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|--|--|--|---|---|
| 1. Task Number 090505CBB1687 | | 2. Investigator's ID 2391 | | EPIDEMIOLOGIC INVESTIGATION REPORT |
| 3. Office Code 810 | 4. Date of Accident YR MO DAY 2006 11 01 | 5. Date Initiated YR MO DAY 2009 05 05 | | |
| 6. Synopsis of Accident or Complaint UPC The 47 year-old female and male homeowners are concerned with the long term health effects and possible safety issues involving the imported drywall used to build their home. They moved into the new home in November 2006. In the first year they have noticed health issues involving frequent headaches, nausea, coughing, rashes, and burning and watery eyes. In the first 13 months they replaced the air conditioning evaporator coils four times due to freon leakage and corrosion. In November 2008, they had to replace the entire air conditioning system due to the same problems. MFRTRVLBR NOTIFIED COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED <input type="checkbox"/> EXCISIONS FOIA Hxs. <input type="checkbox"/> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY | | | | |
| 7. Location (Home, School, etc) 1 - HOME | | 8. City PORT SAINT LUCIE | | 9. State FL |
| 10A. First Product 1876 - House Structures, Repair Or | | 10B. Trade/Brand Name TIAJIN | | 10C. Model Number UNKNOWN |
| 10D. Manufacturer Name and Address UNKNOWN | | | | |
| 11A. Second Product 381 - Air Conditioners | | 11B. Trade/Brand Name UNKNOWN | | 11C. Model Number UNKNOWN |
| 11D. Manufacturer Name and Address NONE | | | | |
| 12. Age of Victim 47 | 13. Sex 2 - Female | 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) 8 / 4 | |
| 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 checked="" type="radio"/> No <input type="radio"/> Verbal <input type="radio"/> Yes for Manuf. Only | | | | |
| 24. Review Date 05/18/2009 | 25. Reviewed By 1949 | | 26. Regional Office Director Dennis R. Blasius | |
| 27. Distribution Rose, Blake; Woodard, Dean | | | 28. Source Document Number 10930789A | |

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This investigation was initiated through the receipt of a Consumer Product Incident Report involving imported drywall material. Information for this report was gathered from an on-site interview with the homeowners in their home.

The homeowners/complainants are both 47 years old and have been living in the affected home for approximately two and a half years. The home was built by a local construction company that has since moved to Raleigh, NC. The complainants could not give any contact information for the builder during the interview. The construction of the 2600 square foot, single family, and ranch style home was completed in November 2006 and the complainants moved in shortly after. Metal studs were used in construction and all five bedrooms were carpeted. The home is equipped with electrical appliances. Since moving into the home, the complainants have painted two bathrooms and in December 2008 added drywall to the master bathroom to create a small archway. The drywall was installed by the original builder of the home. No other drywall has been installed.

The home is not a seasonal home and both complainants are living in the home currently. Since living in the home for approximately two and a half years the complaints have noticed health issues. Within the first year of living in the home the wife complains of feeling nauseas when she is at home for longer periods of time. She also experiences headaches at least twice a week. She does not take any medication for her symptoms. The husband complains of coughing, apnea, a scratchy throat and raspy voice, watery and burning eyes, and rashes on the tops of his hands. He has seen a physician for his symptoms; however, medical documentation was not released at the time of the interview. While at work, the wife reported that the feeling of nausea and the headaches subside, but on days that she is off from work, the symptoms return. The husband agreed that while at work some of the symptoms subside, but he coughs a little throughout the day. Approximately one hour after returning home from work, he starts to feel the symptoms returning. The complainants own two cats, four and five years old. They report that the cats are more lethargic and lazy since moving into the home. The five year old cat is also more "vocal." The wife explained that the cat meows for long periods of time, which is not normal behavior for that cat.

Within the first six months of living in the home, the smoke alarms activated unexpectedly. The batteries were checked and a reason was not found for the unexpected activation. After 13 months of living in the home, the coils in the air conditioning unit began to leak and were replaced. The coils were replaced a total of four times with approximately three months between each replacement. Throughout the first year of living in the home, four cable boxes were replaced. The cable box would stop working for no apparent reason. Both complainants noticed that light bulbs throughout the home were being replaced more frequently than usual. Prior to moving into the home, during the construction, the wife noticed a propane smell while cleaning. Both complainants became complacent to the smell and stopped noticing it. However, guests to the home would mention smelling a unique odor. Presently neither of the complainants notices any odors, when entering the home after work. But the wife reports that she can smell the same propane odor in areas such as the hallway near the door leading into the garage and the alcove area near the master bedroom. There is no specific time of the day or year

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when the smell is more noticeable. The odor problem was not affected by the painting of the bathroom and installation of drywall in the master bathroom. Photographs of the corrosion, blackening, and pitting of copper pipes and other metal fixtures are included as Exhibit 2.

As previously stated, unusual problems with the smoke alarms, air conditioning unit, and cable boxes, started to occur after moving in the home. They have also experienced issues with a ceiling fan, which stopped working unexpectedly the first week in May. In November 2008, the entire air conditioning system was replaced. This was due to having to replace the evaporator coils a total of four times. Each time a service was done to the air conditioning unit, the technician could not offer any explanation as to why they were experiencing issues with the unit. On a consistent basis they are experiencing the following issues: when the air turns on they see the lights flicker, in several of the electrical receptacles they notice sparks and the fan switch in the master bedroom is hot to the touch. They are not experiencing any sizzling or buzzing and they cannot detect any unusual odors in the vicinity of receptacles, switches, or light fixtures. The circuit breaker tripped on one occasion, but after being reset, it never happened again. They noticed blackening on the air conditioning unit when problems began to arise. About four to five months ago they started to notice all of the other copper pipes and other metal fixtures throughout the house that were also blackening and or pitting. The wife reported that while they have not had any fires, she worries about the sparks she has seen in the electrical receptacles. They have not experienced many issues with the smoke alarms. They can only recall one occasion in which the smoke alarms were activated. The husband disassembled the wires and then reconnected them, no issues have occurred since.

The complainants have not made contact with the builder since experiencing this issue. They were able to report that the builder is no longer in business in their area. The builder has since moved to Raleigh, North Carolina. They have not had any other experts or professionals inside the home to respond to the issues with corrosion, unusual odors, or health problems that they are experiencing. They have contacted the county health department by telephone to report their health issues. They have also contacted the Florida Attorney General Office by e-mail. They are not aware of any action being taken in their community related to this problem. Their long and short term goals are to deal with the current air conditioning system and the problems that will arise in the future. They worry about their symptoms worsening if the air condition system breaks again. They fully intend to have the problem remediated because they are not financially capable to leave the home. The complainants added that they are hoping for a remedy and that the responsible party takes care of the problem. They believe that people need to be moved into safer houses. They also believe that they did not ask for this problem and should not be held responsible in paying for the solution. The complainants declined to sign the Authorization for Release of Name form during the interview. The complainants reported that they would like to be contacted in the event that the Commission would like to revisit their home for official sample collection.

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Product Information

The home was built using imported drywall from China. Visible labeling found on the back of the drywall seen through the attic, reads: "IANJIN *** INA-ASTM"

Exhibits

Exhibit 1 Contact Information

Exhibit 2 Photographs (24)

Contact Information

(b)(3):CPSA Section 25(c)

Complainants

May 4, 2009

Builder Name
Fortis Construction
Raleigh, NC

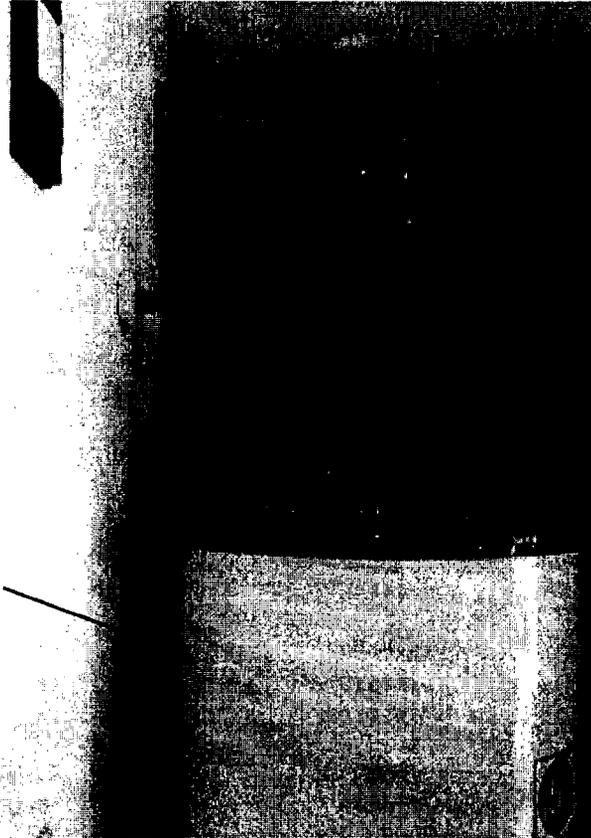


Photo 1 shows the blackening copper pipes attached to the water heater.



Photo 2 shows more of the corroded water heater pipe.



Photo 3 shows the markings on the drywall located in the attic area of the home.

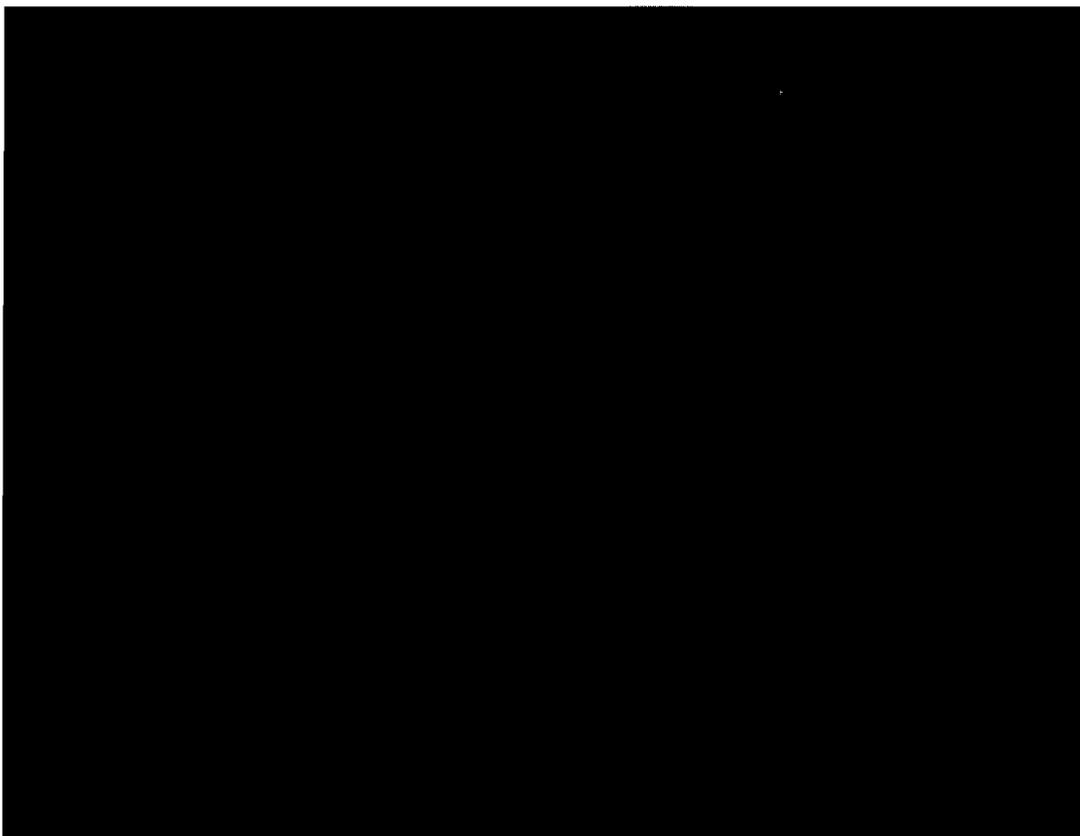


Photo 4 shows more of the marking on the drywall located in the attic.

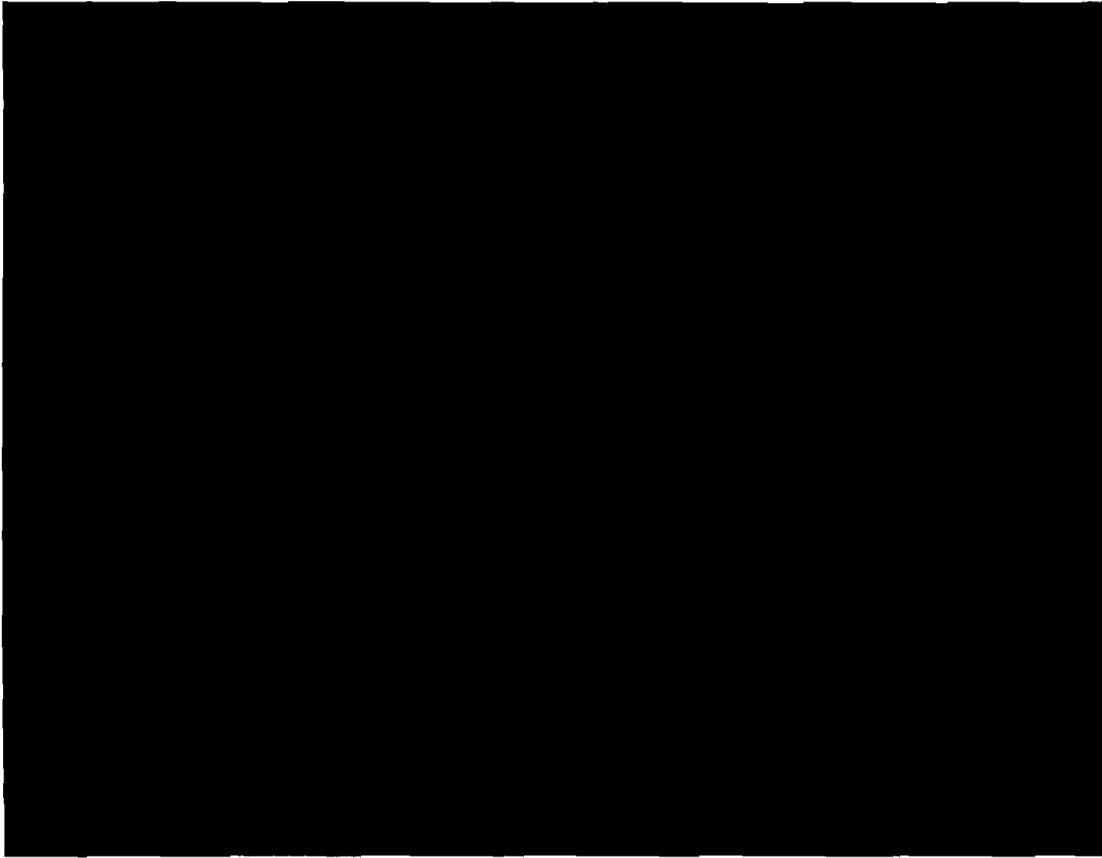


Photo 5 shows the markings on the back of the drywall located in the attic.

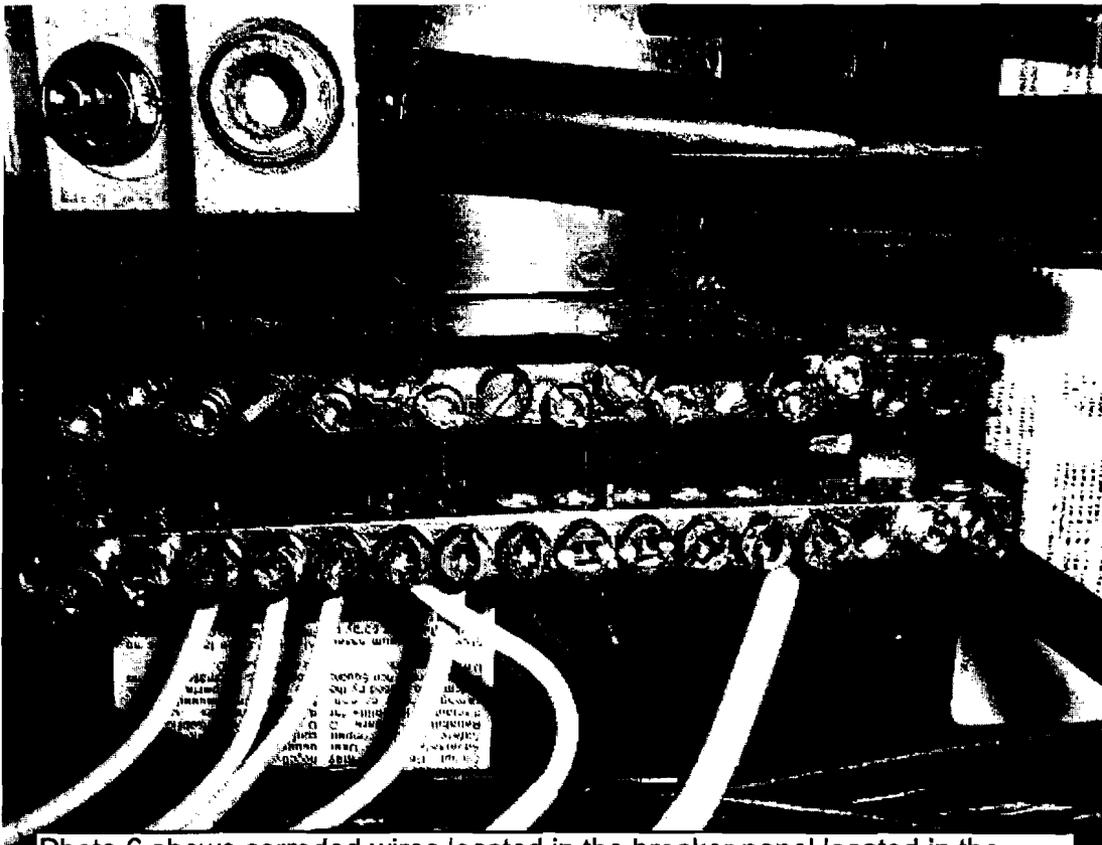


Photo 6 shows corroded wires located in the breaker panel located in the garage.

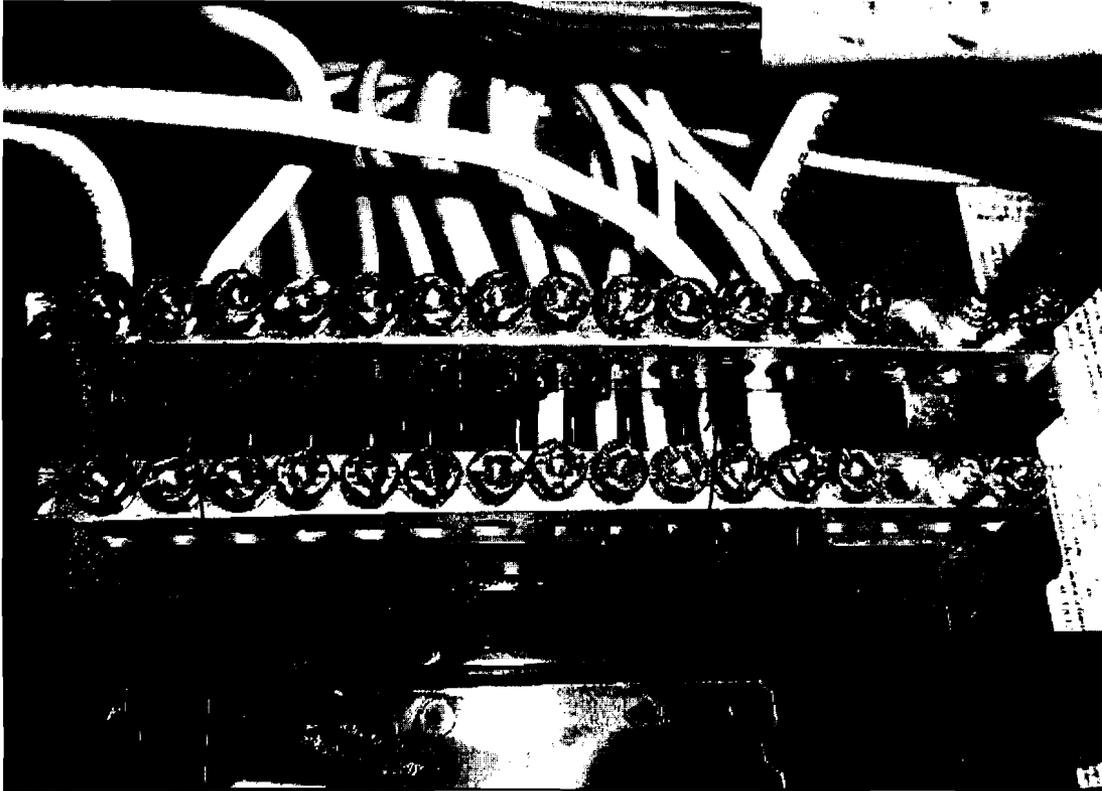


Photo 7 shows more corroded wires in the breaker panel.

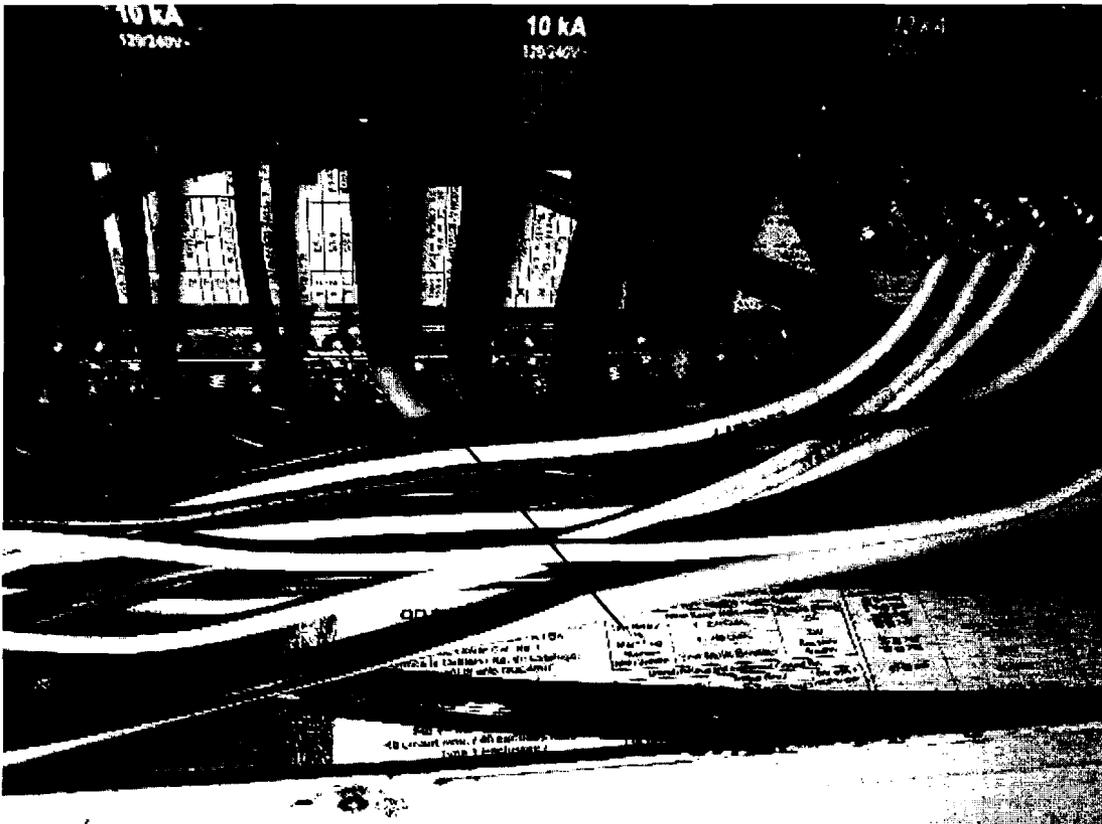


Photo 8 shows the further corrosion of copper wires in the breaker panel.



Photo 9 shows more corroded wires.

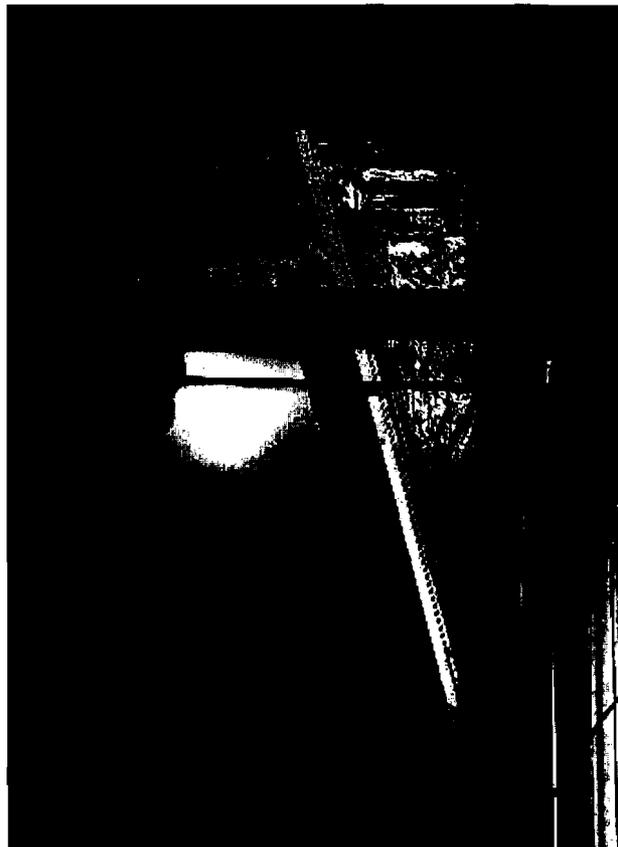


Photo 10 shows the air conditioning unit located in the garage.

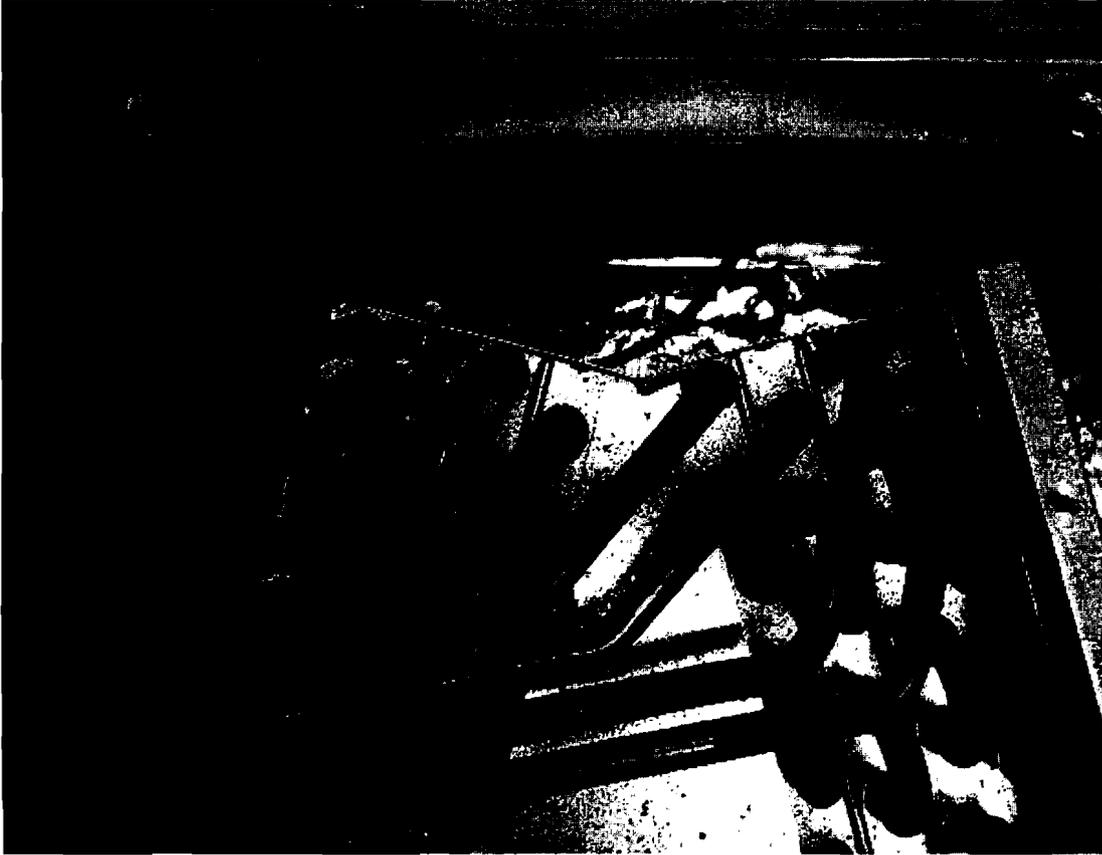


Photo 11 shows blackening evaporator coils in the air conditioning unit.



Photo 12 shows more blackened evaporator coils.



Photo 13 shows corroded evaporator coils in the air conditioning unit.



Photo 14 shows more blackened evaporator coils.

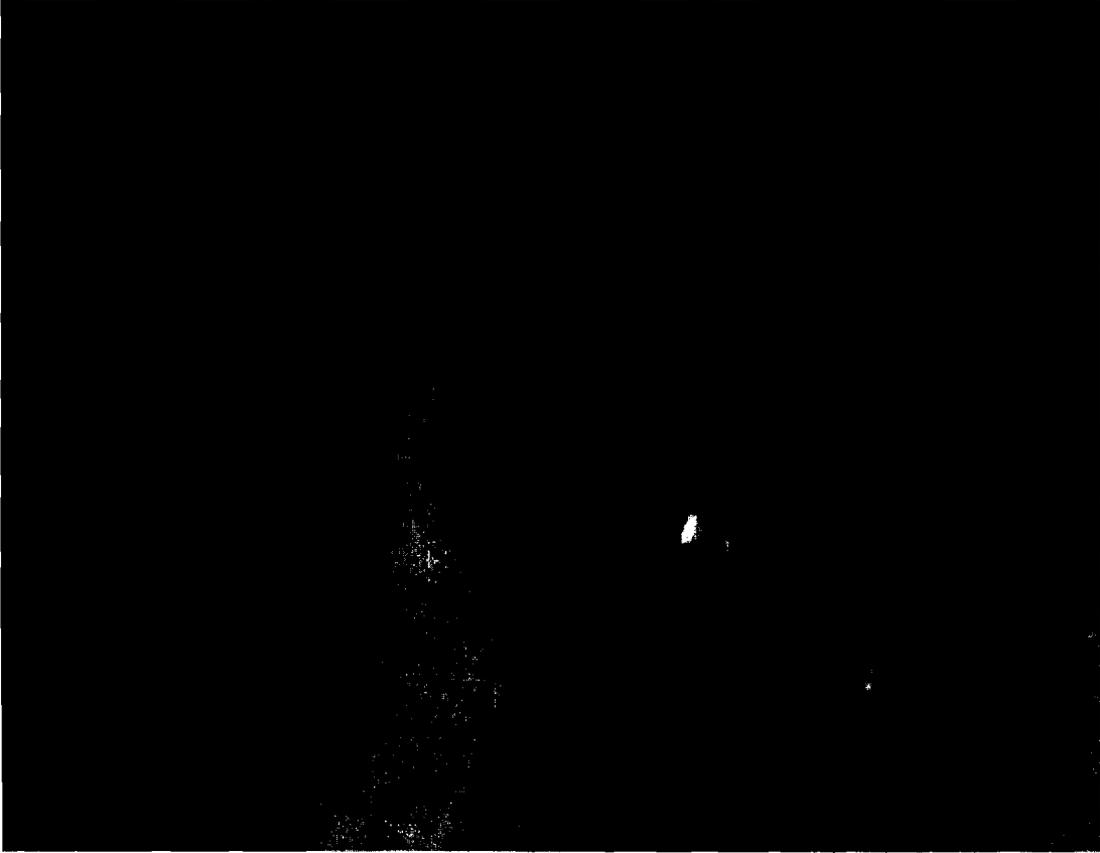


Photo 15 shows corrosion on the copper pipe of the toilet valve.



Photo 16 shows the blackening copper pipe located under the bathroom sink.



Photo 17 shows the blackening ground wire of an electrical outlet.



Photo 18 shows a wall decoration that is blackening.



Photo 19 shows a close up of the blackening on the wall decoration.



Photo 20 shows blackening on a house decoration.



Photo 21 shows a closer view of the blackening on the decoration.

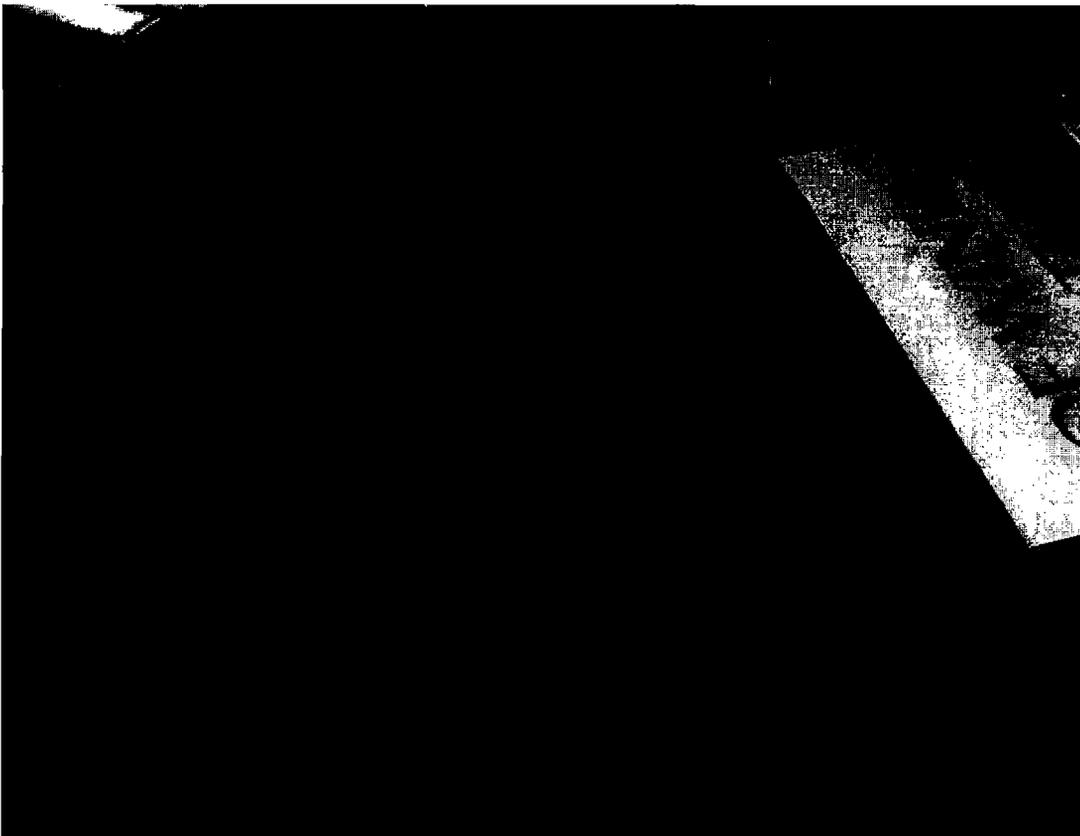


Photo 22 shows another view of the blackening on the decorations.

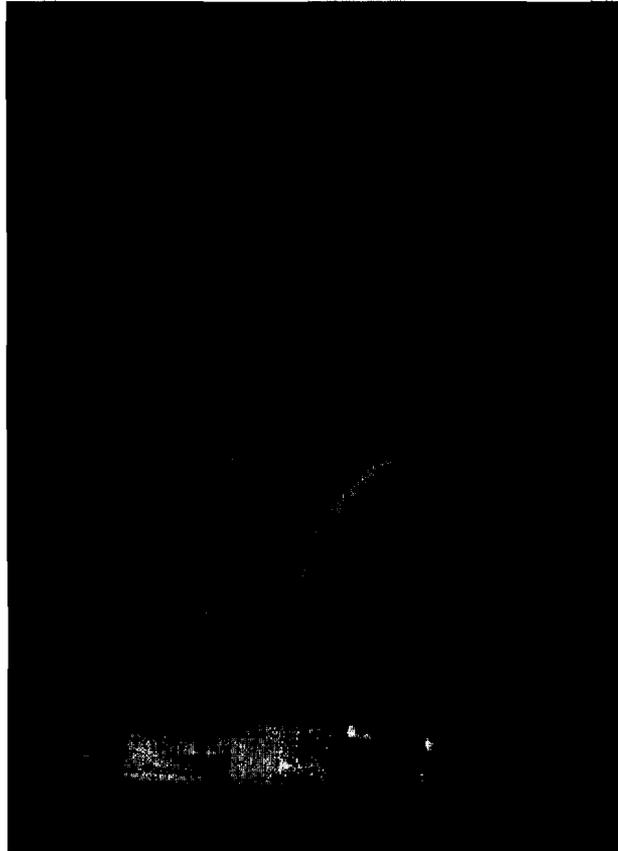
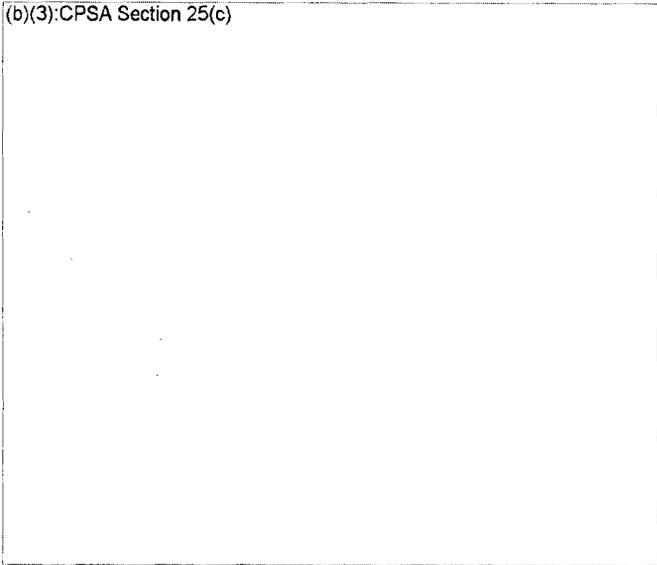


Photo 23 shows the blackening on the ground wire of an electrical outlet.



Photo 24 shows another view of the blackening on the ground wire of an electrical outlet.

03/31/2009 12:30:51



Victim's City = port saint lucie
 Victim's State = Florida
 Victim's Zip = 34953
 Victim's Telephone = (b)(3):CPSA Section 25(c)

Incident Description = new home built in 2005. have evidence of "chinese drywall". have had to replace the a/c unit since moving in nov/2005. a/c coils in old a/c unit were replaced at least 4 times in the last year or two. copper pipe leading to the hot water heater in the garage is black. stamp on the drywall upstairs in the attic reads "china". copper pipe leading to the toilet from the wall is black.

Victim's age at time of incident = 42 46
 Victim's sex = female
 Date of incident = 3/31/09 1-1-09 ~~1-1-08~~
 Product involved = chinese made drywall
 Product brand name/manufacturer = tanjin-china *Knauf Tianjin China ASTM C36-63-31*
 Manufacturer street address = tanjin-china
 Place where manufactured (City and State or Country) = tanjin-china
 Product model and serial number, manufacture date = astm-~~036~~ 6-3-31 01.10
 Product damaged, repaired or modified = ~~yes~~ No *C36*
 If yes, before or after the incident = ~~before~~
 Description of damage, repair or modification = product is not damaged cosmetically, only chemically
 Date product purchased = 2005 *2006 - NOV.*
 Product involved still available = yes
 Have you contacted the manufacturer = no
 If not, do you plan to contact them = yes
 Name Release = Do not release name

Doc No: I0930789A

Issue: 27

04/01/2009

03/31/2009 12:30:51

Name = (b)(3):CPSA Section 25(c)

Address =

City = p

State =

Zip = 34

Email =

Telepho

Name o

Victim's

Victim's City = port saint lucie

Victim's State = Florida

Victim's Zip = 34953

Victim's Telephone = (b)(3):CPSA Section

25(c)

Incident Description = new home built in 2005. have evidence of "chinese drywall". have had to replace the a/c unit since moving in nov/2005. a/c coils in old a/c unit were replaced at least 4 times in the last year or two. copper pipe leading to the hot water heater in the garage is black. stamp on the drywall upstairs in the attic reads "china". copper pipe leading to the toilet from the wall is black.

Victim's age at time of incident = 47

Victim's sex = female

Date of incident = 3/31/09

Product involved = chinese made drywall

Product brand name/manufacturer = tanjin-china

Manufacturer street address = tanjin-china

Place where manufactured (City and State or Country) = tanjin-china

Product model and serial number, manufacture date = astm-036 6-3-31 01.10

Product damaged, repaired or modified = yes

If yes, before or after the incident = before

Description of damage, repair or modification = product is not damaged cosmetically, only chemically

Date product purchased = 2005

Product involved still available = yes

Have you contacted the manufacturer = no

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.

Age = 46
Date of incident = 1-1-09
Product Brand name = Knaflex Tianjin China ASTM C36 6-03-31
Product Model & Serial # = C36 603-31 0610
Damaged or modified = NO
If yes, before or after = NO
Date Product Purchased = Nov 2006
New Home built in 2006 - Home had to replace A/C coils 4 X in 2 years. Copper pipe is black. Stamp on dry wall reads "China"

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)(3):CPSA Section 25(c)

4-7-09
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.

| | | | | |
|--|--|--|--|---|
| 1. Task Number 090507CBB3569 | | 2. Investigator's ID 9094 | | EPIDEMIOLOGIC INVESTIGATION REPORT |
| 3. Office Code 840 | 4. Date of Accident YR MO DAY 2006 07 01 | 5. Date Initiated YR MO DAY 2009 05 12 | | |
| 6. Synopsis of Accident or Complaint UPC A 29-year-old female, a 29-year-old male, an 11-year-old male, and a 6-year-old male reported suffering headaches, nosebleeds, and respiratory problems after moving into a house that had been remodeled with imported drywall. They also reported blackening of copper pipes, fixtures, and electrical wiring. In addition, several appliances have failed. They have not noticed flickering, sparking, buzzing, or sizzling of lights. The victims have sought medical attention for their injuries. MFR/PRVLBR NOTIFIED COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 09/21/09 <input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED <input type="checkbox"/> EXCISIONS.FOIA Hxs. <input type="checkbox"/> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY | | | | |
| 7. Location (Home, School, etc) 1 - HOME | | 8. City MERAUX | | 9. State MS |
| 10A. First Product 1884 - Ceilings And Walls (interior) | | 10B. Trade/Brand Name KNAUF | | 10C. Model Number UNKNOWN |
| 10D. Manufacturer Name and Address KNAUF DRYWALL P.O. Box 133 /Sittingbourne Kent ME10 3HW | | | | |
| 11A. Second Product 4062 - Electric Wire Or Wiring Syst | | 11B. Trade/Brand Name UNKNOWN | | 11C. Model Number UNKNOWN |
| 11D. Manufacturer Name and Address NONE | | | | |
| 12. Age of Victim 29 | 13. Sex 2 - Female | 14. Disposition 1 - Injured, not Hosp. | 15. Injury Diagnosis 71 - Other | |
| 16. Body Part(s) Involved 84 - 25 - 50% BODY | 17. Respondent 1 - Victim/Complainant | 18. Type of Investigation 1 - On-Site | 19. Time Spent (Operational / Travel) 21.5 / 2.5 | |
| 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 checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal <input type="radio"/> Yes for Manuf. Only | | | | |
| 24. Review Date 06/05/2009 | 25. Reviewed By 8631 | | 26. Regional Office Director Frank J. Nava | |
| 27. Distribution Rose, Blake; Woodard, Dean | | | 28. Source Document Number 10940079A | |

This investigation was initiated from a consumer complainant.

Much of the information contained in this report was obtained during an on-site interview conducted with the complainant on May 13, 2009. While at the complainant's home, I photographed evidence of corrosion reportedly caused by the incident product. In addition, I photographed small portions of the labeling from the incident product. These photographs are included as Attachment 2.

While conducting the on-site visit, I provided the complainant with copies of the CPSC Authorization for Release of Name Form and Medical Release Form. The complainant stated that she wished to review these items with her husband before signing them. She provided a signed copy of the Authorization for Release of Name form, which was received June 3, 2009. Signed copies of the Medical Release forms were not received.

During the on-site visit, the complainant stated that this incident was also being investigated by the state department of health and hospitals. On May 21, 2009, I requested a copy of the investigation report and photographs from that agency. These items were received June 4, 2009. The photographs are included as Attachment 3, and the report is included as Attachment 4.

The complainant also provided an e-mail outlining a brief history of the problems her family has experienced in this incident. This document was received May 15, 2009, and is included as Attachment 5.

This incident occurred at the complainant's residence, a two-story single-family dwelling (Attachment 2, Photograph 1; Attachment 3, Photograph 1). The size of the house involved is approximately 3500 to 3600 square feet. The second floor of the house is carpeted, but the first floor is not.

The primary product involved in this incident is drywall imported from China. This drywall was installed in the first floor of the complainant's home in 2006 when the first floor was gutted and rebuilt following flooding that occurred in August and September 2005. The complainant and her husband stated that new drywall was installed throughout the entire first floor of the house at this time (Attachment 4, Page 2).

The complainant stated wood studs were used in the construction of the house. She said that the studs were treated after the house flooded in 2005 and that she and her husband received a certificate stating that the studs were mold-free.

The incident location is equipped with natural gas service. The complainant stated that the range, the water heater, and the central heating unit are all gas-powered appliances.

As stated above, the complainant and her husband had to gut and remodel the entire first floor of their house following extensive flooding in the area in 2005. The complainant stated that she did not wish to disclose contact information for the subcontractor who installed the drywall when the house was remodeled.

The complainant and her husband both stated that they did not know where the subcontractor had purchased the drywall installed in their house in 2006.

The complainant stated that she and her family moved into the house in July 2006, when the rebuilding of the first floor was completed (Attachment 4, Page 2).

The complainant stated that she noticed a strange odor right away in the first-floor storage closet underneath the stairs (Attachment 4, Page 2). During the on-site visit, she said that the odor reminded her of "stinky wood." She indicated that she also noticed a similar odor in the first-floor game room sometimes when it had been closed up for a while (Attachment 4, Page 2).

The strange odor is stronger in the summer, according to the complainant. In addition, the odor is more noticeable when the air conditioner is not running, she stated (Attachment 4, Page 2).

In the summer of 2008, the complainant's eleven-year-old son began having severe headaches (Attachment 4, Page 4). The complainant stated that she also began having severe headaches during the summer of 2008 (Attachment 4, Page 4). She indicated that the headache symptoms that she and her older son experienced improved when the weather turned cooler and were beginning to worsen again as warmer weather returned.

The complainant's six-year-old son began having nosebleeds and coughing up bloody mucous in the winter of 2008. During the on-site visit, the complainant stated that this problem continues to occur occasionally (Attachment 4, Page 4).

The complainant said that her husband is also beginning to have unexplained headaches. She said that his headaches began in May 2009.

When the family was away from their home on vacation in 2008, they noticed that the symptoms they were experiencing disappeared on the second or third day away. The complainant stated that the symptoms returned when they returned home after their vacation.

The complainant stated that she and both children sought medical treatment for the symptoms they were experiencing. I requested that CPSC be allowed to obtain a copy of the medical records pertaining to the treatment received by each family member. However, the completed Medical Release Form was not returned to CPSC.

The complainant stated that she and her husband have experienced several problems with appliances in the house unexpectedly ceasing to function properly. She said that the lamp in the television room downstairs went out about a year and a half ago (Attachment 4, Page 4). In addition, the lamp in the master bedroom (directly above the other television) began having problems at approximately the same time. The complainant said

that they had the lamp in the television room replaced after it went out but that it is now beginning to have problems again.

In addition to the symptoms reported above, the complainant and her husband are concerned about potential long-term health problems arising from fumes associated with chemicals believed to be in the drywall installed in the first floor of their home when it was remodeled.

In the summer of 2008, the complainant and her husband had to replace the refrigerator that they had purchased in November 2005 (Attachment 4, Page 4).

The complainant said that the circuit board on the gas oven went out in December 2008. Although they had it replaced, the problem began again three or four months later, according to the complainant. She said that they have to use the outside circuit breaker to turn the oven on and off every time they cook anything in it (Attachment 4, Page 4).

The incident residence is equipped with two central air conditioning units. According to the complainant, both units had to be recharged about once a month during the summer. She said that the freon is replaced about once a year, with the last replacement being a couple of weeks prior to the on-site visit (Attachment 4, Page 2).

The complainant indicated that a family friend came to the residence recently and charged the coils of both air conditioning units. She said that this service was provided at no cost and that the friend did not give them a bill or a service record.

During the yearly service visit last year, the air conditioning contractor told the complainant and her husband that the downstairs unit had a freon leak and that the coils in that unit needed to be replaced (Attachment 4, Page 2). The complainant said that they have not replaced the coils in the downstairs unit, due to the ongoing issues that they believe are caused by fumes generated from the Chinese drywall. The complainant did not provide a copy of the service record for this visit.

The report provided by the Louisiana Department of Health and Hospitals indicates that black corrosion was observed on the compressed freon line from the air conditioning unit for the first floor (Attachment 4, Page 2; Attachment 3, Photographs 9-12).

The complainant said that she and her husband have noticed several instances of corrosion that they believe is caused by emissions from the drywall in the lower floor of the home. The hot water line on the gas water heater has begun to blacken (Attachment 2, Photograph 6; Attachment 3, Photographs 3-4; Attachment 4, Page 3). In addition, they have noticed corrosion on plumbing valves in the kitchen (Attachment 4, Page 3; Attachment 3, Photograph 6).

The complainant stated that she has also noticed corrosion on her stainless steel kitchen knives (Attachment 2, Photograph 7; Attachment 3, Photographs 5; Attachment 4, Page 3). During the on-site visit, the complainant pointed out two other instances of corrosion

that she believes might be related to the drywall: the sink area of the wet bar downstairs (Attachment 2, Photograph 8) and a stainless steel toilet paper caddy in a bathroom directly above a vent coming from the first floor (Attachment 2, Photograph 9).

