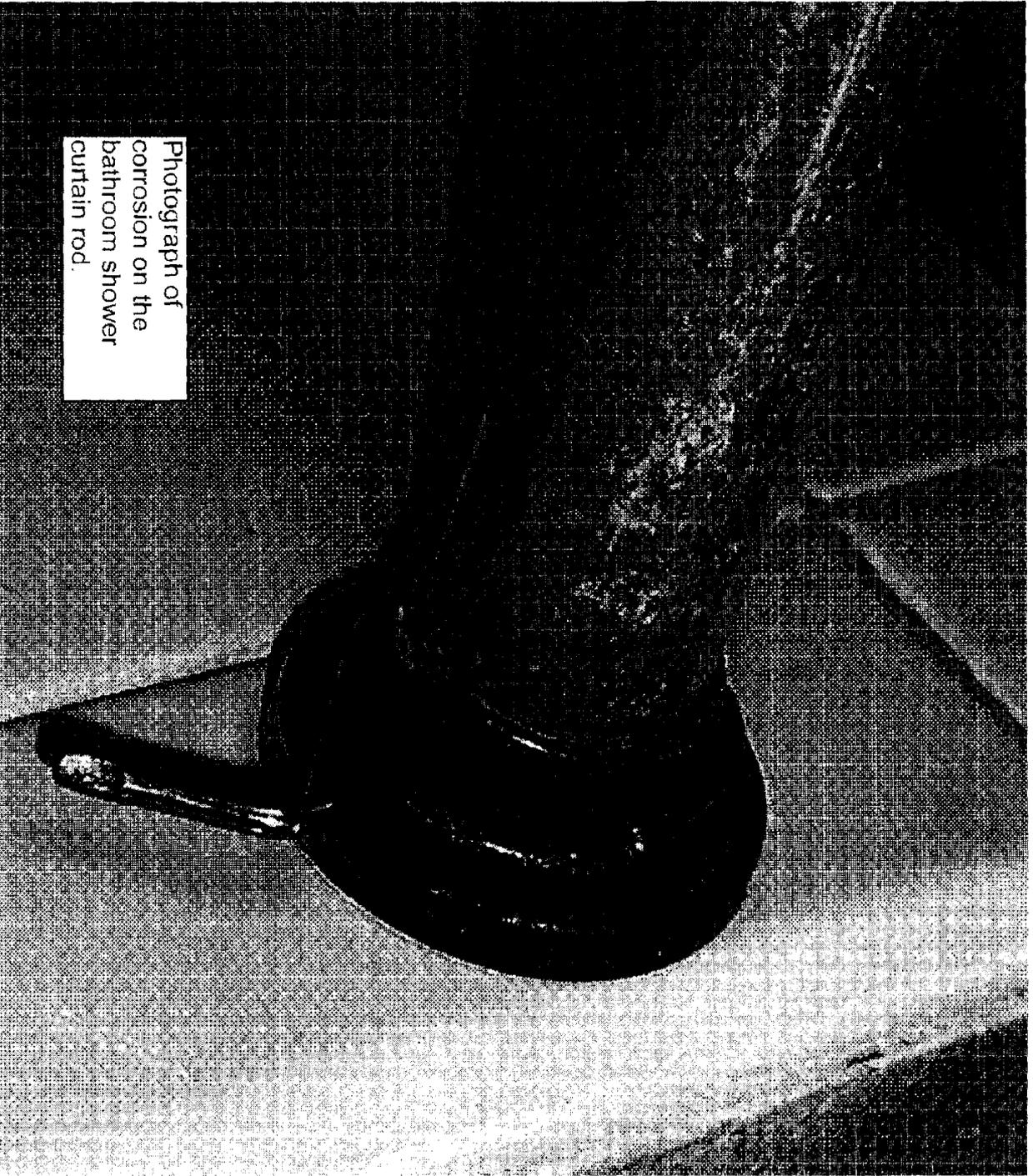


Photograph of copper supply lines underneath the kitchen sink.



Photograph of the  
copper supply lines  
underneath a  
bathroom sink.

