



The Chemical Company

JOHN R. PENDERGAST, JR.
Senior Counsel

August 17, 2009

Mr. Kelly Coleman
[REDACTED]
[REDACTED]

Re: Sonolastic® 150 Tint base


Dear Mr. Coleman:

I'm writing in response to your e-mail dated 08/06/09 to Mr. Steve Nickell. I have been asked to review your claim and see if the claim can be resolved short of litigation. To be clear this is not an offer to settle your claim or a promise that BASF will agree to resolve your claim.

I have had an opportunity to review the back and forth relating to this matter and I think that the first step in attempting to resolve this matter is to know exactly what you want. You have indicated a willingness to settle for labor and material, but it is not clear what this means in terms of dollars and cents. To that end I would ask you to send me all documentation relating to the purchase and application of the Sonolastic 150 Tint Base at your Belleair Beach, Florida residence. This would include the "visa charges" for services and materials referenced in your e-mail. The documentation should be as complete as possible as I want to be absolutely clear as to the amount you are proposing as a settlement figure.

Upon receipt, I will review the materials and hopefully then be in a position to advise you of our position. I thank you in advance for your cooperation in this regard.

Very truly yours,


John R. Pendergast

cc: Steve Nickell

BASF Corporation
23700 Chagrin Blvd.
Beachwood, OH 44122

P: 216.839.7801
F: 216.839.8813
Mobile: 216.577.1920

john.pendergast@basf.com