The electrical wiring in the house also shows signs of corrosion, according to the complainant and her husband. She pointed out one instance of corrosion behind the receptacle in the kitchen/breakfast area of the house (Attachment 2, Photograph 10). The Louisiana Department of Health and Hospitals indicates that the complainant has experienced black corrosion of electrical outlets in the laundry room and kitchen (Attachment 4, Page 3; Attachment 3, Photographs 7-8).

CONTACT WITH RETAILER AND MANUFACTURER:

At the time of the on-site visit, neither the complainant nor her husband had contacted the manufacturer or installer of the drywall involved in the incident. When I spoke with the complainant via telephone on June 2, 2009, she indicated that they still had not contacted the manufacturer or installer.

PRODUCT IDENTIFICATION:

The primary product involved is **drywall, manufactured by Knauf Drywall**. During the on-site visit, I was unable to locate or photograph a portion of the drywall on which the entire manufacturer's name was visible. However, I was able to photograph a portion of the labeling on the incident drywall (Attachment 2, Photographs 2-5; Attachment 3, Photograph 2). This partial labeling, along with the distinctive color pattern used by the manufacturer, indicates that the drywall installed in the first floor of the complainant's residence was manufactured by Knauf Drywall. Contact information for Knauf Drywall was obtained from the manufacturer's web site (www.knaufdrywall.com) and is listed below:

Knauf Drywall
P.O. Box 133
Sittingbourne
Kent
ME10 3HW

Customer Services Freephone: 0800 521 050
Customer Services Freefax: 0800 521 205
Customer Services e-mail: cservice@knauf.co.uk
Literature Hotline: 08700 613 700
Technical Service Helpline: 01795 416 259
Technical Service e-mail: technical@knauf.co.uk

SAMPLE:

Per assignment instructions, no sample was collected.

ATTACHMENTS:

Attachment 1 – Contact Sheet

Attachment 2 – Photographs (1 - 10) – taken by CPSC Investigator

Attachment 3 – Photographs (1 - 12) – provided by LA Dept. of Health and Hospitals

Attachment 4 – Walk-through Checklist - provided by LA Dept of Health and Hospitals

Attachment 5 – Brief history of problems with drywall – provide by complainant

Attachment 6 – Authorization for Release of Name

Attachment 7 – Missing Documents Form

List of Contacts

Name: Shannon Schulz
Title: Complainant
Address: 2125 Aramis Drive
Meraux, LA 70075
Phone: 504-619-2204
Interviewed: On-site visit conducted May 13, 2009

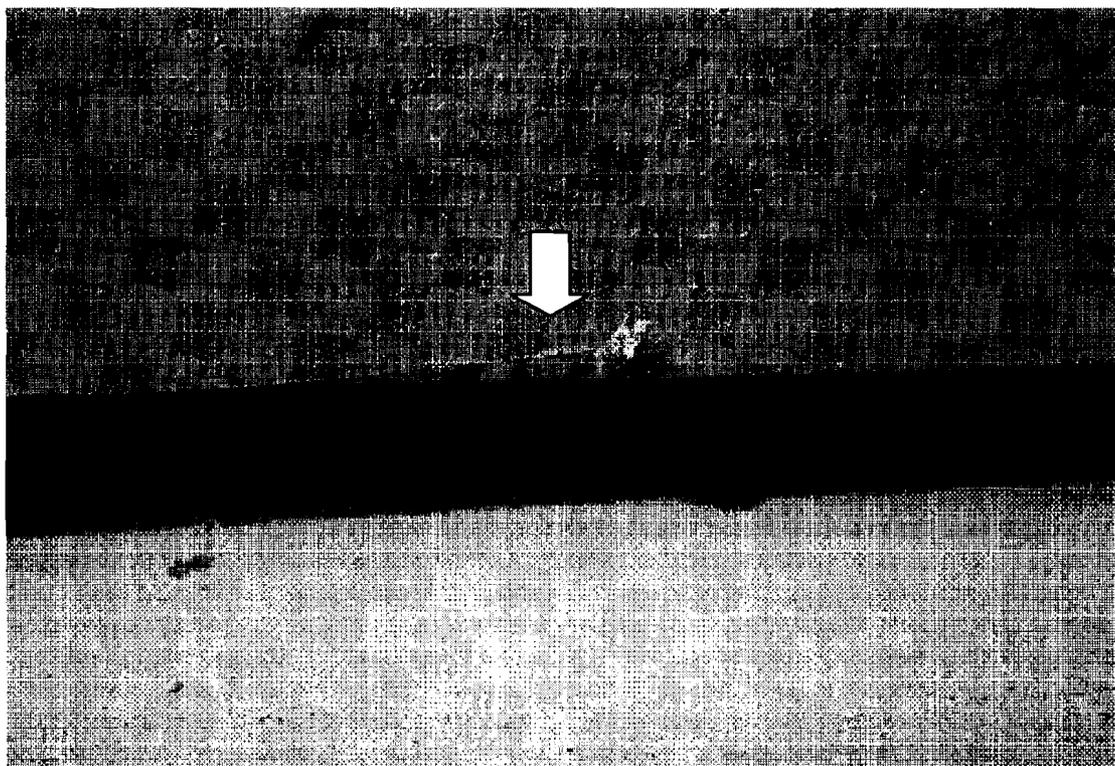
Information from interview is included in narrative.
Photographs made during on-site visit.
Complainant wanted to review Authorization and Medical Release forms before signing.
Additional information sent to complainant via e-mail on May 18, 2009.
Signed Authorization and Medical Release forms requested via e-mail on May 21, 2009.
Called complainant June 2, 2009, to follow up on signed forms – she will send forms.
Complainant does not wish to disclose contact information for subcontractor to CPSC.
Signed Authorization for Release of name was received June 3, 2009.

Name: Darcie Olexia
Title: MSPH
Address: Louisiana Department of Health and Hospitals
1450 L & A Road
Meetairie, LA 70001
Phone: 504-216-4571
Interviewed: Called May 21, 2009.
Faxed letter requesting report and photographs May 21, 2009.
Mailed letter requesting report and photographs May 22, 2009.

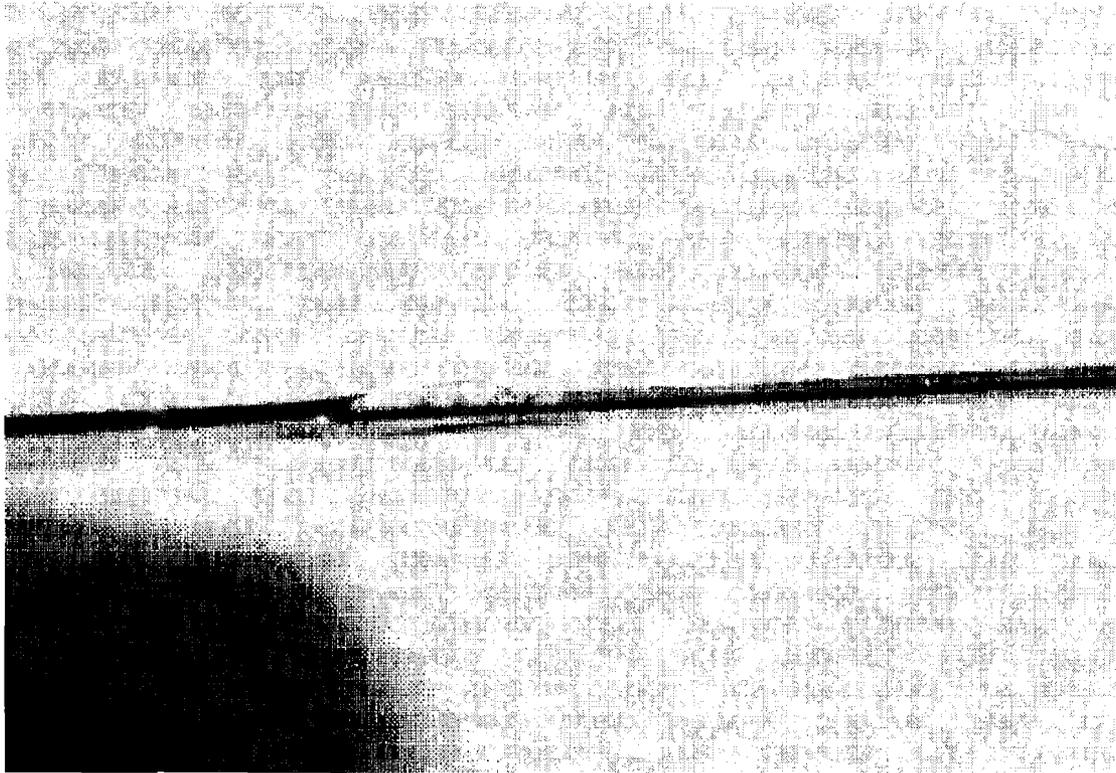
Report was received 06/04/09.
Photographs were received 06/04/09.



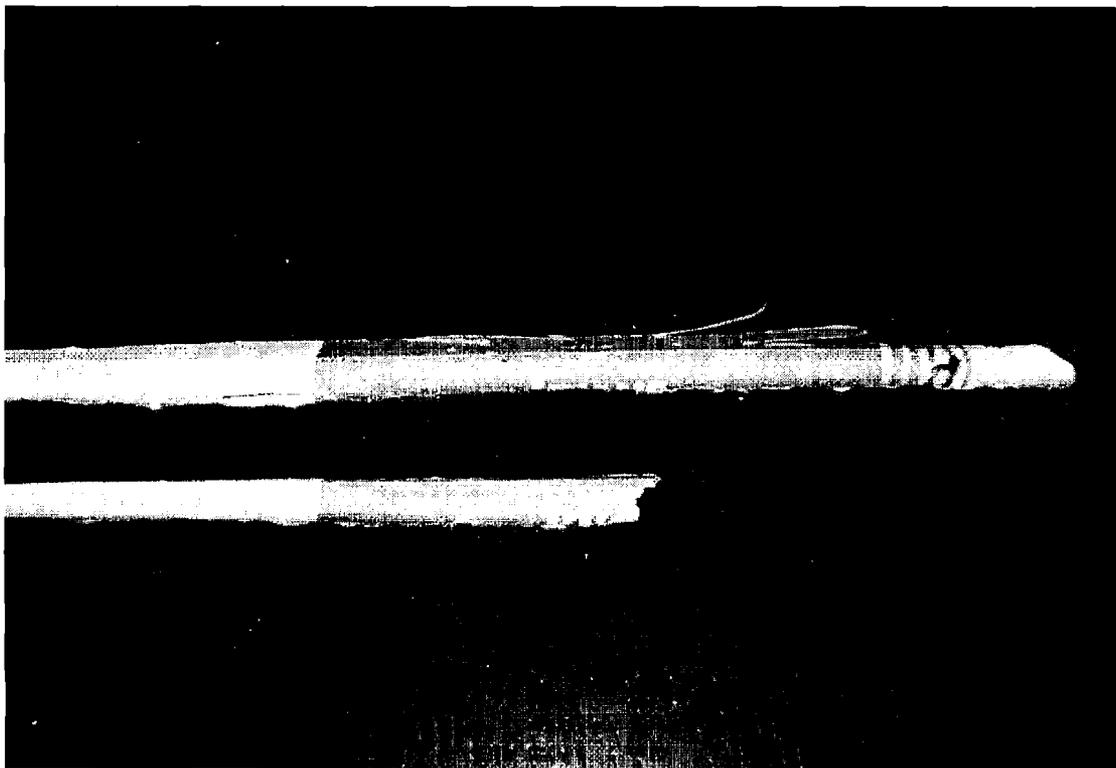
Photograph 1: Incident location



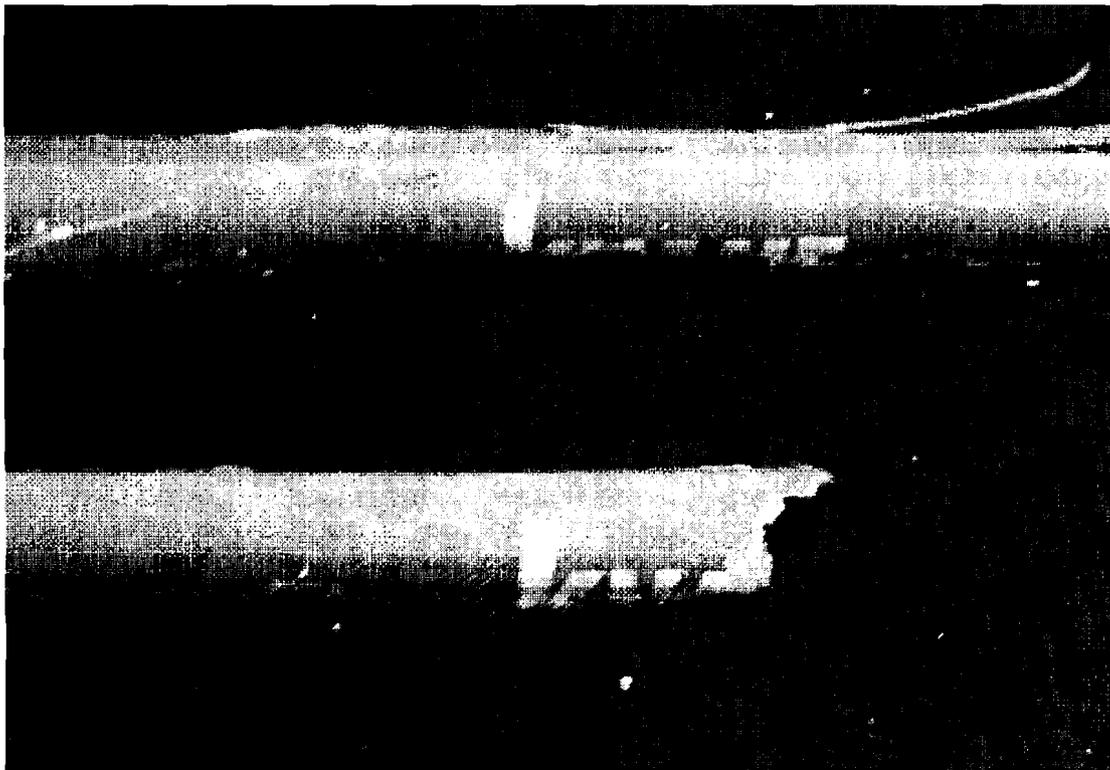
Photograph 2: Chinese drywall visible in under-stair storage closet on first floor of incident location



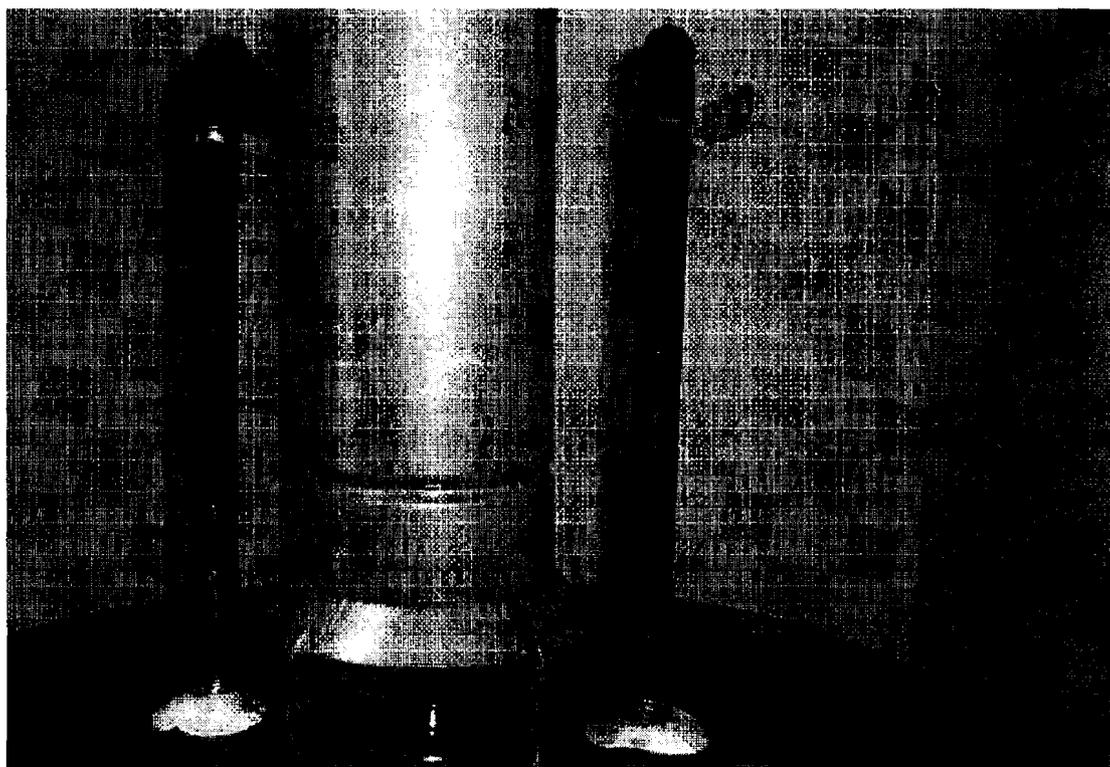
Photograph 3: Second view of Chinese drywall in under-stair storage closet at incident location



Photograph 4: Drywall pieces cut from first floor storage closet area of incident location



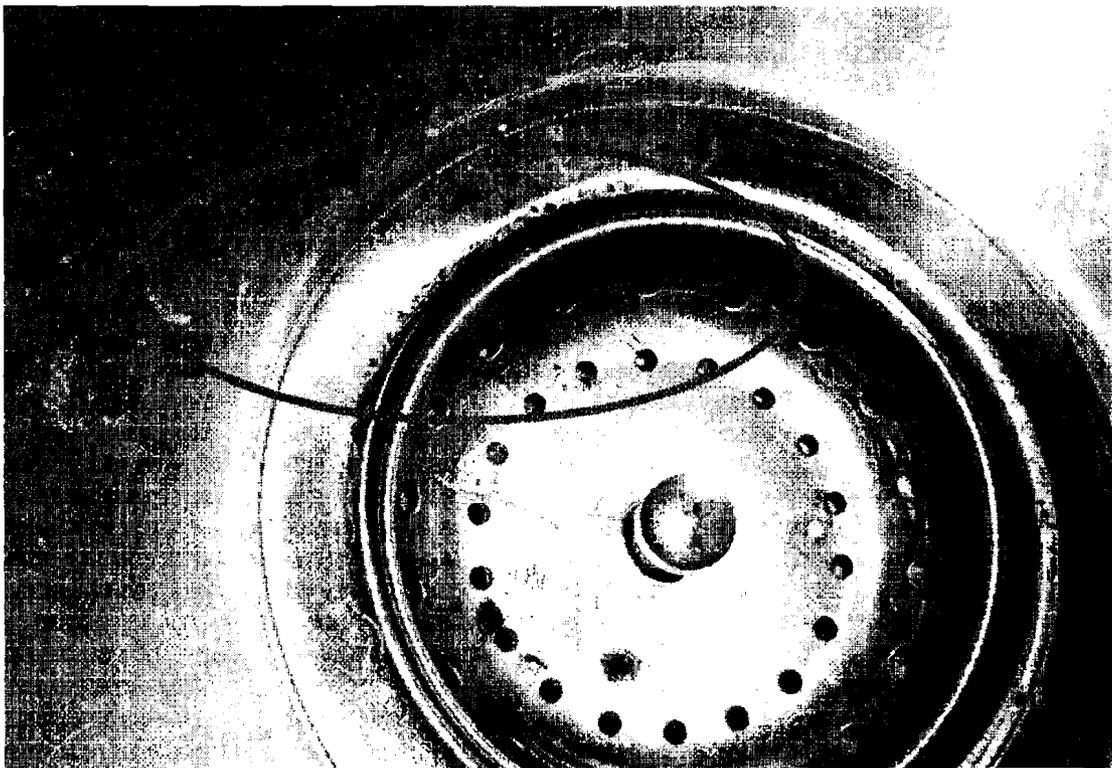
Photograph 5: Closer view of drywall pieces cut from under-stair storage closet on first floor of incident location (note that name on drywall appears to be "Knauf")



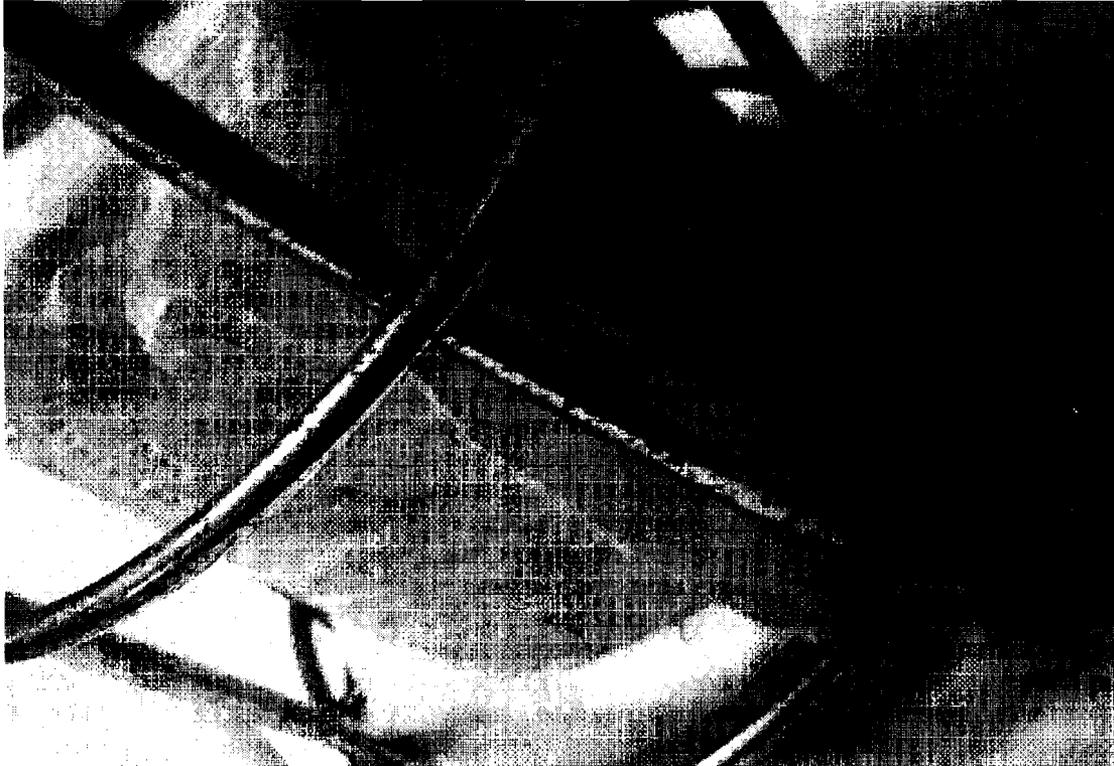
Photograph 6: Darkening of copper water pipes in utility room area (running to water heater)



Photograph 7: Corrosion on stainless steel flatware stored on first floor of incident location



Photograph 8: Corrosion of stainless steel sink area in wet bar on first floor of incident location



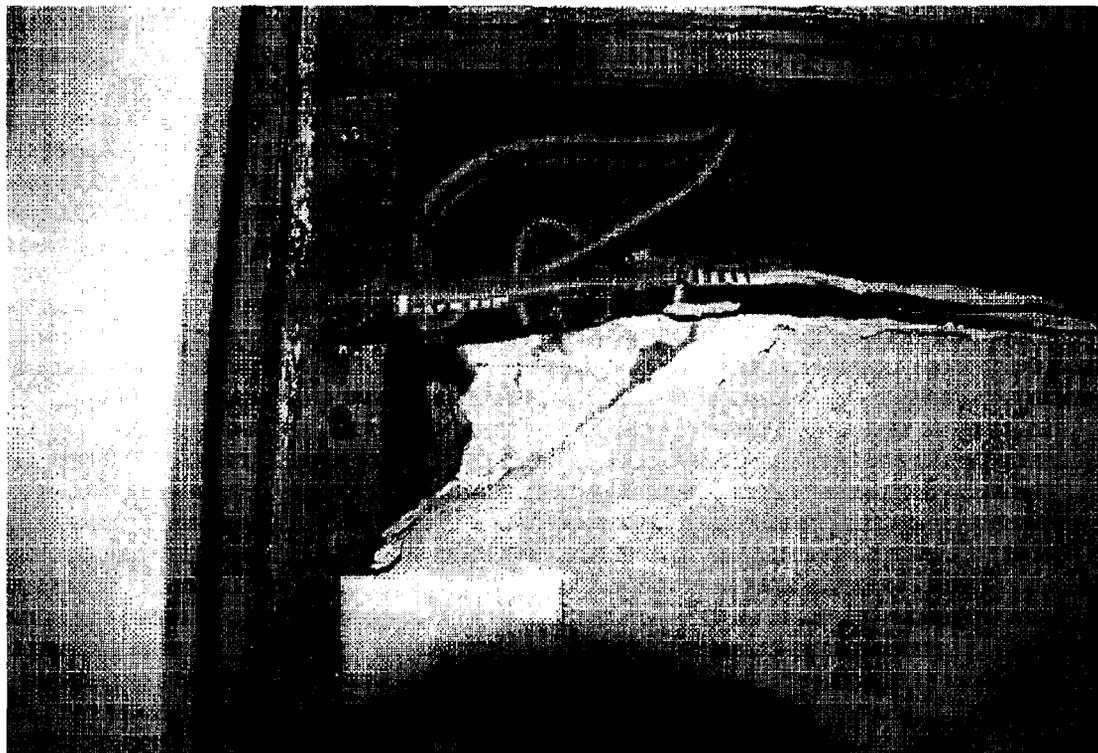
Photograph 9: Corrosion on stainless steel toilet paper holder in upstairs bathroom (near air vent)



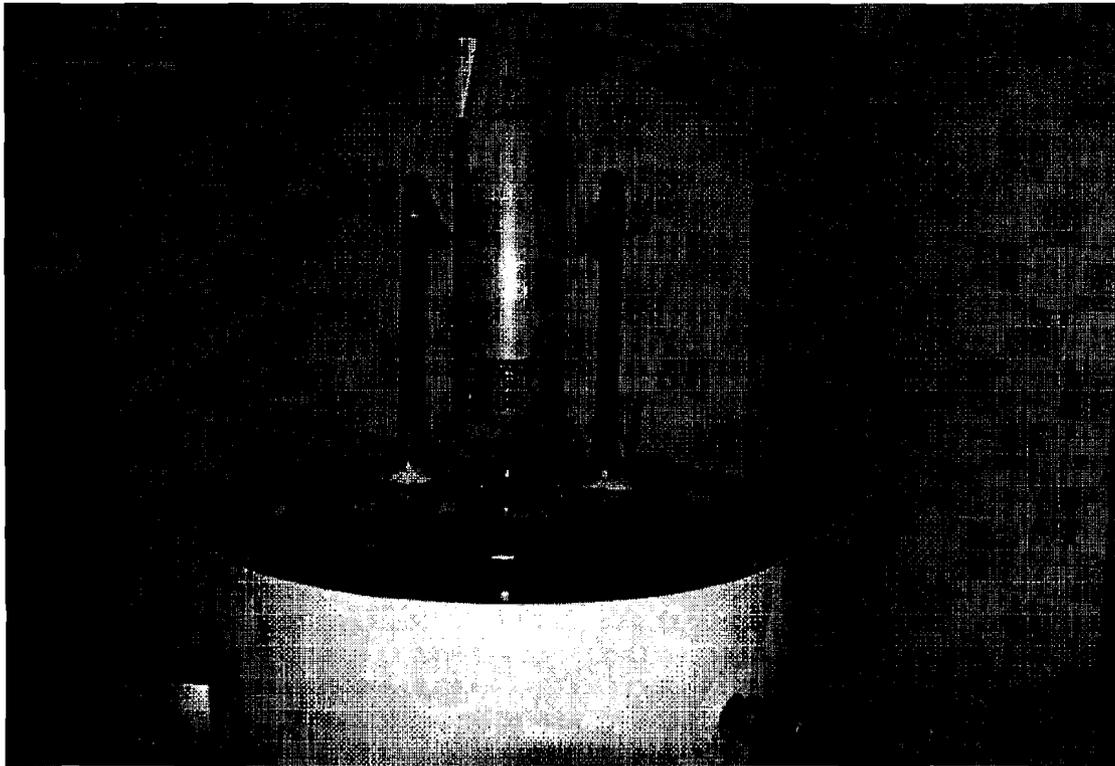
Photograph 10: Corrosion of copper wiring in electrical receptacle near breakfast room area on first floor of incident location



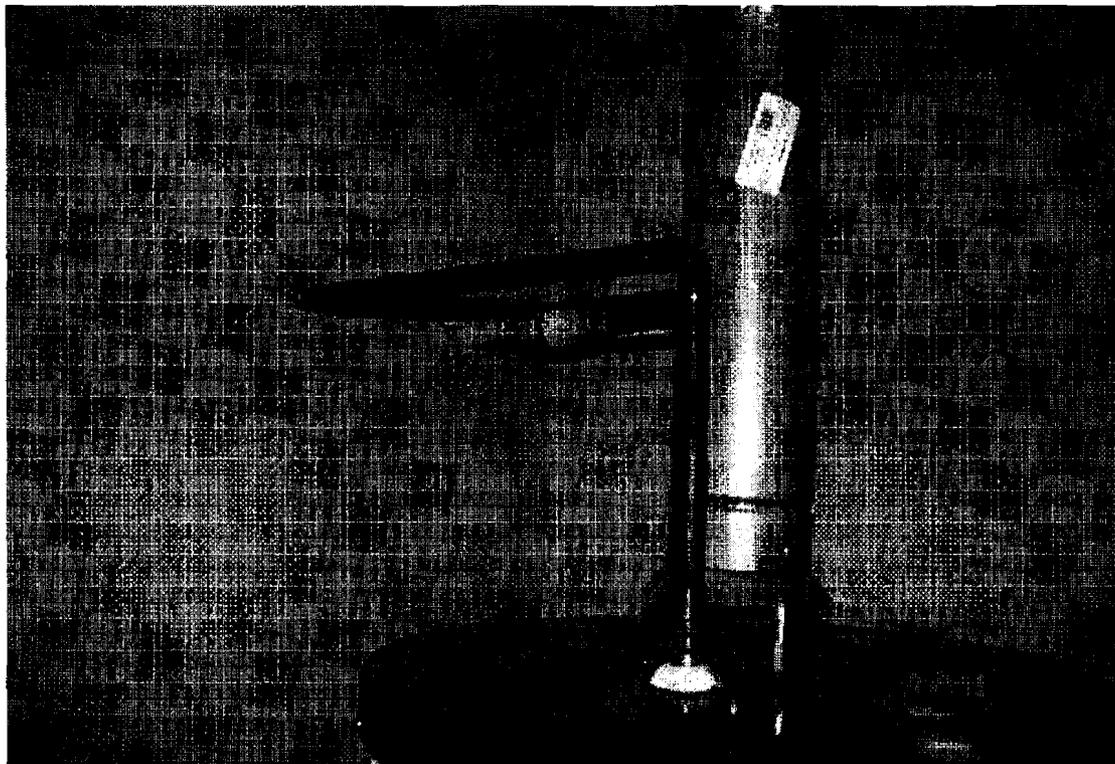
Photograph 1: Incident location (LA DHH photo)



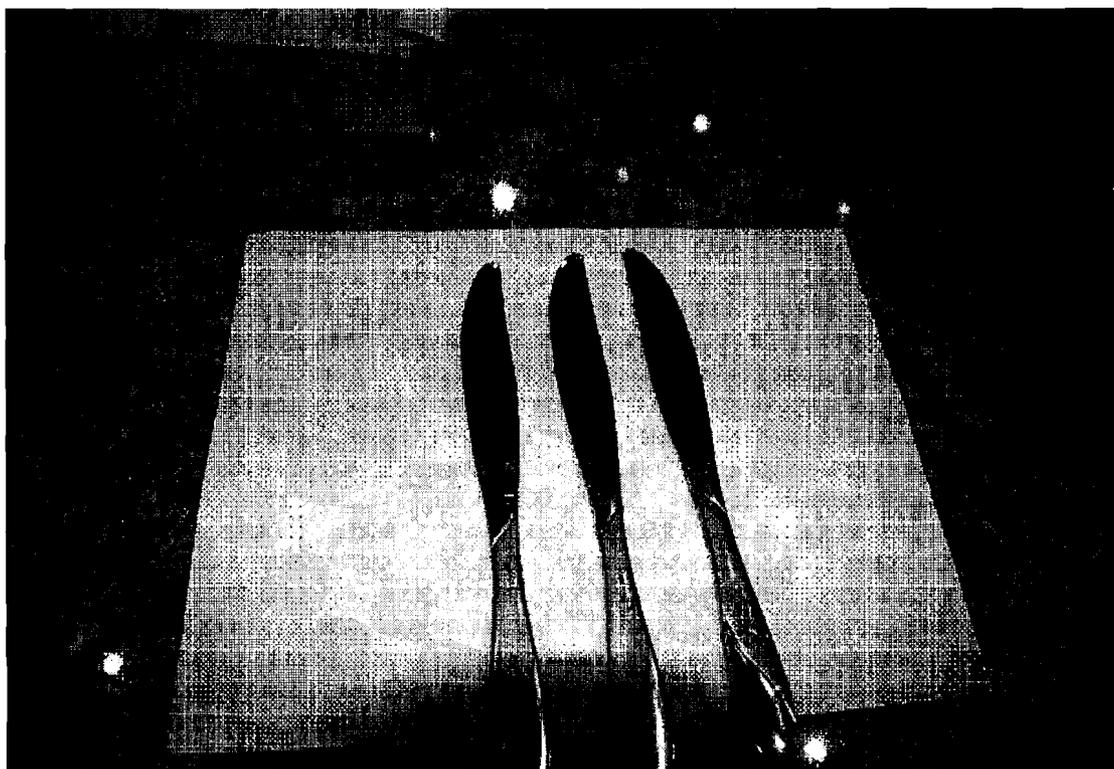
Photograph 2: Chinese drywall visible in complainant's house (LA DHH photo)



Photograph 3: Darkening of copper hot water pipe in utility room area (LA DHH photo)



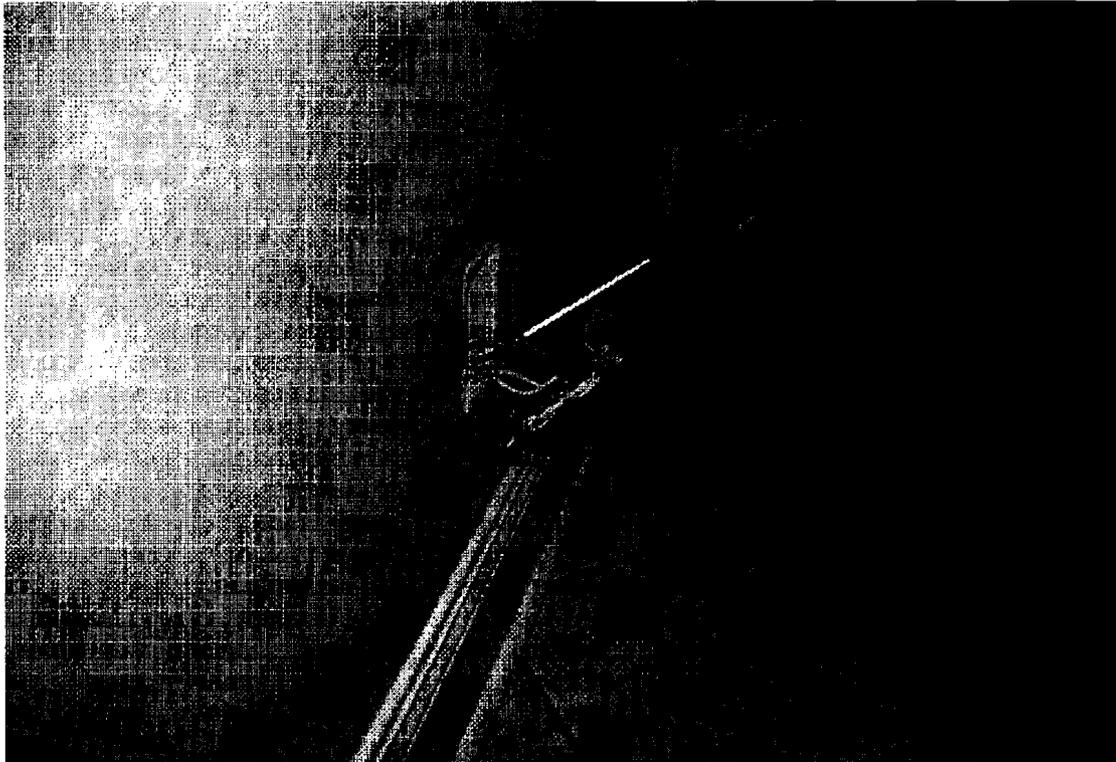
Photograph 4: Corrosion on hot water pipe in utility room (LA DHH photo)



Photograph 5: Corrosion on stainless steel flatware stored on first floor (LADHH photo)



Photograph 6: Corrosion of faucet on first floor (LADHH photo)



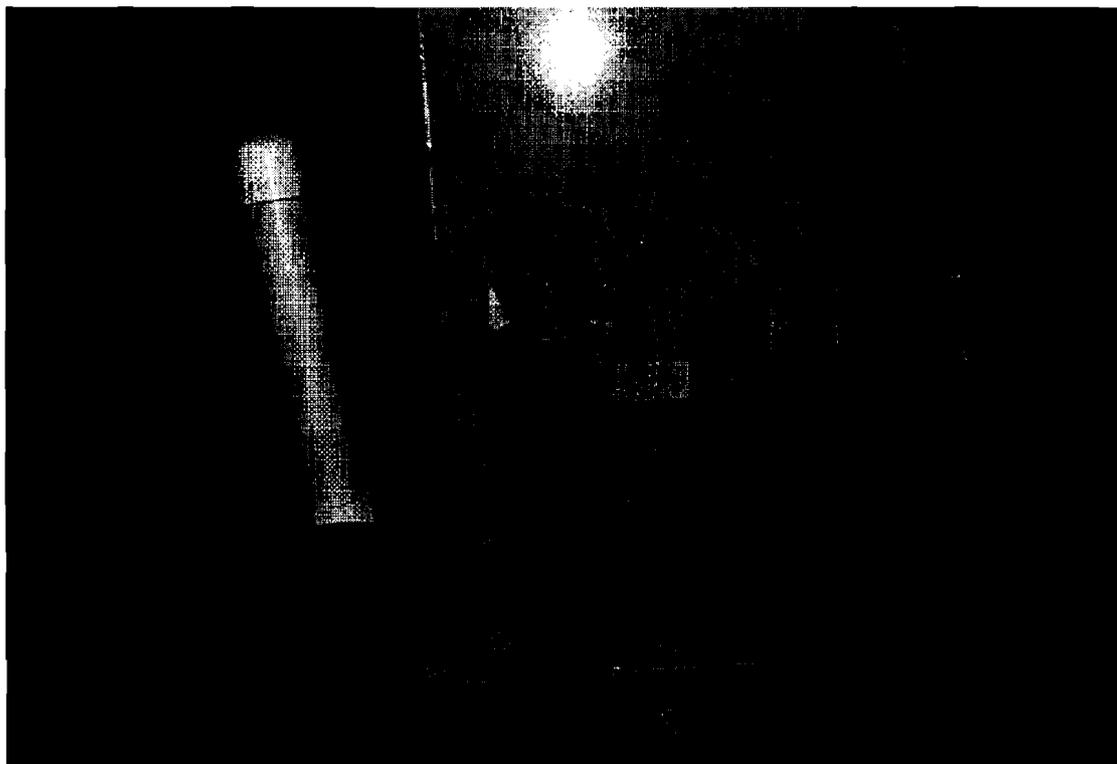
Photograph 7: Corroded wiring in kitchen/breakfast area (LADHH photo)



Photograph 8: Second view of corroded electrical wiring in kitchen/breakfast area (LA DHH photo)



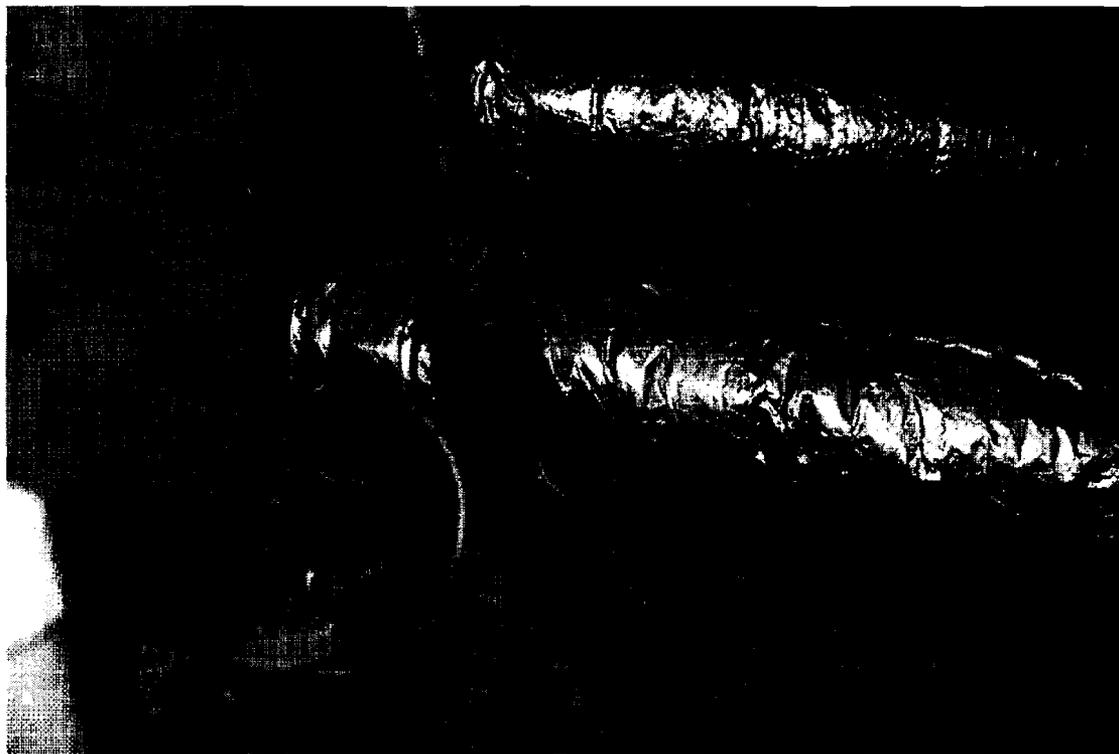
Photograph 9: Blackened corrosion on copper compressed Freon line (LA DHH photo)



Photograph 10: Blackening on copper compressed Freon line (LA DHH)



Photograph 11: Blackening on copper compressed Freon line (LA DHH)



Photograph 12: Blackening on copper compressed Freon line (LA DHH)



Bobby Jindal
GOVERNOR

STATE OF LOUISIANA
DEPARTMENT OF HEALTH AND HOSPITALS



Alan Levine
SECRETARY

May 28, 2009

Mr. and Mrs. Schulz
2125 Aramis Dr.
Meraux, LA 70075

Dear Mr. and Mrs. Schulz,

Thank you for allowing the Louisiana Department of Health and Hospitals to visit your home. As you know, we conducted a visual assessment of your home and its surroundings in order to document the conditions that you reported to us related to foreign drywall.

Our visual assessment supports a conclusion of the presence of foreign drywall in your home. A summary of the information we collected while at your home is provided for your records.

This assessment will help us to better define the extent of the foreign drywall problem throughout the State of Louisiana, and our observations will be shared with our federal partners who are investigating this issue on a national level.

The Louisiana Department of Health and Hospitals is working with the US Centers for Disease Control and Prevention to develop foreign drywall fact sheets for residents and medical professionals. This information will be finalized soon and will be sent to your home address.

Thank you again for your cooperation in this investigation. If you have any questions or concerns, please do not hesitate to call us at 1-888-293-7020.

Sincerely,

Darcie Olexia, M.S.P.H.

Environmental Health Scientist

Louisiana Department of Health and Hospitals, Office of Public Health
Section of Environmental Epidemiology and Toxicology

cc: Mary Pigott, Consumer Product Safety Commission

Walk-through Checklist for Foreign Drywall

(ver 5/12/09)

Name Mr. and Mrs. SchulzAddress 2125 Aramis Drive, Meraux, LA 70075Phone 504-232-9130Date: 5/13/09Time In: 2:46 pmTime Out: 3:46 pm**ODORS**

- Sulfur (match strike) Rotten egg/sewer gas
 Other Location of odor Downstairs in cubbie hole under stairway.

Dissipation of odor during visit? _____

When do you smell the odor most often? When A/C is not on.

* Mrs. Schulz told the staff that only the first floor of the home had been flooded following Hurricane Katrina. She also stated that the first floor was completely gutted after the Hurricane. She stated that the family moved back into the home in July 2006. A sulfur like smell was very distinct and strong under confined area under stairway. After the door leading to the confined area was opened, the smell dissipated throughout the adjacent room. A faint smell was detected in the game room which is also located downstairs. The staff could not determine if the smell was the same as the smell under the stairway because the homeowners used Glade plug-ins and candles to mask the odor. The homeowner stated that the odor is stronger and more distinct when the A/C is not on.

EVALUATION OF AIR CONDITIONING UNIT & COMPRESSED FREON LINE

- Age of A/C evaporator coil in air handling unit July 2006
 Replacement of A/C evaporator coil How many times? _____
 Black corrosion of the coil (attach photos)

* Staff did not see inside of the Air Handler Unit

- Replacement of Freon How often? 1/year was serviced 1-2 weeks ago
 Black corrosion on the compressed Freon line (attach photos)

*This copper line is approximately 1/4 inch in diameter and can be easily viewed without opening the air handling unit or removing any panels. If the air handler is in an interior closet or garage, go to it and look at the un-insulated copper line going into the air handler. If the air handler is located in the attic or crawlspace, it is less common to find corrosion on the un-insulated Freon line.

- A/C serviced 2x last year. The homeowners have not replaced their A/C coils.
- Last year, the A/C contractor told the Schulz family that the coils have to be replaced.

EVALUATION OF ELECTRICAL WIRING

- Black corrosion of un-insulated ground wires in main breaker panel (attach photos)
 Location _____
- Black corrosion at light switches (attach photos)
 Location _____
- Black corrosion of electrical outlets (attach photos)
 Location Laundry Room and Kitchen
- Professional inspector or licensed electrician/technician to confirm corrosion (No)

EVALUATION OF OTHER METAL SURFACES

- Corrosion of copper, brass or metallic surfaces in kitchen: (attach photos)
 sinks faucets plumbing/valves
- Corrosion of copper, brass or metallic surfaces in bath: (attach photos)
 sinks faucets plumbing/valves mirror trim
- Corrosion of copper, brass or metallic surfaces at water heater (attach photos)
- Corrosion of metal jewelry, ornamental fixtures (attach photos)
 Location kitchen butter knives

* Hot water heater pipes beginning to corrode.

EVALUATION OF DRYWALL

- Imported drywall with "Made in China" markings (attach photos)
 Location _____
- Imported drywall with "Knauff" markings (attach photos)
 Location Confined space under stairway
- Imported drywall with "Knauff Tianjin" markings (attach photos)
 Location _____
- Other markings (attach photos)
 Location _____

*Identifying drywall made in China may be the most difficult and possibly inconclusive. This requires cutting holes in walls and finding those markings are not guaranteed. Homes can have drywall from multiple manufacturers, American and imported. It is possible that the imported drywall was installed on the ceiling. Markings may be located under the insulation in the attic space. Some drywall has no marking at all.

EVALUATION OF FAILURE OF ELECTRONIC DEVICES/SMOKE ALARM

- Failure of electronic devices (attach photos)
 television computer microwave other appliance (Had to replace the refrigerator and television that is located in the living room. The circuit board in the electrical stove was repaired before Christmas 2008. In order to operate the stove, the one must go to the main breaker. The family owns another refrigerator that is located in the garage which is an area where drywall was not installed. The garage refrigerator is approximately ten years old had has not had any problems operating.)
- Failure of smoke alarm (attach photos)

COMMENTS:

Health Problems: Mrs. Schulz stated that her 6 year old has been experiencing nose bleeds and coughs up bloody mucus. Mrs. Schulz stated that last summer her oldest son was experiencing headaches and that she is currently experiencing migraines (behind her right eye). Mrs. Schulz has consulted a physician regarding her neurological condition.

Dog: The family owned a dog that lived in the confined space. Mrs. Schulz stated that the dog was having psychological problems and they decided to give it away after Hurricane Gustav.

Sampling: Toxicologist from law firm collected a drywall sample and Knauf label for their analysis/records. Staff collected one blue and yellow Knauf label during visit.

Home had UV disinfection system on top of shaft for the return air unit located on first floor entryway.

Pigott, Mary

From: Schulz, Shannon [shannonschulz@cjalaw.com]
Sent: Friday, May 15, 2009 9:52 AM
To: Pigott, Mary
Subject: Chinese Drywall Victim - SCHULZ FAMILY

Kim – As promised, below is the history of my problems with the Chinese Drywall. Please feel free to contact me if you need any additional information. If you find out any new information, please pass it onto me. I truly appreciate all of your help and hard work. Thank you.

Shannon C. Schulz

Coleman, Johnson, Artigues & Jurisich, LLC
321 St. Charles Avenue, 10th Floor Suite
New Orleans, LA 70130
504.525.9464 Fax
504.586.1979 Phone
504.619.2204 Direct

I know this is lengthy, but **please** takes 10 minutes to watch the video and read.....