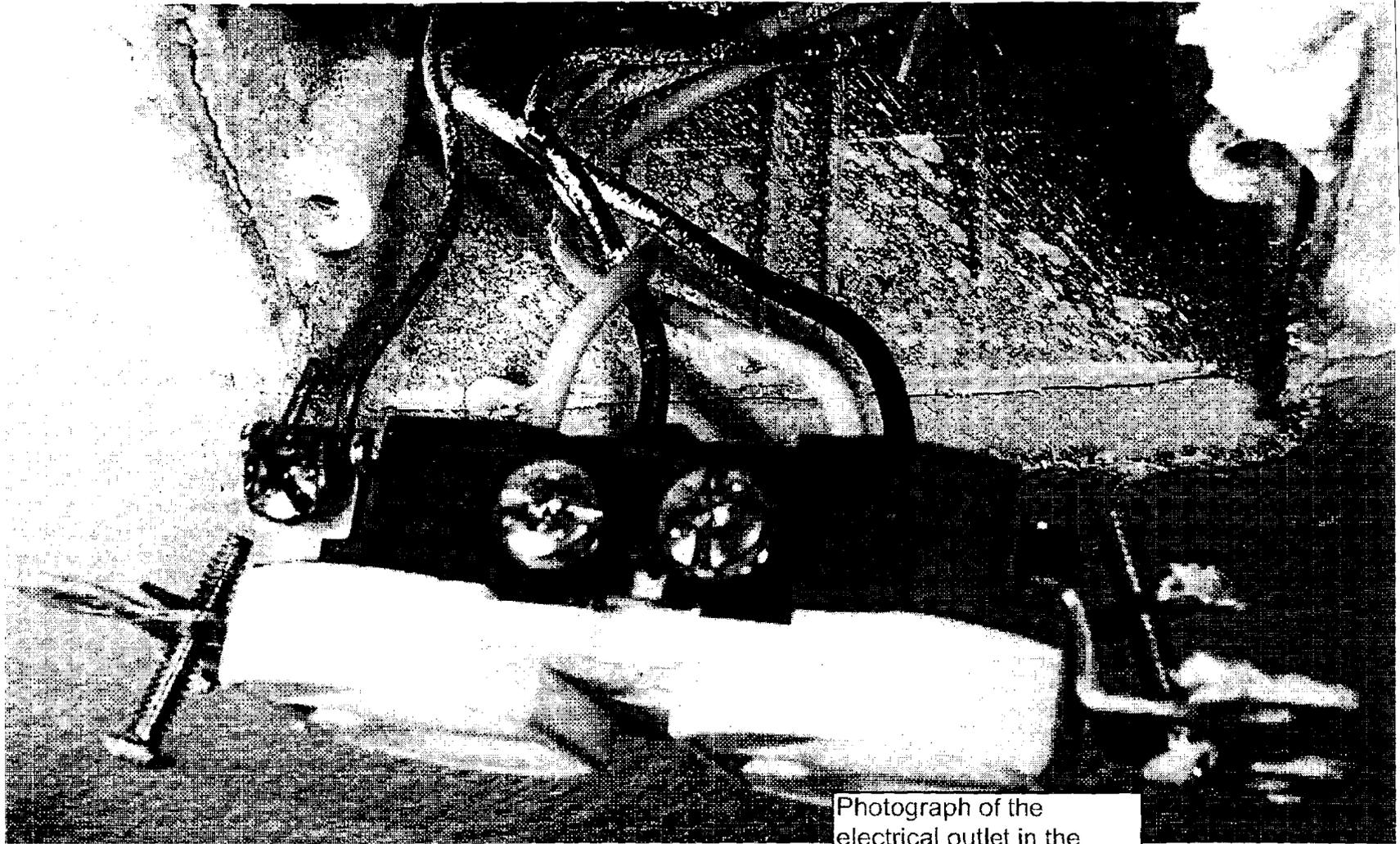




Photograph of corrosion on the bathroom shower curtain rod.



Photograph of the  
bathroom faucet fixture.



