

Kelly Coleman

Phone 727-403-8690 Fax 727-595-1566

May 16, 2010

Mr. John R. Pendergast Jr.
Senior Counsel
BASF Corporation
23770 Chargin Blvd.
Beechwoos Ohio 44100
P 216.839.7801
216.839.8813
Mobile 216.577.1920
John.pendergast@basf.com

Re. John R. Pendergast letter of August 17, 2009 – settlement.

Dear John,

It has taken me more time than I anticipated to compile the **back up cost & data** for your consideration, which, as you will recall, became more, arduous, due to a Hard-Drive Crash in my computer. The finished result is a very complete history of this Saga, provided in a 2" note book that was sent 4-9-10 Fed-Ex Tracking number 862668845710 . This cover letter was sent by Email May 16, 2010 with more advanced interior damages which show that the prior interior photos, backed up by more advanced interior photos, indicate that what has been seen previously, was the tip of the iceberg. I base that statement on the historical past which is explained below in more detail. The hard copy with better 8"x10" photos will be posted in Fed-Ex later today. Fed-Ex envelope-Air Bill 862668845721 0215 to be sent May 17, 2010 From Kelly Coleman @ Team Money Trees.

You stated to me, in your letter of August 17, 2009, "to know exactly what I want" also that I had " indicated a willingness to settle for labor and material" which I proposed, to avoid litigation. That settlement figure is contained herein with back up of money spent on the **exterior waterproofing** which I have also used as a **basis for consideration of the interior since the prior renovation cost of the interior, exceeded the exterior.**

The interior which is failing, was indicated as imminent by BASF early last summer. Once interior damage was seen I mitigated the damage to the best point that was logically and financially **practical**, by having all the parapet cap sealant **replaced with silicone** as recommended by **Schoderbek in May of 2009 when he admitted that**