Click the link below, then click Chinese Drywall on the left side of the page....
<http://www.fox8live.com/mediacenter/local.aspx>

My name is Shannon Schulz and I am married with two children; an 11 year old son and a 6 year old son. Unfortunately, my family and I are victims of having purchased the Chinese Drywall. We live in St. Bernard Parish in Meraux, LA. When we remodeled our home after Hurricane Katrina, we hired a company based out of Houston, Texas to hang and float the sheetrock. We moved back into our house in July, 2006. Since that time, we have had to replace our refrigerator, replace 1 upstairs television, replace the tube (lamp) on our big screen television downstairs (twice) and replace the computer chip on our oven just this past winter. Our oven is currently giving us problems again. The **cancel** button will not work, so my husband actually has to go outside to turn the oven off by the breaker box. We have had someone service our a/c unit last summer because it was also not working properly. We need to have the coils replaced on the unit and there is also a leak which needs to be fixed. If I would have put the pieces of the puzzle together then, surely I would have seen that there was a much bigger problem than just the appliances giving us problems. The mystery has now been solved...my husband cut a piece of our drywall to check the backside markings and, of course, it is labeled **KNAUF**. The label is blue and yellow. We have checked behind the electrical boxes and the ground wire (copper wire) is black. If you are not familiar with the Chinese Drywall, the drywall is emitting sulfur-based gases that are corroding the air-conditioner coils, electrical wiring, electronics and the appliances. If this gas can corrode copper, what is it doing to our health and our children's health?

My concerns are:

1. My youngest son has started having nose bleeds and asthmatic symptoms.
2. My oldest son and I have been suffering with headaches.

My questions are:

1. How harmful is this to myself and my family?
2. Being that my husband subcontracted our house, who is liable for this? This is **not** covered by our homeowners insurance.

What steps have I taken:

1. I have contacted the Attorney General's Office and gave them all pertinent information and they advised me to contact America's Watchdog.
2. I have contacted America's Watchdog and they have forwarded my information to their contacts in Washington D.C.
3. I have called the Louisiana Department of Health and Hospitals.
4. I have called my insurance company and placed a claim through my homeowners insurance.

5. Our doctor has ordered that blood work and chest x-rays be done on my family.
6. I have contacted Fox 8 News.
7. I have spoken to someone in Senator Landrieu's office.
8. I have contacted an editor with the Wall Street Journal and they will do a follow-up story on this issue.

What steps do I plan to take:

I plan to get an estimate from a contractor on gutting the house (2nd time in 3 years). There is a chance that the house will have to be bulldozed, so we will need to get an estimate on that as well. How can we resolve this problem?

I have lots of questions, but feel like no one can give us any answers. The only way people in our situation can get answers and correct this problem is if we spread the word. Who allowed this to enter our Country? In the end, who is ultimately responsible for this problem? The federal government has a responsibility to correct this problem and assist with the repair costs. We need answers. When do I need to start the process of gutting the house or does it need to be bulldozed? What should I do with my family? Please contact our Senators, Attorney General, local and national news stations; send them our story. We cannot let this go unresolved. Someone needs to take responsibility for this problem.

It's unthinkable in a country that leads the world there are not measurements, checks and balances to prevent dangerous building materials from being imported. Where is our protection? Does no one care what is being allowed to be sold on the streets of the United States? But in this case, there are not and hence, here we are. What type of damage has occurred to these families because of this? What will be the costs to their health or emotionally and financially? And how many people have now been affected by this? How many times do we have to be reactive because our government has let us down, disappointed us i.e. levees, FEMA, this? Regardless, we are strong and we do not coward when faced time and time again (within 3+ years) with life changing challenges. We are more than just a monetary resource for our government (taxes), we are real people. Please take a few minutes and send a message to our government asking for protection and help. Please forward our story on by clicking the links below or you can print our story and fax it to them.

http://www.senate.gov/general/contact_information/senators_cfm.cfm?OrderBy=party&Sort=ASC

<http://www.ag.state.la.us/>

With kindest regards,

Shannon Schulz
Meraux, LA 70075
Office: 504.619.2204

Task No. 090507CBB3569

Date: 06-04-2009

STATUS OF MISSING DOCUMENT (S)

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

1. Medical Release Form - not returned by complainant (unable to request medical records due to absence of signed medical release form)
2. _____
3. _____
4. _____
5. _____

Date: 06-04-2009 **Investigator No:** 9094

Regional office: CFIW **Supervisor No:** 8631

The complainant was initially contacted by telephone on 5/13/09. She was interviewed on-site on 5/19/09. Photographs were taken during the on-site. The complainant stated that due to the fact they were a blended family, she would obtain the medical records and forward them to this Investigator. Attempts to obtain the medical records from the complainant were unsuccessful. The retailer where the involved drywall was purchased was visited on 5/19/09.

The complainant is a 45-year-old female who is 5'6" and weighs approximately 137 pounds. The residents of the house include the complaint's two children, a 19-year-old female and an 11-year-old male, her 33-year-old husband, and his two children, two males ages 10 and 11-years-old. (The complainant's husband has joint custody of the males, therefore, they spend half of their time at the involved residence and the remaining time with their mother.)

The complainant stated that she and her husband acted as the contractors during the building of the involved residence. The residence is a two story, brick veneer home. (See Photo #1) It is 4,000 square feet, with 3,600 square feet being the living areas. Wood studs were used to construct the home. The home has 4 bedrooms and three bathrooms. The 4 bedrooms, plus one game room have carpet flooring. The remainder of the residence has wood flooring. The home has gas and electric services. The following appliances are natural gas fueled appliances: stove, water heater, and dryer. The home is equipped with hard-wired, with battery back-up, smoke alarms. The smoke alarms are located in the main living areas of the residence and the bedrooms. The home is not equipped with a fire sprinkler system, however the complainant stated that they do own a fire extinguisher. The complainant stated that construction started on the residence in November of 2006. The family moved into the completed residence on September of 2007.

The involved product, drywall (4' x 12' x ½"), was purchased by the complainant on/about March 20, 2007 from a local building supply store. The complainant stated that she and her husband picked the involved drywall up from the retailer using a trailer they own. She provided a copy of the purchase invoice. It is attached as Exhibit #2. She stated that approximately two days later, they hired a drywall contractor to hang and float the involved drywall. She provided a copy of the Contractor's Invoice, which is attached as Exhibit #3. **Note:** The purchase invoice shows a purchase of 204 sheets of drywall. The Contractor's Invoice shows 317 sheets being hung and floated. This Investigator asked the complainant about the discrepancy. The complainant stated that her husband had to return to the building supply store approximately 5 days after the original purchase to obtain more drywall (113 sheets). She stated that it was the same drywall that they had purchased originally because it was in the same area as the first purchase of drywall, was under a tarp and was shrink wrapped, just as the first purchase of drywall had been. She could not locate a purchase invoice for the second purchase of drywall.

The complainant stated that initially she didn't notice any particular odors in her residence, however, in March of 2008; she stated that she began to notice an odor she compared to rotten eggs, in her master bathroom. She stated that she initially attributed

the odor to her water, which she stated tasted peculiar. She reported the problem to her Sewage and Water Board, who tested her water and found that the water was fine and was safe to drink. She provided a copy of the test results that were provided to her by the Sewage and Water Board. It is attached as Exhibit #4.

The complainant stated that she isn't always aware of the odor; however, she stated that the odor is also present in the bathrooms and laundry room in the residence. She stated that she noticed that the odor is less noticeable when the temperature of the residence is cool. She stated that she makes it a point to keep the residence cool. She also stated that she feels the residence has poor air quality (she described the air as heavy) and that it is hard to breathe in the residence. Note: Upon entering this residence, this Investigator noted the presence of an odor that could be compared to the odor that would be present after a match had been struck and then put out. The complainant had the front door and several windows open when this Investigator arrived and they remained open during the interview process.

The complainant stated that her family began experiencing health problems in March of 2008. She stated that in March of 2008, while at work, she became dizzy and her hands and feet went numb. She stated that she was seen by her primary care physician who diagnosed her as having a high heart rate. She stated that he referred her to a cardiologist, who also determined that she was experiencing an abnormally high heart rate. She stated that the cardiologist referred her to an electro physiologist, who ran a battery of tests and diagnosed her as having AV nodal re-entry tachycardia and inappropriate tachycardia. She is currently taking a medication (Metoprolol), which slows her heart rate. She stated that although she has a history of migraines, she began to experience more headaches in January of 2009. She stated that most of the headaches tended to begin during the evening hours. She stated that recently she has also begun to experience nausea. The complainant stated that when she is away at work (she works full time), she experiences fewer headaches and that she breathes easier.

The complainant stated that her 19-year-old daughter, who did not have a history of migraines prior to living in the involved residence, was diagnosed with migraines in June of 2008. She stated that in addition to migraines, her daughter has been diagnosed with strep throat on two occasions. She has also experienced sinus problems and nausea since moving into the residence. Note: The complainant stated that her daughter moved out of the residence for two months and reported that she didn't experience any headaches. However, since returning to the residence, the complainant stated that her daughter has begun to experience headaches and nausea.

The complainant stated that although her 11-year-old son had previously been diagnosed with migraines, he has experienced more episodes since moving into the residence. She stated that he also experienced an increase in headaches, which are treated with over the counter medications. She stated that he has also complained of itchy eyes and sore throat on several occasions.

The complainant stated that her husband's 11-year-old son, who lives in the residence part time, was diagnosed with strep throat twice last summer and has experienced breathing issues while staying in the residence. (The complainant stated that he complains that it is "hard to breath".)

The complainant stated that her husband's 10-year-old son has developed a chronic cough in the past couple of months (January 2009) and has also been diagnosed with migraines. The complainant stated that during May of 2009 he developed a rash on his torso. She stated that she treated it with over the counter medications. The complainant stated that the 10-year-old's mother made the comment, "every time he comes home after being at your house he is sick." She stated that she has to agree with the statement.

The complainant stated that her husband is the least affected with symptoms. She stated that she believes the reason for this is due to the fact that he doesn't spend much time indoors. She stated that when he is home, he is outside doing some sort of project.

The complainant stated that she first began to notice problems with appliances and fixtures in her home in April of 2008. She stated that she began to notice the brushed nickel and chrome faucets and fixtures in the bathrooms in her home were pitting and corroding. She stated that initially she attributed the corroding and pitting to poor quality. See Photos #4-9 for examples of the pitting and corrosion on faucets and fixtures. Other things she noted that were corroded in the bathrooms were the toilet paper holders and a chrome trash can. (See Photo #10) She stated that some of her silver jewelry seemed to tarnish more quickly than usually is expected. See Photo #11

The complainant stated that her home has two separate HVAC systems for the residence. One unit is for the bottom (first floor) living areas, the other unit is for the top (second floor) living areas. She stated that in May of 2008, the evaporator coils on the unit for the second floor living areas had to be replaced due to corrosion. She stated that in July of 2008, the evaporator coils on the unit for the first floor living areas had to be replaced due to corrosion. She stated that in September of 2008, a technician determined that the evaporator coils on the unit for the second floor needed to be replaced once again. He did not determine what was causing the evaporator coils to corrode and leak. The complainant stated that she has not had the evaporator coils replaced yet, due to financial reasons. She stated that during the technician's visit, he also examined the coils on the unit for the first floor. She stated that the technician stated that, "the coils look like they had been under water and would need to be replaced soon."

She stated that earlier this month (May 2009), the evaporator coils on the unit for the first floor did indeed go out as the technician promised they would. She stated that she has not had the evaporator coils replaced. She stated that her family simply can't afford to keep replacing evaporator coils.

The complainant stated that in November of 2008, the electric board on their plasma television had to be replaced. She stated that it was repaired under warranty by the manufacturer. During the on-site, the complainant stated that the television had recently

begun to malfunction and that they were going to have a technician examine the television. See Photo #2 for a view of the wall the television had been installed on.

In February of 2009, the complainant stated that her washing machine began to skip cycles. She explained that she has noticed that the washing machine will go directly from the rinse cycle to off, skipping the spin cycle altogether. She stated that she has also noticed that her dishwasher is not washing properly. She explained that she sometimes has to run the wash cycle several times to get her dishes clean. She stated that she hasn't had the washing machine or the dishwasher serviced or repaired.

In the last 12 months, the complainant stated that they have changed batteries in the smoke alarms in the residence at least three times. She stated that the smoke alarms beep to indicate the battery is low, and on each occasion, her husband has replaced the battery in the affected smoke detector. See Photo #15 for a view of one of the smoke alarms

The complainant stated that in March of 2009, an acquaintance told her about a newscast regarding problems homeowners were having in their homes, which were being linked to drywall which had been imported from China. She stated that her husband went into the attic and discovered labeling on the drywall that states, "MADE IN CHINA". She stated that it was then that her husband checked the coils on the back of their refrigerator and discovered that they were black. She stated that her husband also removed the cover plate off of a receptacle in the upstairs bathroom and noted that the visible copper had also turned black. See Photo #12

The complainant stated that she then realized that it was the drywall that had made her family ill and that it was unsafe to continue sleeping in the bedrooms of the residence. She stated that her husband converted attic space into sleeping quarters for the entire family. The walls, ceiling and flooring are covered in wood. The complainant stated that until the drywall is replaced in her home, they will continue to sleep in the attic space. A picture of the attic space is attached as Photo #14.

The complainant stated that her husband visited the retailer where he had purchased the involved drywall. She stated that the manager gave her husband a piece of paper that contained the name and number for suppliers he had purchased drywall from during the time frame he had purchased the involved drywall. It also contained the name of the manufacturer for the drywall purchased during that time frame. The paper with the name of the suppliers and manufacturer could not be located during this Investigator's on-site visit.

The complainant emailed this Investigator on 5/20/09 to advise that she had located the paper that had been given to her husband (with the name of the suppliers) and that she had contacted one of the suppliers on the paper that was given to her husband. The complainant stated that the supplier representative informed her of where they purchase their drywall (in the US, not China) and that the drywall had been tested and was found not to be defective. A copy of the email to this Investigator is attached as Exhibit #5.

The complainant stated that she contacted her insurance company to report the problems occurring in her home that are apparently being caused by the drywall. She stated that two adjustors (one from Florida where the home office is located and one from the local office), and an attorney that represents the insurance company visited her home on 4/27/09. She stated that they collected samples of drywall from various areas in her home, as well as air samples and cotton swabs of the residue on copper in her home. She stated that they advised her that it would take 4-6 weeks to get the test results back from the samples. This Investigator asked her to forward a copy of the test results when she received them. Attempts to obtain the test results were unsuccessful.

The complainant stated that she is concerned about the short term and long term effects the drywall has on the health of her family. She stated that her family has no alternative but to stay in the residence until the problem with the drywall is resolved. She was not aware of any community action or projects regarding the issue with the imported drywall.

The complainant stated that if CPSC determines in the future that a sample is needed, she would be willing to allow a sample to be collected from the residence.

PRODUCT IDENTIFICATION

- **TYPE:** Drywall (4' x 12' x ½")
- **BRAND:** unknown
- **MODEL NAME:** 4' x 12' x ½"
- **MANUFACTURER NAME:** Knauf (according to the retail manager where the drywall was purchased)
- **RETAILER NAME AND ADDRESS:** Bradford Lumber & Supply Inc., 200-C Wright Avenue, Terrytown, LA 70072 (currently the business name is Bayou Lumber and Building Supply)
- **COST:** \$10.75 per sheet

Labeling

Labeling located on the back of the drywall installed in the attic of the residence states, "MADE IN CHINA". See photo #3 The attic contained blown in cellulose insulation. Several areas were checked in an attempt to locate additional labeling. No other labeling was located. The complainant stated that her husband had discovered the "MADE IN CHINA" labeling in several different areas of the attic.

SAMPLES COLLECTED

None

ADDITIONAL INFORMATION

The retailer where the complainant had purchased the drywall was visited on 5/19/2009. A Notice of Inspection was issued and credentials were shown to Scott Bradford, Owner. The reason for the visit was explained and a copy of the invoice and shipping records for the involved drywall was requested. Mr. Bradford explained that he had been a manager for the company the involved drywall had been purchased from and that in late 2007 he became the owner of the current business. He stated that he did not maintain the invoice and shipping records for the former business. He did provide a sheet of paper to this Investigator of the names of suppliers he had purchased drywall from during the time frame the involved drywall had been purchased from this business. The sheet of paper also contains a manufacturer's name. See Exhibit #7 This Investigator asked if this was the manufacturer of the drywall he had sold during the time frame the involved drywall had been purchased and he stated that it was. This Investigator asked if he had received any other complaints regarding the drywall and he stated that he had not.

ATTACHMENTS

- 1) Identity of Respondents (1 Page)
- 2) Copy of Purchase Invoice for Drywall (1 Page)
- 3) Copy of Contractor's Invoice for hanging and floating involved drywall (1 page)
- 4) Sewage and Water Board Test Results (1 Page)
- 5) Email Correspondence with Complainant (1 Page)
- 6) Notice of Inspection (1 Page)
- 7) Supplier Names Provided to Investigator by Retailer (1 Page)
- 8) Photos 1- 15
- 9) Signed Authorization for Release of Name Forms (1 page)
- 10) Missing Document Form (1 Page)

IDENTITY OF RESPONDENTS

- **Gina Mays, Complainant**
540 South Kenner Avenue
Waggaman, LA 70094
504/458-6823
- **Bayou Lumber and Building Supply**
Formerly known as: Bradford Lumber Supply
200-C Wright Avenue
Terrytown, LA 70056
Scott Bradford-Owner

CONTRACTORS INVOICE

WORK PERFORMED AT:

10017 MARYS
10017 KENNEDY AVE
New Orleans, LA 70094

Victor Bustillos
4868 Orleans way, Lt. 47
Marrero LA 70072

YOUR WORK ORDER NO.

OUR BID NO.

2007-07

DESCRIPTION OF WORK PERFORMED

Hanging Sheetrock

Sheet 12 Foot Long

59 foot

Total Four Hanging

Victor Bustillos

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications and for the above work and was completed in a substantial workmanlike manner for the agreed sum of _____

Dollars (\$)

Partial Full invoice due and payable by: _____

Month

Day

Year

in compliance with our

Agreement

Proposal

No. _____

Dated _____

Month

Day

Year

JEFFERSON PARISH WATER QUALITY LAB

JEFFERSON PARISH DEPARTMENT OF WATER - COMPLAINT RECORD

Name Gina Mays Date 05/12/08 1:30PM
 Address 540 South Kenner
 Telephone No. 504-896-9539

Nature of Complaint

Bad tasting water

Remarks I told her we could collect an outside tap sample tomorrow, (5/13/08) to make sure the water was safe to drink. We can't change the taste of the water.

Initials

Action Taken Bacti Sample _____ Chemical Sample _____ None _____
 Initials _____ Field Visual _____ Flushed Hydrants _____ Other _____

| Analysis | Results | Initials |
|------------------------|---------|----------|
| Cl ₂ @10:53 | 1.20 | KR |
| TOTAL COLI | Neg | SB |

| Analysis | Results | Initials |
|----------|---------|----------|
| | | |
| | | |
| | | |
| | | |

Disposition

Results Reported to Customer? Yes Initials KR Date 5/13/08

Toole, Shana

From: Gina Adams Mays [gmays@chnola.org]
Sent: Wednesday, May 20, 2009 9:12 PM
To: Toole, Shana
Subject: Drywall contacts

Bobby found the drywall contacts that he was given and they are:

North Pacific
contact is Cleve
866-447-3545

Gulf Coast Shelter
contact is John Austin
251-517-1240

I spoke with John Austin and according to him, the company he works for purchased their drywall from Devon International out of King of Prussia, PA (800-251-7488, website devonintl.com) and they have tested their drywall and it is not defective.

He did mention that Bradford Lumber also bought drywall from North Pacific which is in Mississippi. The number John Austin gave me for North Pacific differs from what Bradford Lumber gave, it is 601-735-5051. Bradford Lumber also had a third contact on this sheet, Knauf. I'm not sure if he meant that they were the manufacturer or not. Their number is 800-825-4434.

Hope this helps.

Thanks!

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Gina Adams Mays
Supervisor, Materials Management
Children's Hospital
210 Henry Clay Avenue
New Orleans, LA 70118
Phone 504-896-9539

| | |
|----------------------------------|-----------------------------------|
| 1. DATE | 3. FROM (Area Office and Address) |
| 2. TIME _____ A.M. _____ P.M. | |

| | |
|-------|---------------------------------|
| 4. TO | A. NAME AND TITLE OF INDIVIDUAL |
| | B. FIRM NAME |
| | C. NUMBER AND STREET ADDRESS |
| | D. CITY, STATE AND ZIP CODE |

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*);
- Federal Trade Commission Act (15 U.S.C. 41 *et seq.*);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 *et seq.*)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.

5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED.

The purpose of this inspection is to obtain information; to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission.

6. FREEDOM OF INFORMATION REQUIREMENTS

Those from whom information is requested should state whether any of the information submitted is believed to contain or relate to a trade secret or other matter which should be considered by the Commission to be confidential and whether any of the information is believed to be entitled to exemption from disclosure by the Commission under the provisions of the Freedom of Information Act (15 U.S.C. 552). Any statement asserting this claim of confidentiality must be in writing, and any request for exemption of the information from disclosure must be made in accordance with the Commission's Freedom of Information Act regulations, 16 CFR Part 1015.

SYP LUMBER
LXBTB BOARDS
#2 BOARDS
EXTERIOR
SHUDES

TREATED SYP
BOARDS
FRAMING
TIMBERS
PLYWOOD

WESTERN LBR
SHAVING
SHUDES
NPF
E.J. FRAMING

PLYWOODS
SYP GARDEN
SYP SIDINGS
SYP DRINKING
E.G. SANDER
HARDWOOD
HARDWOODS
OSB

SIDINGS
SYP
HARDWOOD
LAMINATE
VINYL

ROOFING
ROOFING FELT
SHUDES
ROOFING BOARDING
SHUDES BOARDING

GYPSON
PRODUCTS
SHUDES
JOINT COMPOUND

LAMINATED
BEAMS
FLOOR

SHUDES BOARDING

INSULATION
FIBERGLASS
ROOFING FIBERGLASS SHEET
FLOOR WRAP
SHUDES

FOUNDATION
METALS
WIRE MESH
METAL KEYWAY
REBARS

COLUMNS
FIBERGLASS
ALUMINUM

PREFINISHED
PANELING

Martin Distributors

Wholesale Lumber & Building Materials
Alexandria, Lafayette, La.

Exhibit #7, Page 1 of 1
090508CBB3573

North Pacific - Grove

1 - 826 - 442 - 3543

Gulf Coast - SHELTON - Rex

1 - 251 - 423 - 2948

Kwant

1 - 800 - 825 - 0434

1-800-737-8989

FAX (318) 448-9665

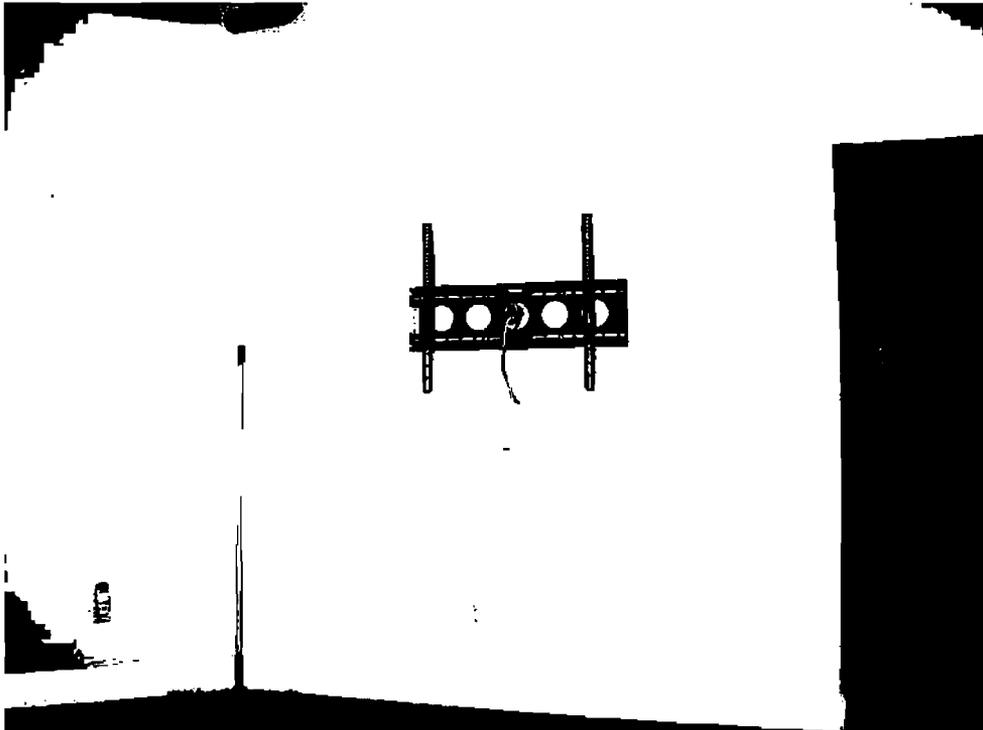
EXCELLENT QUALITY UNPARALLELED SERVICE

PRICE QUOTED IS DELIVERED

NO Delivery
Stop
Fuel Surcharge **CHARGE**



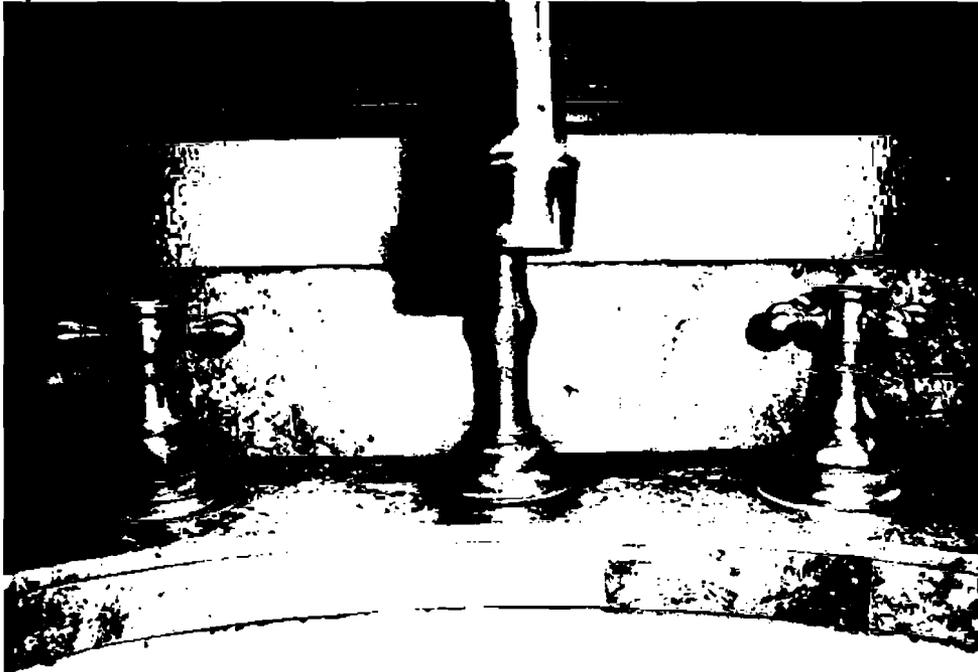
090508CBB3573 Photo #1 shows a view of the exterior of the involved residence.



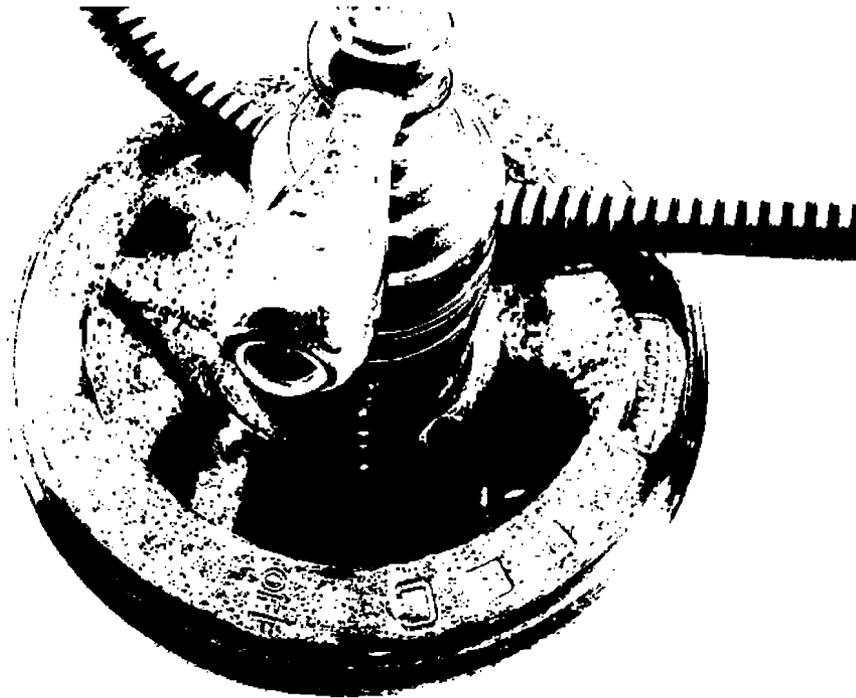
090508CBB3573 Photo #2 shows a view of the wall rack assembly affixed to the involved drywall in the living room of the residence. The plasma television that had been affixed to the wall rack has been repaired once and was taken down because it needs to be repaired a second time.



090508CBB3573 Photo #3 shows a view of labeling located on the back of the involved drywall installed in the attic. The labeling states, "MADE IN CHINA MEET ***"



090508CBB3573 Photo #4 shows a view of pitting and corrosion on the faucets located in the master bathroom of the residence.



090508CBB3573 Photo #5 shows a view of pitting on the shower handle located in the master bathroom.



090508CBB3573 Photo #6 shows a view of the pitting on the faucets located in another bathroom in the residence.

F



090508CBB3573 Photo #7 shows a view of corrosion and pitting on the drain located in one of the bathrooms in the involved residence.



090508CBB3573 Photo #8 shows a view of pitting on a light fixture in one of the bathrooms in the involved residence.



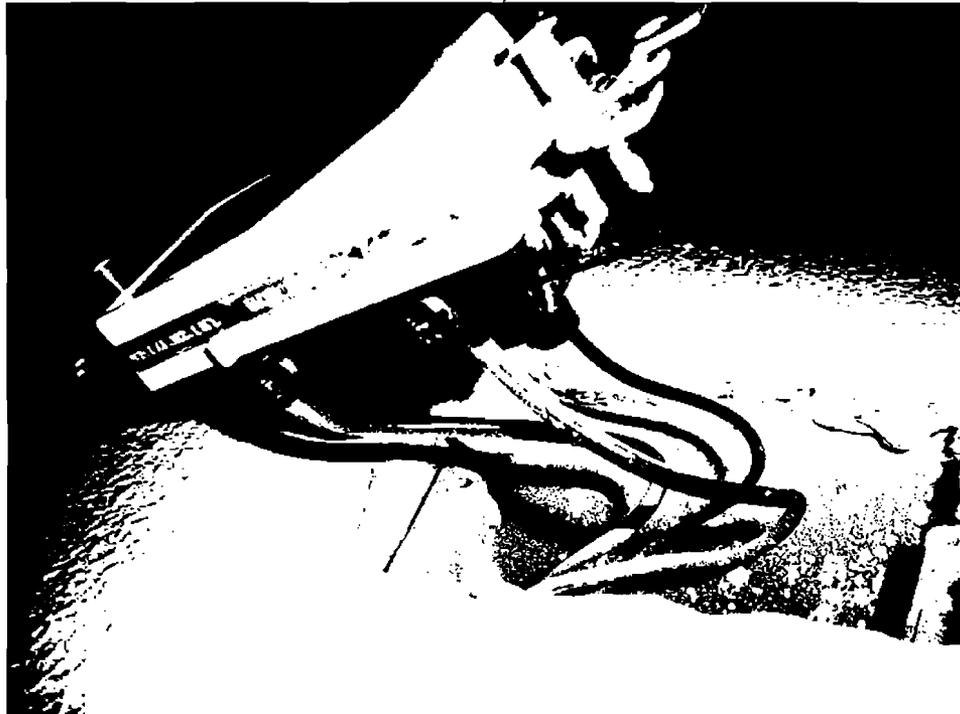
090508CBB3573 Photo #9 shows a view of pitting and corrosion on a chrome plated light fixture located in a bathroom in the involved residence.



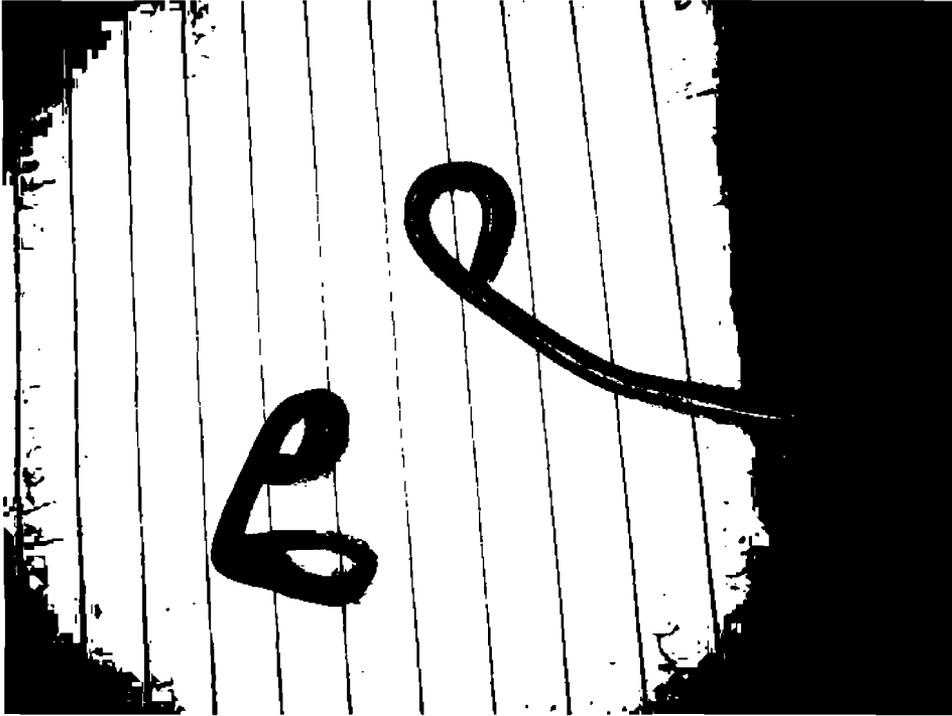
090508CBB3573 Photo #10 shows a view of pitting and corrosion on a chrome plated trash can located in the same bathroom as the fixture shown in Photo #9.



090508CBB3573 Photo #11 shows a view of a sterling silver ring that has evidence of tarnishing and corrosion. (This piece of jewelry is representative of the silver jewelry in this residence. The jewelry is stored in a closet located in the master bathroom.)



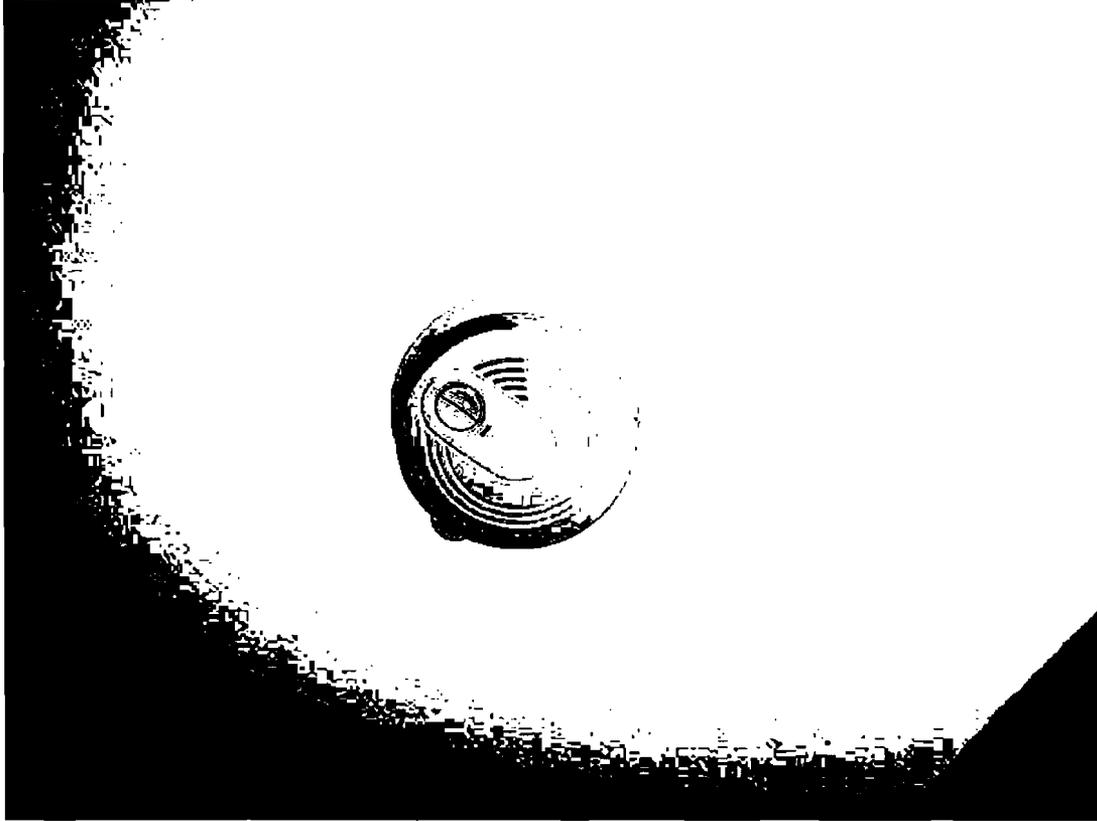
090508CBB3573 Photo #12 shows a view of a light switch with the cover plate removed in order to show the copper wiring, which has blackened. This switch is representative of the other switches and receptacles in the residence.



090508CBB3573 Photo #13 shows a view two pieces of copper wiring which were placed in the involved residence approximately one month ago to determine how quickly the drywall was affecting the copper wiring in the residence.



090508CBB3573 Photo #14 shows a view attic space that has been converted into sleeping quarters. The complainant stated that she doesn't feel it is safe to sleep in the bedrooms of the residence.



090508CBB3573 Photo #15 shows a view of one of the smoke alarm in the involved residence. The complainant reported that her husband has changed the batteries in the smoke alarms three times in the last year. The smoke alarms are hard wired with battery back-up. They are manufactured by [REDACTED] and are model [REDACTED]

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.

Brian May
(Signature)

5/19/19
(Date)

Task No. 090508CBB3573

Date: June 8, 2009

STATUS OF MISSING DOCUMENT (S)

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

1. Medical Records
2. Test Results re: drywall
3. _____
4. _____
5. _____

Date: June 8, 2009 **Investigator No:** 9096

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

This investigation was initiated from a consumer complainant.

Much of the information contained in this report was obtained during an on-site interview conducted with the complainant's wife on June 9, 2009. While at the complainant's home, I photographed evidence of corrosion reportedly caused by the incident product. In addition, I photographed labeling found on the incident product. These photographs are included as Attachment 2.

During the on-site visit, I provided the complainant's wife with copies of the CPSC Authorization for Release of Name Form and Medical Release Form. She returned the signed Authorization for Release of Name during the on-site visit. This document is included as Attachment 3 to the narrative. No signed copies of the Medical Release forms were returned by the complainant or his wife.

The incident occurred at the complainant's residence, a two-story, brick, single-family dwelling. The complainant's wife stated that the size of the house is approximately 3475 square feet. She said that the the only carpeted areas of the house are the stairs and the game room, which has indoor/outdoor carpeting.

The primary product involved in this incident is drywall imported from China. This drywall was installed when the complainant's home was built in 2006.

The complainant's wife stated that she was uncertain whether the studs used in the construction of the house were wooden or metal.

The incident location is not equipped with natural gas service or propane service. All appliances in the house are electric, according to the complainant's wife.

The complainant and his wife moved into their home in August 2006. The complainant's wife said that she began having dry eyes and asthma-like symptoms almost immediately after moving into the house. She said that the complainant began having bronchitis, as well as other respiratory and sinus problems right after they moved into the house, too.

The complainant's wife said that she had experienced some asthma symptoms when she was a child. However, she said that she had outgrown these problems and that she had not experienced asthma symptoms as an adult until she moved into the incident house.

While she was away on a vacation, her symptoms disappeared, according to the complainant's wife. She said that she is not certain when the symptoms stopped, but that she became aware of the change within a couple of days of leaving the house. As soon as she returned to her house, the symptoms began again, she stated.

The complainant's wife said that she treats her asthma symptoms with prescription medications, including preventative oral medication, a maintenance inhaler, and an emergency inhaler. In the complaint to CPSC, the complainant stated that he was taking antibiotics for a respiratory infection.

During the on-site visit, the complainant's wife said that she and her husband have never had any pets living inside their house.

The complainant and his wife noticed a sulfur ("rotten egg" or "lit matches") odor right away when they moved into their house, she stated. She said that she tends to notice the odor more because she is inside the house more than the complainant is.

The complainant's wife stated that the sulfur odor does not appear to be stronger at certain times than at others.

Several electrical appliances in the house have had to be replaced or repaired since 2006, according to the complainant's wife. She said that the freezer had to be replaced because it wasn't cooling properly. In addition, she said that two televisions in separate areas of the house suddenly quit working and had to be replaced (Attachment 2, Photographs 1-2).

Both the complainant and his wife stated that there have been ongoing problems with the central air conditioning unit in the house. They said that the AC unit has stopped blowing cold air and has had to have the coils replaced twice since August 2006.

The first time that the AC unit malfunctioned, the complainant called an AC contractor. The contractor visited the complainant's home and discovered that the evaporator coils on the AC unit were corroded. The complainant and his wife stated that the AC contractor mentioned the possibility of the corrosion being caused by unsafe drywall when he made the repair visit.

The AC unit stopped blowing cold air for a second time in November 2008, according to the complainant's report to CPSC. The complainant stated that the same AC contractor returned to the house and that he discovered that the evaporator coils had corroded again. The complainant reported that the contractor reminded him about the possibility of unsafe drywall being the cause of the corrosion to the evaporator coils.

I requested service records for the replacement of the coils on the central air conditioning unit. However, these records were not provided.

The central air conditioning unit is located in the attic. Although I was unable to photograph the coils on the air conditioning unit, I photographed the compressed Freon line attached to the air conditioning unit (Attachment 2, Photographs 3-4). A large portion of the copper compressed Freon line was covered with foam insulation, which I pulled back from the line when taking the photographs.

The complainant's wife stated that an insurance adjustor came to the house following the replacement of the coils on the central air conditioning unit. While he was at the house, she said, the insurance adjustor pointed out to her that the power box seemed to be okay and noted that this might be the case because the power box was sealed (Attachment 2, Photograph 5).

I requested a copy of the insurance report or contact information for the insurance company. However, neither the report nor the contact information was provided.

The complainant's wife said that the lights in the house flicker occasionally but that she has not noticed any circuit breakers tripping. She said that neither she nor her husband have noticed arcing, sparking, sizzling, or buzzing. Nor have they noticed an unusual odor near a receptacle, switch, or light fixture. She said that they have not noticed any switches or outlets that are warm or hot to the touch. However, the complainant's wife did mention that the light bulbs in her house seem to go out very frequently.

During the on-site visit, the complainant's wife pointed out several instances of blackening or corrosion on visible metal surfaces throughout the house. She said that she had not noticed any rooms or areas of the house in which the corrosion problem seemed to be worse than others, however.

The complainant's wife said that the tuning pins on the baby grand piano in the living room should have been a bright brass color. However, as she pointed out, the pins have begun to show evidence of blackening and discoloration (Attachment 2, Photographs 6-7).

In the guest bathroom, located under the stairs leading to the second story of the house, the complainant identified two instances of corrosion. First, she pointed out areas of discoloration on the bathroom faucet (Attachment 2, Photograph 8). In addition, she noted pitting and corrosion on the toilet paper caddy located in that bathroom (Attachment 2, Photograph 9).

The complainant's wife also identified the metal spigot underneath the sink in the kitchen as an area in which she had noticed evidence of corrosion (Attachment 2, Photograph 10). In addition, she pointed out areas of discoloration and corrosion on stainless steel knives that were stored in a drawer in the kitchen (Attachment 2, Photographs 11-12).

The complainant's wife stated that neither she nor her husband were aware of any corrosion on the electrical wiring in their home. She also said that neither of them had noticed any problems with the smoke alarms in their house.

CONTACT WITH RETAILER AND MANUFACTURER:

At the time of the on-site visit, the complainant's wife stated that her husband had contacted the builder of their home and that the builder had refused to discuss the drywall situation with him. The complainant noted in his complaint to CPSC that he thinks the builder is deliberately avoiding his calls.

At the time of the on-site visit, neither the complainant nor his wife had attempted to contact the manufacturer of the drywall installed in their home.

PRODUCT IDENTIFICATION:

The primary product involved is **drywall, manufactured in by Knauf in Tinjin, China.** Contact information for Knauf Drywall was obtained from the manufacturer's web site (www.knaufdrywall.com) and is listed below:

Knauf Drywall
P.O. Box 133
Sittingbourne
Kent
ME10 3HW

Customer Services Freephone: 0800 521 050
Customer Services Freefax: 0800 521 205
Customer Services e-mail: cservice@knauf.co.uk
Literature Hotline: 08700 613 700
Technical Service Helpline: 01795 416 259
Technical Service e-mail: technical@knauf.co.uk

During the on-site visit, I photographed portions of the drywall in two separate locations in the attic. Both sections of drywall were labeled with information about the manufacturer and the place of manufacturer.

The first section of drywall that I photographed was in the attic above the master bedroom (Attachment 2, Photographs 13-14). From portions of the labeling observed and photographed, the words "CHINA" and "KNAUF" are identifiable (Attachment 2, Photographs 13-14).

The second section of drywall photographed was in the attic above the garage (Attachment 2, Photographs 15-18). Labeling on this section reads in part as follows: "**** KNAUF *** TINJIN *** CHINA ****" (Attachment 2, Photographs 15-18).

The complainant's wife was unable to provide complete contact information for the builder of her home but stated that the company name was O'Neal Holliman. A search of the Mississippi Secretary of State's web site (www.sos.state.ms.us/) returned the following contact information for O'Neal Holliman:

| | |
|---|----------------|
| O'Neal Homes Incorporated (Legal name since 01-01-2008) | Att. 4, Page 1 |
| O'Neal - Holliman Corporation (Previous legal name) | Att. 4, Page 1 |
| Principal Office Address: 319 Hwy 49, Suite A McHenry MS 39561 | Att. 4, Page 1 |

Additional information concerning the builder of the complainant's home is included in Attachment 4.

090520CBB2630

- 5

SAMPLE:

Per assignment instructions, no sample was collected.

ATTACHMENTS:

Attachment 1 – Contact Sheet

Attachment 2 – Photographs (1 - 18)

Attachment 3 – Authorization for Release of Name

Attachment 4 – Corporation information – (from MS Secretary of State web site)

Attachment 5 – Missing Documents Form

List of Contacts

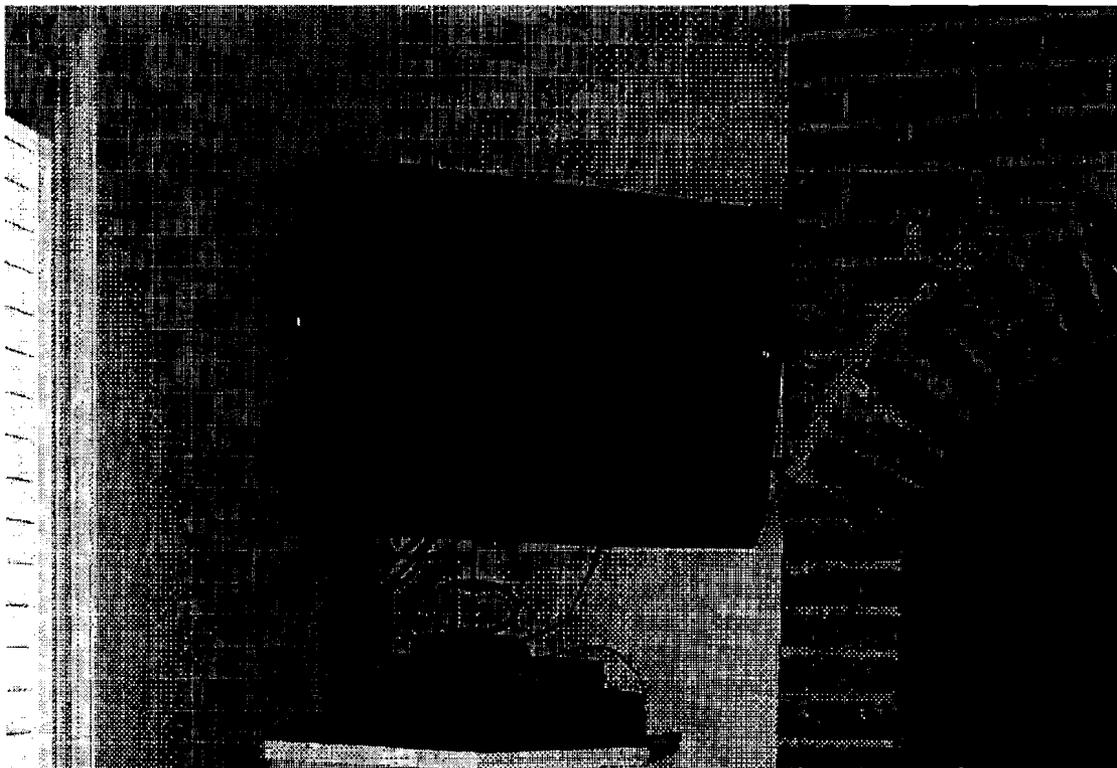
Name: (b)(3):CPSA Section 25(c)
Title: Complainant
Address: (b)(3):CPSA Section 25(c)
Perkinston, MS 39573
Phone: (b)(3):CPSA Section 25(c)
Interviewed: June 8, 2009 = on-site set for June 9, 2009

Name: (b)(3):CPSA Section 25(c)
Title: Complainant's wife
Address: (b)(3):CPSA Section 25(c)
Perkinston, MS 39573
Phone: (b)(3):CPSA Section 25(c)
Interviewed: On-site visit conducted June 9, 2009

Information provided is included in narrative.
Photographs were taken by CPSC investigator during visit.
Signed Authorization for Release of Name form was returned June 9, 2009.
Medical Release Form provided to complainant's wife June 9, 2009.
Signed medical release form was not received.