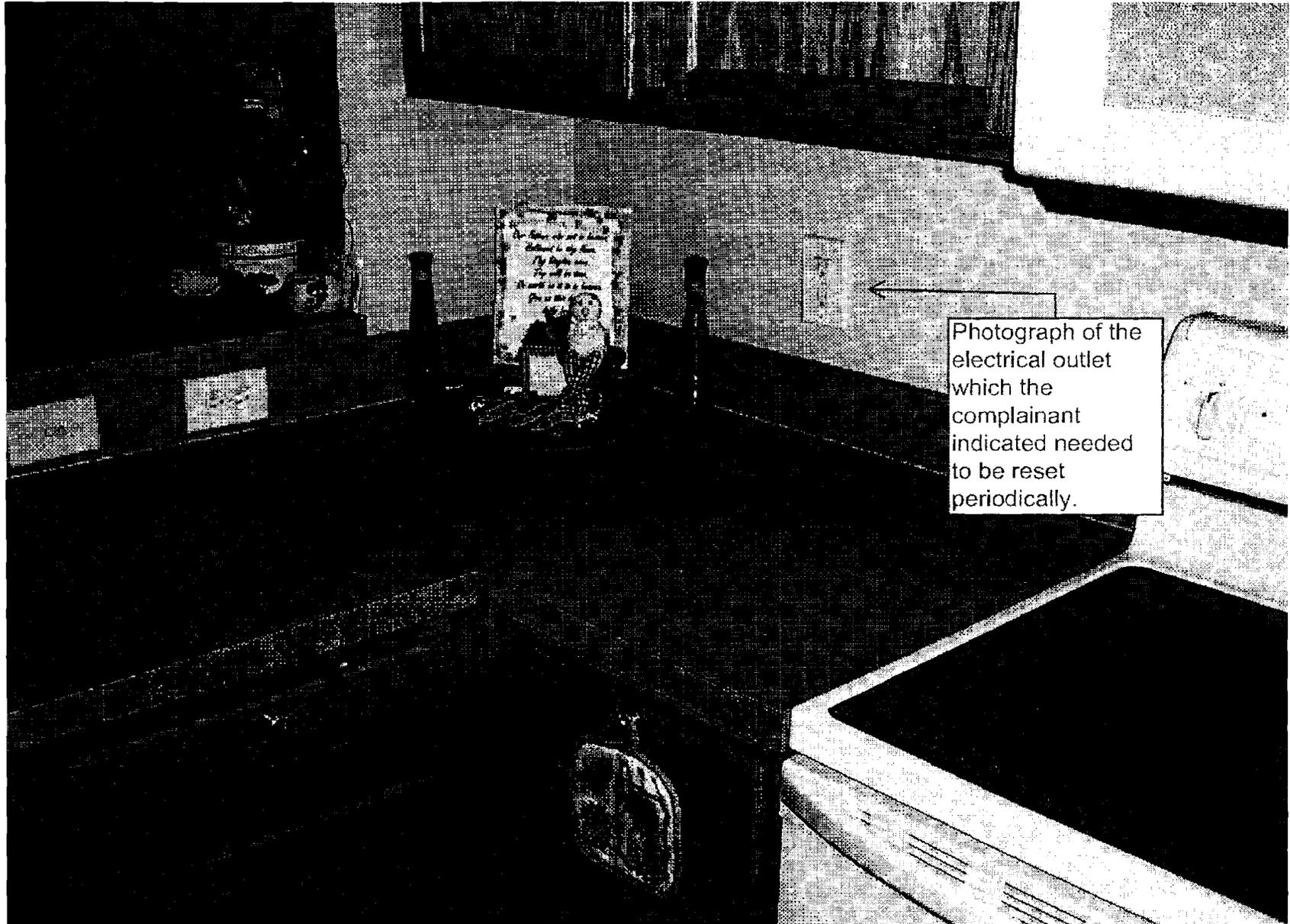
Photograph of the electrical outlet in the front hallway of the home.



Photograph of  
the electrical  
outlet in the  
son's bedroom



Photograph of the electrical outlet in the bathroom.



Photograph of the electrical outlet which the complainant indicated needed to be reset periodically.

05/07/2009 00:04:16

Name  
Address  
City =  
State =  
Zip =  
Email  
Telephone  
Name  
Victim  
Victim  
Victim  
Victim  
Victim

Incident Description = The hazard is the Chinese Drywall that is affecting my family and damaging my home..Like my airconditioner and the bad odor that comes from my son's room...Also my health and my wife has been complaining about trouble breathing and sleeping also she has more pain system.

Victim's age at time of incident = 54

Victim's sex = male

Date of incident = 2007

Product involved = defected Chinese drywall at my home

Product brand name/manufacturer = china

Manufacturer street address =

Place where manufactured (City and State or Country) =

Product model and serial number, manufacture date =

Product damaged, repaired or modified = no

If yes, before or after the incident =

Description of damage, repair or modification = my air conditioner my walls appliance my health

Date product purchased = 2003

Product involved still available = yes

Have you contacted the manufacturer = yes

If not, do you plan to contact them = yes

Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

[Redacted Signature]

Signature

5/14/09

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