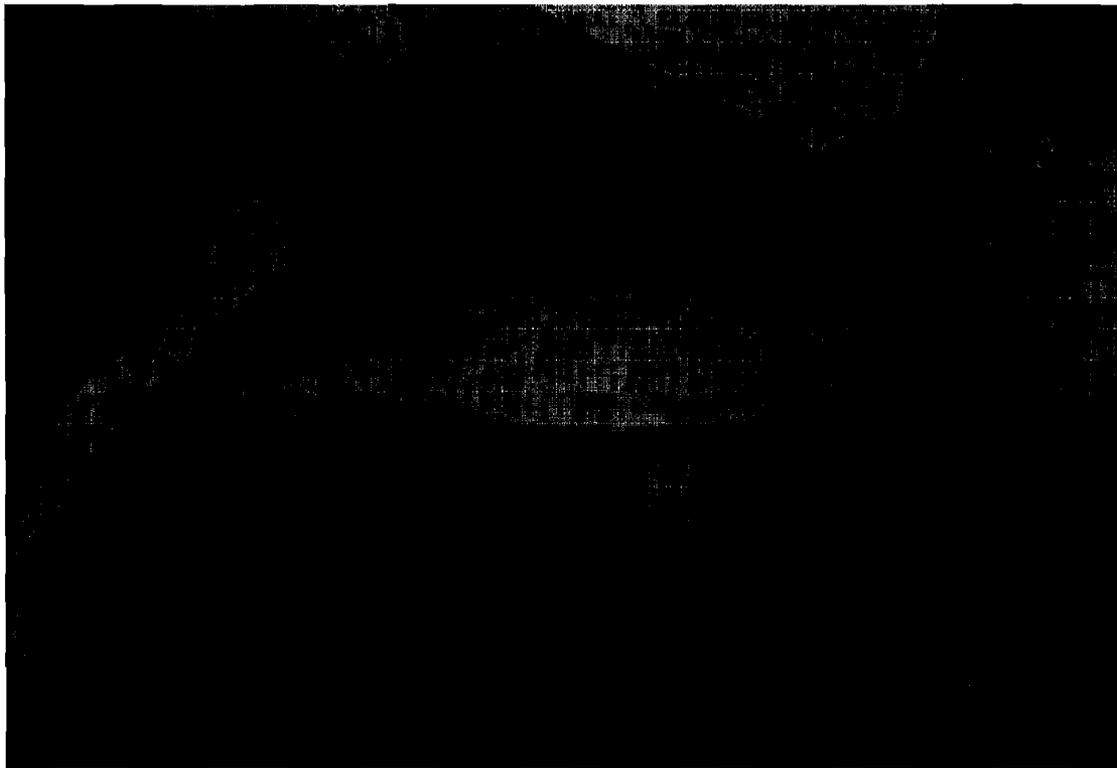
Photograph 1: Replacement for TV in front living area that quit working (same location as original)



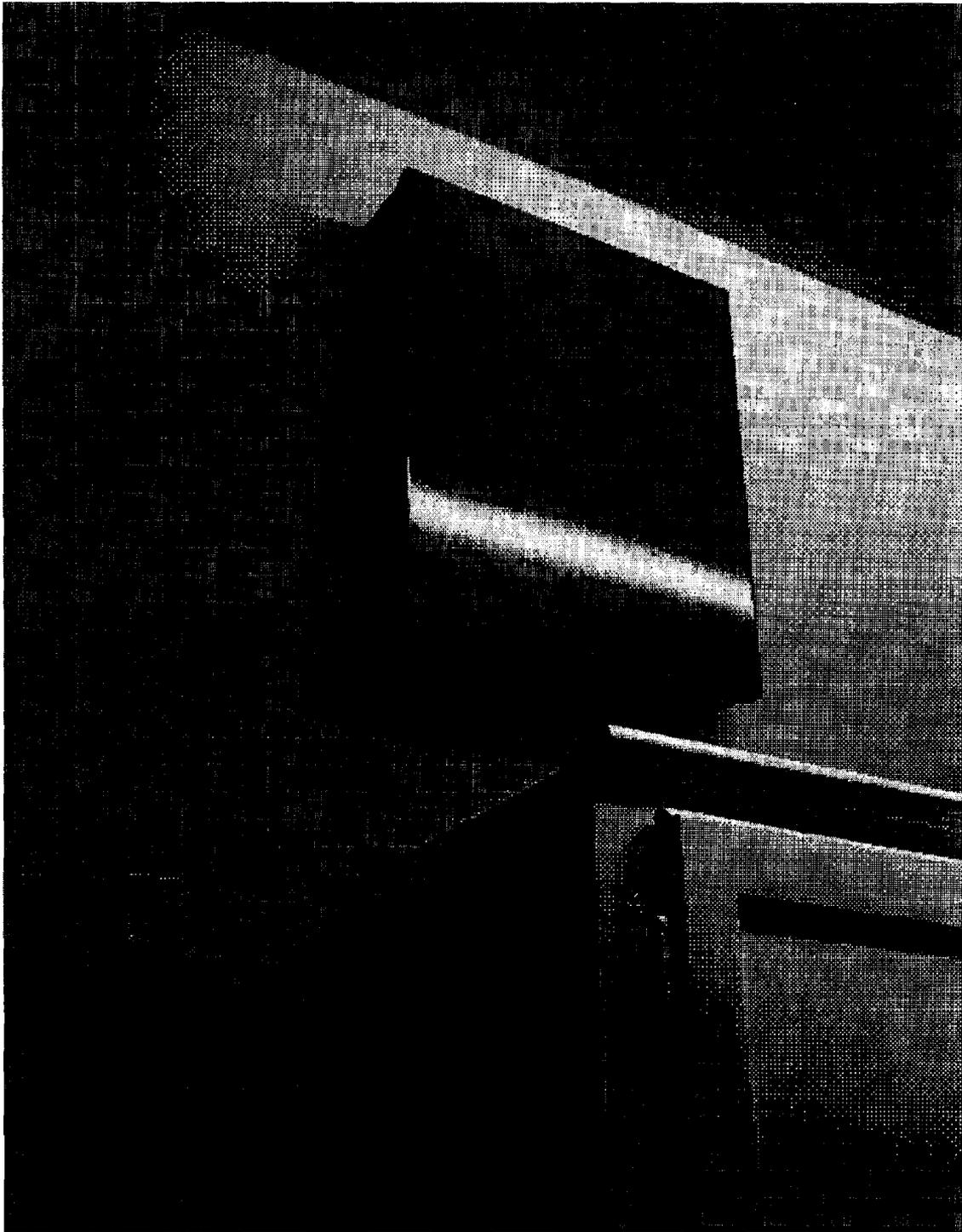
Photograph 2: Replacement for TV in secondary living area that quit working (same location as original)



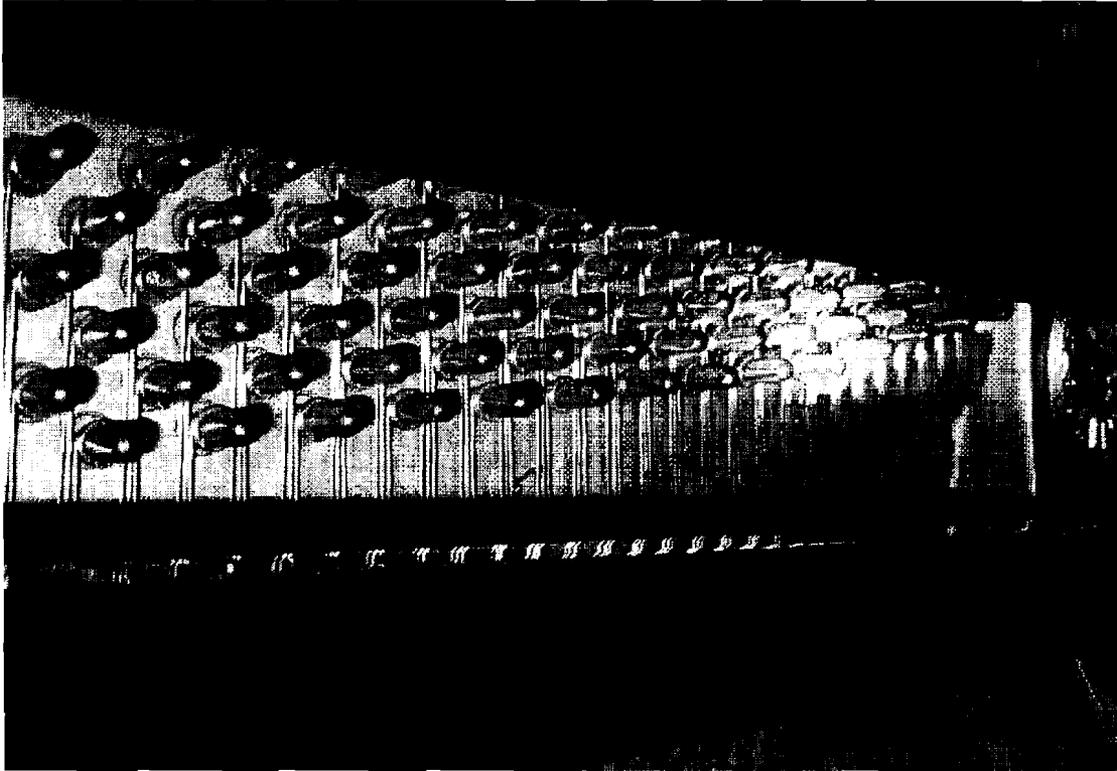
Photograph 3: First view of compressed Freon line on AC unit in attic



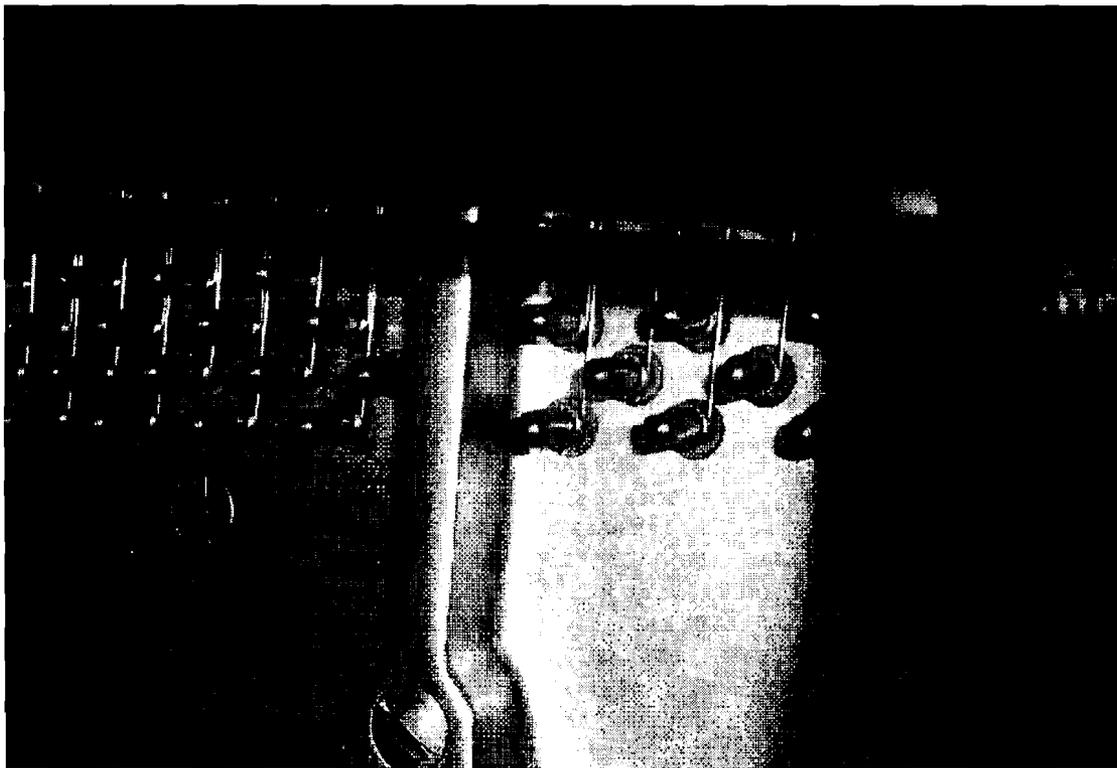
Photograph 4: Second view of compressed Freon line on AC unit in attic



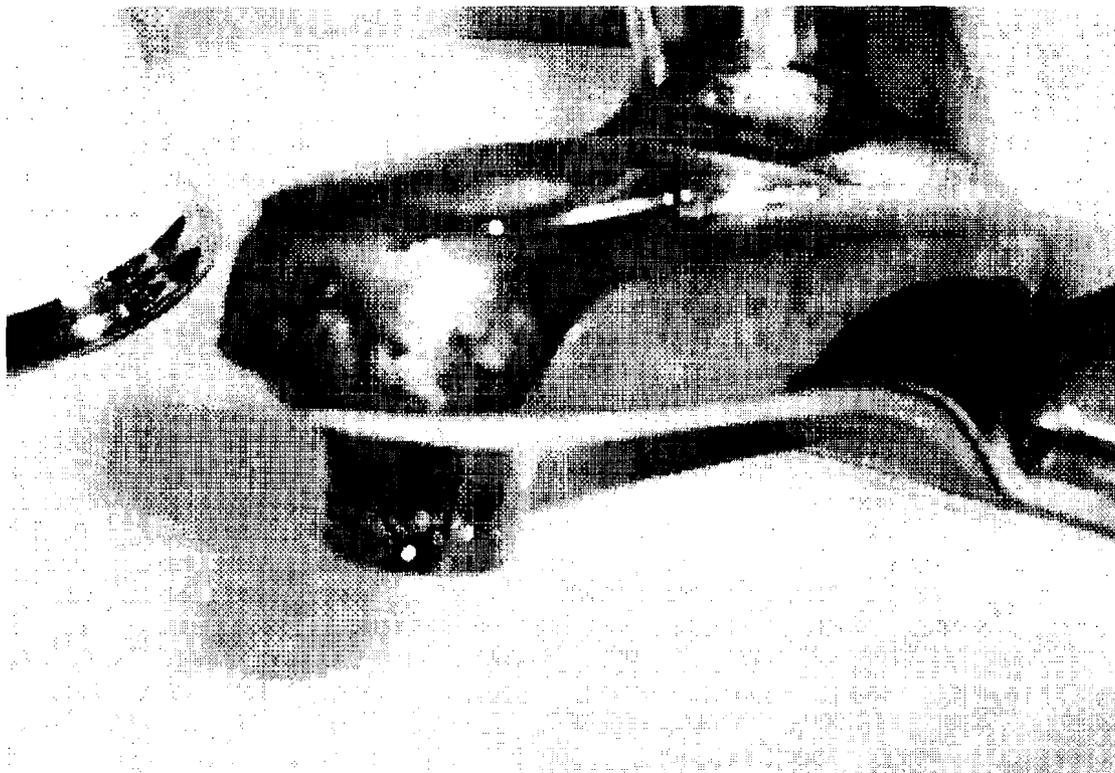
Photograph 5: View of power box in utility room area (power box is sealed)



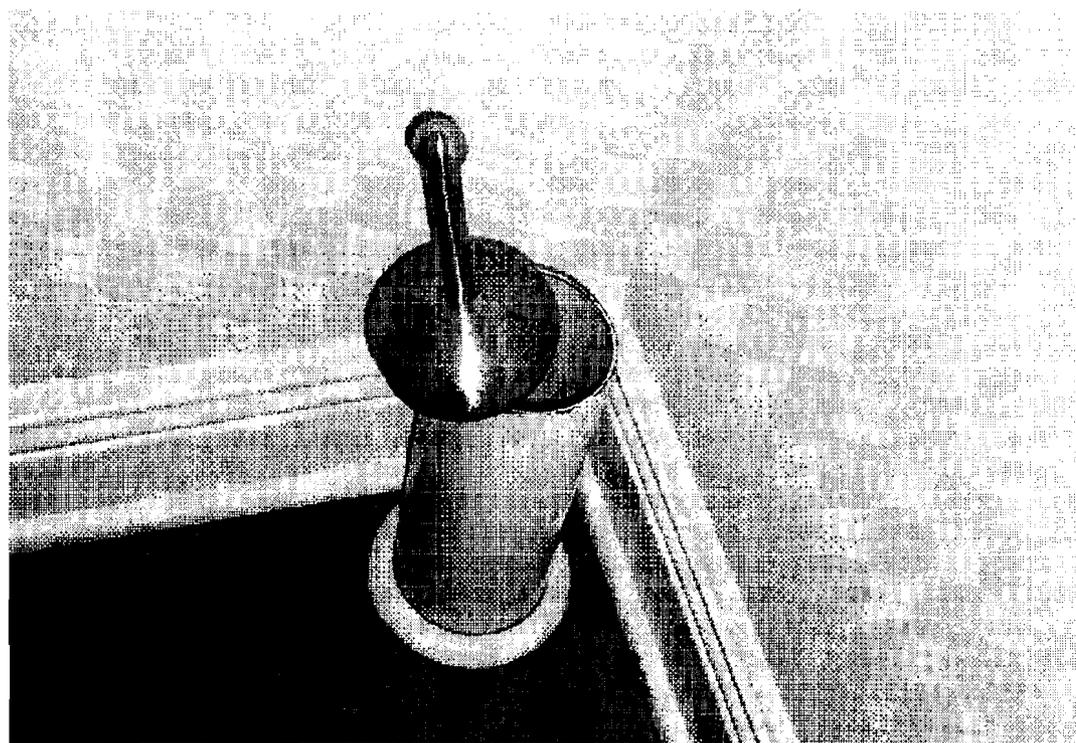
Photograph 6: Darkening of tuning pins on baby grand piano in front living area



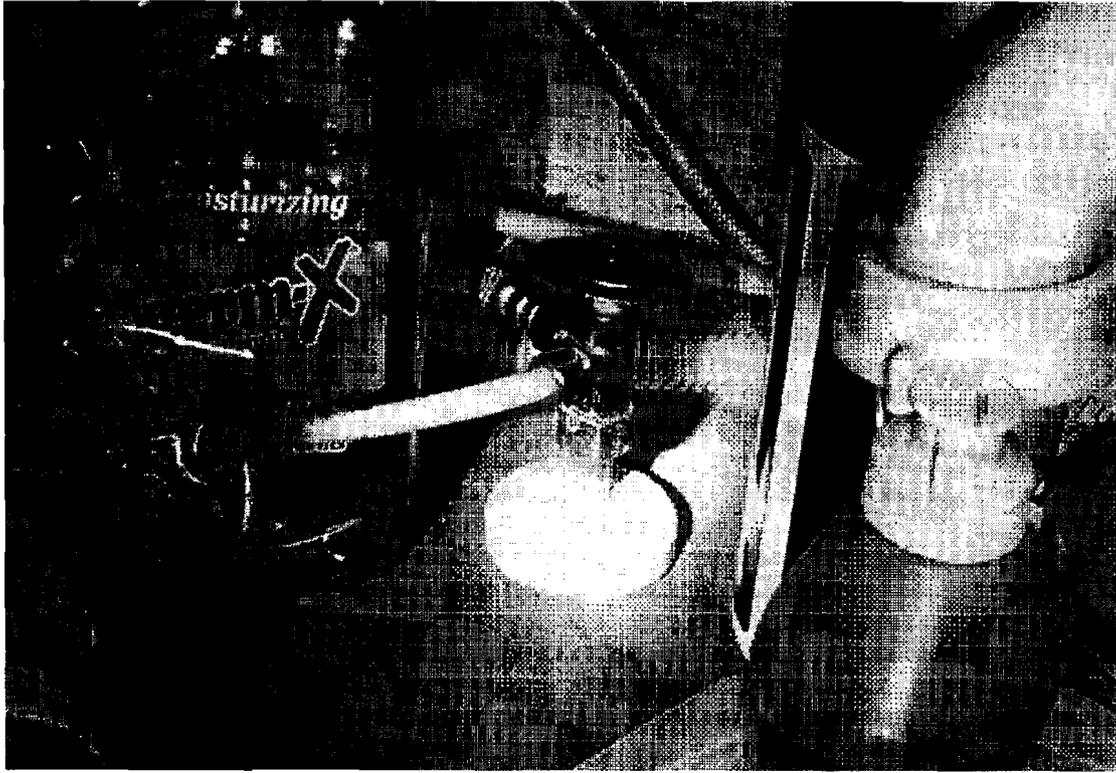
Photograph 7: Second view of darkened tuning pins on baby grand piano in front living area



Photograph 8: View of corrosion on faucet in guest bathroom



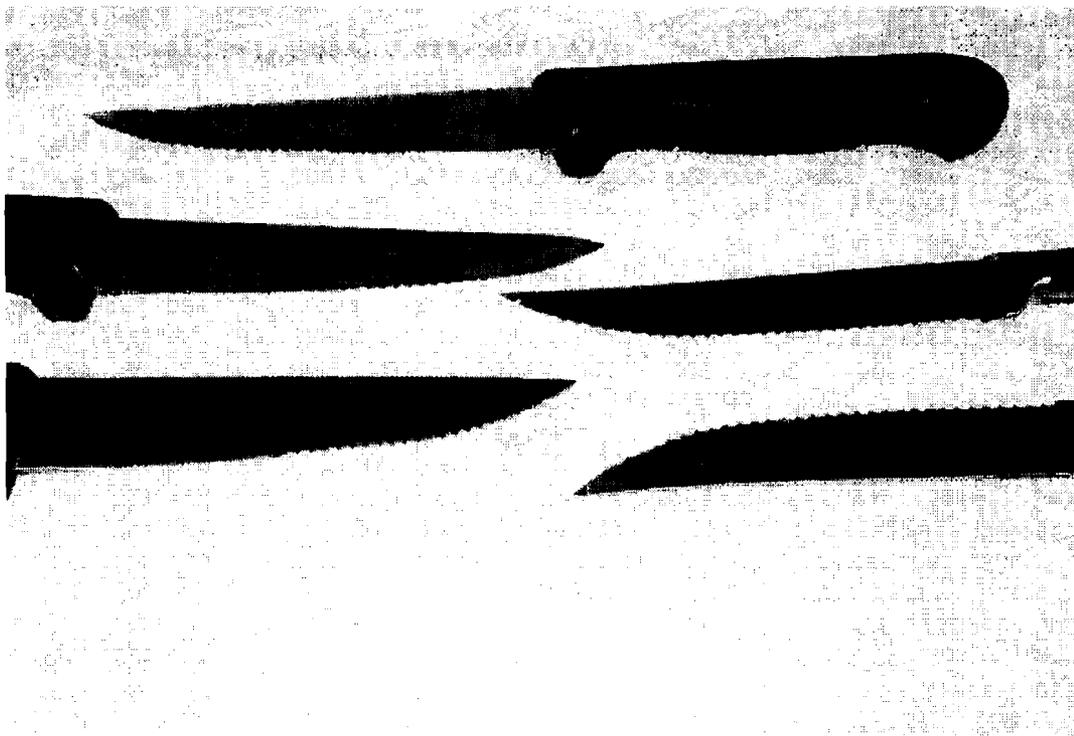
Photograph 9: View of pitting and corrosion on toilet caddy in guest bathroom



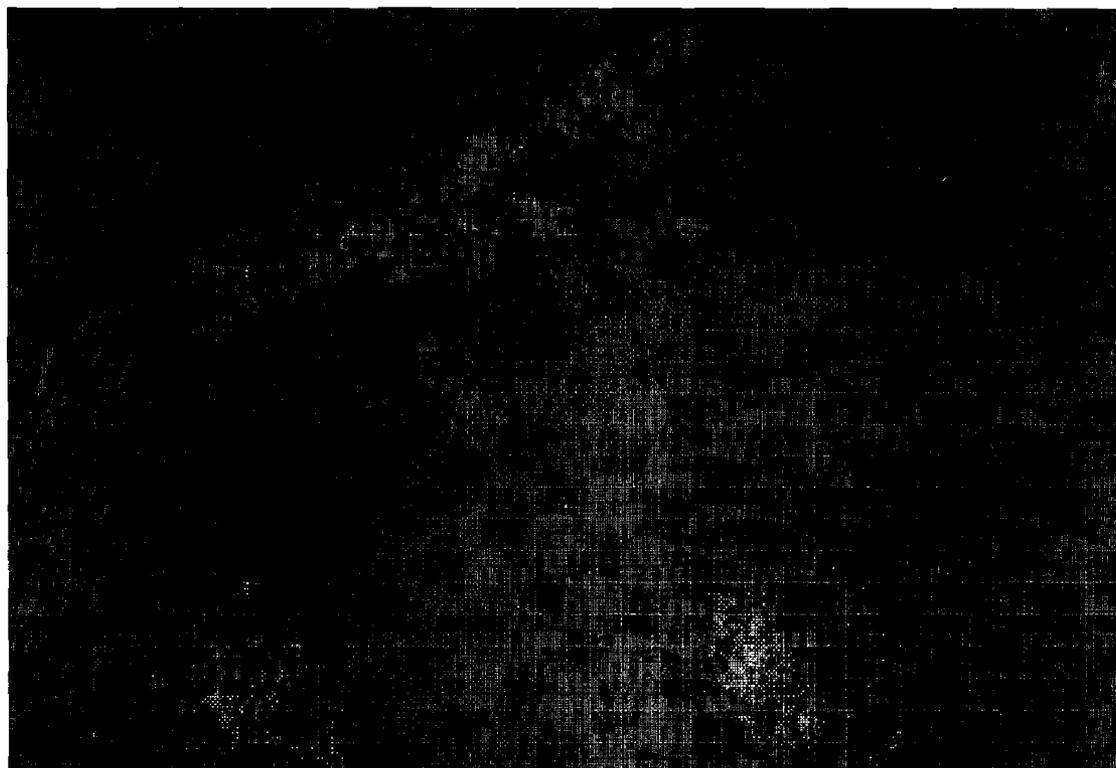
Photograph 10: Corrosion metal spigot underneath sink in kitchen



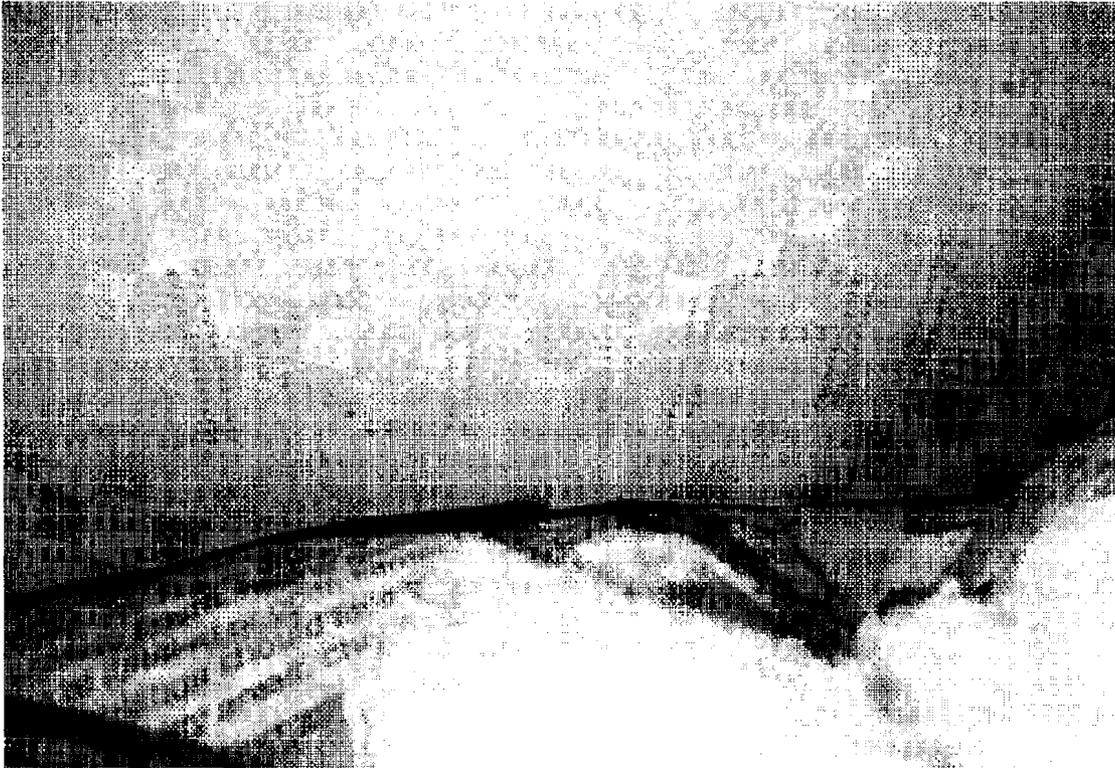
Photograph 11: Corrosion on knives stored in kitchen drawer



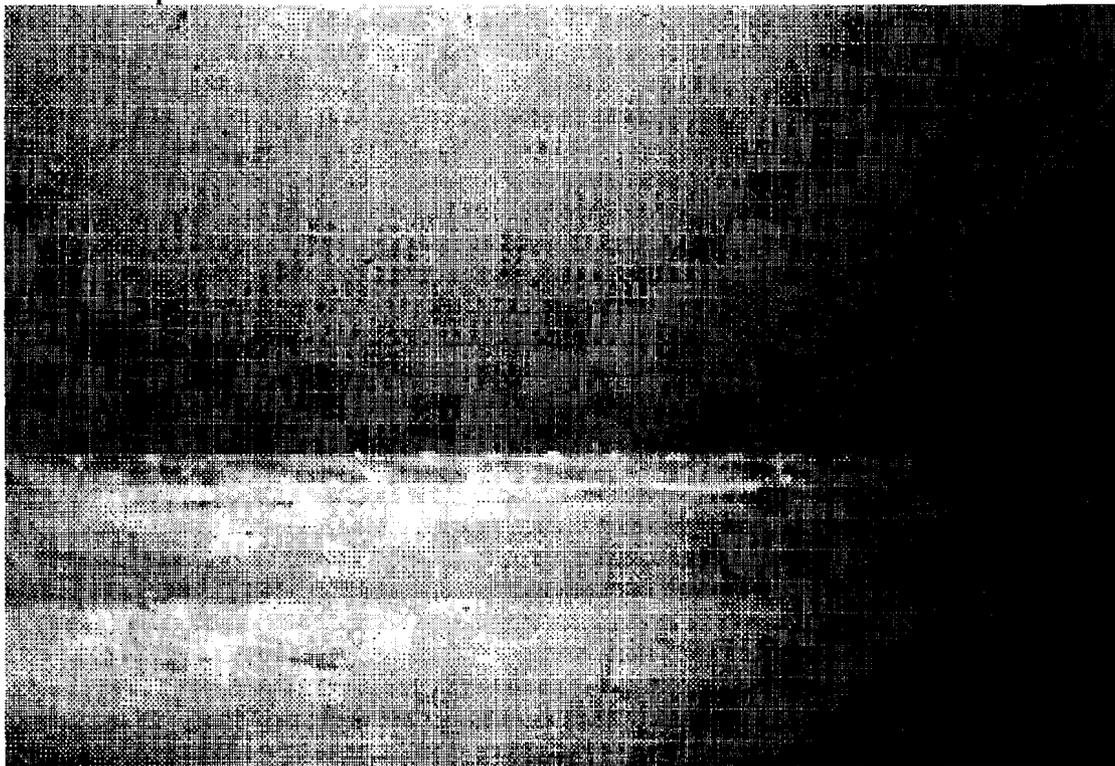
Photograph 12: Second view of corrosion on knives stored in kitchen drawer



Photograph 13: Labeling on drywall in Attic Location 1
Text reads in part: “*CHINA – AS ***”**



Photograph 14: Second portion of labeling found on drywall in Attic Location 1
Text reads in part: “*** KNAU ***”



Photograph 15: View of labeling on drywall found in Attic Location 2
Text reads in part: “*** KNAUF ***”



Photograph 16: Second view of labeling on drywall found in Attic Location 2
Text reads in part: "**** F - TI ****"



Photograph 17: third part of labeling on drywall in Attic Location 2
Text reads in part: "**** NJIN ****"



Photograph 18: Last part of labeling on drywall photographed in Attic Location 2

U.S. Consumer Product Safety Commission

AUTHORIZATION FOR RELEASE OF NAME

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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.

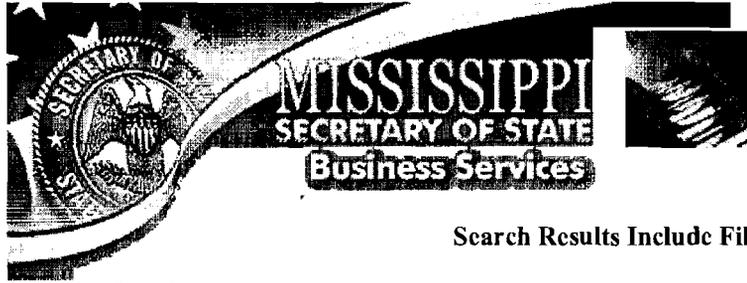
I request that you do not release my name. My identity is to remain confidential.

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)(3):CPSA Section 25(c)

6-09-09
(Date)



Search Results Include Filings Through 06/16/2009 12:00 AM

- Search
- By Business Name
- By Business ID
- By Officer Name
- By Registered Agent
- New Corporations
- Annual Report
- File Online
- Verification
- Verify Certification
- Online Orders
- Register for Online Orders
- Order Good Standing
- Fee Schedules
- Corporations
- Limited Partnerships
- Limited Liability Partnerships
- Limited Liability Companies
- Miscellaneous
- Registered Agents
- Download Corporate Forms and Instructions
- Look Up an SIC
- Contact
- Corporations Unit

Date: 6/18/2009 [View Filed Documents](#)
Name History

| Name | Name Type |
|-------------------------------|------------|
| O'Neal Homes Incorporated | Legal |
| O'Neal - Holliman Corporation | Prev Legal |
| O'Neal Homes Incorporated | Prev Legal |

Business Corporation - Domestic - Information

Business ID: 872419
Status: Good Standing
Creation Date: 5/16/2005
State of Incorporation: MS
Principal Office Address: 319 HWY 49, Suite A
Mchenry MS 39561
Listing Address: No Address
Last Annual Report Filed Date: 4/14/2009
Last Annual Report Filed: 2009
Annual Report Month: January

Registered Agent

Agent Name: [Paulk, Laura F](#)
Office Address: 16127 Orange Grove Road
Gulfport MS 39503

Mailing Address:

Officers & Directors





Officers & Directors

- Search
- [By Business Name](#)
- [By Business ID](#)
- [By Officer Name](#)
- [By Registered Agent](#)
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- [Corporations](#)
- [Limited Partnerships](#)
- [Limited Liability Partnerships](#)
- [Limited Liability Companies](#)
- [Miscellaneous](#)
- [Registered Agents](#)
- [Download Corporate Forms and Instructions](#)
- [Look Up an SIC](#)
- [Contact](#)
- [Corporations Unit](#)

| Name | Title(s) |
|---|----------------------------|
| Martin L O'Neal 348 Beaver Dam Road Perkinston Ms 39573 | Incorporator |
| Jimmy W Holliman 382 Beaver Dam Road Perkinston Ms 39573 | Incorporator |
| Dan R. O'Neal 14 Breland Road Perkinston Ms 39573 | Treasurer, Other, Director |
| Martin L. O'Neal 17 Breland Road Perkinston MS 39561 | President |

[Click here to go back to the Corporation](#)



F0001 - Page 1 of 2

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1333
Articles of Incorporation



The undersigned, pursuant to Section 79-4-2.02 (if a profit corporation) or Section 79-11-137 (if a nonprofit corporation) of the Mississippi Code of 1972, hereby executes the following document and sets forth:

1. Type of Corporation

Profit

Nonprofit

2. Name of the Corporation

O'NEAL - HOLLIMAN CORPORATION

3. The future effective date is
(Complete if applicable)

N/A

4. FOR NONPROFITS ONLY: The period of duration is years or perpetual

5. FOR PROFITS ONLY: The Number (and Classes) if any of shares the corporation is authorized to issue is (are) as follows

Classes

of Shares Authorized

If more than one (1) class of shares is authorized, the preferences, limitations, and relative rights of each class are as follows:

COMMON

10,000

(See Attached)

6. Name and Street Address of the Registered Agent and Registered Office is

Name

JAMES HALL

Physical Address

309 SOUTH 3RD

P.O. Box

City, State, ZIP5, ZIP4

WIGGINS

MS

39577

7. The name and complete address of each incorporator are as follows

Name

MARTIN L. O'NEAL

Street

348 BEAVER DAM ROAD

002019118

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OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1333
Articles of Incorporation



City, State, ZIP5, ZIP4 PERKINSTON MS 39573 -

Name JIMMY W HOLLIMAN

Street 382 BEAVER DAM ROAD

City, State, ZIP5, ZIP4 PERKINSTON MS 39573 -

Name

Street

City, State, ZIP5, ZIP4

Name

Street

City, State, ZIP5, ZIP4

8. Other Provisions See Attached

9. Incorporators' Signatures (please keep writing within blocks)

| | |
|--|-------------------|
| | Jimmy W. Holliman |
| | |

002019118

JAMES HALL
LAWYER

309 South 3rd
Wiggins, Mississippi 39577

Telephone 601/ 928-4436
Telefax 601/928-4849

May 9, 2005

Honorable Eric Clark
Secretary of State
Corporate Division
Post Office Box 136
Jackson, Mississippi 39205

RE: O'Neal - Holliman Corporation

Dear Mr. Secretary:

Enclosed are Articles of Incorporation for the above said corporation, executed in duplicate, together with check in the amount of \$50.00. Please file and return the enclosed copy.

Thank you and your very fine staff for this service.

Sincerely yours,



JAMES HALL

JH:sl

Enclosures: Duplicate originals of Articles of Incorporation
\$50.00 filing fee

002019118

F0012 - Page 1 of 3

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE

P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1333

Articles of Amendment



The undersigned persons, pursuant to Section 79-4-10.06 (if a profit corporation) or Section 79-11-305 (if a nonprofit corporation) of the Mississippi Code of 1972, hereby execute the following document and set forth:

1. Type of Corporation

Profit

Nonprofit

2. Name of Corporation

O'NEAL-HOLLIMAN CORPORATION

3. The future effective date is
(Complete if applicable)

NOT APPLICABLE

4. Set forth the text of each amendment adopted. (Attach page)

5. If an amendment for a business corporation provides for an exchange, reclassification, or cancellation of issued shares, set forth the provisions for implementing the amendment if they are not contained in the amendment itself. (Attach page)

6. The amendment(s) was (were) adopted on

DECEMBER 21, 2007

Date(s)

FOR PROFIT CORPORATION (Check the appropriate box)

Adopted by

the incorporators

directors without shareholder action and shareholder action was not required.

FOR NONPROFIT CORPORATION (Check the appropriate box)

Adopted by

the incorporators

board of directors without member action and member action was not required.

FOR PROFIT CORPORATION

7. If the amendment was approved by shareholders

(a) The designation, number of outstanding shares, number of votes entitled to be cast by each voting group entitled to vote separately on the amendment, and the number of votes of each voting group indisputably represented at the meeting were

Designation

No. of outstanding shares

No. of votes entitled to be cast

No. of votes indisputably represented

Martin L. O'Neal

750

1

1

845307 DEC 28 08

F0012 - Page 2 of 3

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE

P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1333

Articles of Amendment



| | | | |
|---------------|-----|---|---|
| Dan R. O'Neal | 750 | 1 | 1 |
|---------------|-----|---|---|

(b) EITHER

(i) the total number of votes cast for and against the amendment by each voting group entitled to vote separately on the amendment was

| Voting group | Total no. of votes cast FOR | Total no. of votes cast AGAINST |
|--------------|-----------------------------|---------------------------------|
| | | |
| | | |

845307

OR

(ii) the total number of undisputed votes cast for the amendment by each voting group was

| Voting group | Total no. of undisputed votes cast FOR the plan |
|--------------|---|
| | |
| | |

and the number of votes cast for the amendment by each voting group was sufficient for approval by that voting group.

FOR NONPROFIT CORPORATION

8. If the amendment was approved by the members

(a) The designation, number of memberships outstanding, number of votes entitled to be cast by each class entitled to vote separately on the amendment, and the number of votes of each class indisputably represented at the meeting were

| Designation | No. of memberships outstanding | No. of votes entitled to be cast | No. of votes indisputably represented |
|-------------|--------------------------------|----------------------------------|---------------------------------------|
| | | | |
| | | | |

F0012 - Page 3 of 3

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1333
Articles of Amendment



(b) EITHER

(i) the total number of votes cast for and against the amendment by each class entitled to vote separately on the amendment was

| Voting class | Total no. of votes cast FOR | Total no. of votes cast AGAINST |
|----------------------|-----------------------------|---------------------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

OR

(ii) the total number of undisputed votes cast for the amendment by each class was

| Voting class | Total no. of undisputed votes cast FOR the amendment |
|----------------------|--|
| <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |

and the number of votes cast for the amendment by each voting group was sufficient for approval by that voting group.

By: Signature

(Please keep writing within blocks)

Printed Name

Martin L. O'Neal

Title

President

845307 DEC 28 8

O'NEAL-HOLLIMAN CORPORATION
AMENDMENT

EFFECTIVE JANUARY 1, 2008, O'NEAL-HOLLIMAN CORPORATION, WILL
OFFICIALLY CHANGE ITS NAME TO O'NEAL HOMES INCORPORATED.

845307 DEC 28 2007

LAW OFFICES OF
LAURA F. PAULK, P.L.L.C.

16127 ORANGE GROVE ROAD
GULFPORT, MISSISSIPPI 39503

TELEPHONE: (228) 831-1818

FACSIMILE: (228) 831-8848

E-MAIL: laurapaulk@aol.com

December 27, 2007

Mississippi Secretary of State
CORPORATIONS
700 North Street
Jackson, MS 39202

Dear Sir:

Please find enclosed for filing an original executed copy of the following:

- (1) Certificate of Amendment - LLC
- (2) Articles of Amendment - Corporation

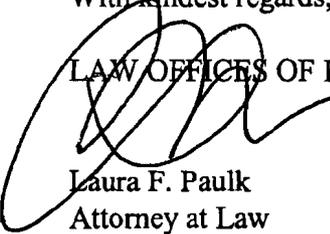
I have enclosed a check in the amount of \$100.00 as payment in full of the applicable filing fees.

Once the document is recorded, please return it to:

Law Offices of Laura F. Paulk, P.L.L.C.
16127 Orange Grove Road
Gulfport, MS 39503

Should you have any questions, please do not hesitate to call.

With kindest regards,


LAW OFFICES OF LAURA F. PAULK, P.L.L.C.

Laura F. Paulk
Attorney at Law

enclosure

LFP:sdm

845307 DEC 28 2007

4-14
8043
25.00



State of Mississippi
Secretary of State
2009 Corporate Annual Report

FOR OFFICE USE ONLY
SECRETARY OF STATE
ANNUAL REPORT
PAID

11F0008
Corporate Id: 00872419

← If there are no changes, mark an "X" here,
date and sign at the bottom of the page.

Registered Agent and office:

Corporate Name & Principal Address:

PAULK LAURA F
16127 ORANGE GROVE ROAD
GULFPORT MS 39503

O'NEAL HOMES INCORPORATED
319 HWY 49 SUITE A
MCHENRY MS 39561

**Field Required, if Date of incorporation before 2007
Enter all changes in the box below:

*Corporate Email: MO7888@o'nealhomes.com
*New Required Field

State of Incorporation: MS 5/16/2005
Federal Id: 760795435
Telephone: 6019285786

Current Principal Officers / Addresses
President: MARTIN L O'NEAL Director
17 BRELAND ROAD
PERKINSTON MS 39561

Vice Pres:

Secretary:

Treasurer: DAN R O'NEAL Director
14 BRELAND ROAD
PERKINSTON MS 39573

Mark if a
Director
New Officers / Addresses
** President: _____
** Vice President: _____
** Secretary: _____
** Treasurer: _____

Stock Shares Authorized, Issued & Outstanding:

| Class | Series | Authorized | Issued |
|-------|--------|------------|--------|
| COM | | 10000 | 10000 |

Directors in addition to those listed above are to be listed on additional pages if necessary.
**Stock Authorized, Issued & Outstanding:

| Class | Series | Authorized | Issued |
|-------|--------|------------|--------|
| | | | |
| | | | |
| | | | |

**NAICS Code / Nature of Business

NAICS Code / Nature of Business
236115 New Single-Family Housing Cons

This report has been examined by me and to the best of my knowledge and belief, is true, correct, complete and current as of this 31st day of March, 2009.

Signature

Martin L. O'Neal
Printed Name
President
Title

Make Check for \$25.00, payable to SECRETARY OF STATE, on or before April 15, 2009, mail completed form with payment to SECRETARY OF STATE, PO BOX 1020, JACKSON, MS 39215-1020. For assistance contact a customer service representative at (800) 256-3494. Visit our website at www.sos.ms.gov

Task No. 090520CBB2630

Date: 06-19-2009

STATUS OF MISSING DOCUMENT (S)

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

1. Medical records - signed release forms not returned
2. Insurance adjustor's report
3. Service records for central air conditioning units
4.
5.

Date: 06-19-2009 **Investigator No:** 9094

Regional office: CFIW **Supervisor No:** 8631

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

| | | |
|---|---|--|
| 1. NAME OF RESPONDENT (b)(3):CPSA Section 25(c) | 2. PHONE NO. (HOME) (b)(3):CPSA Section 25(c) | (WORK) unknown |
| 3 | 4. CITY Perkinston | ST MS ZIPCODE 39573 |
| 4 unknown | 4b. INCIDENT CITY Perkinston | ST MS ZIPCODE 39573 |

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES

Consumer feels the drywall poses a serious health hazard.

- cont -

| | | |
|---|--|--|
| 6. DATE OF INCIDENT(S) 05/01/2008 | 7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX AND DESCRIBE INJURY 45 Y/M respiratory infection, headaches, loss of weight | 8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP self self |
|---|--|--|

| | |
|---|----------------------------------|
| 9. DESCRIPTION OF PRODUCT drywall | 10. BRAND NAME unknown |
|---|----------------------------------|

| | |
|--|--|
| 11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Knaus unknown unknown unknown ISSUE 33 05/12/2009 | 12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown |
| | 13. DEALER'S NAME, ADDRESS & PHONE Oneil, Holliman Holmes unknown Perkinston, MS 601-928-5786 |

| | |
|--|---|
| 14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE: | 15. PRODUCT PURCHASED NEW DATE PURCHASED 08/01/2006 AGE 2 Y |
| | 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown |

| | | |
|---|--|--|
| 17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? no | 18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION | 19. MAY WE USE YOUR NAME WITH THIS REPORT? YES |
|---|--|--|

FOR ADMINISTRATION USE

| | | |
|--|--|--|
| 20. DATE RECEIVED 05/11/2009 | 21. RECEIVED BY (NAME & OFFICE) myg/HL | 22. DOCUMENT NO. H0950075A |
| 23. FOLLOW-UP ACTION | | 24. PRODUCT CODE(S) 1876 |
| 25. DISTRIBUTION | | 26. ENDORSER'S NAME & TITLE myg 05/11/2009 |

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0950075A

Narrative Continued

Consumer noticed the air conditioning (a/c) unit had stopped blowing cold air. Consumer contacted an a/c contractor who visited home and found the unit's evaporator coils were corroded. A/C contractor warned consumer of possible unsafe drywall that is known to cause corrosion to the coils.

Consumer was unaware of unsafe drywall and initially dismissed contractor's claim.

11/2008 The a/c unit discontinued operating.

11/2008 A/C contractor returned to home, and again, found the unit's evaporator coil's had corroded. Contractor reminded consumer of possible unsafe drywall being the source of corrosion.

04/2009 After consumer started hearing additional reports concerning unsafe drywall, consumer proceeded to conduct further investigation. Consumer has left multiple messages with the home builder owner, Jimmy Holliman. Mr. Holliman has not returned consumer's phone calls. Consumer feels the builder is deliberately avoiding his calls.

Consumer stated that he has also noticed a sulfur/rotten egg type odor after returning home after leaving the home for a few days. Consumer and wife are making every effort to stay away from home.

Consumer and wife have experienced ongoing respiratory infections and headaches. The respiratory infection is currently being treated with antibiotics. Consumer has also experienced a sudden loss of weight.

| Vict # | Sex | Age | Name | Relationship |
|--------|-----|------|-----------|--------------|
| 2 | F | 46 Y | not given | wife |

| Vict # | Victim Injury Description |
|--------|----------------------------------|
| 2 | respiratory infection, headaches |

Distributor Phone #:

CPSC Source: CONTRACTOR

| | | | | |
|--|--|--|--|---|
| 1. Task Number 090521CBB1733 | | 2. Investigator's ID 9001 | | EPIDEMIOLOGIC INVESTIGATION REPORT |
| 3. Office Code 810 | 4. Date of Accident YR MO DAY 2009 05 06 | 5. Date Initiated YR MO DAY 2009 05 26 | | |
| 6. Synopsis of Accident or Complaint UPC A 38 year old male and his 36 year old wife state that they have suffered numerous health effects (such as allergies, burning eyes, sore throats and fatigue) after moving into their house. They attribute these symptoms to Chinese drywall in their house. Numerous electrical problems (flickering lights, frequent tripping of circuit breakers and problems with smoke alarms giving off false alarms) were experienced and there is evidence of corrosion on copper pipes, jewelry, chrome and wiring. There is also a very noticeable pungent odor in the house. <div style="text-align: right;">MFR/PRYLBR NOTIFIED 10/9/09 COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXCISIONS/FOIA H₂ 32526 6(16)(1) <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</div> | | | | |
| 7. Location (Home, School, etc) 1 - HOME | | 8. City HOLLY SPRINGS | | 9. State NC |
| 10A. First Product 1876 - House Structures, Repair Or | | 10B. Trade/Brand Name CHINESE DRYWALL | | 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 36 | 13. Sex 2 - Female | 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) 18 / 3 | |
| 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 checked="" type="radio"/> No <input type="radio"/> Verbal <input type="radio"/> Yes for Manuf. Only | | | | |
| 24. Review Date 06/22/2009 | 25. Reviewed By 8930 | | 26. Regional Office Director Dennis R. Blasius | |
| 27. Distribution Khanna, Rohit; Rose, Blake; Blasius, Dennis; Woodard, Dean; Trotta, Andrew; Matheson, Joanna | | | 28. Source Document Number 10950250A | |

have been troublesome and they have had a lot of false alarms.

The complainants have contacted their home builder and stated that the builder came out to the house in approximately 2007 with some experts. However, no problem was solved and the builder stopped returning calls soon afterward. The builder's team was of no help to complainants. The complainants hired one air expert who was mystified but had no explanation. Other tests are currently pending. After the builder stopped returning calls the complainants hired a legal team.

The complainants are not aware of any actions being done in their community related to this problem. They state that all the drywall, wiring and floors need to be replaced just so the house can be in a livable condition and that this problem is unbearable.

Additional documentation and photos were requested from the complainants' attorney including a photo of the labeling on the piece of drywall that was removed from the house for testing, medical records, documentary evidence showing the name of the homebuilder and the original date of construction of the house, service records and any test results on the removed piece of drywall. No photos or additional documents have been received at this time. Also, no disclosure of the attorney work product is being made.

PRODUCT INFORMATION:

The product is Drywall. It is labeled in part: "****Made in China***Conforms to ASTM Standard***...x 12 x 1/2****" [Exhibit 2, pg. 8 (photo 16); pgs. 14&15 (photos 27-30)].

The complainant's attorney indicated that he was informed that preliminary analysis by some of his experts had traced a UPC code or some other type of code on the piece of drywall that was removed from the garage to the U.S. firm:

(b)(3):CPSA Section 6(b) is headquartered at (b)(3):CPSA Section 6(h)

However, no photos or documentation of any kind has been received at this time. Therefore, the firm was not listed as the manufacturer in this in-depth investigation report.

090521CBB1733

This investigation was conducted as a follow-up to a consumer complaint involving imported Chinese drywall. All information was obtained from correspondence and brief phone conversations with the attorney as well as from a visit to the complainant's home where photographs were taken. All questions to the complainant had to be presented in writing through the complainant's attorney. The complainant and his wife responded to the written questions and their attorney emailed the responses to this investigator.

The complainant, a 38 year old male and his 36 year old wife reside in a two story, single family, house (non-seasonal) which they have lived in since May, 2004. The exact age of the house is unknown but the complainants believe it was built in 2001. After living in the house for a few years, the complainants noticed that they had been sick quite often since moving into the house. They currently still live in the house due to financial constraints.

Health Symptoms:

The complainant's wife developed the following health issues/symptoms since moving into the house: allergies, sore throats, "tiredness", burning eyes and she also had to have her tonsils removed at age 35.

The complainant suffered from "tiredness", a constant sore throat and burning eyes since moving into the house. The complainants report that family members and friends who have visited their house have also experienced the aforementioned symptoms. The complainants state that none of these symptoms occurred previously.

The complainants noticed a slight improvement when they leave the house for a few days, but the symptoms quickly return once they are back in the house.

The complainants have medical records regarding the (complainant's) wife's allergies starting after they moved into the house. They also state that they have proof of her tonsil problems and documentation showing that they were removed and a Doctor who was astounded that the tonsils removed had black holes on them. Her recovery time

090521CBB1733

was over six weeks. She also has had pneumonia three to four times, usually every spring.

There are records of doctor visits for the complainant as well. The doctor asked the complainant if he had started smoking, for example, which he has not done.

This investigator requested copies of medical records but they have not been received.

The complainants have a pet dog (a yellow lab) in the house. She suffers from the same problems as complainants. The complainants noticed that the dog sneezes and her eyes water a lot since moving into the house. She had no issues before moving into the house, from age one to age five, the complainants never heard her sneeze.

House Construction:

The complainant's house is a two story, 1,905 square foot home with carpeting in five of the seven rooms. All rooms are carpeted except the kitchen, dining room and the two and a half bathrooms. Wood studs were used in the house.

All of the complainant's appliances are electric but they do have gas service for heat and the fireplace. The fireplace has never been operational and was noted on the original inspection. The complainants painted five rooms after moving into the house: the kitchen, half bath downstairs, living room, dining room, and the full bath upstairs. Ceramic tile was installed in the full bathroom upstairs.

None of the drywall in the house was replaced. It is all original drywall [see photo below].



Photo of exposed drywall in garage.

General Problems (Including Odors)

The complainants stated that they noticed an odor when they moved in but were assured by the builder that the problem was the hot water tank and that this was common. He replaced the hot water tank prior to move-in. The complainant's wife can constantly smell the smell. Visitors immediately noticed an odor. They tried having the carpets cleaned repeatedly, washing down walls and using air fresheners. They stated that all attempts failed to remove the smell.

The complainants described the smell as a sulfur smell, rotten eggs or burnt match type of odor. The complainants state that the smell is constant in the house and worsens when it is humid out (inside humidity in the house above 50%), when it rains or is damp outside and when the washer or dryer is running in the house.

The complainant's wife can smell the smell at all times. Others are able to detect it more when the house has been closed up for awhile and especially when it is

090521CBB1733

humid/damp outside. The odor is throughout the entire house but more prevalent near water (bath, kitchen, laundry). The odor is strongest at hot/humid times of the year.

This investigator observed a sulfur type odor upon entering the house on 5/28/09.

Presence of Corrosion

The complainants have had a number of problems with appliances and electrical equipment in the house. Their \$600.00 washer lasted two years (2007). Radios last only a few years. The stove does not heat to temperature, the dishwasher is making a grinding noise, the ice maker is making grinding noises, you no longer have to press the 'on' button for the dryer - it will turn on if the timer is set and door is closed, gas logs are not operational and the microwave button and the food ready sound is decreasing.

The complainants had to replace approximately three to four AC evaporator coils and last spring (2008) replaced the entire air conditioning unit. The cost was approximately \$10,000. No one could explain what was causing the problem, most felt that the air conditioning unit that came with the house was of inferior quality.

The complainants had an electrician come out to the house in approximately the summer of 2007 to check the wiring. He felt that the problem with the AC coils was too much electricity going through the wires and turning the wires black so he grounded the house at a cost of approximately \$500.

The complainants have experienced each of the following indications of possible electrical problems:

- a. Flickering lights (light bulbs are blown and replaced frequently).
- b. Circuit breakers tripping frequently for no apparent reason.
- c. Arcs or sparks in the electrical system.
- d. Sizzling or buzzing.

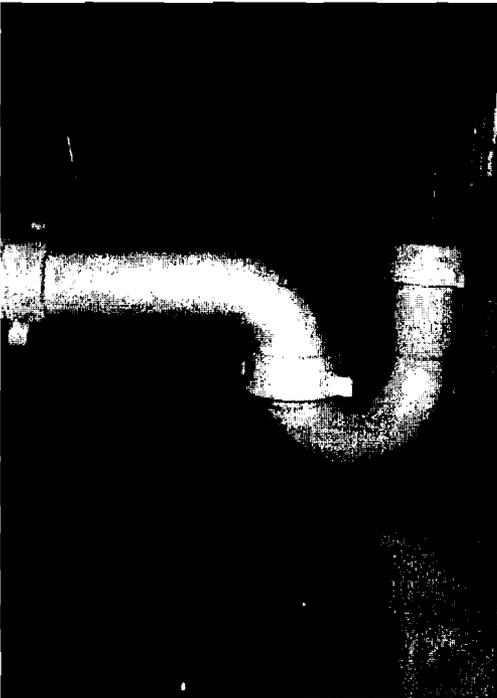
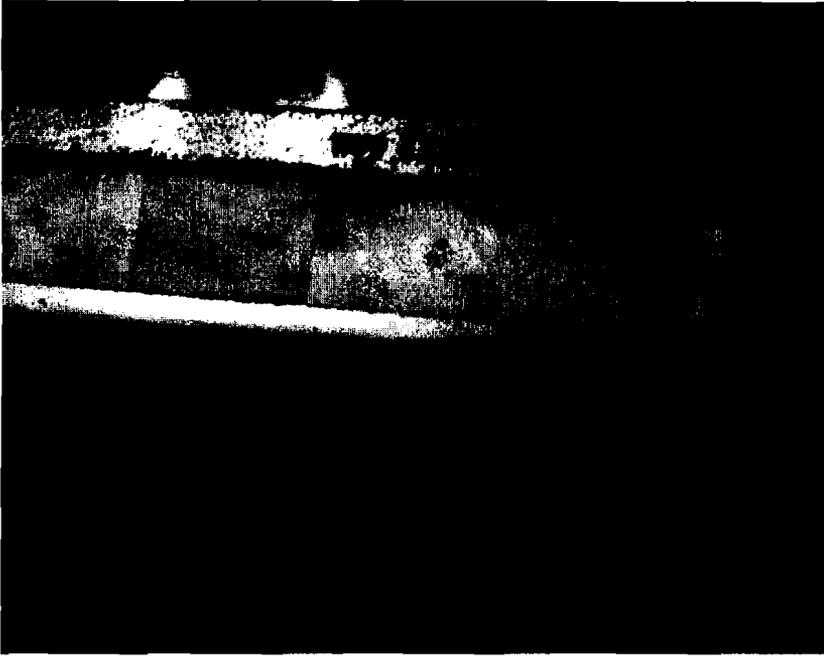
090521CBB1733

- e. An unusual odor in the vicinity of a receptacle, switch, or light fixture.
- f. Light switches or outlets that are warm or hot to the touch.

The complainants have noticed a number of signs of blackening, corrosion or pitting. Copper wires turn black when exposed to air, copper guitar strings corrode quickly, jewelry tarnishes quickly, light fixtures corrode/tarnish, door handles/locks corrode and quit working. Copper placed around the house corrodes. The complainants state that all items in the house that are copper, chrome or sterling silver corrode and heirlooms have been damaged [see photos below].



090521CBB1733



The complainants stated that with all of the electrical problems in the house, their house is at risk of a safety issue or possible fire. They stated that all of the wiring needs to be replaced. Also, the smoke alarms

have been troublesome and they have had a lot of false alarms.

The complainants have contacted their home builder and stated that the builder came out to the house in approximately 2007 with some experts. However, no problem was solved and the builder stopped returning calls soon afterward. The builder's team was of no help to complainants. The complainants hired one air expert who was mystified but had no explanation. Other tests are currently pending. After the builder stopped returning calls the complainants hired a legal team.

The complainants are not aware of any actions being done in their community related to this problem. They state that all the drywall, wiring and floors need to be replaced just so the house can be in a livable condition and that this problem is unbearable.

Additional documentation and photos were requested from the complainants' attorney including a photo of the labeling on the piece of drywall that was removed from the house for testing, medical records, documentary evidence showing the name of the homebuilder and the original date of construction of the house, service records and any test results on the removed piece of drywall. No photos or additional documents have been received at this time. Also, no disclosure of the attorney work product is being made.

PRODUCT INFORMATION:

The product is Drywall. It is labeled in part: "***Made in China***Conforms to ASTM Standard***...x 12 x 1/2***" [Exhibit 2, pg. 8 (photo 16); pgs. 14&15 (photos 27-30)].

The complainant's attorney indicated that he was informed that preliminary analysis by some of his experts had traced a UPC code or some other type of code on the piece of drywall that was removed from the garage to the U.S. firm:

(b)(3):CPSA Section 6(b) is headquartered at (b)(3):CPSA Section 6
(b)(3):CPSA Section 6(b)

However, no photos or documentation of any kind has been received at this time. Therefore, the firm was not listed as the manufacturer in this in-depth investigation report.

090521CBB1733

Home Builder: Stafford Customs Homes - Builder Tom Stafford
<http://www.staffordlandco.com/contact-us/>
(910) 692-9815
246 Valley Field Lane
Southern Pines, NC

ATTACHMENTS

- Exhibit 1 - Contact List.
- Exhibit 2 - Photographs.
- Exhibit 3 - complainant's written responses to Questions (from Attorney)
- Exhibit 4 - Builder contact information.
- Exhibit 5 - Status of Missing Document Form.

CONTACT LIST

1. Joel R. Rhine
Lea, Rhine, Rosbrugh & Chleborowicz, PLLC
314 Walnut Street
Wilmington, NC 28401
Tel: (910) 772-9960
Fax: (910) 772-9062
Email: jrr@lrlawfirm.com

5/28 - telephone contact.

2. (b)(3):CPSA Section 25(c) /Complainants

Holly Springs, NC 27540
(b)(3):CPSA Section 25(c)

~~5/20 - left voicemail~~

5/27 - drove by house, no one home.

5/28 - Met (b)(3):CP at house; took photos at complainant's House.

***Contact with complainants must be coordinated through their attorney, Mr. Rhine.**



Photo 1- Front view of house.

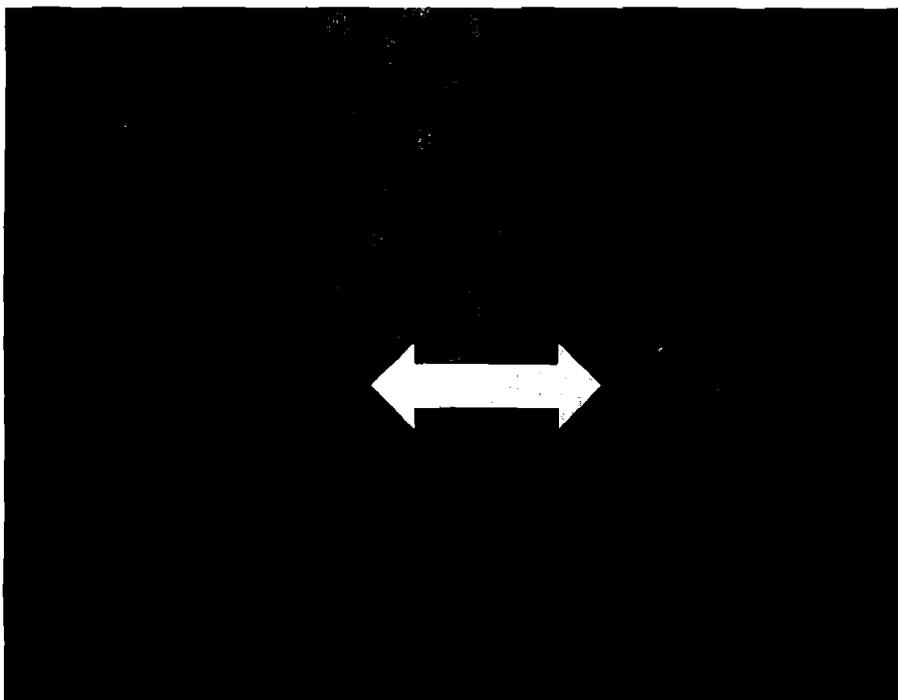


Photo 2 – tarnished metal jewelry.

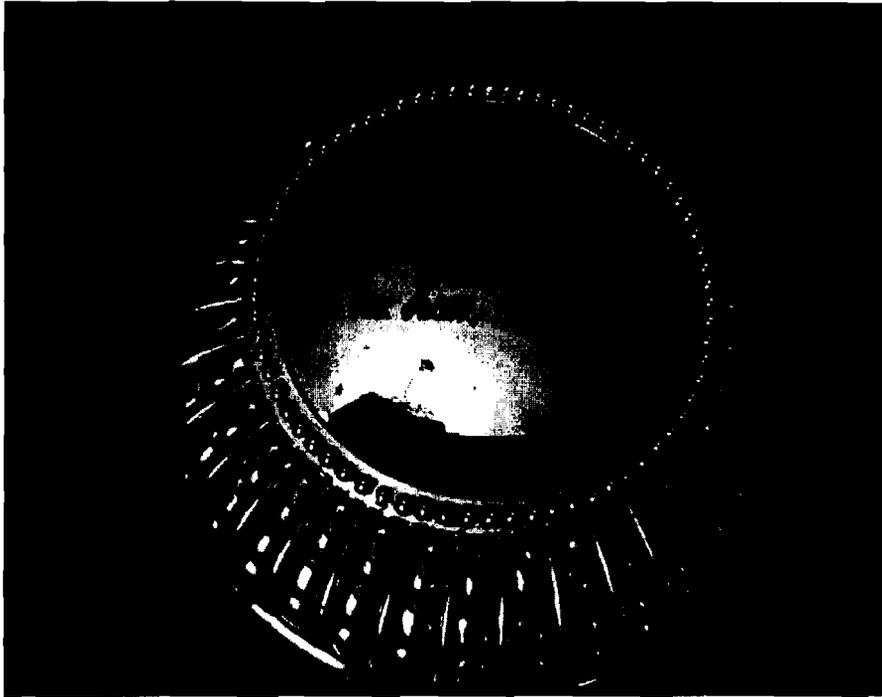


Photo 3 – tarnished top of jewelry box.



Photo 4 – Tarnished bottom of jewelry box which is labeled in part: "***NON TARNISH***Made in China***".

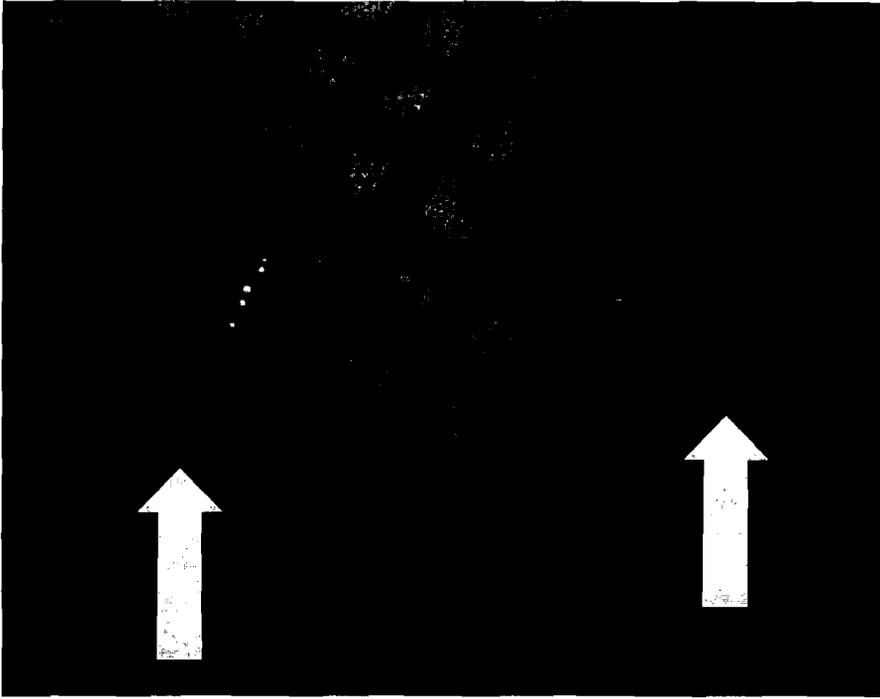


Photo 5 – Other tarnished silver jewelry items.

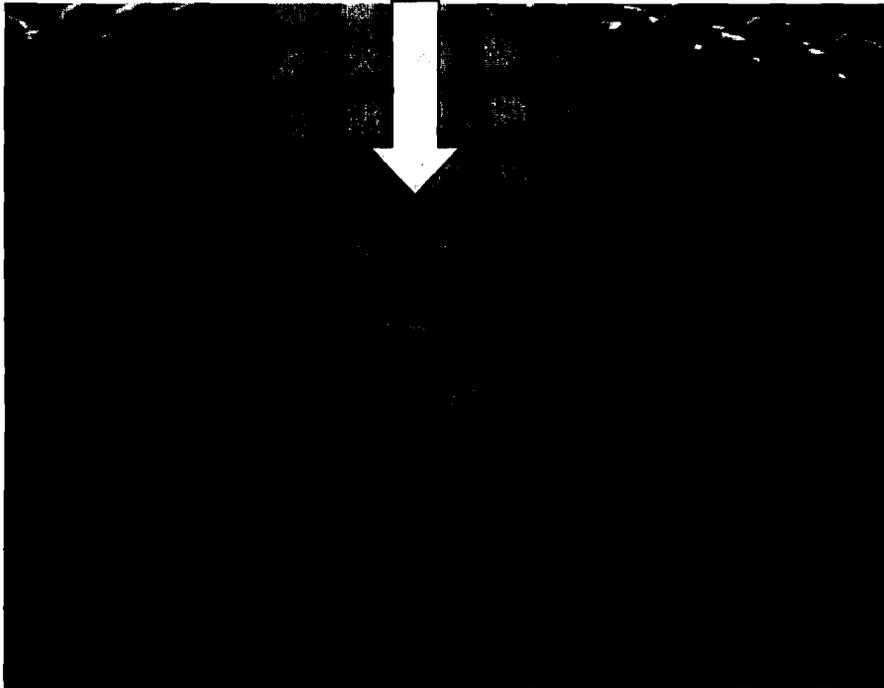


Photo 5 – evidence of corrosion/blackening on copper clip.

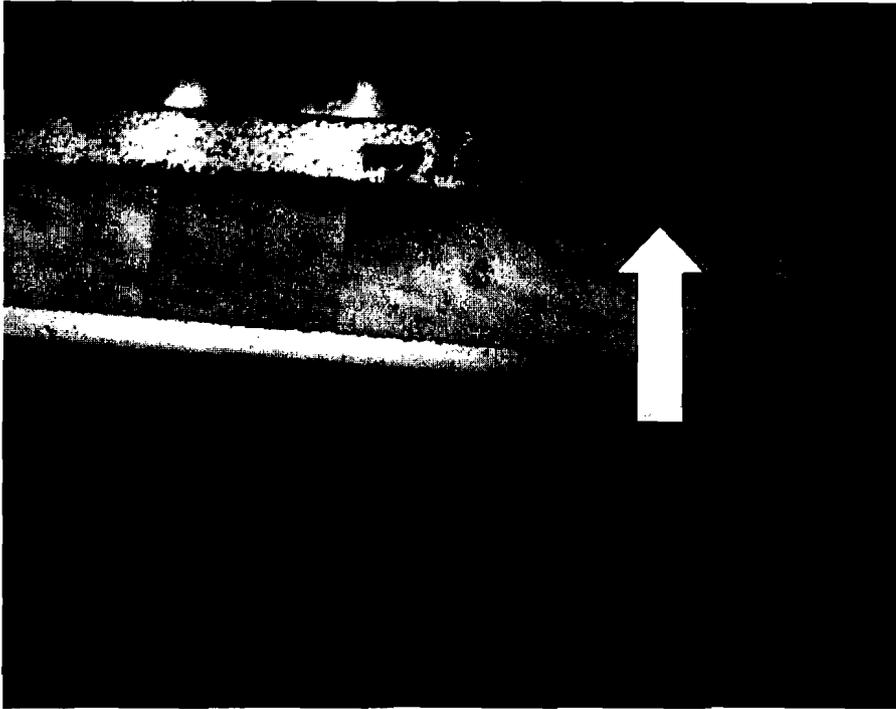


Photo 7 – Evidence of tarnished metal on bottom of picture frame.



Photo 8 – receipt for [REDACTED] jewelry purchased from Kay's Hallmark, Durham, NC on 10/2/2007.

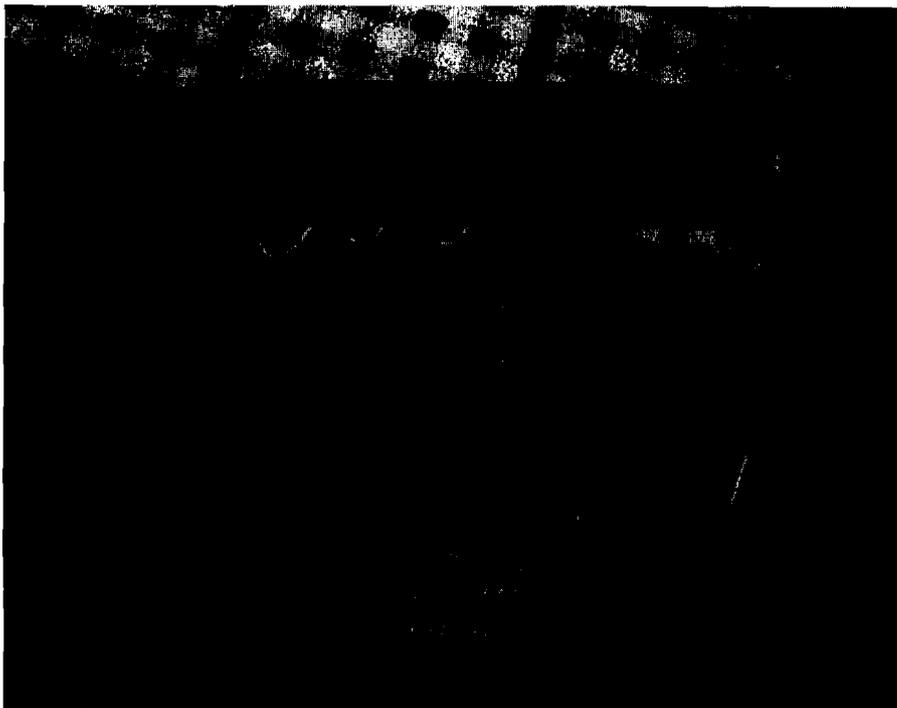


Photo 9 – View of tarnished Jewelry referenced in Photo 8. Packaging is labeled in part: “**[REDACTED]
[REDACTED] Sterling Silver or 14KT gold-filled earwire***”.

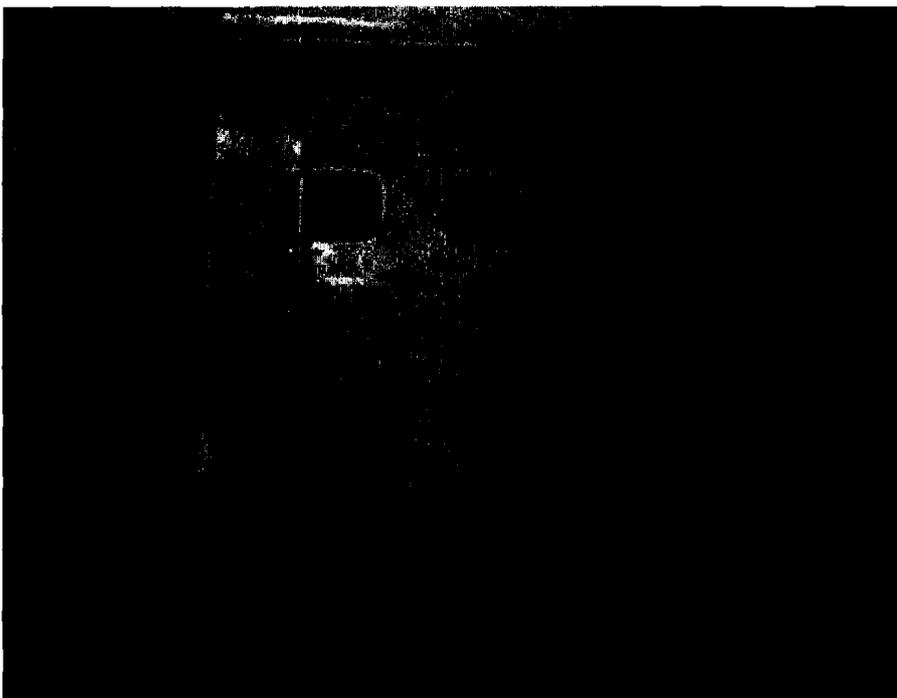


Photo 10 –Price tag on back of packaging shown in photo 9 reads in part: “***7 48903 31252
2***\$11.99 US***CHINA***”.



Photo 11 – electrical receptacle with blackened wiring.

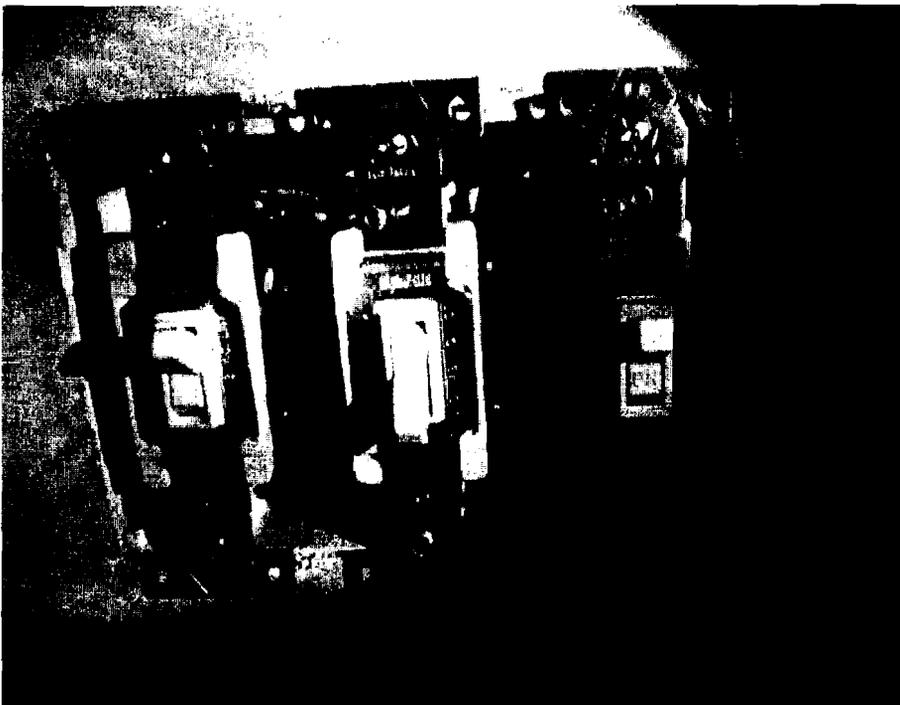


Photo 12 – front view of 3 light switches after cover was removed.

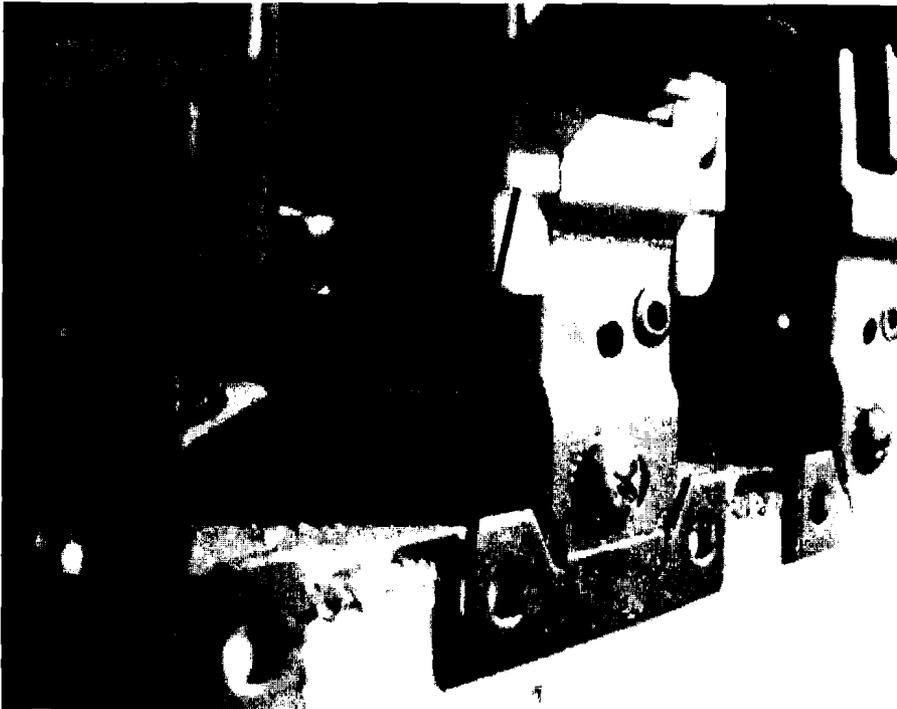


Photo 13 – Close-up of blackened electrical wiring to light switches.



Photo 14 – View looking inside garage with stairs and entrance into home on right.

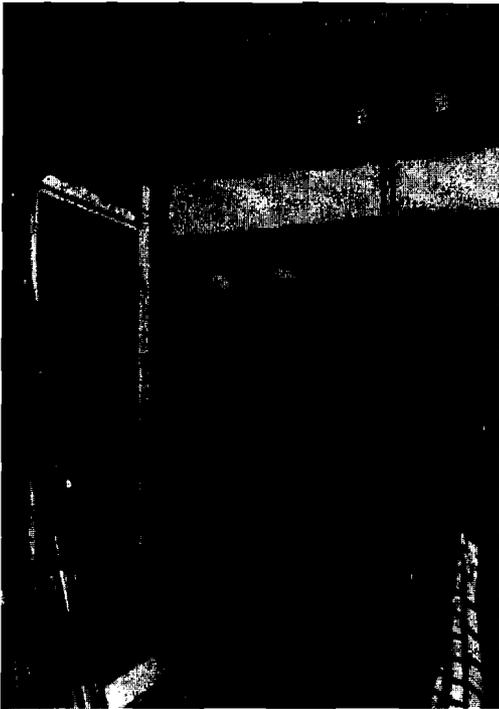


Photo 15 (above) – Exposed sheetrock on interior wall that adjoins garage and the living area of house.



Photo 16 – Close-up of labeling stamped on exposed drywall in area shown in Photo 15 which reads in part: “***ASTM Standard***Made in China***”.



Photo 17 – more labeling (partially visible) on exposed drywall in garage which reads in part: “**actured to Confo**x 12 x ½**”.

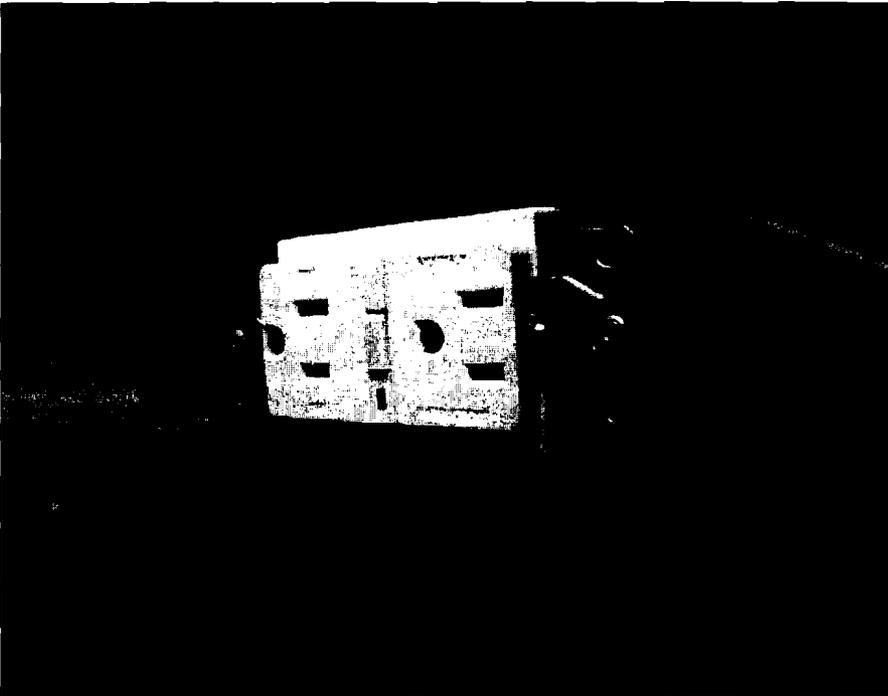


Photo 18 – electrical receptacle on exterior garage wall (wall that has no drywall).

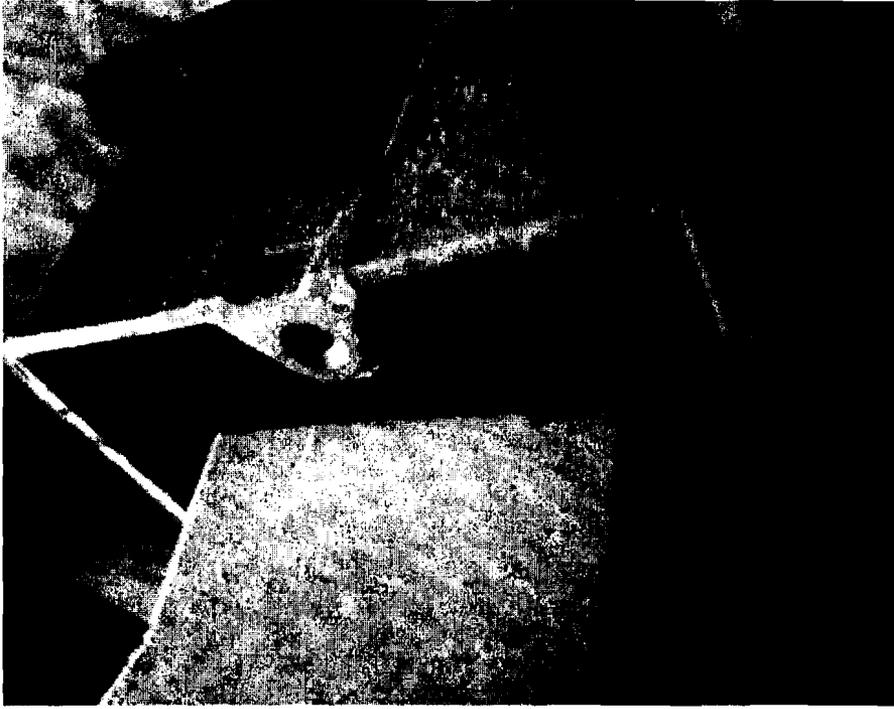


Photo 19 – interior view of electrical receptacle on garage exterior wall. The wiring in this receptacle shows no discoloration or corrosion.

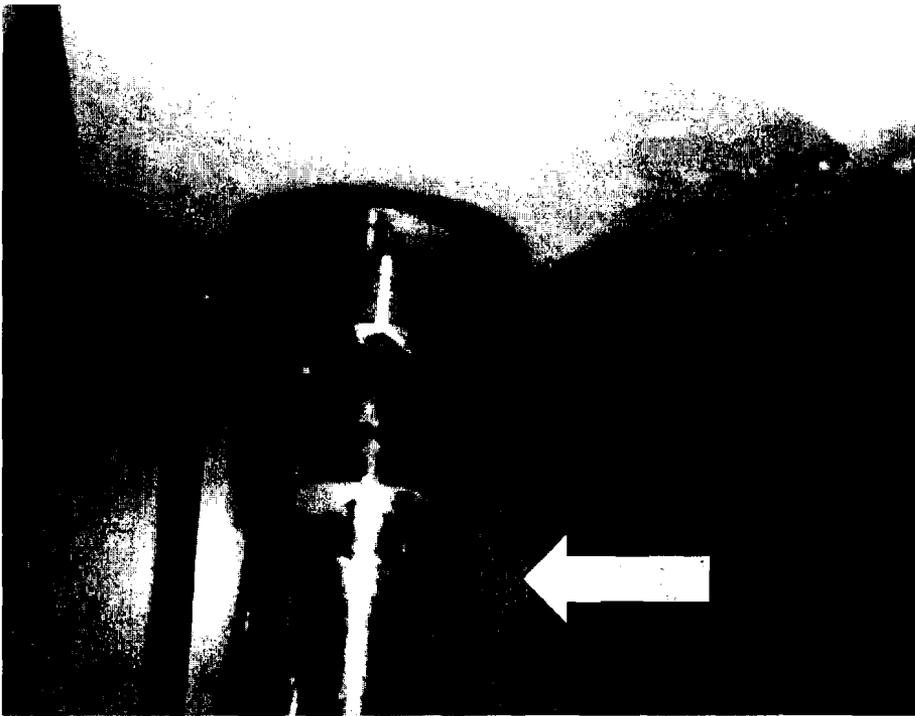


Photo 20 – Copper piping underneath upstairs bathroom sink basin is blackened.

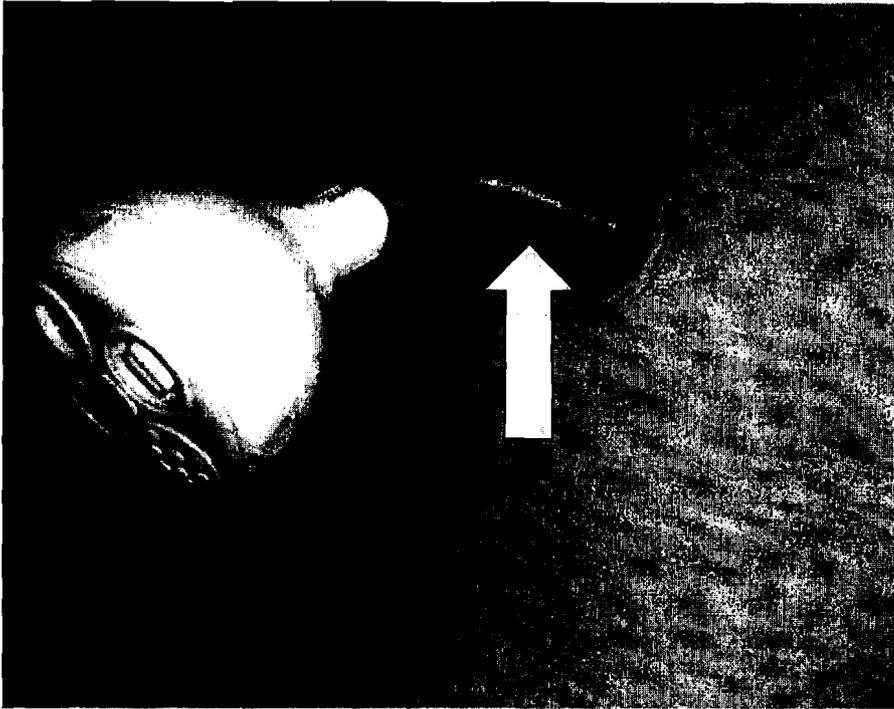


Photo 21 – black spotting on metal leading to shower fixture.

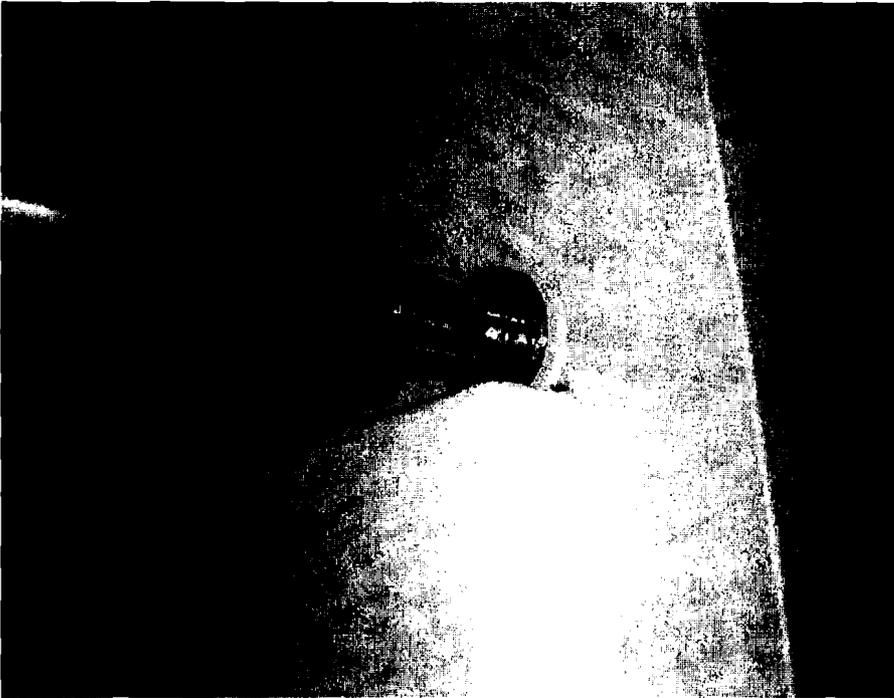


Photo 22 – signs of tarnish/black spotting at end of metal shower curtain rod



Photo 23 – more black spotting on metal portion of light fixture.

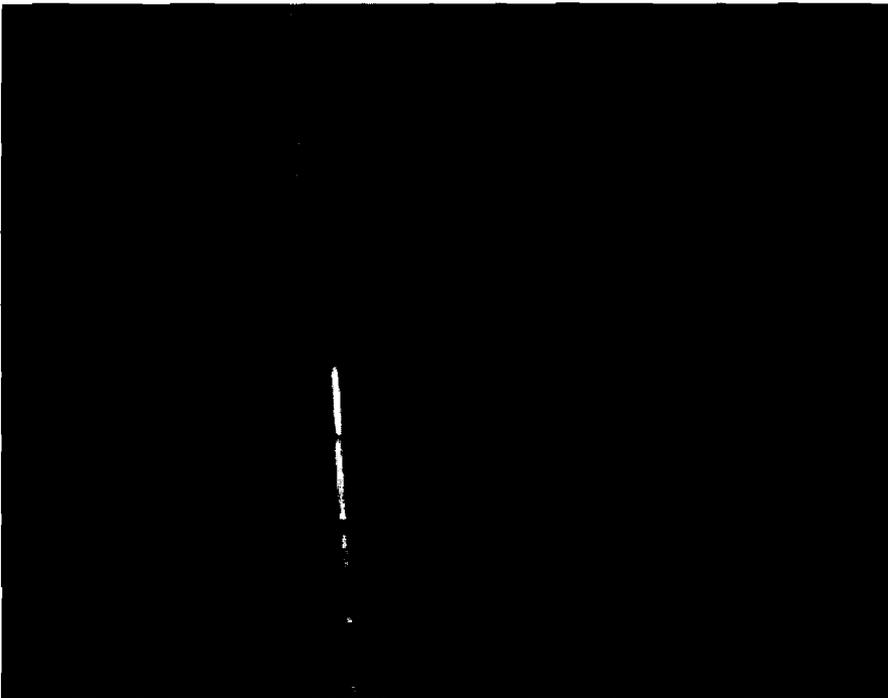


Photo 24 – metal portion of door stop is blackened along with copper clip placed on door stop by complainants.

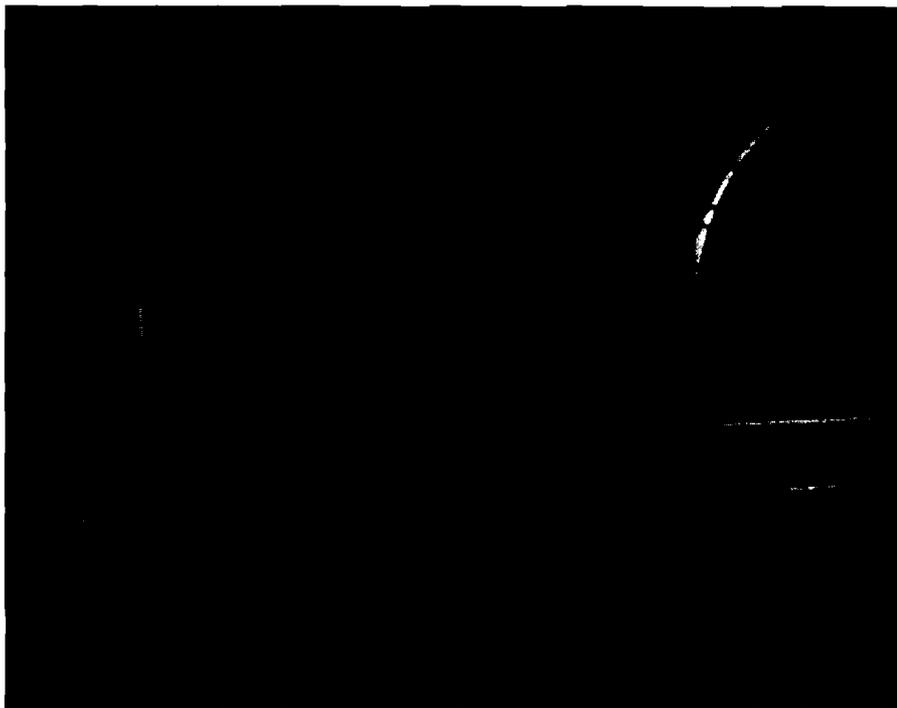


Photo 25 – View of copper strings (top 4) on guitar which are tarnished/blackened. The steel strings (bottom 2) show no signs of discoloration.



Photo 26 – exposed drywall under blown insulation in attic.

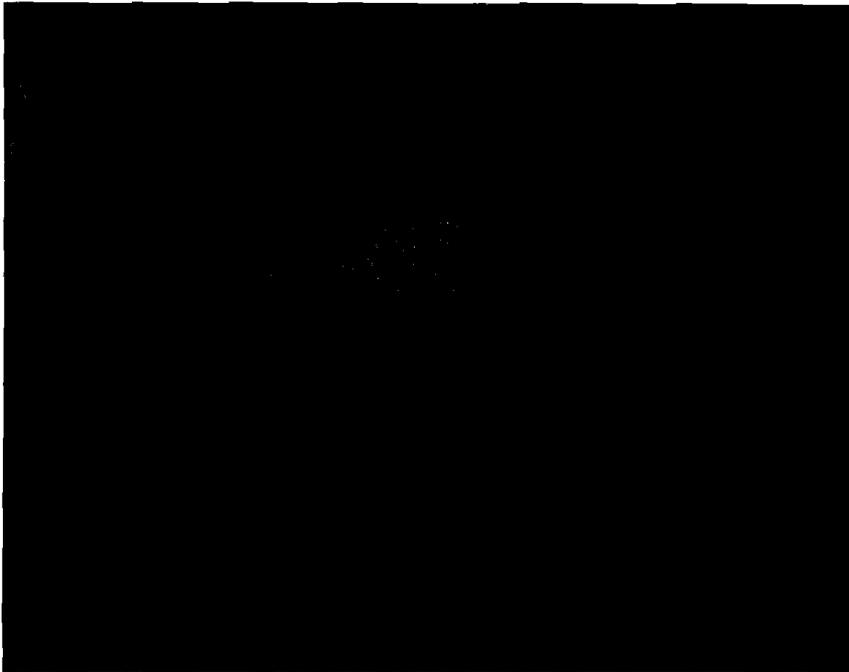


Photo 27 – Labeling stamped on drywall in attic after blown insulation was removed. It reads in part: “***Conforms to ASTM Standard***Made in China***”.

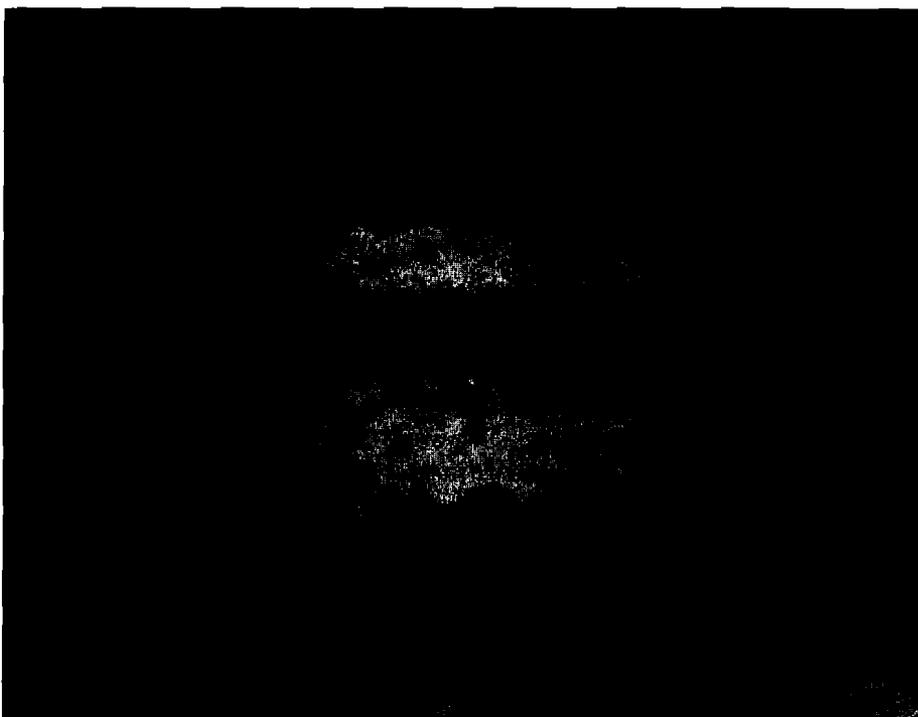


Photo 28 – labeling on exposed drywall located in attic at top drop-down stairs. The labeling appears to have been somewhat blurred at the time it was stamped yet “Standard”, “Manufactured” and “China” can be made out.



Photo 29 – The upper left corner of the labeling shown in Photo 28 is shown in close-up here and reads in part: “***Standard***China***”. The number appears to be 656 or 686 but the middle number is not entirely legible.

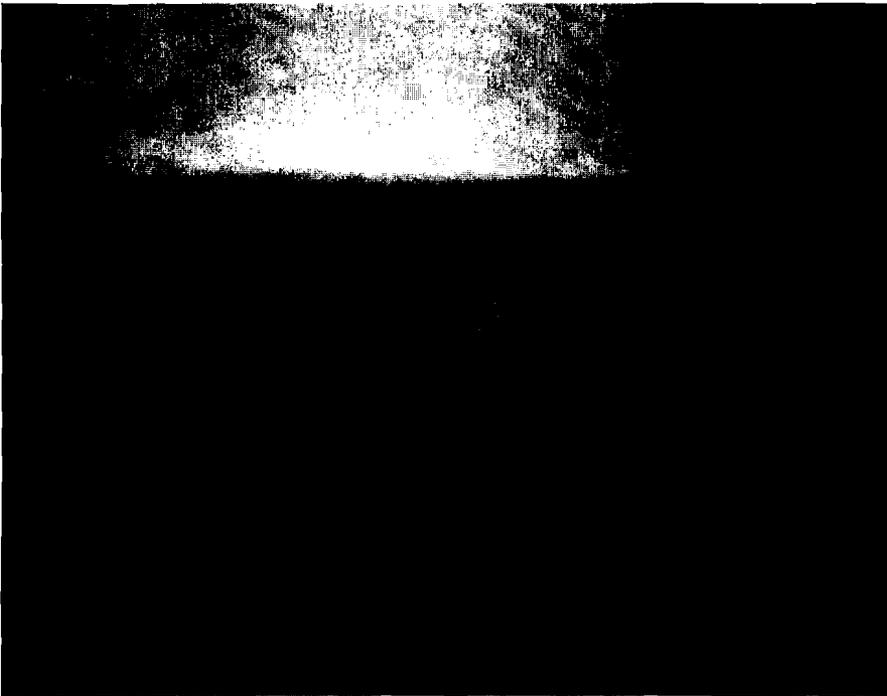


Photo 30—Another corner of labeling reads in part: “***Manufactured***x 12 x ½***”.



Photo 31 – Labeling on gas furnace unit in attic reads in part: “

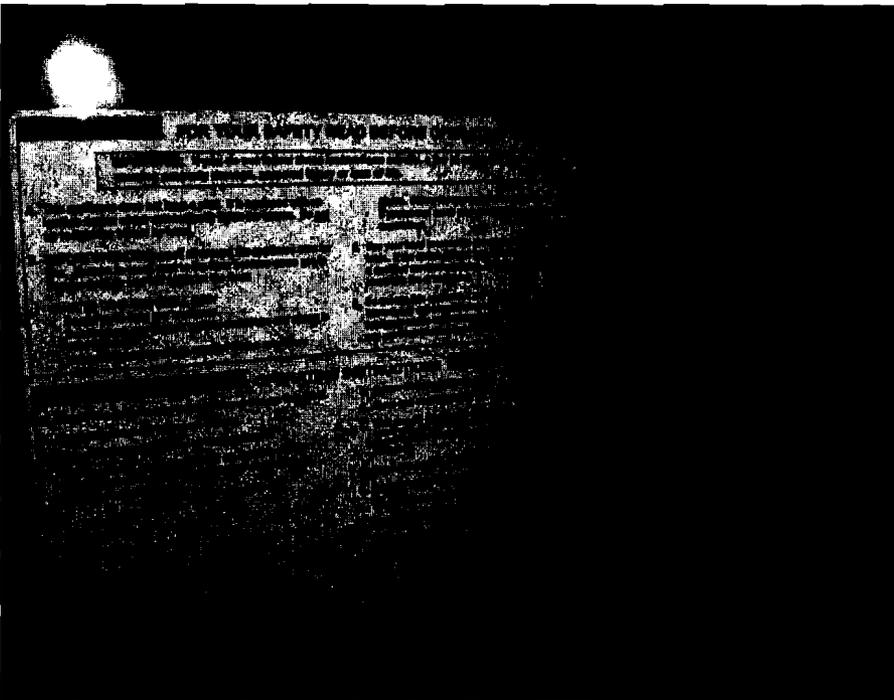


Photo 32 – Safety guidance/Warnings and Operating Instructions on gas furnace unit in attic.

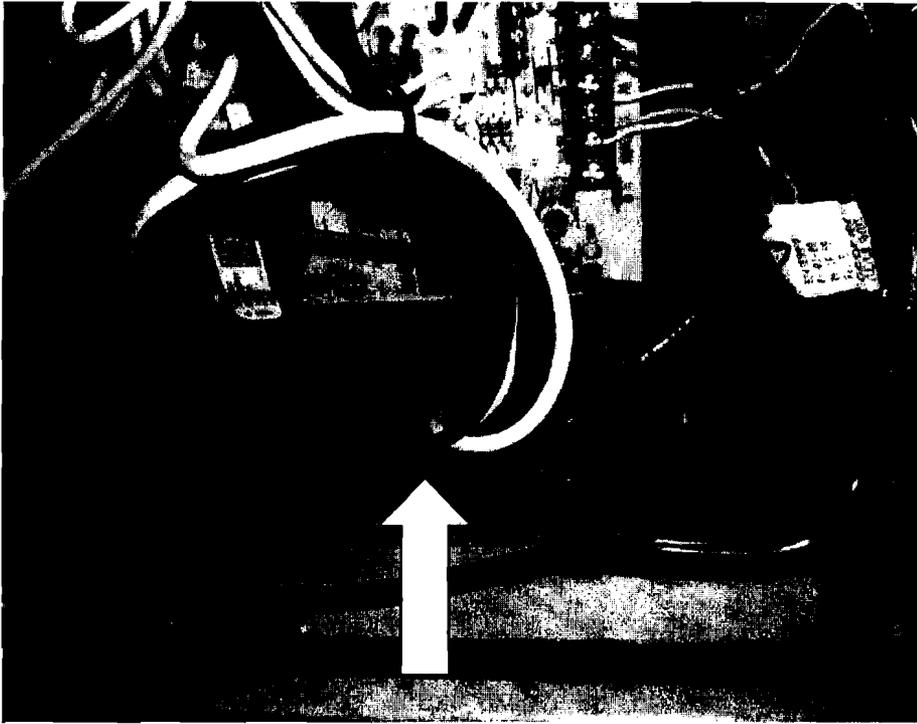


Photo 33 – evidence of blackened wiring inside of gas furnace unit in attic.



Photo 34 – More evidence of corrosion/tarnish on bobby pins located on 2nd floor bathroom sink.



Photo 35 view of refrigerator in kitchen with can opener on front door of refrigerator.

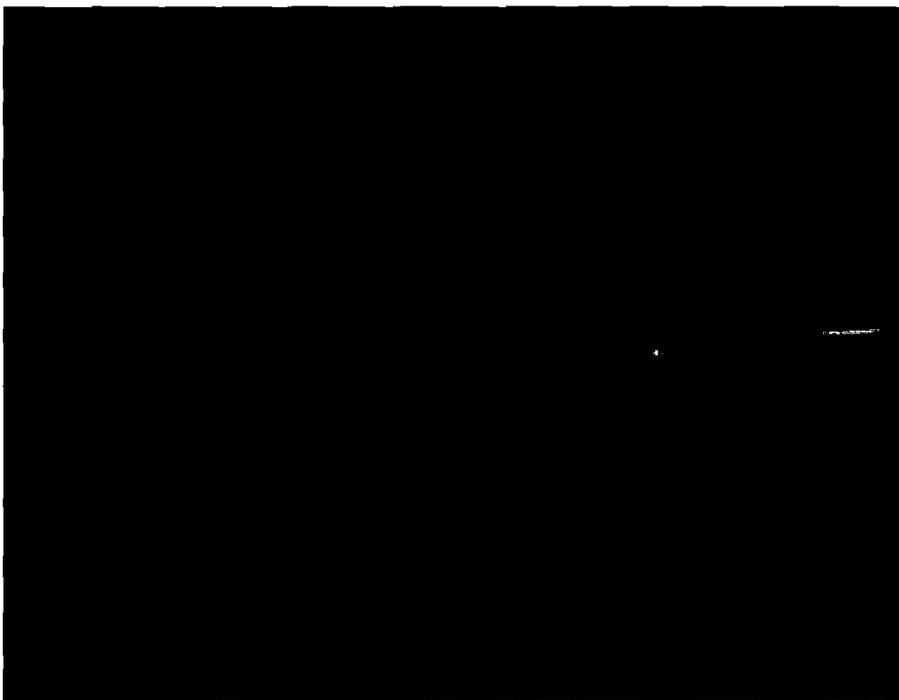


Photo 36 - Close-up of can opener on Not Responsive refrigerator. There is evidence of black spotting on the metal portion of the can opener.

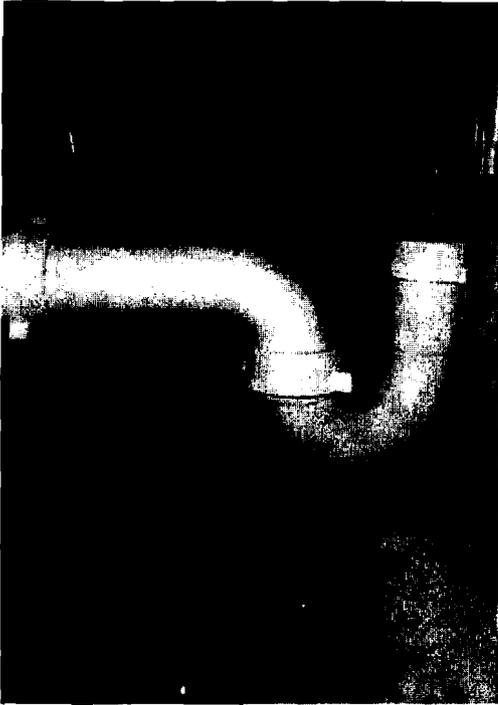


Photo 37 – Blackened copper piping under kitchen sink on first floor.



Photo 38 – Front view of furniture with lock on front (see arrow).



Photo 39 – Close-up of metal lock on furniture which complainant states has corroded and will no longer work.



Photo 40 - Metal hinge on back of furniture which shows signs of corrosion.



Photo 41 – view of HVAC forced air furnace /cooling unit situated on side of house.

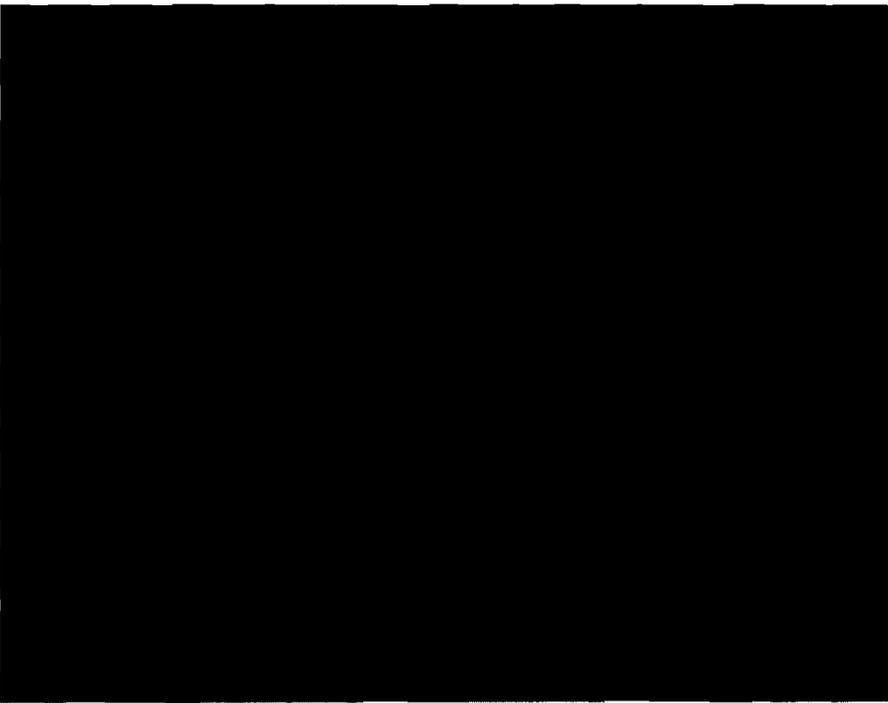


Photo 42 – close-up of Manufacturer's labeling on HVAC unit outside of house which reads in part:





Photo 43 – View of area on wall in which complainant states the paint did not dry smoothly and bumps/cracks have developed.

Health Effects

1. Have you and/or any members of your family developed any health issues or symptoms since your family moved into the affected house? If yes, please describe these symptoms. *For each family member who is experiencing or has experienced symptoms, please provide their age, gender, and reported symptoms. Also, please provide the age and gender of any family member(s) who lived in the house and did not experience health symptoms.*

Yes - [REDACTED] - Age 36 - Developed allergies, currently taking 3 medications per day. Sore throats, tiredness, burning eyes, and had to have her tonsils removed at age 35.

[REDACTED] Age 38 - Tiredness, constant sore throat, burning eyes.

Family members and friends who have visited our house have experienced the above symptoms.

2. Have you and/or any members of your family experienced similar symptoms in the past? If so, when and under what circumstances?

None of these symptoms occurred previously.

3. When did your family first occupy the house? How long after your family occupied the house did the symptoms start?

[REDACTED] moved into the house in May 2004. After living in the house for a few years, the [REDACTED] noticed they had been sick quite often since moving into the house.

4. Is your family still living in the house? If not, when did you move out?

Due to financial constraints, [REDACTED] currently live in the house.

5. Do (did) you live in the house seasonally? If yes, during what time(s) of year did you live in the house?

No

6. Do (did) these symptoms lessen or stop when the affected family member left the house for short periods of time (e.g., to go to work or to school)? How quickly did the symptoms lessen or stop after the family member left the house? Do (did) the symptoms return when the affected family member returns to the house?

[REDACTED] noticed a slight improvement when they leave for a few days, but they quickly return once they are back in the house.

7. *If all or any affected family members are no longer living in the house: Did these symptoms lessen or stop when the family moved out of the house? How quickly did this happen?*

N/A

8. Did you (or your family member) seek medical care or treatment for these symptoms? If yes, please describe (who sought care, when, type of care/treatment obtained, etc.). Do you have any medical records or documentation relating to this care? May we obtain copies of those records?

(b)(6) (b)(6) have medical records regarding (b)(6) allergies starting after (b)(6) moved into the home. The (b)(6) also have proof of her tonsil problems and documentation showing they were removed and a doctor who was astounded that the tonsils removed had black holes on them. Recovery time was over 6 weeks. Mary also has had pneumonia 3-4 times, usually every spring.

(b)(6) - (b)(6) have records of doctor visits. For example, the doctor recently started asking if (b)(6) started smoking, which he has not.

9. Do (did) you have pets while you were living in the house? Did your pets exhibit any health symptoms that you think may be associated with the drywall? If yes, please describe.

Yes - One yellow Lab named Abbey Rose. She too suffers from the same problems and the (b)(6) have noticed. She sneezes and her eyes water a lot since moving into the house. She had no issues before moving into this house, from age 1 to 5, the (b)(6) never heard her sneeze.

House Construction

1. When was the house built? When did you first occupy the house?

The (b)(6) believe it was started in 2001. The (b)(6) moved into the house in May 2004.

2. Please provide me with the name and contact information for the builder, if known.

Stafford Customs Homes - Builder Tom Stafford
<http://www.staffordlandco.com/contact-us/>
(910) 692-9815
246 Valley Field Ln
Southern Pines, NC

3. What is the style of the house (e.g., ranch, colonial, split level, etc.)? How many square feet is the house? Is the house carpeted? If yes, which rooms have carpet?

Two story - approx 1905 sq ft - carpets in 5 or the 7 rooms. All rooms carpeted except kitchen and dining room and the 2.5 bathrooms.

4. Can you tell me what kinds of studs (wood or metal) were used in the house?

wood studs

5. Do you have natural gas/propane gas service? If so, for which appliances?

All appliances are electric. (b)(6) do have gas service for heat and the fireplace. The fireplace has never been operational and was noted on original inspection.

6. After moving into the house, did you make any changes (e.g., paint any rooms, install any carpet, etc.)? If yes, please describe these changes and when they were performed.

5 rooms painted- kitchen, half bath downstairs, living room, dining room and full bath upstairs. Ceramic tile installed in full bathroom upstairs.

7. Do you know if any of the drywall has been replaced in the house since it was built? If yes, can you tell me when this work was performed? In what rooms?

None of it has been replaced, all original drywall.

8. If drywall was replaced, do you have contact information for the drywall subcontractor? Do you know where the drywall subcontractor purchased the replacement drywall? If, yes please provide that information.

N/A

General Problems (Including Odors)

1. After moving in, when did you first notice a problem? Can you please describe the problem for me?

[REDACTED] noticed an odor when they moved in but were assured by Tom Stafford that the problem was the hot water tank and that this was common. He replaced the hot water tank prior to move-in. Mary can constantly smell the smell. Visitors immediately noticed an odor. They tried having the carpets cleaned repeatedly, washing down walls and using air fresheners. All attempts failed to remove smell.

2. Have you noticed any unusual odors? How would you describe these odors?

It is described as a sulfur smell, rotten eggs or burnt match type of odor.

3. When did you first notice the unusual odors?

The smell is constant in the house and worsens when it is humid out (inside humidity in the house above 50%) and when it rains or is damp outside. Also, when washer or dryer is running in the house.

4. How would you describe your awareness of these odor(s)? For example, do you always notice the odor(s)? Or are the odors only noticeable if the house has been closed up? Or are the odors noticeable only when you first enter the house?

Mary can smell the smell at all times. Others are able to detect it more when the house has been closed up for awhile and especially when it is humid/damp outside.

5. Are there any places in the house where you think the odors are stronger or more noticeable? If yes, where?

It is throughout the entire house but more prevalent near water (bath, kitchen, laundry)

6. Are there any times of day and/or times of year when the odors are strongest? If yes, when?

Yes - Hot humid times of the year.

7. If work was done to the house after your family moved in (e.g., painting, carpet installation, drywall replacement, etc.), did the problems that you describe increase, decrease, or stop after this work was completed?

N/A

Presence of Corrosion

1. Have you had any unusual problems with appliances or with any electrical equipment in the house? In particular, have any appliances unexpectedly stopped working? If yes, please describe these problems. For each identified problem, please list the type of appliance, the nature of the problem(s), and the date(s) of the problem(s).]

Appliances breaking - \$600 ^{Not}Responsi washer lasted 2 years, 2007 - Radios last only a few years. Stove does not heat to temperature, dishwasher is making a grinding noise, ice maker is making grinding noises, you no longer have to press the 'on' button for the dryer - will turn on if the timer is set and door is closed, gas logs are not operational and microwave button and food ready sound is decreasing

2. Have you needed to have the central air conditioner in the house recharged due to low refrigerant levels? If yes, how often? [Please list how many A/C units total are in the house and which one(s) is (are) affected. -

(b)(6) have replaced approx. 3-4 AC coils and last Spring replaced the entire AC unit, both units, cost approx \$10,000

3. Have you had to have the evaporator coils replaced in your air conditioner(s)? If yes, please provide the date(s) for this work. Did the person performing this work offer any explanation why the replacement work was necessary?

Yes - 3-4 coils, no one could explain what was causing our problem, most felt the AC unit that came with the house was of inferior quality.

4. Have you ever had an electrician or other service technician (e.g., a heating/ventilation/air conditioning (HVAC) contractor) replace any other components? If so, please describe the work, including what was done and when. Did the electrician or service technician offer any explanation why the replacement work was necessary?

(b)(6) had an electrician come out in approx. the Summer of 2007 to check our wiring. He felt the problem with the AC coils was too much electricity going through the wires and turning the wires black so he double grounded our house - cost was approx. \$500.

5. On a consistent basis, have you experienced any of the following indications of possible electrical problems:

- a. Flickering lights? Yes. Light bulbs are blown and replaced frequently.
- b. Circuit breakers tripping frequently for no apparent reason? Yes.
- c. Arcs or sparks anywhere in your electrical system? (Note that brief sparking or buzzing may be expected when turning a switch on/off or when plugging/unplugging a running appliance) - Yes
- d. Sizzling or buzzing? Yes

- e. An unusual odor in the vicinity of a receptacle, switch, or light fixture? Yes
- f. Light switches or outlets that are warm or hot to the touch? Yes

6. Have you noticed any signs of blackening, corrosion, or pitting on visible metal parts such as water pipes, light fixtures, metal cover plates, etc.? Some signs of corrosion include: blemishes, pitting, tarnishing, and discoloration of the metal or the surrounding material. If yes, please describe when you first noticed these signs and what you have seen (on what surface? In what room or rooms in your house?) [note that the *blackening referenced above is different from the normal green patina of copper oxidation.*]

Yes – copper wires turn black when exposed to the air – copper guitar strings corrode quickly, jewelry tarnishes quickly, light fixtures corrode/tarnish, door handles/locks corrode and quit working. Copper placed around the house corrodes.

7. Is there anything to suggest that the corrosion problems led or could have led to a safety issue (e.g., a possible fire)? If yes, was any remedy undertaken (e.g., replace wiring)? Please describe both the safety problem and the remedy, if any.

Yes – with all the electrical problems [REDACTED] have, their house is at risk. All wiring needs to be replaced.

8. Have you noticed evidence of possible corrosion (e.g., discoloration or pitting) on other metal surfaces (e.g., jewelry, chrome trim, switch plates)? If yes, please describe (e.g., what surface(s)? What kinds of effects? When did you notice these effect(s)?).

Yes – the jewelry tarnishes, it happens slowly over time. All items in the house that are copper, chrome or sterling silver corrode. Heirlooms have been damaged.

9. Are your smoke alarms giving you any problems? If yes, please describe.

[REDACTED] smoke alarms have been troublesome and they have had a lot of false alarms.

Contacts with Builder and/or Others

1. Have you contacted your builder or contractor about issues with corrosion, unusual odors, or health problems? If so, when was this done? What was the response? [Please provide copies of any written communication with the builder/contractor.]

[REDACTED] have contacted Stafford Customs Homes. They came out in approx. 2007 and brought some experts with them. They did not solve any problem and soon afterward stopped returning calls.

2. Has your builder, an outside expert, or other professional examined the house in response to issues with corrosion, unusual odors, or health problems? If so, who did the evaluation? What were the results? Please provide copies of any written reports from these sources.

The builder brought out his team, which was of no help. [REDACTED] hired one air expert who was mystified but had no explanation. Other tests are currently pending. No disclosure of attorney Work Product is being made.

3. Who else have you contacted about this matter? What was the response?

After the builder would not return call (b)(6) were forced to hire a legal team.

4. Are you aware of anything that is being done in your community related to this problem? If so, what?

Unknown.

5. What are your short and long term plans for dealing with this problem?

(b)(6) need to replace all the drywall, wiring, floors, just so the house can be in a livable condition.

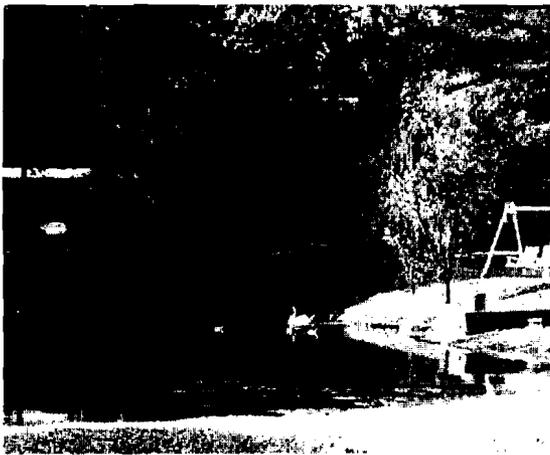
6. Is there anything else that you would like to add?

This problem is unbearable.

Thanks for your cooperation in this matter. Please see the fact sheet at <http://www.cpsc.gov/drywall.pdf> for additional information.

About Us

A developer and builder who values family and creates quality communities that enrich the family lifestyle



Stafford Land Company, Inc. was established in the early 1980's and has been providing and creating land development opportunities. Its president Bob Stafford has been in the development business since 1972 when he saw an opportunity as North Carolina was in its infancy as far as type of projects he wanted to do. His projects encompassed areas of historic restoration, residential, communities, office condominiums, multi-family housing, large mobile home communities, and fractional ownership in resort communities.

Stafford Land Company was established to meet the growing need for residential development in the Triangle, Sandhills, and Fayetteville markets of North Carolina. Specializing in new or developing housing and office markets has been a hallmark of the company since its inception. Currently Stafford Land Company is developing projects in 7 North Carolina Counties and Virginia. Past projects include locations in South Carolina, Tennessee, and Kentucky.

In 1988 Stafford Custom Homes, Inc. was created to provide the Stafford Land Company with an option to build new homes within its subdivisions and to handle the growing need for commercial and office construction. Currently Stafford Custom Homes specializes in providing quality custom home construction in the Sandhills region of North Carolina.

With an established track record spanning 35 years, Stafford Land Company has the experience and the expertise to perform a myriad of development projects.

- Single family residential subdivisions
- Mixed-Used Developments
- Office Projects for sale or lease
- Commercial flex space
- New home construction
- Townhome Development
- Historical Preservation and Renovation
- Land Banking for Investment Opportunities

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Let Stafford Land be your partner. [Contact us](#) for more information.

• New Homes

Construction

Stafford Land Company manages every step of the land development and home construction process, ensuring the accurate completion of every detail.



- We install the infrastructure thus providing us with finished building sites ready for new home construction.
 - We provide a wealth of knowledge and expertise in environmental permitting and soil analysis.
 - We work with only top local companies to give us the best results.
 - On the home construction front, we utilize building materials known throughout the area for exceptional quality, wide selection and superior value.
 - We draw on the skills and experience of the best plumbing to fashion delivery and waste systems that offer peak performance and unsurpassed longevity.
- Stafford Land can customize a home to your preference - buyers get to make their own choices. View standard features upgrades are available.
- For kitchens, we craft an area that satisfies all our buyers culinary and aesthetic tastes.
- Upgrades are available. We can customize home to your preference.
 - For finishing touches, we add an artistic flair with a dedicated eye for detail while implementing custom solutions to maximize your storage space.
 - We also tap the real estate professionals to research, analyze and broker all of our sales.

Stafford Land Company works with a team of experts and local companies to bring our projects to a successful and profitable completion.

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• New Homes



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Stafford Land Company, Inc.
Stafford Custom Homes, Inc.
246 Valleyfield Lane
Southern Pines, NC 28387
Phone – (910) 692-9808
Fax – (910) 692-9801

If you are interested in land development please use the form below to contact us. All other inquiries please visit our Realtors page

* Name

* Email

* Subject

* Verify

1E8DB

* Message

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090521CBB1733 Exhibit 4, Page 4 of 4



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Task No. 090521CBB1733

Date: 6/22/09

STATUS OF MISSING DOCUMENT (S)

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

- 1. Medical Records**
- 2. Service/repair records**
- 3. Photo/analysis of removed piece of drywall**
- 4. Documentation showing name of homebuilder**

Date: 6/22/09 Investigator No: 9001

Regional office: CFIE Supervisor No:

Doc No: 10950250A

Issue: 32

05/08/2009

05/06/2009 14:47:56

Name = [REDACTED]
Address = [REDACTED]
City = Holly Springs
State = North Carolina
Zip = 27540

Email = [REDACTED]
Telephone = [REDACTED]

Name = [REDACTED]
Victim's City = Holly Springs
Victim's State = North Carolina
Victim's Zip = 27540
Victim's Telephone = [REDACTED]

Incident Description = Our house has chinese drywall, we have filed a suit against Stafford Customs Homes, the builder

Victim's age at time of incident = 37
Victim's sex = male
Date of incident = present
Product involved = chinese drywall
Product brand name/manufacture =
Manufacturer street address =
Place where manufactured (City and State or Country) = 2004
Product model and serial number, manufacture date =
Product damaged, repaired or modified =
If yes, before or after the incident =
Description of damage, repair or modification =
Date product purchased = 2003
Product involved still available = yes
Have you contacted the manufacturer = no
If not, do you plan to contact them = yes
Name Release = Release name to the manufacturer and 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 homeowners on 3-02-2009.

Complainant/Wife – 31 year old female, 60 inches tall, 100 pounds.

Complainant/Husband – 29 year old male, 73 inches tall, 165 pounds.

This incident occurred at the home of the victims from August 2006 and is ongoing as of the date of this onsite inspection on 3-02-2009 in Sebring, FL. According to the home owners, the home was a 1650 square foot, 3 bedroom, 2 bathrooms 2005-2006 built CBS(Concrete Block & Stucco) constructed ranch style home with a two car garage. The home was built by the homeowners and they have been the only occupants. Photographs of the home, contract for construction and receipt for the sheetrock construction are included in the exhibits.

The home had R19 insulation installed in the walls and blown R30 insulation in the ceiling. No other additional insulation or sealant systems were applied to the walls or ceilings. The wife indicated that she and her husband were only at the home during the evenings and weekends and her sinus symptoms may be mitigated by the lesser time spent in the home.

In August of 2006 the homeowners moved into their home and have been the only occupants of the home. Soon after the homeowners moved into the home the wife began experiencing sinus problems and noticed that her sinus cavities seem to always be swollen. She did not attribute the cause to her home and thought that it might be due to all the trees around her home, but had not previously had continuous sinus blockage and drainage.

Approximately one year after living in the home the Air Conditioner began freezing up and quit cooling the home. They contacted the installer who came out to the home and installed a new evaporator coil system which was located in a closet in the center of the home. The coils were still under warranty however the homeowner's had to pay approximately \$400 in labor, which was not covered after one year. He could not locate the invoice but would forward it if he was able to locate it.

Approximately 11 months after the first set of evaporator coils had been replaced the homeowners noticed that the system was no longer cooling and was freezing up again. The AC installer came to the home and again replaced the coils which had turned black and were leaking Freon. Both the homeowner and the

technician had no idea what could be causing the AC evaporator coils to be corroding and leaking Freon so quickly. The technician told the homeowners that he had never seen anything like this before and could not explain what was occurring with the system. The homeowners paid another \$400 to have the coil replaced again.

The male homeowner was telling his friends at work that he couldn't believe what was happening to the AC coils. In addition to that, his 2003 Sony Tube type television lost the blue color and had to be replaced. The satellite receiver tuner had been replaced three times. The homes wireless phone had to be replaced. The microwave key pad no longer functions. The refrigerator is now running constantly will probably have to be replaced. A light dimmer in the living room when turned on full, would only activate the lights to a dim yellow and had to be replaced. One of the burners on the stove is no longer functioning properly.

Finally one of his workmates told him about a news article about other people having similar problems due to sulphur in sheet rock being imported from a German company from China.

Four months later, the AC system again began freezing up and leaking Freon. The AC technician again replaced the evaporator coils, however this time the homeowner had researched the Internet for products which could be applied to the coils to reduce corrosion. Photographs of the treated coils and product are included in the exhibits.

The homeowner had taken photographs of the progress of the homes construction and researched his archived photographs. He was able to find photographs which show the name of the German-USA-Chinese exporter of the sheetrock and are included in the exhibits. The names of the German-USA-Chinese Importer and the Chinese manufacturer are included in the Product Information below.

According to the sinus symptoms the homeowner had read about with other similar cases in the newspaper, hers were exactly alike. She stated that their home did not have a Sulphur smell except in the laundry room when the door had been closed for some time.

The homeowners had an environmental consultant examine their home and he had concluded that the problem was due to the sulphur content of the sheetrock and stated that he had examined many other homes suffering from the same problem. The initial consult with the engineer was free but a written report from the consultant would cost an undetermined amount which the homeowners had not purchased. The consultant is documented in the exhibits and contact information.

The homeowners found a news release on the Internet about the problem issued by the German-USA-Chinese Importer which is included in the exhibits.

The homeowner showed this investigator that his speaker wires for his stereo system were corroding even inside the protective plastic coating. The stereo wires had a clear plastic covering and green corrosion was clearly visible through clear plastic coating. An 18 inch piece of wiring from the original roll of wiring was given to this investigator which was photographed and is included in the exhibits. The plastic coating for the copper wiring was removed and photographs of the stranded copper wiring are included in the exhibits.

Photographs of corrosion on copper and chrome in the home of copper wiring, copper tubing and stainless steel products in the home are included in the exhibits.

The male homeowner was not experiencing any physical symptoms from the sheetrock. The homeowners had a State of Florida Environmental Inspector inspect and photograph the home. They did not have a written report from the inspector. The homeowners had a local health department official inspect and photograph the home. They did not have a written report from the inspector. Reports or conclusions were requested from all three but were not received by the time this report was due. An addendum will be added when received. The response by the consultant was emailed to this investigator and is included in the exhibits.

The installer/sub contractor for the sheetrock was contacted. He indicated he would attempt to obtain invoices showing the three firms from whom he had purchased sheetrock at that time and forward to this investigator. That information had not been received at the time this report was due and will be added as an addendum when received. The sheetrock installer information is documented in the exhibits and contact information.

The homeowners indicated their permission to release their name with copies of this report. Please see the form in the exhibits. The only product individually documented below is the sheetrock.

The make and model of each appliance etc. photographed was not documented below but most can be clearly identified from the photographs taken at the home by this investigator which are included in the exhibits. No samples were requested from the compliance officer at this time. The female complainant had not visited her physician because she had no insurance. She indicated her insurance will soon take effect, and that she would forward copies of those reports.

Product Information:

Sheetrock:

Labeling on the complaint's sheetrock: **Knauf-Tianjin, China**

Knauf Insulation GmbH

One Knauf Drive

Shelbyville, IN 46176

TEL: 317-398-4434

FAX: 317-398-3675

www.knaufusa.com

www.knauf.com

Attachments:

- | | |
|-------------|---|
| Exhibit #1 | Contacts |
| Exhibit #2 | Photographs of the home, appliances and sheetrock (3) |
| Exhibit #3 | Contract to build the home |
| Exhibit #4 | Invoice for the sub contract for the installation of the sheetrock |
| Exhibit #5 | Photographs of the speaker wire showing corrosion (4) |
| Exhibit #6 | Press release from the German/USA Importer |
| Exhibit #7 | Release of name form |
| Exhibit #8 | Consultant's business card and news article |
| Exhibit #9 | Email response from the consultant |
| Exhibit #10 | Information from the sheetrock importer's web site |
| Exhibit #11 | Photographs of the home, appliances, A/C etc. (22) |
| Exhibit #12 | Invoice of purchase by the Sheetrock installer from the supplier. |
| Exhibit #13 | E-mail to the investigator from Consultant who inspected the home |
| Exhibit #14 | Letter and media statements sent by the distributor of the sheet rock to the installer. |

Exhibits 12, 13, & 14 added 3/26/09 - DBW

Contacts:

3-02-2009
Mary/Ryan Willis
1448 Casey Ave.
Sebring, FL 33872

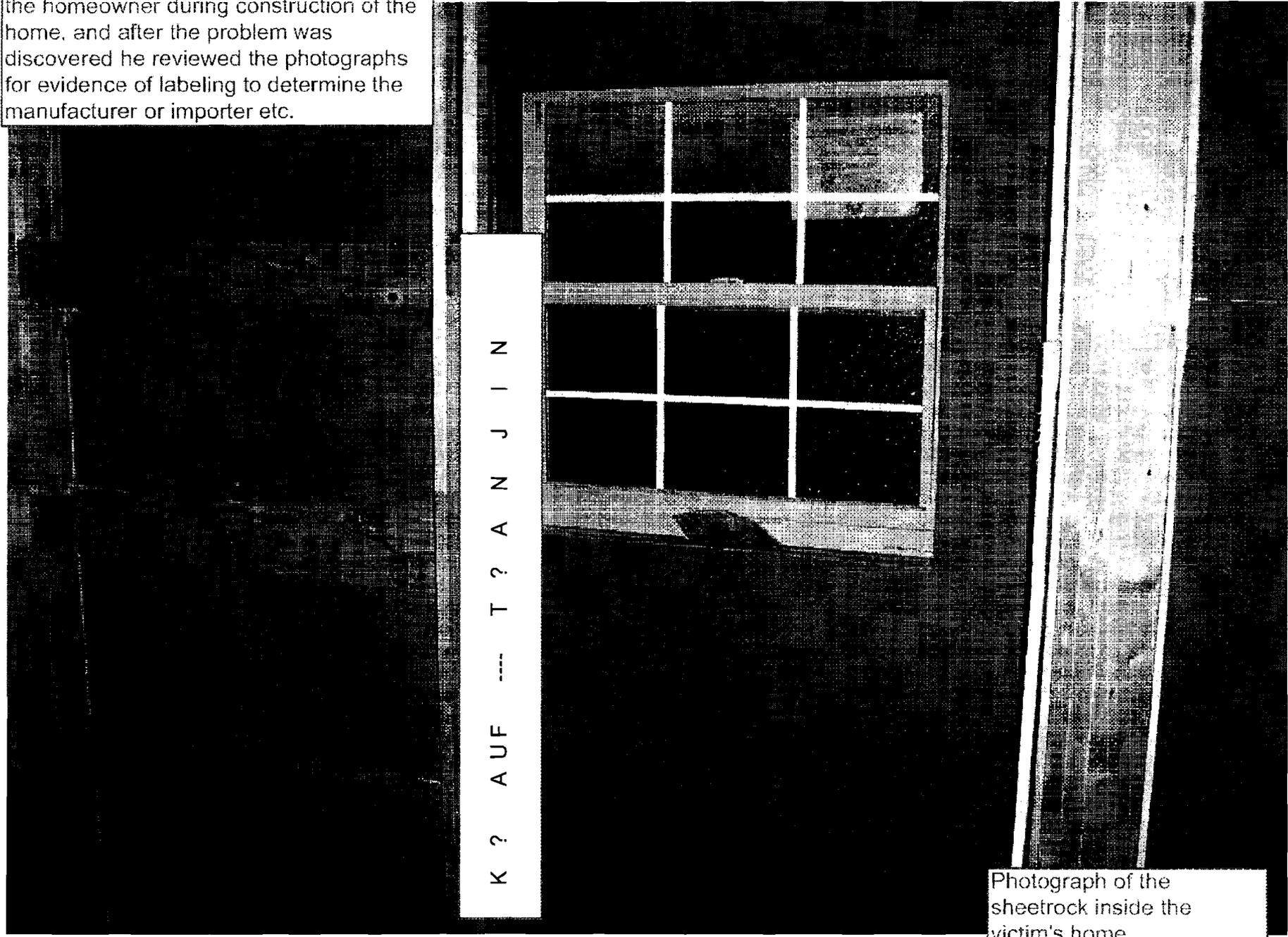
3-03-2009
Foreman & Associates, Inc.
Michael S. Foreman, Principal
2511 Bee Ridge Road
Sarasota, FL 34239
941-955-8111
941-362-4999 fax

3-03-2009
Kinley Fisher
Highlands County Health Department
7205 S. George Blvd.
Sebring, FL. 33875
863-382-7219
863-382-7202 fax

3-03-2009
Tim Wallace
Indoor Air Toxics Program
Division of Environmental Health, Florida Dept. of Health
www.doh.state.fl.us
2585 Merchants Row Boulevard
Tallahassee, FL 32399
Phone: (850) 245-4444 Fax: (850) 487-0864

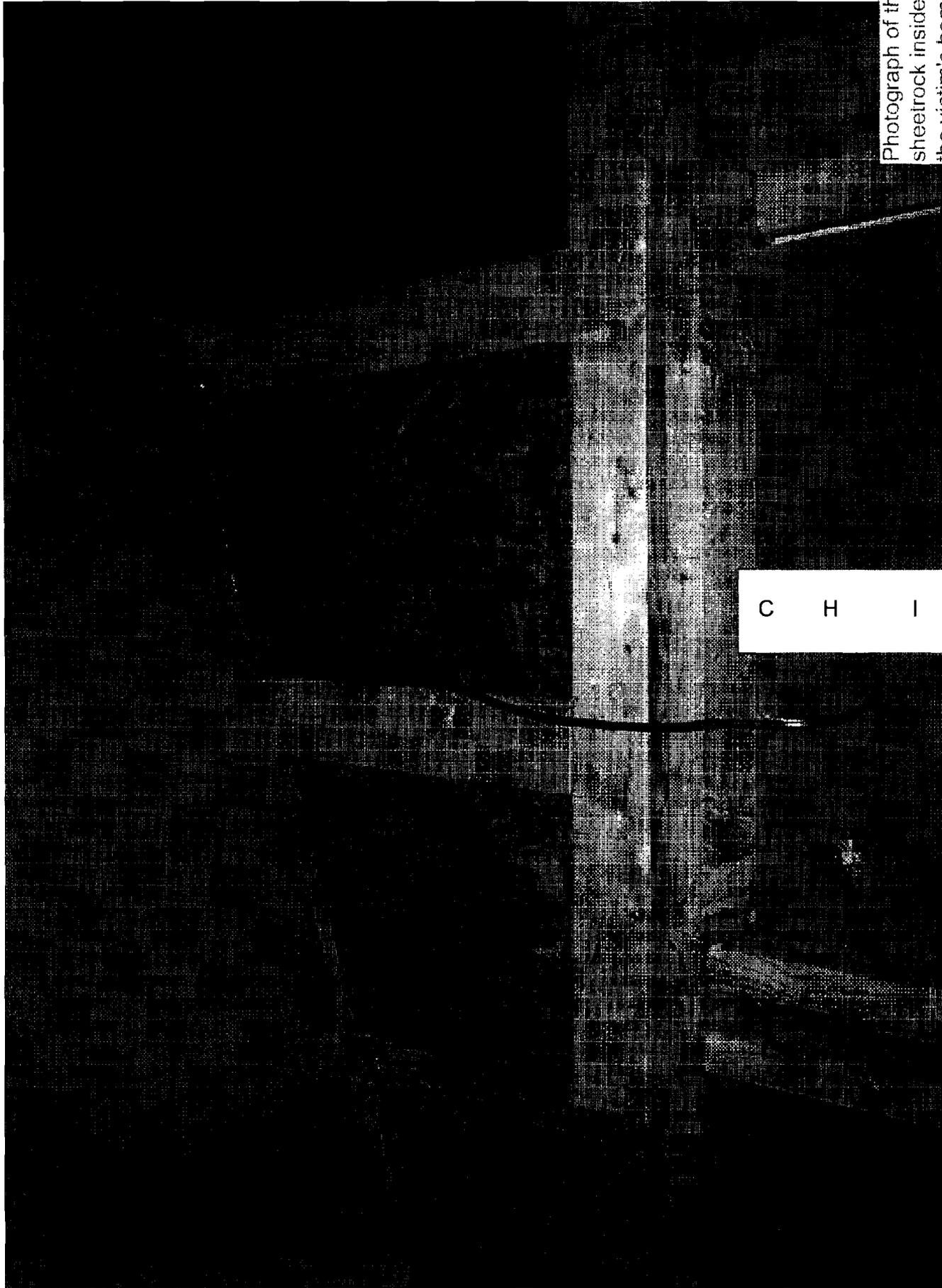
3-04-2009
Ray Horvath Drywall
PO Box 7793
Port St. Lucie, FL 34985
863-314-9131
863-357-3399 fax

The following photographs were taken by the homeowner during construction of the home, and after the problem was discovered he reviewed the photographs for evidence of labeling to determine the manufacturer or importer etc.



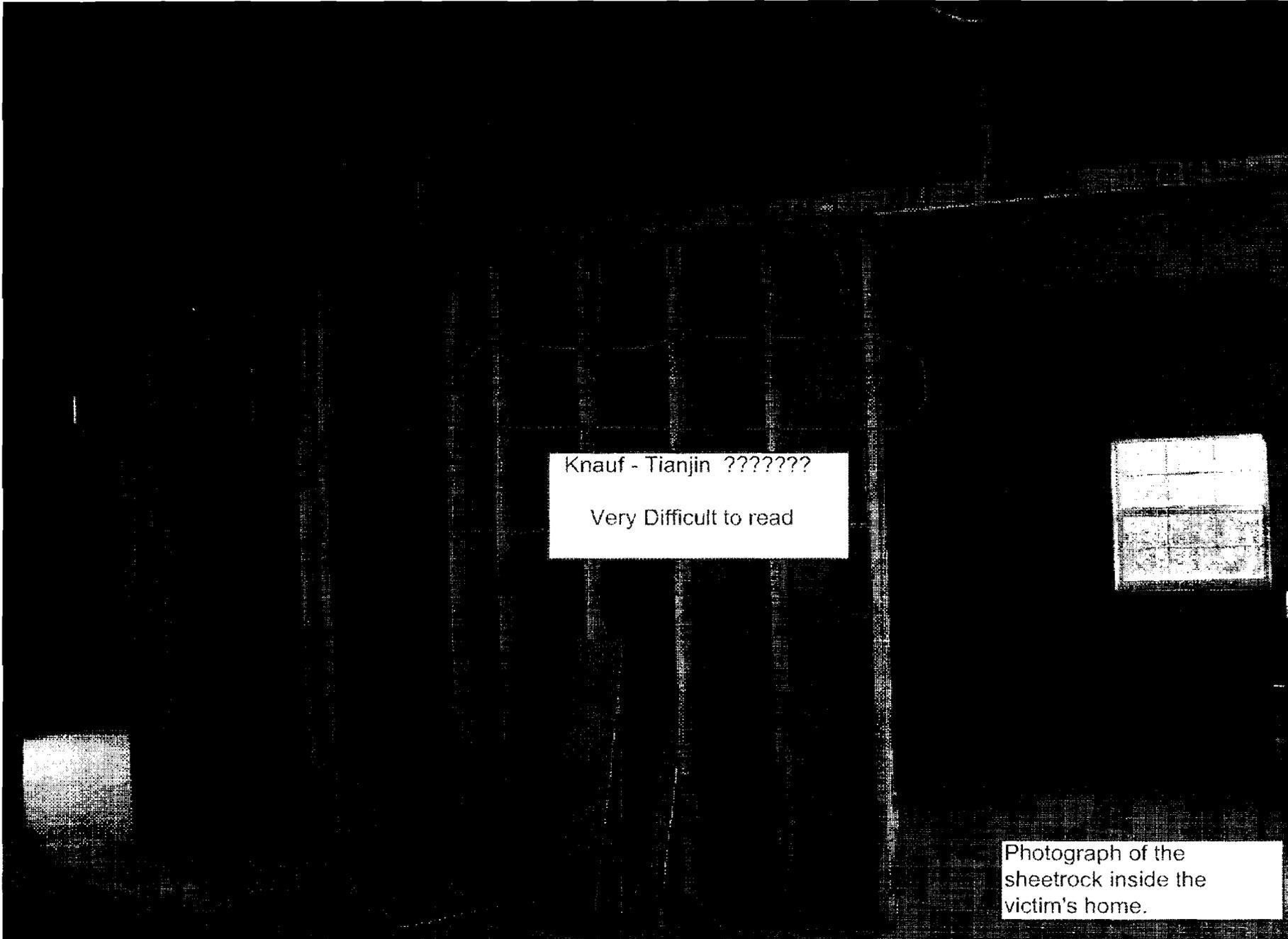
K ? A U F --- T ? A N J I N

Photograph of the sheetrock inside the victim's home.



Photograph of the
sheetrock inside
the victim's home

C
H
I



Knauf - Tianjin ???????

Very Difficult to read

Photograph of the
sheetrock inside the
victim's home.

MELITI CONSTRUCTION L.L.C.

Construction Agreement

This agreement is made this _____ day of _____ 2005 between Meliti Construction L.L.C. herein after called contractor and Ryan and Mary Willis herein after called owner, residing at 4820 Leucadendra Ave. Sun'N Lake Development of Sebring, Florida 33872. Home phone 863-4759 or 407-247-6457.

1. Contractor agrees to furnish materials and labor to build a new ranch house dwelling in accordance with plans and specifications drawn by Earl Hardy and engineered by Kennedy and Lynch and associates, Inc. 103 S. Ridgewood Dr. Sebring, Florida 33780- 863-471-3989, on vacant lot owned by Ryan and Mary Willis. Legal description of property is lot 9, block 72 of Sebring Country Estates, section 3, according to the plat thereof recorded in plat book 9, pg. 6 of the public records of Highlands County, Florida. Survey done by Whitlock Land Surveying Inc. 103 South Ridgewood Drive, Sebring, Florida 33870. 863-471-1900, fax 863-471-2219. Property deminisions are 90' x 100' and street name is Renault Ave. Mininium setbacks are, 25' front and rear and 7.5' at sides. Owners to provide location stakes by surveyors before construction begins. A specifications list is incorporated with this contract specifying owners and contractors work to be done.

2. Contractor agrees the dwelling shall be completed within a time frame from the start of construction to completion with a certificate of occupancy between eight and twelve months unless prevented by conditions beyond reasonable control of contractor, except for work to be done and performed by owner. If contractor is delayed in their work by any act, omission, or neglect by owners, or employees or agents of the owner, or by strikes, lock outs, weather conditions, fire or any other cause beyond the control of the contractor, then the time of completion as set forth in this contract shall be extended for a period of time equal to such delay. Notice to owner consists of (A) property surveys (B) all permits secured for construction (C) owners approval of final plans (D) house placement approved as per plot plan.

3. Owner shall pay or caused to be paid to the contractor for the performance of their part of this contract THE SUM OF \$155,620. ONE HUNDRED FIFTY FIVE THOUSAND, SIX HUNDRED TWENTY DOLLARS. A construction mortgage is to be secured by owners, and construction draws to contractor as outlined in the banks normal draw schedule, to contractors approval. Owners to pay for bank inspection fees. Contractor to carry general liability insurance. All subcontractors to have workers comp. and liability insurance. Subcontractors must have certificates of insurance before commencing their work. Insurance policy must have coverage general aggregate of 1,000,000. Dollars and stated in the policy the name of contractor and home owners are to be held harmless. Owners shall at all times during the progress of the work keep the building in course of construction insured to the full value thereof for loss or damage from fire and other casualty, hazards and contingencies, and shall provide contractors with copy of said policies and said policies shall have a loss payable clause therein providing for payment to contractor as his interest may appear. In any event, responsibility of thief, fire, liability, malicious mischief and vandalism is that of the owner.

This agreement is contingent upon the owners approval of plans and specifications as outlined and noted to contractors and owners parts for the building of this house.

Unless other agreements are made, this contract and specifications shall be signed and witnessed. The monetary sum of contractors and owners parts are listed at number 48 of the specifications and the down payment required.

SPECIFICATIONS AND SCHEDULE OF WORK

The specifications that are outlined below are intended to identify the constuction specifications utilized by the contractor for : Ryan and Mary Willis, to be built at Sebring Country Estates Lot 9 Block 72 Section 3.

1. Clear lot of trees and brush.
2. Have perk test done for septic system, owners to pay for test.
3. Owners to apply for and pay for all building permits. Contractor to help in filling them out.
4. After securing of permits, the excavator will grade, fill and compact to a 95% compaction.
5. House location stakes to be put in by surveyors. Owner to arrange and pay surveyors.
6. Contractor to arrange for soil engineers to test for proper compaction.
7. Masons to form out monolithic slab. Homeowners to have temporary water line to be hooked up. Temporary electric pole to be supplied by owners.
8. Plumbers to install rough plumbing and have inspection approval.
9. Termite treatment to be done after rough plumbing is approved.
10. Footing to be dug and install all required visqueen vapor barrier and reinforcing rods.
11. After inspection approval we will pour concrete monolithic slab and install all necessary dowells for block work and bolts for interior bearing walls or expansion bolts.
12. Block walls to be laid up using 8"x 8"x 16" units. Install all necessary lintel and prestressed beams and install all reinforcing rods.
13. Top block course to be a bond beam block with one 5/8" rod.
14. Pour concrete pump mix into bond beam and block pier areas.
15. Truss roof design engineer by James F. Collins Jr. Florida license # 52212. 1950 Marley Drive, Haines City, Florida 33844 and built by American Truss Company L.L.C.
16. Trusses to be installed by carpenters according to truss layout.
17. Roof sheathing to be 5/8" 4 ply exterior grade plywood according to Florida codes.
18. Roof to be dried in using required felt.
19. Carpenters to frame all interior walls and furring on block walls.

20. Ridged insulation on block walls.
21. Second rough plumbing to be done, tubs set and all water and waste lines installed.
22. Rough electrical work installed.
23. Duct work, air-conditioning and heat to be installed.
24. Exterior windows and door frames to be installed and 1-6'x 6'-8" sliding door in master bedroom and 1 set of French doors.
25. Soffit and fascia to be installed using vinyl soffits and aluminum fascia.
26. Install roof architectural shingles- 30 yr.
27. Exterior stucco to be completed.
28. Insulation blown in ceilings and fiberglass in garage frame walls.
29. Drywall to be installed and first coat of spackling done. Finish drywall spackling to be completed.
30. Tile in master bath and guest bath to be selected by owners, installed and paid by owners.
31. All interior painting to be done by owners.
32. Interior doors and trim to be installed.
33. Kitchen cabinets and vanities to be installed. Owners are responsible for selecting and paying for this phase of work.
34. Exterior painting to be done over stucco.
35. Finish plumbing, fixtures and trim to be completed.
36. Finish electric to be completed. Owners to select and pay for fixtures.
37. Tile and carpet to be selected and paid for by owners, including labor costs for installation.
38. Irrigation system to be done by owners including well for water source.
39. Septic system to be installed.
40. Water to be hooked up to city system, owner to provide location of water line.
41. Culvert drain pipe installed under driveway.
42. Air conditioning system to be completed.
43. Concrete driveway and front walk to be installed- broom finish.
44. Appliances to be furnished by owners.

- 45. Soding to be done by owners.
- 46. Mirrors in bathrooms to be supplied and installed by owners.
- 47. Garage doors to be installed before interior fixtures and appliances are installed. Fixtures and appliances are to be provided by owners.
- 48. To Meliti Construction L.L.C. the sum of \$155,620. Dollars, One hundred fifty five thousand, six hundred twenty dollars, with a down payment of: _____
Ryan Willis and Mary Willis costs estimated at \$23,600. Twenty three thousand six hundred dollars.
- 49. In view of rising costs in the construction industry at this time, we will try and hold the price of this contract, but if prices rise beyond our control the owners will be responsible for increases.
- 50. The owners represent that they hold a good and marketable title in fee simple to the lot described in this contract and that they are able to obtain title insurance.
- 51. The owners hereby grant to contractor, its agents, servants, employers and suppliers and subcontractors, the right to enter upon the owners premises to perform the work.
- 52. If there are any changes in any plans or specifications they will be made only on written order of owners and if we can agree as to feasibility of the same end price, we may enter in on an attached contract .
- 53. The contractor agrees to correct any construction flaws which are reasonable in nature and which are noted on one final but all inclusive list submitted by owner at the time construction work is completed. Subject to full compliance with all covenants hereon to be kept and performed by owner, contractor hereby agrees that those standard warranties which contractor receives from its suppliers and subcontractors shall apply to owner for a period of One (1) Year after installation, except as applies to extended warranties by subcontractors installation of equipment.
- 54.. Owners are responsible for warranties for their part of construction items they are doing according to this contract.
- 55. Upon a C.O. certificate of occupancy from Highlands County, a full and final payment will be made to contractor. If for some reason owners fail to complete their part of the contract work To be done by them, no final payment will be held up to contractor.

SIGNED AND WITNESS:

| | |
|-------------------|-------------------|
| Contractors: | Owners: |
| _____ Date: _____ | _____ Date: _____ |
| _____ Date: _____ | _____ Date: _____ |

Witness: _____ Date: _____

APPENDIX RYAN AND MARY WILLIS

MELITI CONSTRUCTION LLC
2154 N. ROCKBURY DR.
AVON PARK, FL. 33825
823-452-5158

\$12,164.30 WILLIS

ESTIMATED COSTS TO OWNERS FOR WORK TO BE DONE BY THEM.

- | | | |
|--|------------------|-------------------------|
| 1. BUILDING PERMIT FEES | PAID '110. | 1500. |
| 2. SEPTIC PERMIT FEES | PAID ACTUAL COST | 305. |
| 3. SURVEYS | " | 1200. |
| 4. ENGINEERS | " | PAID ACTUAL COST 271.08 |
| 5. ELECTRICAL FIXTURES, FANS ETC. | | 1000. |
| 6. TILE; CARPET; BATH TILE | | 4812. |
| 7. KITCHEN CABINETS & VANITIES | | 10,000. |
| 8. IRRIGATION SYSTEM INCLUDING WELLY PUMP MATERIALS ONLY | | 1500. |
| 9. SOODING | MATERIALS ONLY | 1500. |
| 10. MIRRORS IN BATH ROOMS | | 200. |
| 11. PAINTING ALL INTERIOR | MATERIALS ONLY | 1000. |
| ADD - 12. EXTERIOR PAINTING \$1200. | | 1200. |
| | | <u>23,288.08</u> |

NOT INCLUDED IN CONTRACT

~~1200.~~
11,488.08

1. ALL APPLIANCES TO BE SUPPLIED BY OWNERS
2. PLANS AND SPECS. PAID \$42.

RENTAL OF GENERATORS

EXTRA 3. ELECTRIC POLE TO PROPERTY AND TEMPORARY WATER TAP. EXTRA

IF MELITI CONSTRUCTION LLC DOES ~~THE~~ ^{ALL} WORK AND MATERIALS THAT OWNERS ARE GOING TO ~~BE~~ ^{ADD} \$15,000. TO TOTAL COST. ITEMS 1-11 ABOVE

APPENDIX OWNERS TO APPLY FOR ELECTRIC POLE TO BE INSTALLED TO THEIR PROPERTY AND PAY FOR SAME. AND TEMPORARY ELECTRIC POLE ON PROPERTY FOR SUBCONTRACTORS USE

RYAN AND MARY WILLIS

MELITI CONSTRUCTION LLC

| | | |
|----------|---|---|
| REF: | RYAN AND MARY WILLIS | } MONEY PAID BY MELITI CONSTR FOR WILLIS'S PART OF CONTRACT. |
| 9/27/05 | WHITLOCK SURVEYORS | |
| | FOR CORRECTED PLAN SHEETS COPIES. | \$42.- |
| 10/28/05 | HIGHLANDS COUNTY BOARD OF COMMISSIONERS FOR DRIVEWAY PERMIT | \$110.- |
| 10/12/05 | STATE OF FLORIDA - DEPT. OF HEALTH ON SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM - CONSTRUCTION PERMIT | \$305.- |
| 12/6/05 | KENNEDY, LYNCH ENGINEERS PLANS & TRUSS APPROVAL STAMP | \$271.05 |
| 1/20/06 | HIGHLANDS COUNTY BUILDING DEPT. PLANS REVIEW | \$112.95 |
| 1/30/06 | WHITLOCK SURVEYORS 3 SETS OF PLANS COPIES | \$54.- |
| 2/27/06 | WHITLOCK SURVEYORS STAKE OUT FOR HOUSE LOCATION | \$150.- |
| 2/6/06 | HIGHLANDS COUNTY BUILDING DEPT. PERMIT | \$598.90 |
| 3/6/06 | WILLIS ADDED RETURNS AT FRONT CABLES (4) PLACES | |
| 10/20/06 | CARPENTERS ADDED COSTS LABOR & MATERIALS | 560.- |
| | ROOFERS ADDED COSTS LABOR & MATERIALS | 260.- |
| | SOFFIT & FACIAS ADDED COSTS LABOR & MATERIALS | 200.- |
| | BECAUSE OWNERS DID NOT SUPPLY TEMPORARY ELECTRIC TO JOB SITE CARPENTERS HAD TO RENT GENERATORS TO DO THE WORK | 200.- |
| | ROOFERS RENTAL OF GENERATORS | 200.- |
| | PAID OUT TO DATE | \$3063.93 |
| | FOR WILLIS'S PART | |

| | |
|---|-------|
| 1. CLEAR LOT | 200. |
| 2. FILL & GRADE | 300. |
| 3. CONCRETE LABOR | 565. |
| 4. MATERIALS FOR MASONRY | 450. |
| 5. TRUSS'S AM. TRUSS CO. (STATE WIND LOADS) | 300. |
| 6. CARPENTER LABOR | 500. |
| 7. WINDOWS & DOORS | 600. |
| 8. TRIM LABOR | 200. |
| 9. PLUMBING PLUMBING | 500. |
| 10. ELECTRICAL | 1450. |
| 11. AIR CONDITIONING & HEAT | 650. |
| 12. STUCCO | 500. |

13. OVERHEAD (GAS 1% of job INSURANCE ETC) = 1556.
 (BUILDERS RISK POLICY \$600.) = 7,771.

| | | |
|---------------|---------------|--------------|
| 155,620 | 155,620 | 5,771 |
| 5,771 | 7,771 | 1 |
| <hr/> 161,391 | <hr/> 163,391 | <hr/> 5,800. |

INCREASE AGREED UPON

Proposal

Page No. _____ of _____ Pages

RAY HORVATH DRYWALL

P.O. Box 7793
 PT. ST. LUCIE, FL 34985
 1-800-749-3379
 863-314 9131

WILCOB JOB

| | | | |
|--|---------------|--------------------------------|-----------|
| PROPOSAL SUBMITTED TO <i>meliti's Const</i> | | PHONE | DATE |
| STREET <i>2154 N Roxbury</i> | | JOB NAME <i>151 Casey</i> | |
| CITY, STATE AND ZIP CODE <i>AVON PARK 33825</i> | | JOB LOCATION <i>Sebring</i> | |
| ARCHITECT <i>FX 863452 2955</i> | DATE OF PLANS | <i>863443 1320</i> | JOB PHONE |

We hereby submit specifications and estimates for:

*Heavy Finish Textured
 labor + material
 Ready FOR PAINT # 6644*

SMOOTH WALLS & EXTERIOR CEILING'S

*R. Horvath 1207
 2/21/06*

*CELL #
 314-9131*

We propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

dollars (\$ _____).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

Authorized Signature *[Signature]*
 Note: This proposal may be withdrawn by us if not accepted within 60 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____
 Signature _____

Date of Acceptance: _____



Photograph of green tinged corrosion inside the speaker wires, visible through the clear plastic.

Not Responsive

GAUGE 12/2
TYPE Speaker
LENGTH 250 FT
PART # 0180

Not Responsive

E 123635

UL LISTED

UNDERWRITER'S LABORATORIES

PROCESSED WIRE
RESPOOLED

NO. NE-711595

WARNING: This product contains chemicals, including lead, known to the State of California to cause [cancer, and] birth defects or other reproductive harm. *Wash hands after handling.*

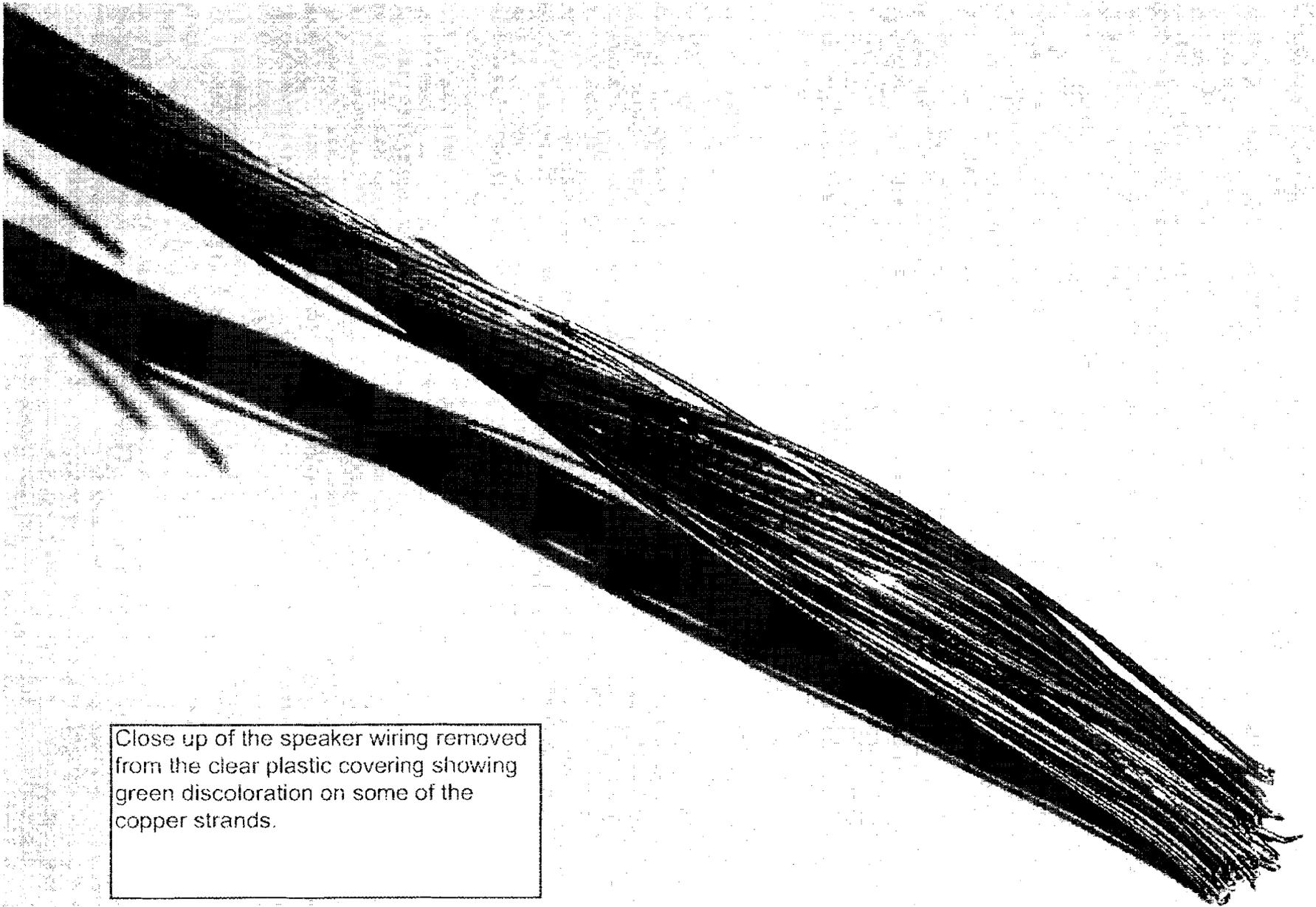
ADVERTENCIA: Este producto contiene quimicos, incluyendo plomo, que segun conocimientos del Estado de California causan [cancer,] defectos al nacer u otros danos reproductivos. *Lave sus manos despues de utilizar.*

Photograph of the labeling for the speaker wiring.

Wiring purchased/installed in 2006.



Close up of the speaker
wiring



Close up of the speaker wiring removed from the clear plastic covering showing green discoloration on some of the copper strands.

Media Statement
Knauf Plasterboard (Tianjin) Co., Ltd.
January 15, 2009

Knauf Plasterboard (Tianjin) Co., Ltd. has manufactured plasterboard for more than nine years in Tianjin, China. Along with many other Asian manufacturers, Knauf Tianjin primarily distributes its products to the Asia-Pacific region for use in residential and commercial construction, comparable to the use of plasterboard in the United States.

Because of a shortage of construction materials from a booming housing market and massive damage in the U.S. in 2005 by Hurricanes Katrina and Wilma, U.S. builders began importing significant stocks of plasterboard. Knauf Tianjin sold plasterboard to a third-party that imported the plasterboard into Florida in 2006. Knauf Tianjin was one of several Chinese plasterboard manufacturers whose plasterboard ended up in Florida.

Isolated complaints arose in southern Florida in late 2006 that there was an odor to the plasterboard. The plasterboard was manufactured with naturally mined gypsum rock. The company disclosed to the importer that there may be a slight odor, which depends on the natural ingredients of the rock. With the exception of Florida, no complaint had ever been raised and no product had been rejected because of the scent.

Individual builders also asked whether there were any health concerns. The company took the complaints very seriously and retained experts to test the residences at issue and the plasterboard. There were no health concerns related to the odor or any emissions in the residences.

The company received an additional complaint in July 2008 that certain unsourced plasterboard in some residences caused copper coils in HVAC units or other copper surfaces to blacken. Over the course of the several years that Knauf Tianjin has been manufacturing, it has never been aware of or heard of such a problem with its plasterboard.

The company is conducting a thorough investigation and cooperating with builders that have contacted it. Studies and testing by nationally recognized experts are ongoing. The testing has confirmed that copper has blackened and may be caused by low levels of naturally occurring sulfur gases. The low levels of gases do not present a health risk to persons within the residences.

Knauf Tianjin is assessing remedial options to correct conditions that are identified with respect to its plasterboard, with the least intrusion for homeowners. The company remains committed to the health and safety of the ultimate consumers of its products in the construction industry.

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.

Please see next form.
(Signature)

(Date)

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.

Mary White 3/2/09
Signature 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.

FA
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Construction Consultant Agrees: Chinese Drywall Defective

Date Published: Tuesday, January 27th, 2009

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Complaints from homeowners over **defective Chinese Drywall** continue and now a class-action suit has been filed in Sarasota County in Florida, the Bradenton Herald has reported, noting that complaints registered with the Florida Health Department have grown from 30 to 54 and include homes from all over the state.

Hundreds of homeowners have been plagued by odious smells and ongoing wiring, pipe, and air conditioning problems due to defective Chinese Drywall. Worse, consumers are complaining about health problems that seem to lift when they are away from the toxic Chinese Drywall. Health concerns include an array of respiratory problems, nosebleeds, irritated eyes, and headaches. Of very serious concern, is the possibility that the Chinese Drywall is emitting excessive amounts of hydrogen sulfide fumes, which can cause extreme irritation, unconsciousness, and even death.

Knauf Plasterboard Tianjin Co. Ltd. of China is a manufacturer implicated in this fiasco. Knauf maintains that its defective Chinese Drywall is safe and homeowner damage must be from some other source. But, now, the Bradenton Herald has reported that Michael Foreman, a construction consultant for Sarasota's Foreman & Associates, Inc., said the Knauf plasterboard is defective. Foreman also said that a sample he reviewed was found to contain a marking for an outdated standard: "ASTM C36." The American Society for Testing and Materials (ASTM) is an international standards organization that develops standards for products and materials, said the Bradenton Herald, which explained that the C36 standard was replaced over four years ago with "ASTM C1396." The Bradenton Herald also noted a piece of very interesting information: The C36 drywall was produced in March 2006, two years after that standard was changed.

It seems the problem started because of a shortage of U.S.-made drywall. Builders began using imports from China that likely were kept at sea for months pending approval to enter the U.S. Some believe the continuous humidity is, in part, responsible for the fumes. One official with a large building supply company recently told a Florida newspaper that more than 10-million square feet of the

Chinese drywall was imported to southwest Florida during Florida's construction boom of 2004-2005.

Meanwhile, Foreman told the Bradenton Herald that not all Chinese Drywall is problematic, "There are several manufacturers of the Chinese drywall. Not all are bad." Foreman also found that some American drywall may pose problems because some parts were manufactured in China. Also, the Bradenton Herald reported that the Gypsum Association confirmed that China imported about 300 million square feet of gypsum board into the U.S. from 2006-2007; during that period, nearly 68 billion square feet was used in this country and about 65 billion square feet produced domestically. Foreman that while not all imported drywall from this period was made by Knauf, a significant amount was. "In my opinion, there are few, if any builders, that won't be affected by this," Foreman told the Bradenton Herald.

Problems with the defective Chinese Drywall have been reported in homes developed by Lennar Homes and Taylor Morrison. The class-action lawsuit has been filed against one of the builders, Taylor Morrison, for monetary damages for "severe structural damage to the homes, electrical wiring, plumbing, metal components, and personal property," reported the Bradenton Herald.

This entry was posted on Tuesday, January 27th, 2009 at 12:29 pm and is filed under **Defective Products, Health Concerns, Legal News, Toxic Substances.**

Dunlap, Glenn

From: construction-guru@comcast.net
Sent: Wednesday, March 04, 2009 9:28 AM
To: Dunlap, Glenn
Subject: FOREMAN UPDATE 3/4/2009 ... DEFECTIVE DRYWALL

MR. DUNLAP, GENTLEMEN, AND LADIES,

MY FIRM RECEIVED YOUR LETTER DATED MARCH 3RD , 2009

**TO AVOID FUTURE MIS-STATEMENTS OR PARTIAL STATEMENTS...
MY FIRM HAS DECIDED TO COMMUNICATE WITH NEWS, PRESS, AND GOVERNMENT ...
BY E-MAIL ...**

**MY FIRM STRONGLY SUGGEST THE GOVERNMENT READ THE NEWSPAPERS, AND
NUMEROUS ARTICLES, AND FACTS BY CONSULTANTS, LAWYERS, EXPERTS,
REPORTERS, DEVELOPERS, CONTRACTORS, MANUFACTURERS, AND ACTUAL
HOMEOWNERS ...**

**WITH THE CLEAR KNOWLEDGE, UNDERSTANDING, AND VISUAL CONFIRMATION OF
DAMAGE ASSOCIATED WITH THE DEFECTIVE DRYWALL OUT-GASING PROBLEM
CURRENTLY KNOWN TO-DATE, BEFORE ANY CONCLUSIONS OR OPINIONS ARE FORMED ...**

**HOPE YOU ARE NOT OFFENDED,
NOR TAKE OUR APPROACH PERSONAL ...**

**AS YOU ARE AWARE ...
MY FIRM HAS BEEN INVESTIGATING ...
"DEFECTIVE DRYWALL" FOR NUMEROUS MONTHS ...**

**PLEASE NOTE THE TERM "DEFECTIVE DRYWALL" ...
NOT "DEFECTIVE CHINESE DRYWALL" ...**

**AS PREVIOUSLY STATED AND QUOTED BY ...
FOREMAN AND ASSOCIATES, INC.
"CONSTRUCTION CONSULTANTS"**

**"NOT ALL CHINESE DRYWALL IS DEFECTIVE AND
NOT ALL DEFECTIVE DRYWALL IS CHINESE"**

**OUR ANALYSIS OF NUMEROUS HOMES TO-DATE REVEALS
THE FOLLOWING FACTS ...**

- 1) TWO SPECIFIC TYPES OF "KNAUF GYPSUM BOARD"
MANUFACTURED FROM TWO DIFFERENT FACILITIES
WITH TWO DISTINCTIVELY DIFFERENT "KNAUF LABELS"
TO-DATE HAVE BEEN FOUND INSTALLED IN HOUSES
IN THE SARASOTA / MANATEE COUNTY AREAS**
- 2) MY FIRM HAS IDENTIFIED FOUR CHINESE TYPE
DRYWALL SOURCES ...**
- 3) THREE (3) OF THE FOUR (4) TO-DATE ... INSTALLED ... SHOW
VISUAL SIGNS OR AFFECTED COMPONENTS ASSOCIATED
WITH THEIR INSTALLATION IN HOUSES / RESIDENCES ...**

- 4) ONE (1) OF THE FOUR (4) HAS NOT SHOWN ANY SIGNS OR AFFECTED COMPONENTS ASSOCIATED WITH INSTALLATION TO-DATE ...
- 5) "ALL" DEFECTIVE DRYWALL FOUND INSTALLED TO-DATE IS A TYPICAL 1/2 INCH TYPE MATERIAL
- 6) NO 5/8 INCH TYPE GYPSUM BOARD MATERIAL, TYPICALLY FIRE-RATED FOR CEILINGS AND TENANT SEPARATION WALLS HAS BEEN DISCOVERED BY MY FIRM TO-DATE, MANUFACTURED BY ANY "CHINESE" COMPANY, INSTALLED WITH-IN ANY HOUSE EXPERIENCING TYPICAL SIGNS ASSOCIATED WITH COMPONENT FAILURES ...
- 7) HOUSE WITH MULTIPLE 1/2 INCH TYPE GYPSUM BOARD MANUFACTURERS HAS BEEN DISCOVERED
- 8) "MADE IN USA" ... STAMPED / LABELED ... 1/2 INCH TYPE GYPSUM BOARD PRODUCT, HAS BEEN DISCOVERED INSTALLED WITH-IN A CONFIRMED, DEFECTIVE DRYWALL AFFECTED / INFECTED HOUSE
- 9) NUMEROUS GROUPS HAVE DOCUMENTED QUANTITIES OF POTENTIALLY DEFECTIVE DRYWALL SHIPPED TO FLORIDA AND THE UNITED STATES IN GENERAL ...
- 10) NUMEROUS ... CONFIRMED DEFECTIVE ... "KNAUF BRAND" ... GYPSUM BOARD MANUFACTURING DATES ... STAMPED ON THE MATERIAL ... HAVE BEEN DISCOVERED, CONFIRMING MULTIPLE SHIPMENTS, OR DEFECTIVE BATCHES ...
- 11) TYPICALLY TWO (2) BATCHES OR QUANTITIES OF DEFECTIVE MATERIAL WOULD REPRESENT ENOUGH MATERIAL / BOARDS TO POTENTIALLY BUILD ... 3,000 - 7,000 OR MORE ... RESIDENCES ... PLEASE NOTE THE TERM RESIDENCES, NOT HOUSES ... MY FIRM HAS CONFIRMED, DEFECTIVE MATERIAL INSTALLED WITH-IN MULTI-LEVEL / MULTI-FAMILY HOUSING ... COMMONLY CALLED CONDOMINIUMS OR APARTMENTS ...
- 12) SIMPLY PUT ... MY FIRM QUESTIONS ... THE NUMBERS AND QUANTITIES OF DEFECTIVE DRYWALL MATERIAL ... LENNAR, TAYLOR / MORRISON, WCI, AND OTHER DEVELOPER / BUILDERS HAVE ADMITTED KNOWLEDGE OF SPECIFIC DEFECTIVE DRYWALL MATERIAL INSTALLATIONS TO-DATE ... THESE BUILDERS AND OTHERS ARE AWARE OR SHOULD BE, OF THE EXTENT AND NUMBER OF RESIDENCES AFFECTED OR POTENTIALLY AFFECTED, AND NUMEROUS SPECIFIC SUB-DIVISION LOCATIONS ...
- 13) FACTS ARE FACTS ... BASED ON QUANTITIES OF DOCUMENTED DEFECTIVE MATERIAL ... RESIDENCES DISCOVERED OR REVEALED TO-DATE ... FAIL TO ACCOUNT FOR THE FULL EXTENT OF DEFECTIVE MATERIAL AND POTENTIALLY AFFECTED RESIDENCES ...
- 14) THIRD (3RD) TYPE CONFIRMED DEFECTIVE DRYWALL, MANUFACTURED BY TAISHAN GYPSUM CO. LTD., WITH FEW OR NO OTHER LABELING / MARKING OTHER THAN "4FOOT X 12 FOOT X 1/2 INCH" ... TYPICAL BOARD SIZE ...

- 15) QUANTITY OF "TAISHAN" GYPSUM BOARD ... WHEN ADDED TO KNOW QUANTITIES TO-DATE OF "KNAUF" GYPSUM BOARD ... CAN EASILY EXCEED 20,000 RESIDENCES ...
- 16) MY FIRM, AS OTHERS, INVESTIGATING DEFECTIVE DRYWALL, ESTIMATE WHEN "ALL" FACTS, QUANTITIES, STATES, DEVELOPMENTS, PORTS OF ENTRY, BORDERS OF ENTRY, AND YEARS COVERED ... EXPECT THE POTENTIALLY AFFECTED HOUSES OR RESIDENCES TO BE CLOSER TO 200,000 ... RATHER THAN THE CURRENT COUPLE OF HUNDRED DISCUSSED / DISCLOSED TO-DATE ...
- 17) MY FIRM HAS CONFIRMED, SMALL BUILDERS ARE NOT IMMUNE, AND AS PREVIOUSLY STATED AND DOCUMENTED, "FEW ... IF ANY BUILDERS ... WILL NOT BE AFFECTED" WHEN THE FULL EXTENT OF THE PROBLEM IS KNOWN.
- 18) PLEASE UNDERSTAND MY FIRM IS NOT A LAW FIRM OR TESTING LABORATORY ... OUR CURRENT KNOWLEDGE OF FACTS AND VISUAL CONFIRMATION OF ACTUAL KNOWN DAMAGE ... CAUSED BY THE DEFECTIVE DRYWALL OFF-GASING PROCESS, CAN NOT BE DISMISSED IN OUR OPINION AS "NOT POSING A HEALTH RISK" AS DOCUMENTED AND STATED NUMEROUS TIMES BY THE DEVELOPERS, CONTRACTORS, AND MANUFACTURERS ... WHAT ARE THESE VAPORS / OUT-GASING EFFECTS ON HUMANS AND WHAT SPECIFIC STUDIES / EXPOSURE LEVELS / SPECIFIC MATERIALS REFERENCED WHEN CONFIRMING STATEMENTS AND CONFIRMING ... "SPECIFIC OUT-GASING" WITH-IN SPECIFIC AFFECTED RESIDENCES ???

PLEASE NOTE AS PREVIOUSLY DISCUSSED AND DOCUMENTED ...

MY FIRM CONTINUES TO PROVIDE "FREE" ANALYSIS OF RESIDENCES FOR EXISTING HOMEOWNERS, OF PROPERTIES BUILT BETWEEN 2004 - 2007 ...

AS I'M SURE YOU ARE AWARE, MY FIRM WILL REQUIRE SPECIFIC HOMEOWNER APPROVAL BEFORE REVEALING SPECIFIC NAMES AND ADDRESSES OF CLIENTS ...

WITH THAT SAID, OUR LOCAL HEALTH DEPARTMENTS AND STATE AGENCIES HAVE BEEN NOTIFIED BY NUMEROUS HOMEOWNERS / CLIENTS ...

MY FIRM WILL BE MORE THAN HAPPY TO ACCOMPANY YOU DURING ACTUAL SITE VISITS, REVIEWS, RESIDENCE INSPECTIONS, OR ANALYSIS CONFIRMING OUR FINDINGS TO-DATE.

THANK YOU FOR ALLOWING MY FIRM TO SHARE OUR OPINION AND KNOWLEDGE ...

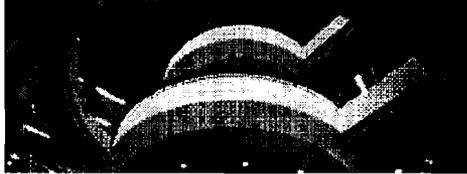
PLEASE E-MAIL ANY FURTHER QUESTIONS OR FUTURE QUESTIONS ...

I HOPE THIS INFORMATION AND OPINIONS HELP ...

Michael S. Foreman
Principal

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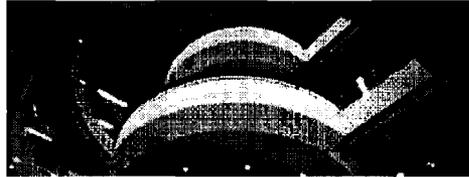
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China

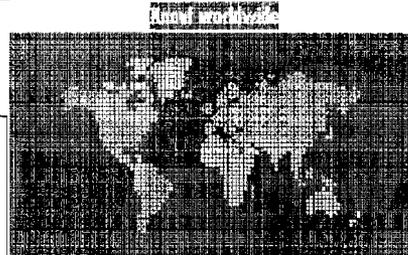
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 Fax: +86 22 26972656
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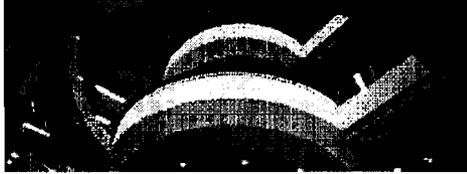
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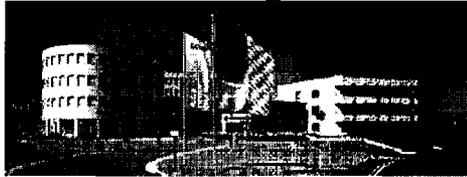
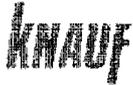
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Legal notes

Knauf Gips KG is a limited commercial partnership under German law with its main place of business in Iphofen.

Managing partners:
Baldwin Knauf and Nikolaus Knauf

CEO:
Klaus Koch

Post address:
 Knauf Gips KG, Am Bahnhof 7, D-97346 Iphofen
 Telephone: +49 (9323) 31-0
 Fax: +49 (9323) 31-277
 E-Mail: Gesellschaft@knauf.de

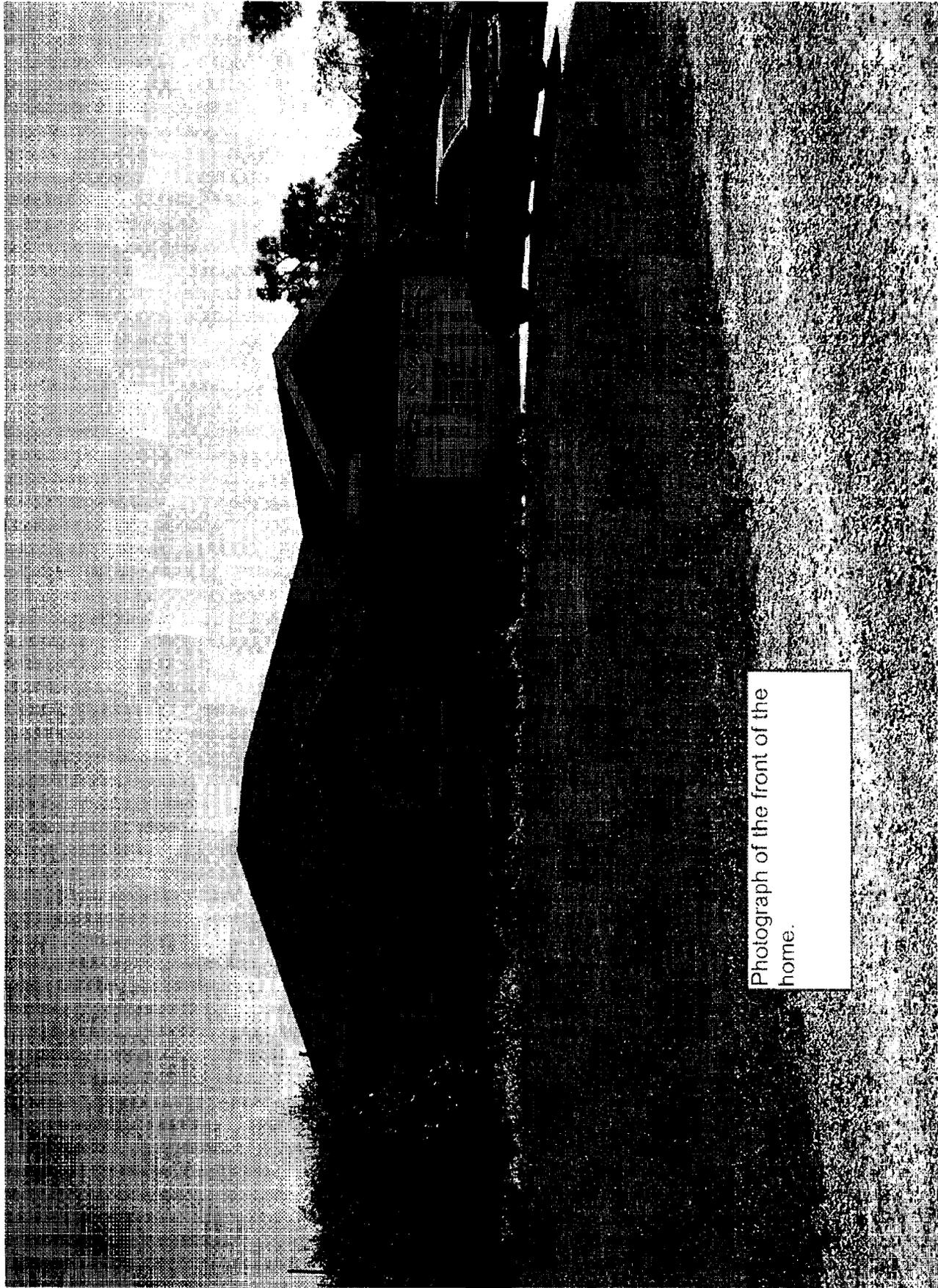
Contact:
 Mr.
 Mario Vicedom
 Marketing-Service - New Media
 Telefon: +49 (9323) 31-1004
 Fax: +49 (9323) 31-1092
 E-Mail: Marketing-Service@knauf.de

Implementation:
Knauf Information Services GmbH, Am Bahnhof 7, D-97346 Iphofen

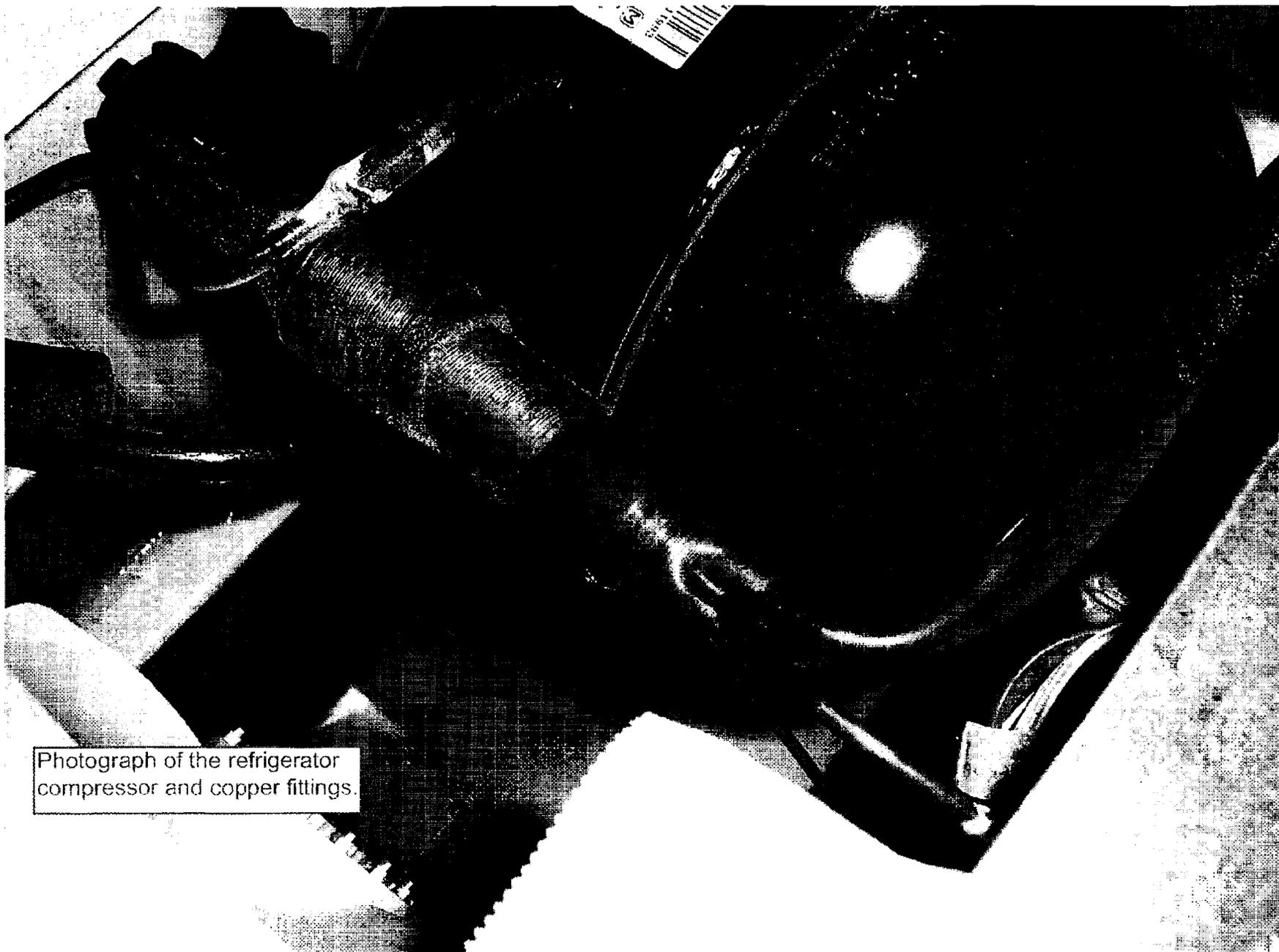
Hyperlinks:
As per the ruling of May 12, 1998, the Regional Court of Hamburg decreed that by publishing a link the provider may under certain circumstances be held responsible for the contents of the linked site. According to the Regional Court this can only be prevented by explicitly disassociating oneself from those contents.

We have created links to other web pages. As far as these links are concerned: We wish to emphasise explicitly that we have no influence whatsoever on the design and the contents of the linked pages. The web site operator therefore hereby explicitly disassociates itself from the entire contents of all linked pages and in no way adopts them. This applies to all links on the entire Knauf website.

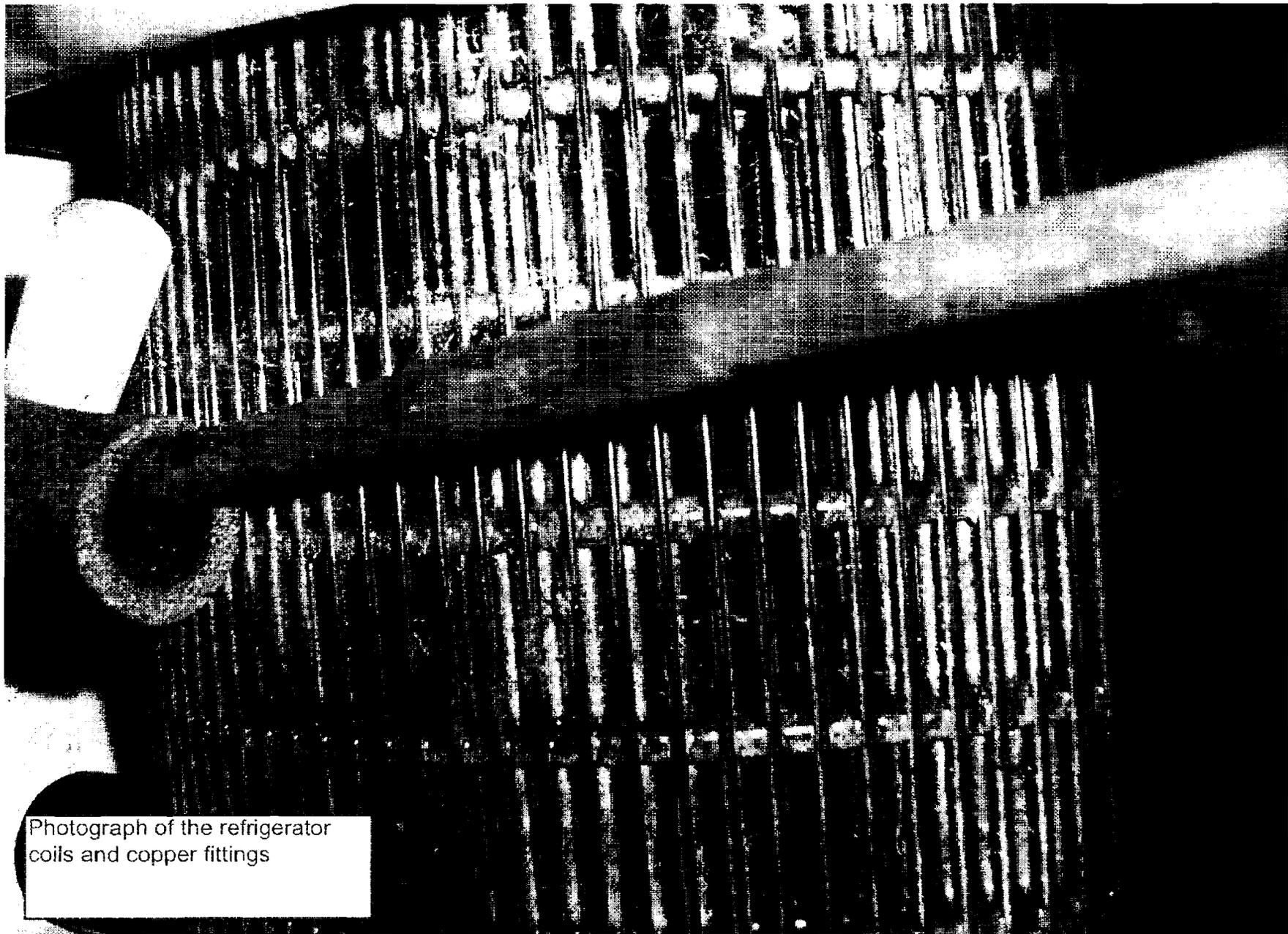
On no account does the owner of the website accept liability towards you or third parties for any direct, indirect, special or other consequential damage which may arise owing to the use of this website or any website linked therewith. Any kind of liability for loss of profit, plant interruption, the loss of programs or other data in your information systems is also excluded. This also applies if our attention is explicitly drawn to the possibility of such damage



Photograph of the front of the home.



Photograph of the refrigerator compressor and copper fittings.



Photograph of the refrigerator coils and copper fittings

Not Responsive

PHOTOGRAPHIC COPY

Photograph of the bar code on the
back of the refrigerator

Not Responsive

Not Responsive

Not
Responsive

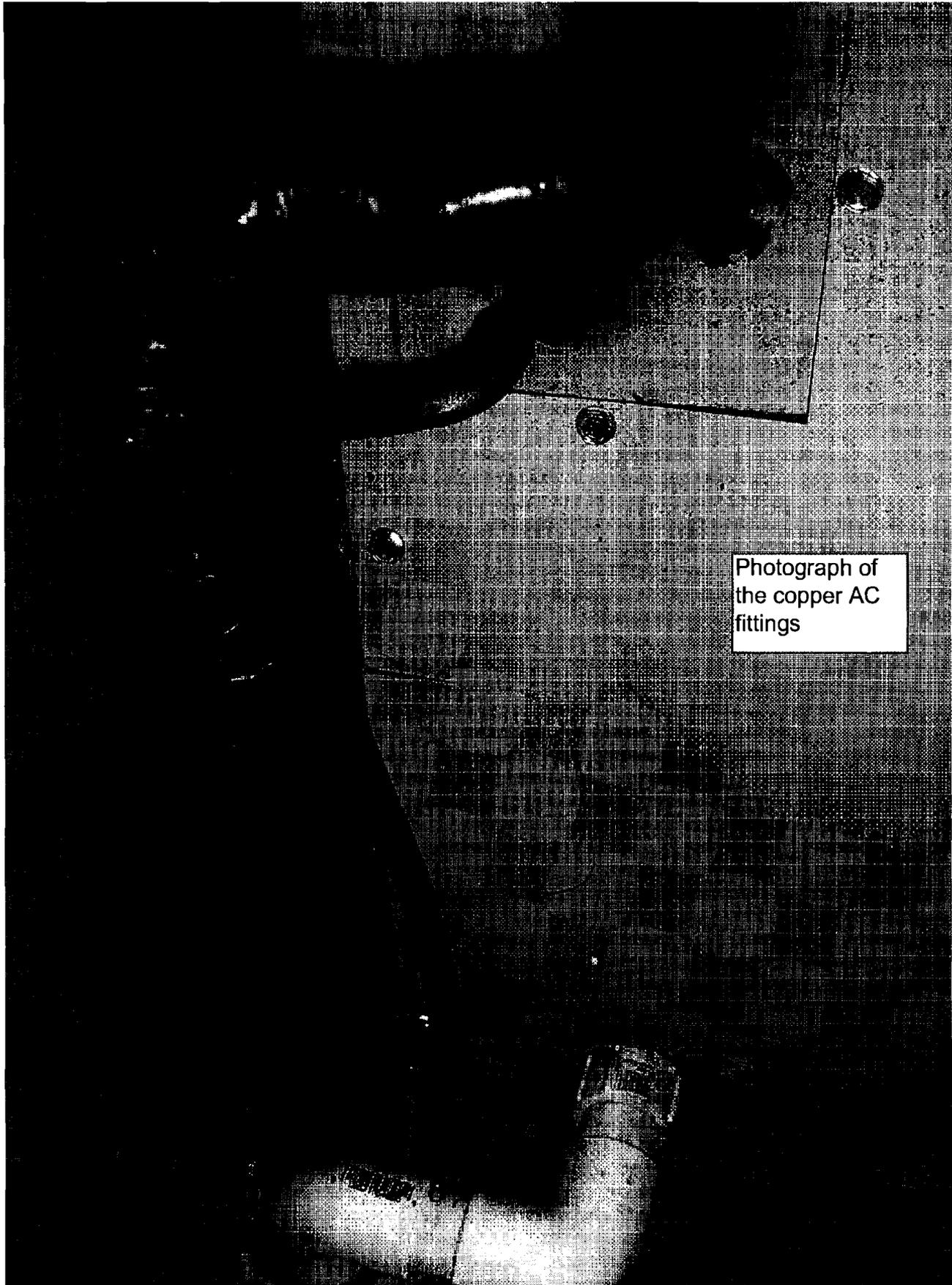
Photograph of the labeling on the refrigerator.



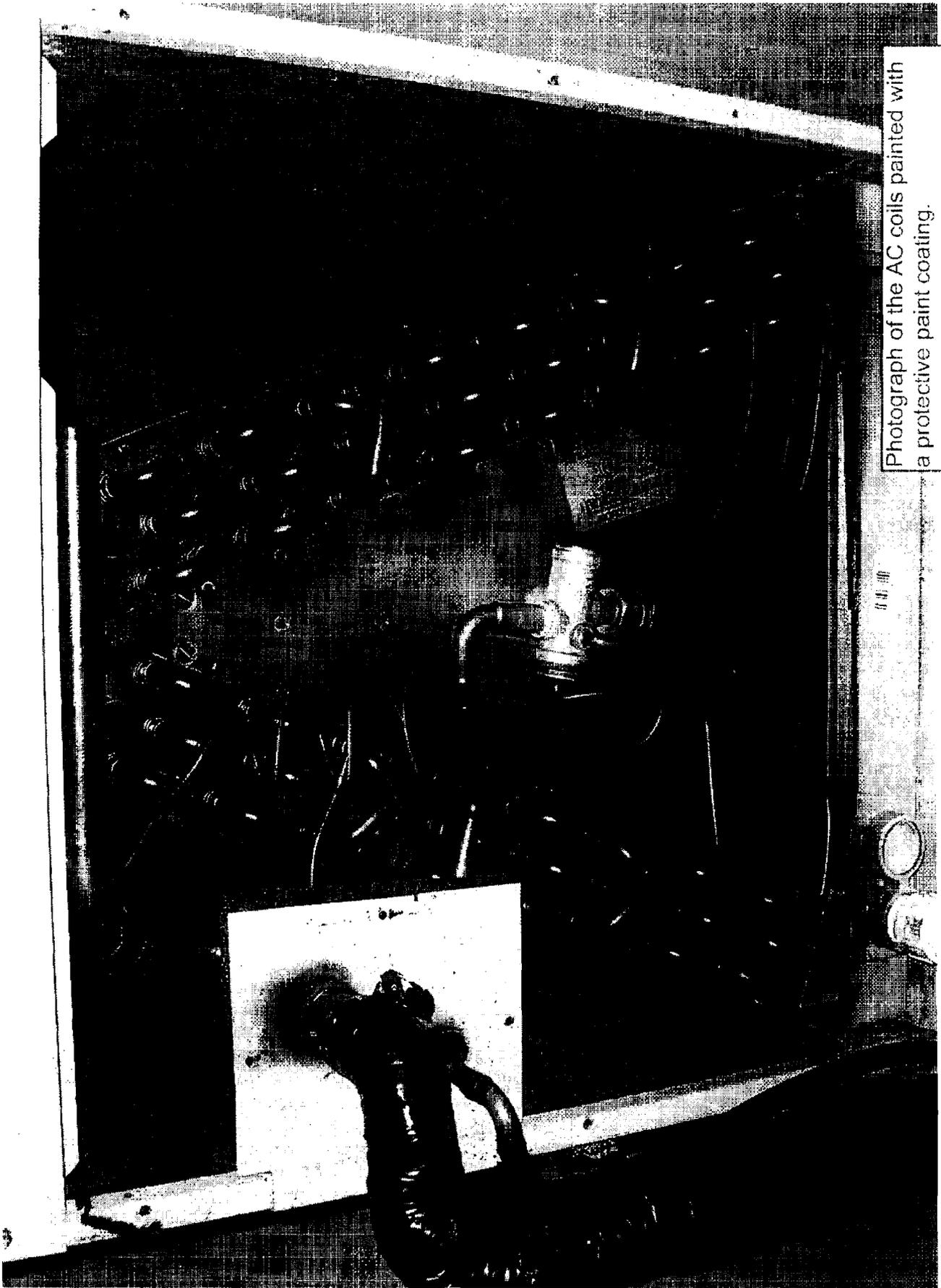
Photograph of tarnishing
on a silver platter.



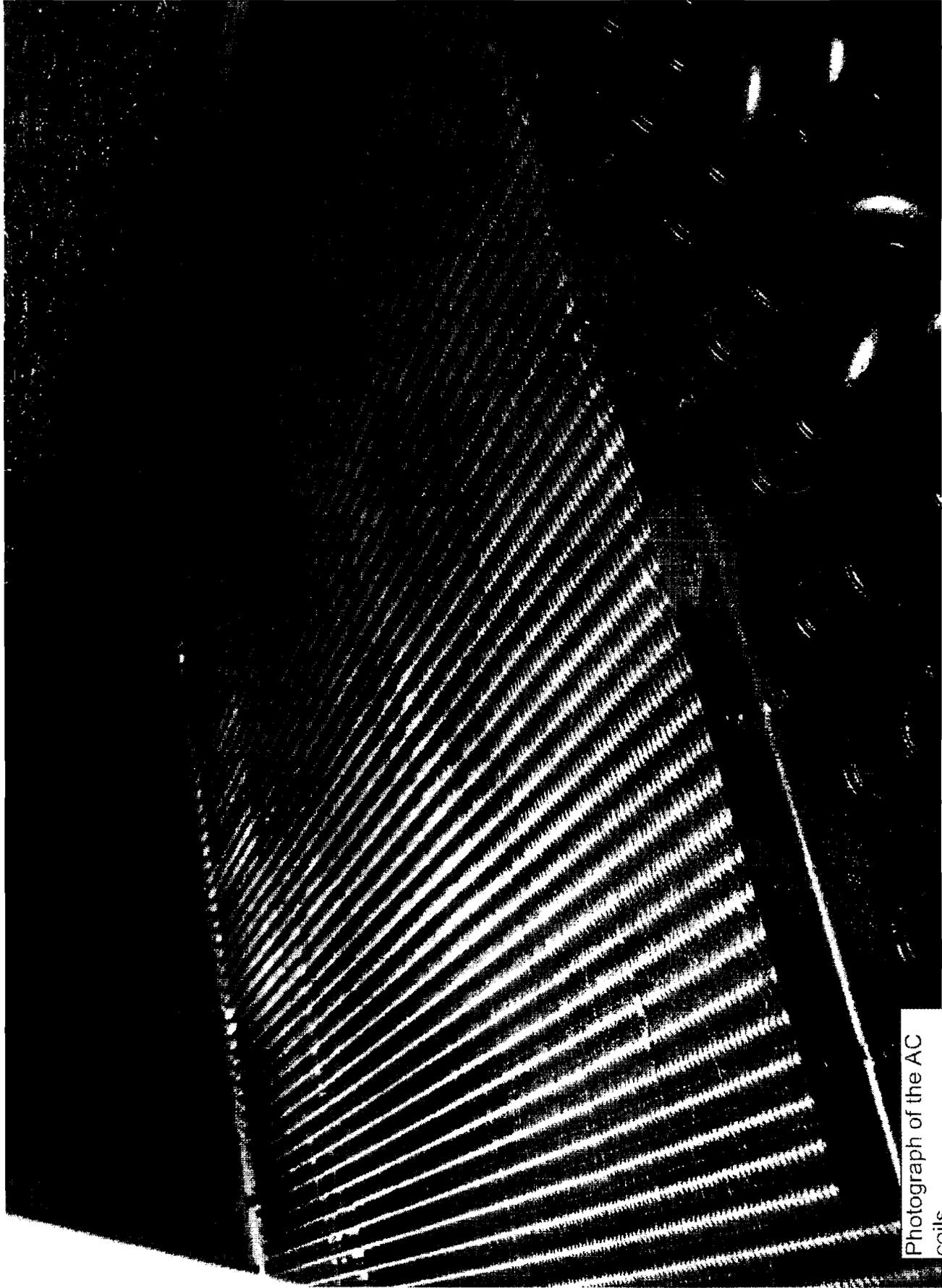
Photograph of the AC and closet.



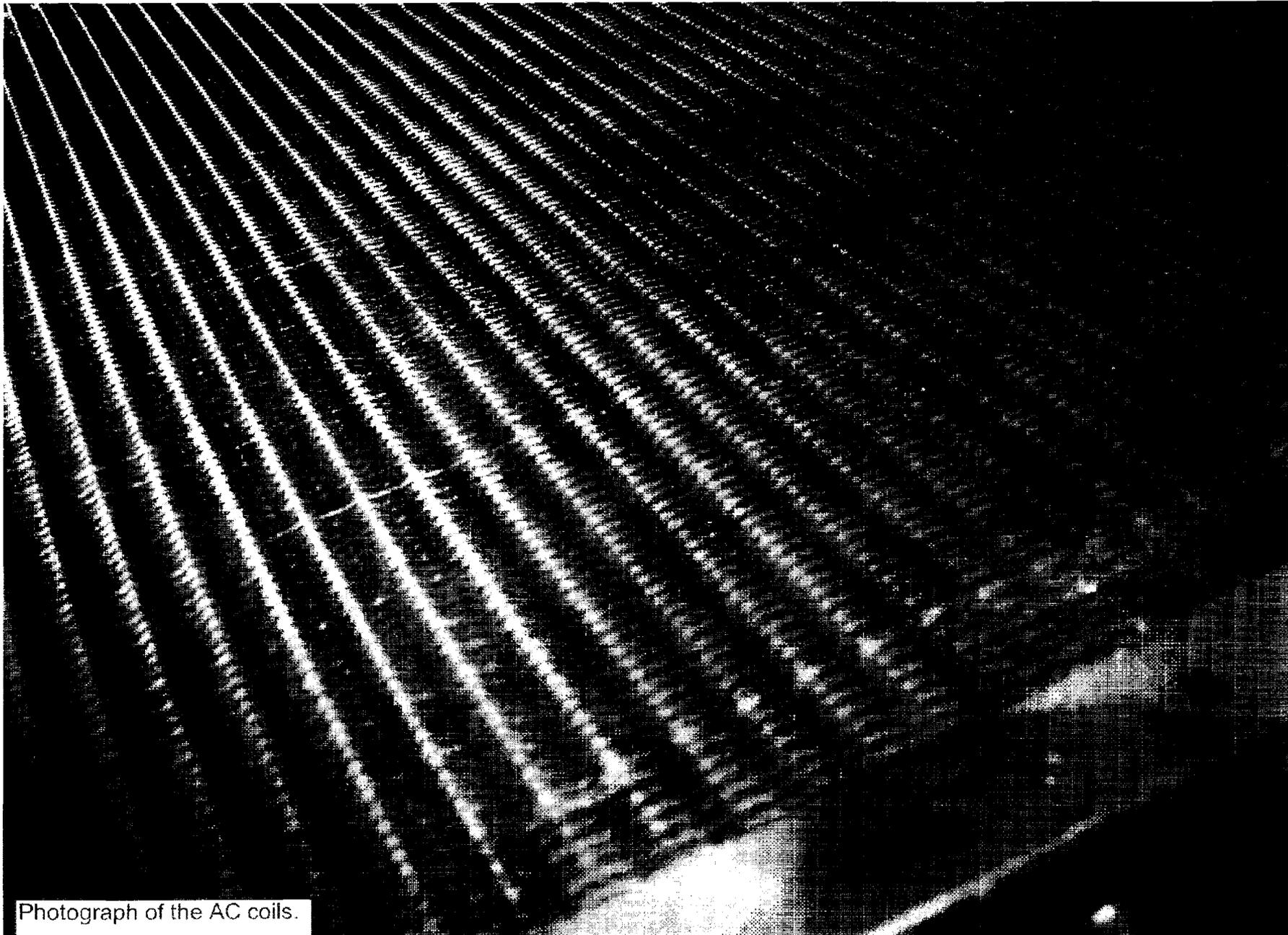
Photograph of
the copper AC
fittings



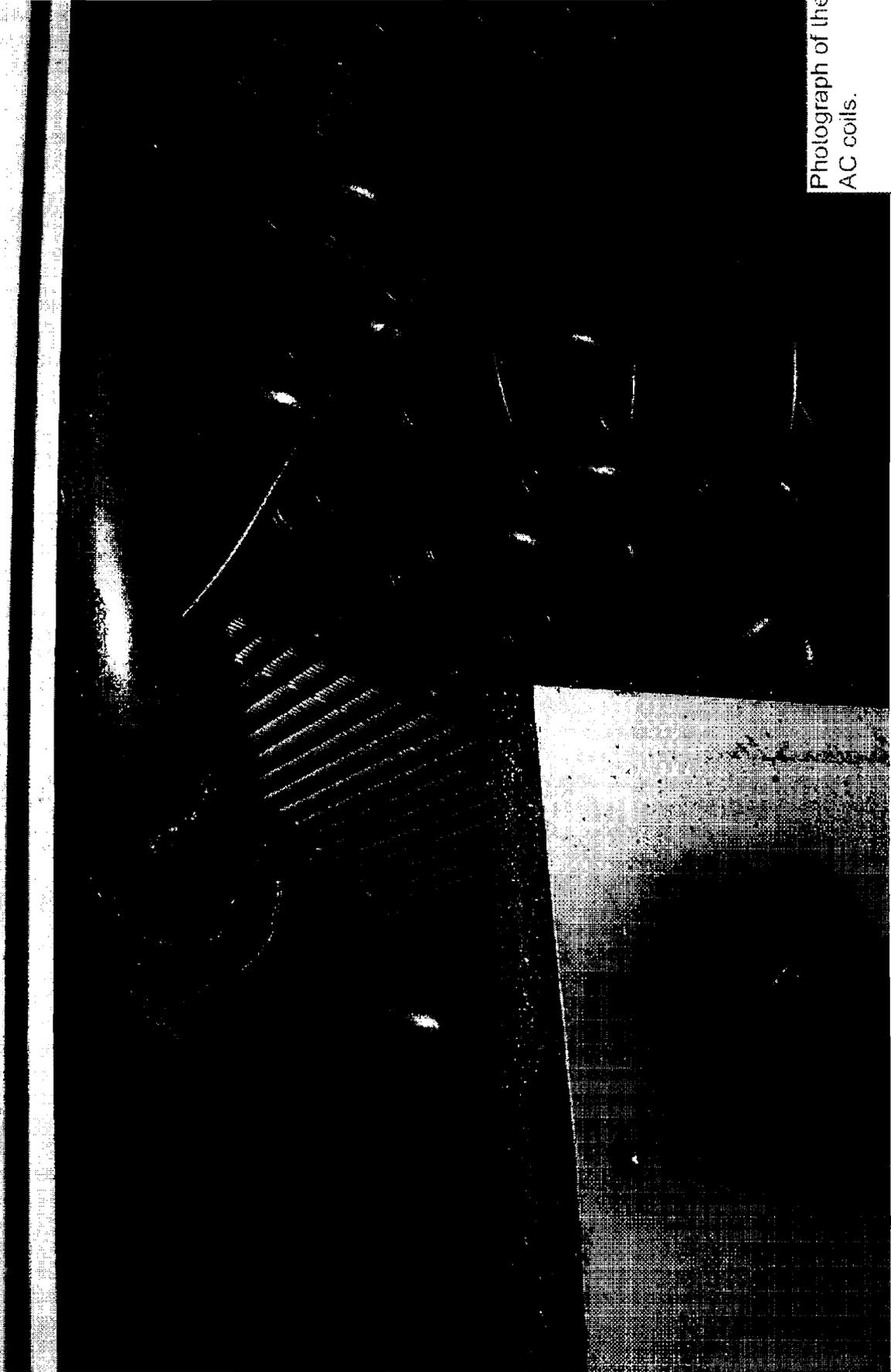
Photograph of the AC coils painted with a protective paint coating.



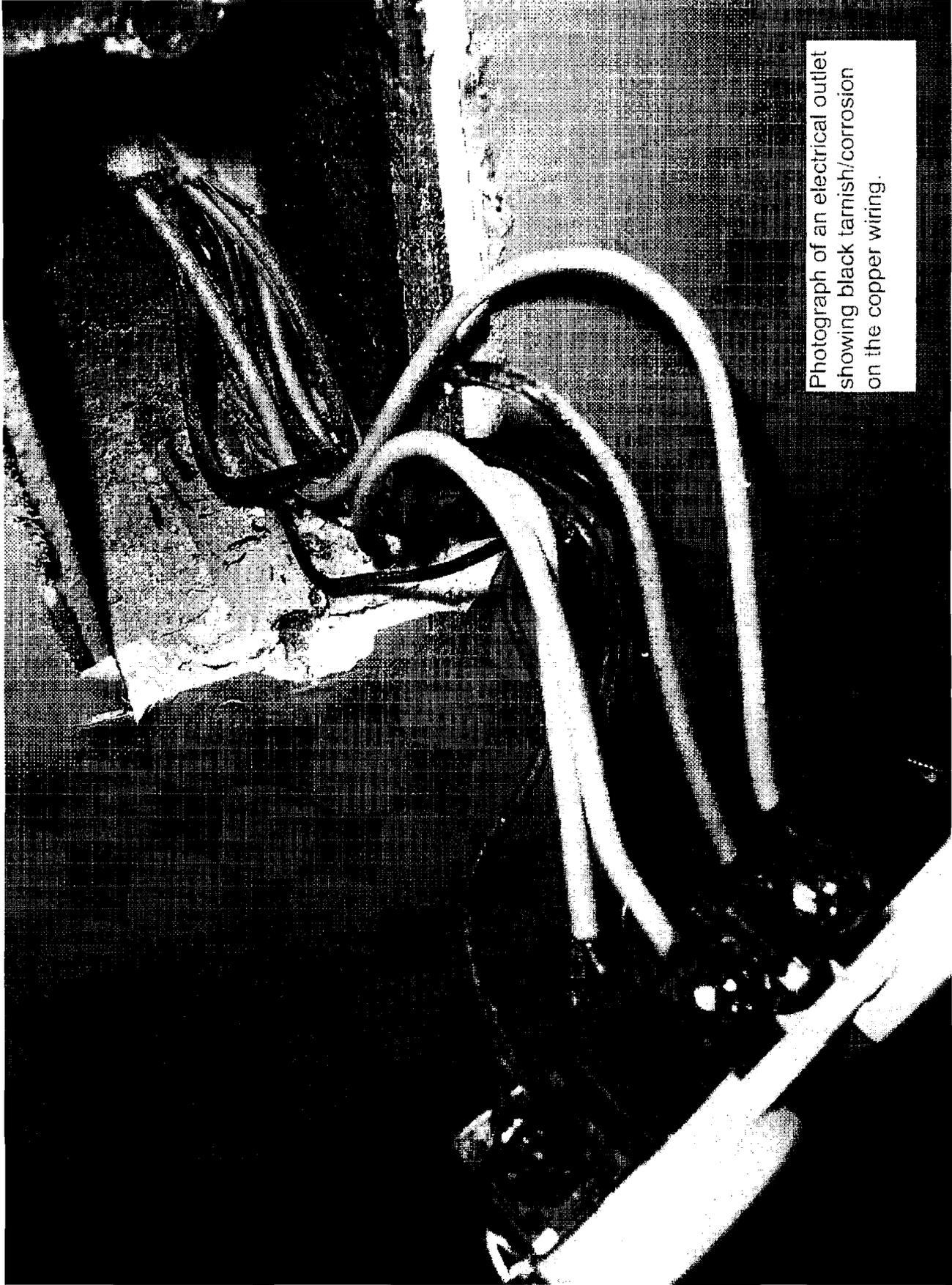
Photograph of the AC coils.



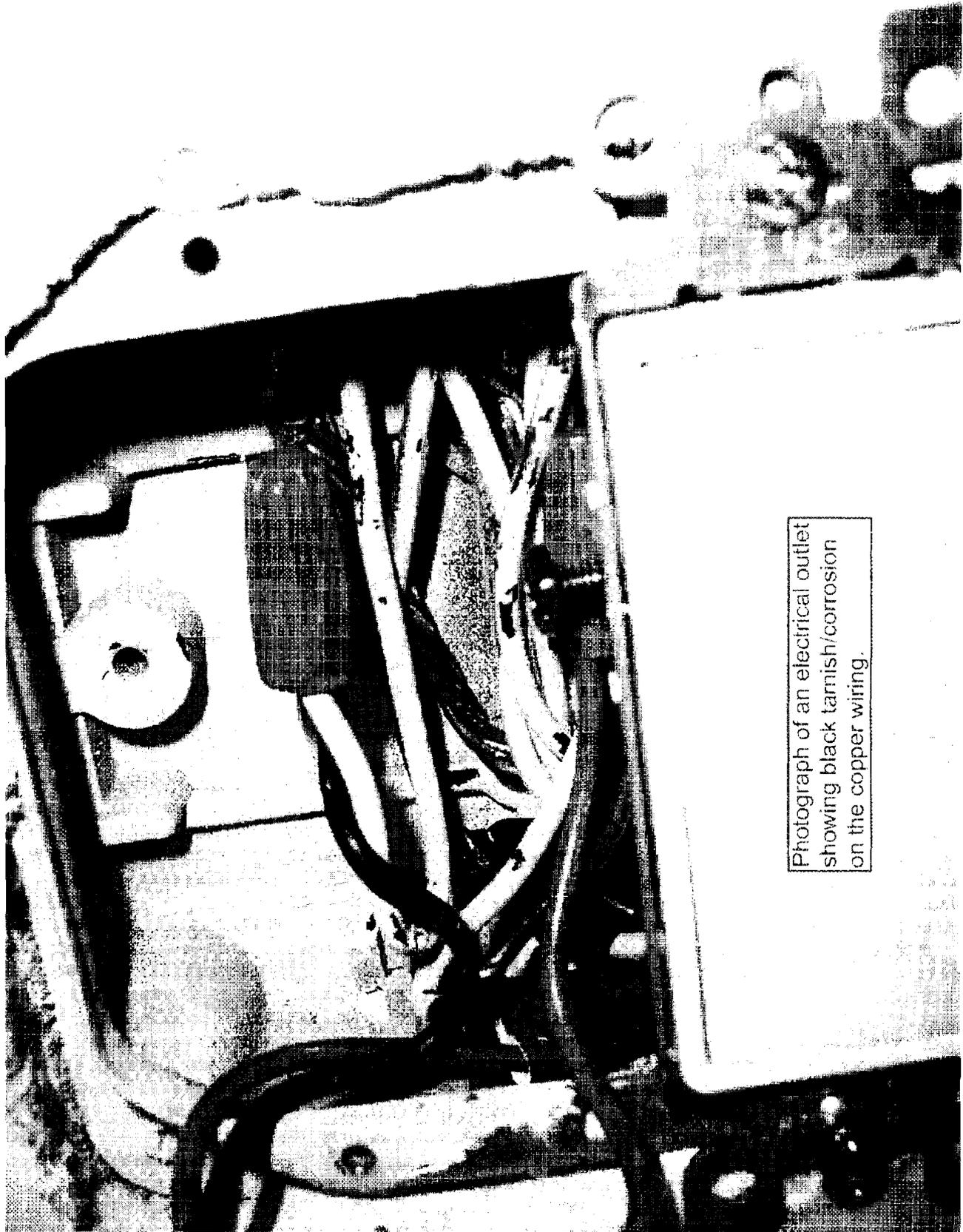
Photograph of the AC coils.



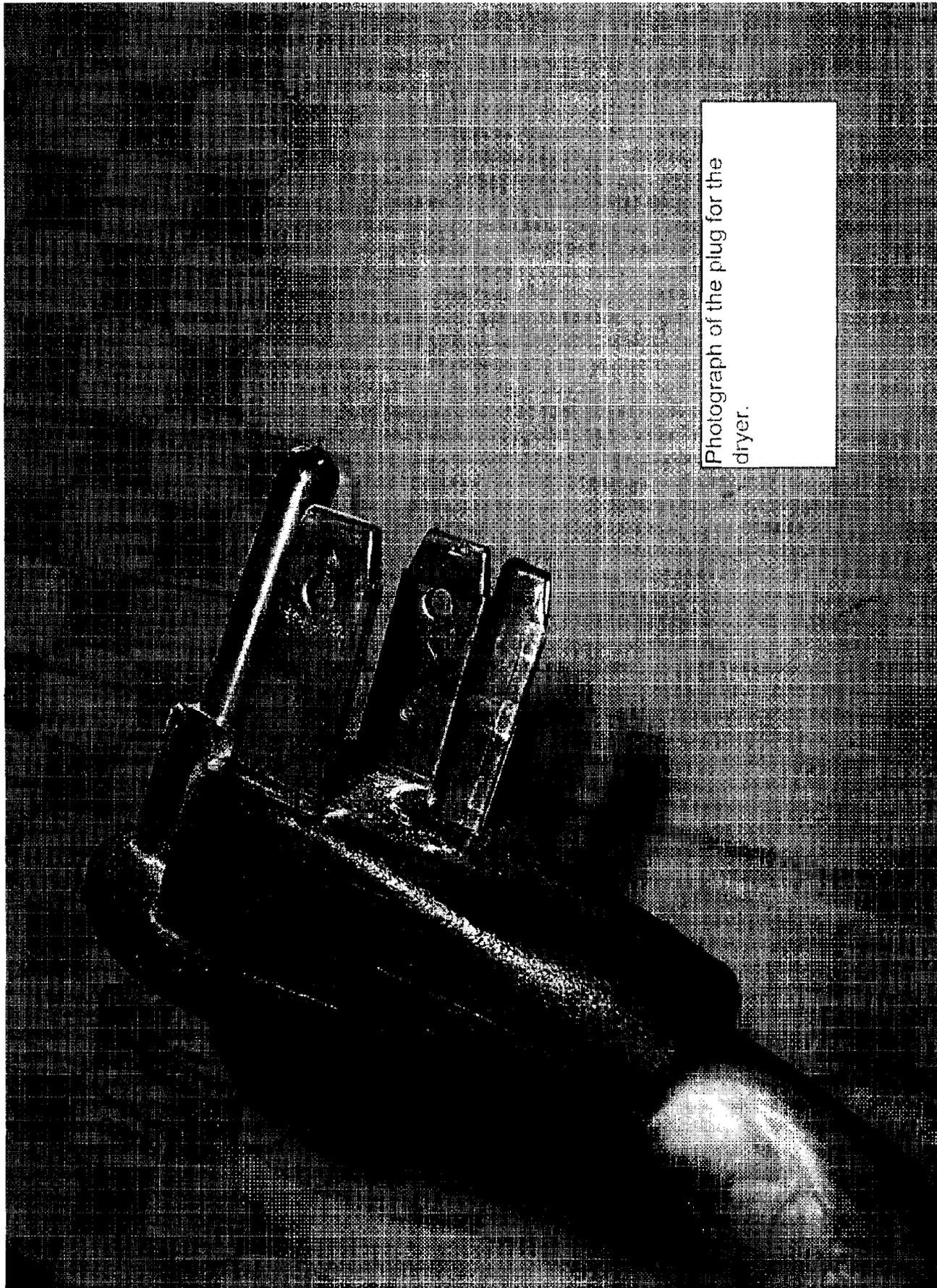
Photograph of the AC coils.



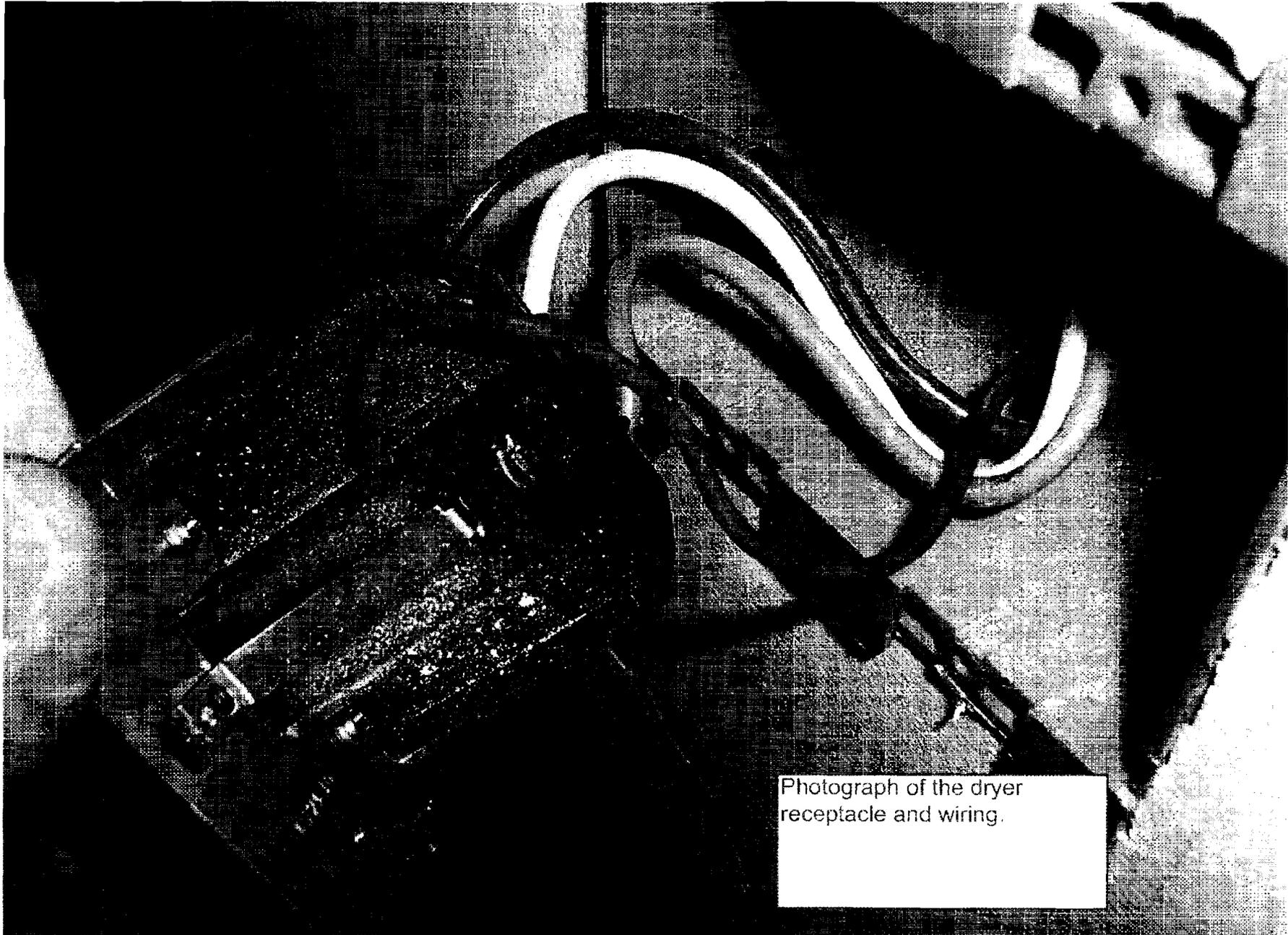
Photograph of an electrical outlet showing black tarnish/corrosion on the copper wiring.



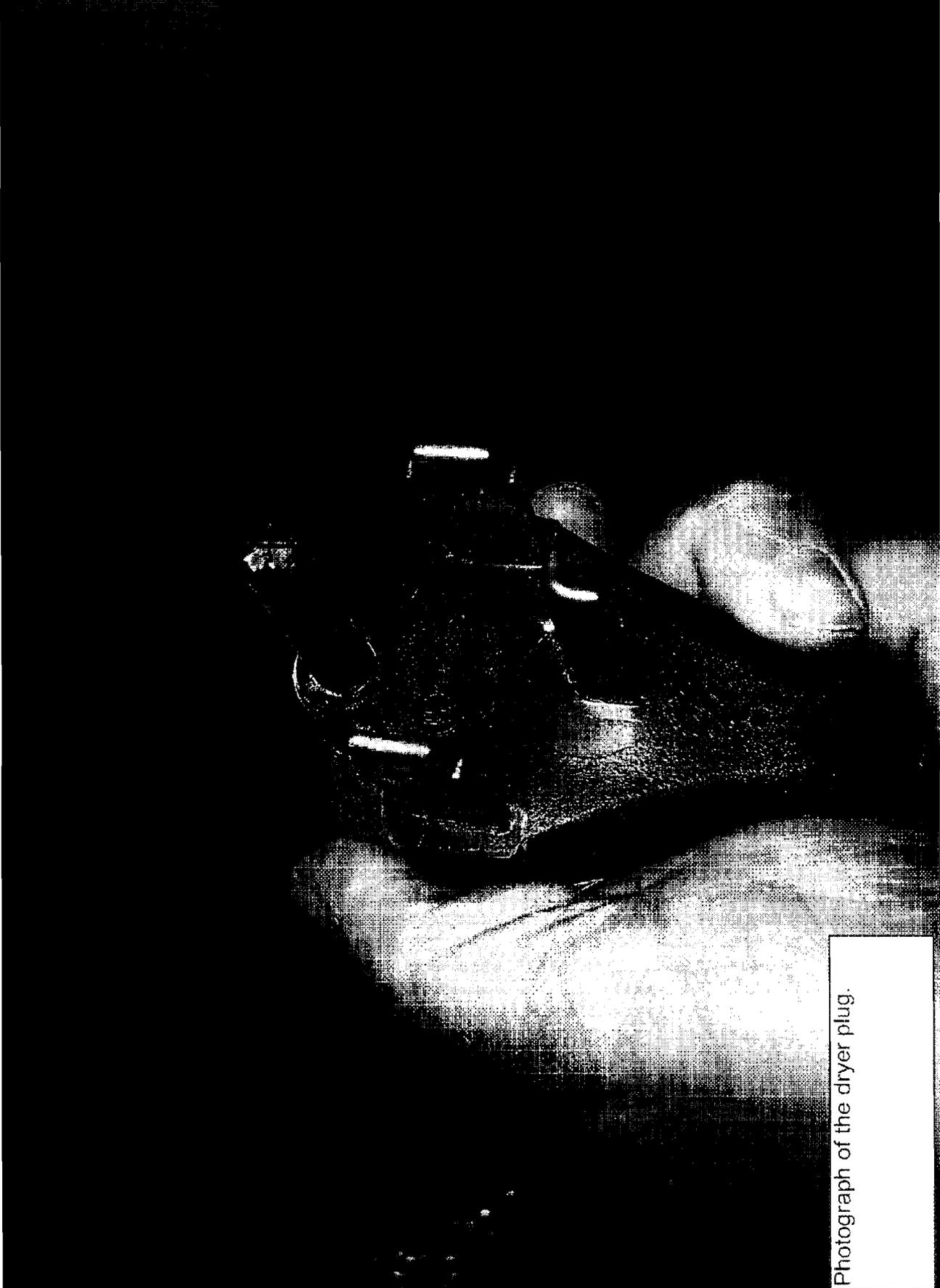
Photograph of an electrical outlet showing black tarnish/corrosion on the copper wiring.



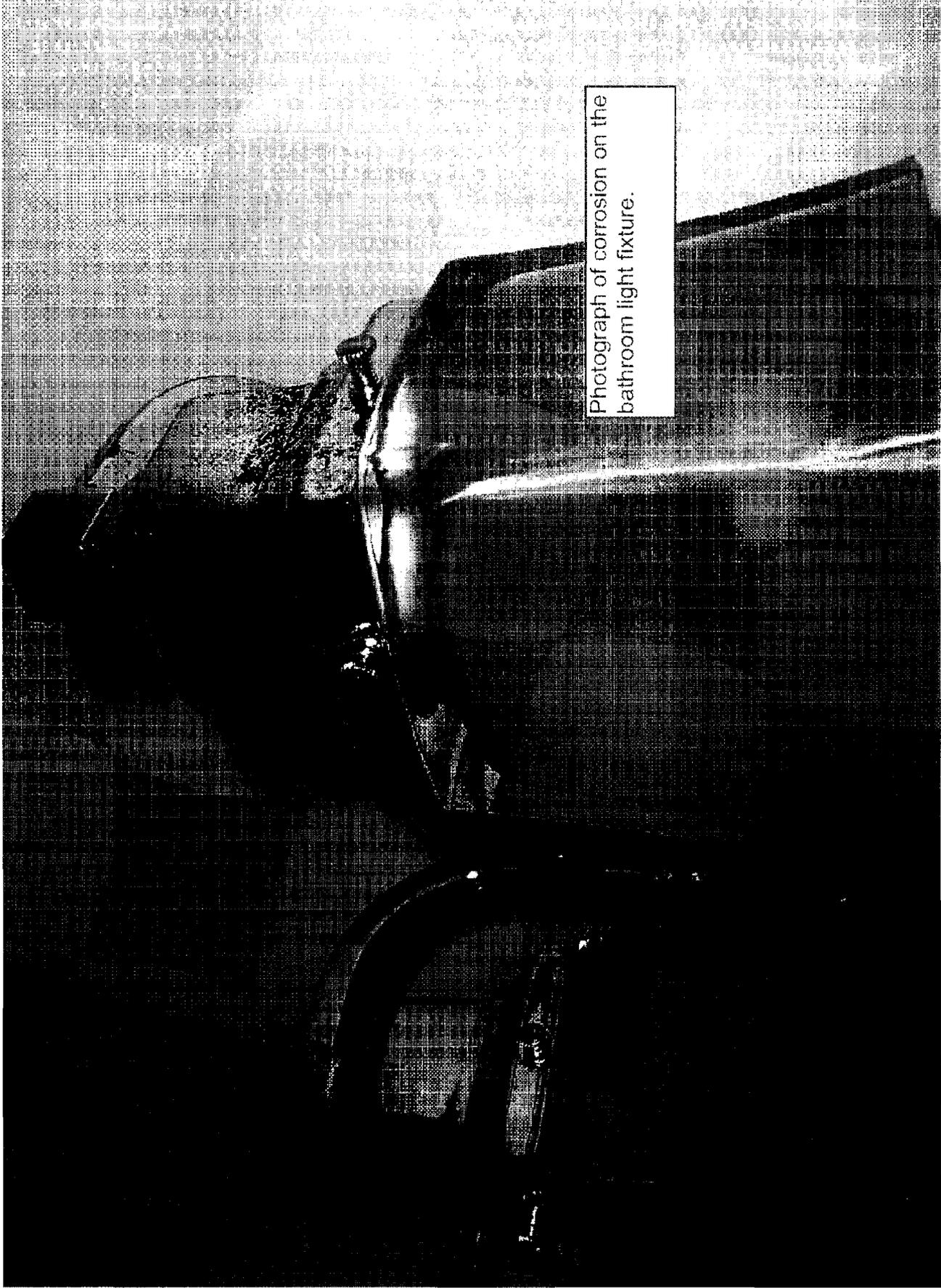
Photograph of the plug for the dryer.



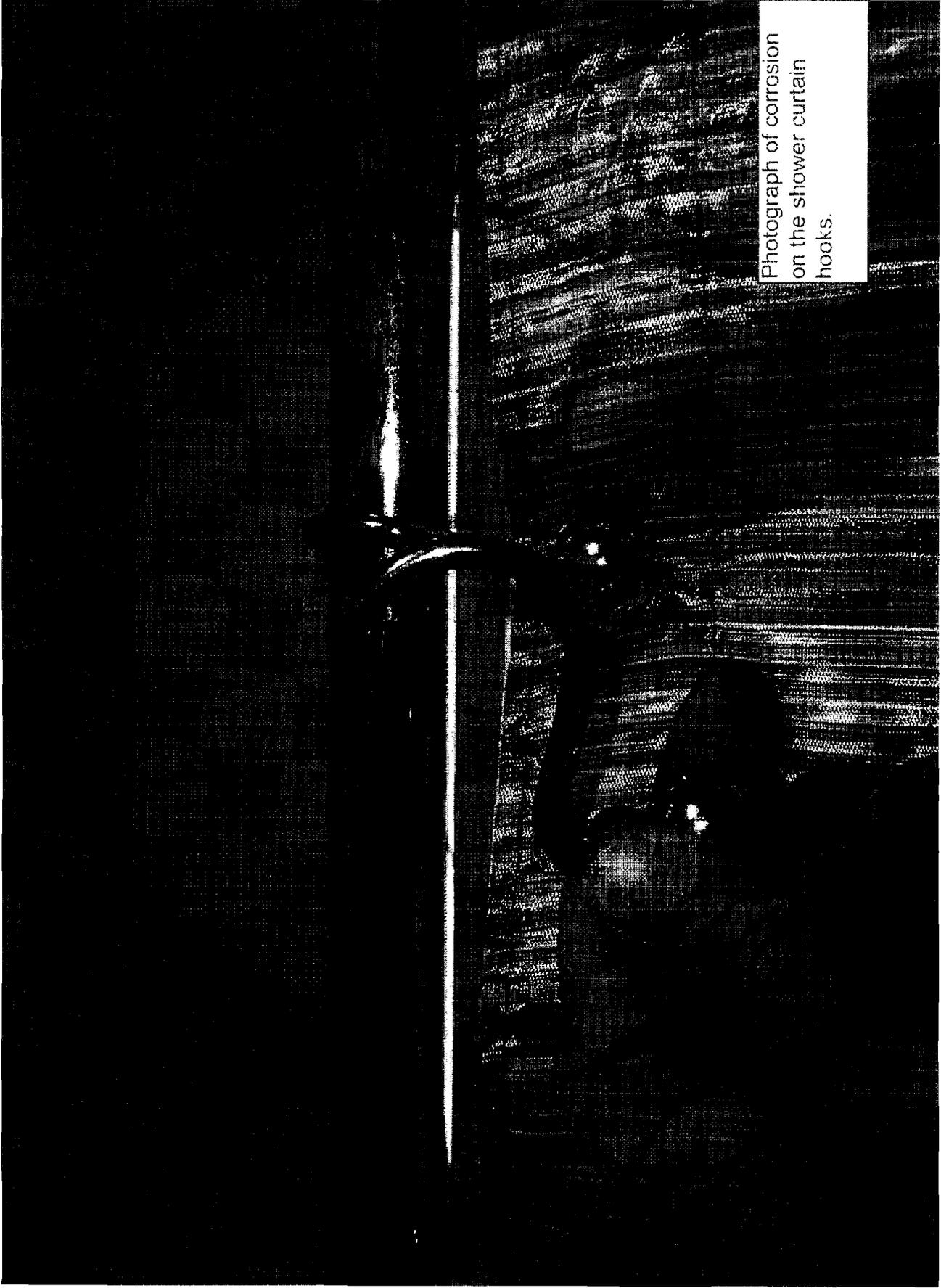
Photograph of the dryer
receptacle and wiring.



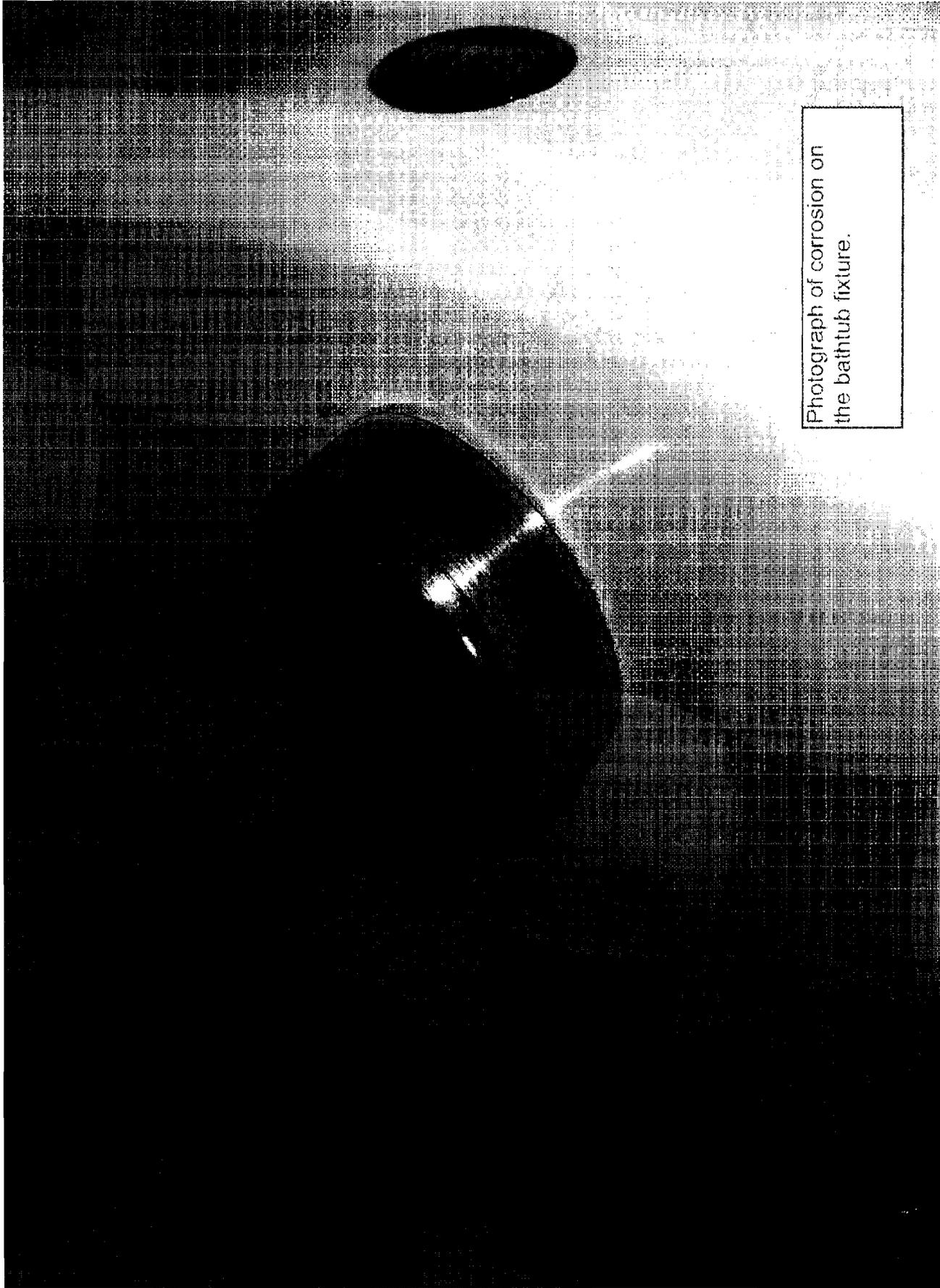
Photograph of the dryer plug.



Photograph of corrosion on the bathroom light fixture.

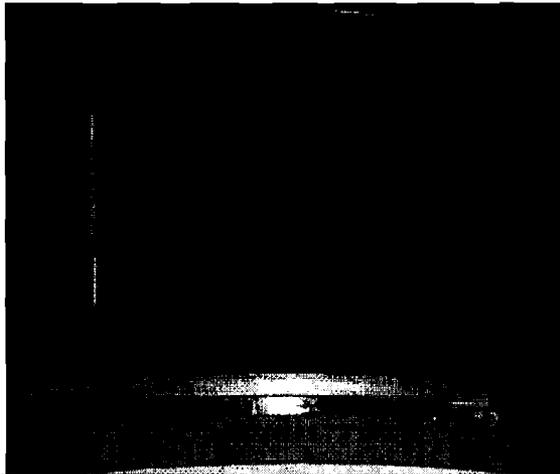


Photograph of corrosion
on the shower curtain
hooks.

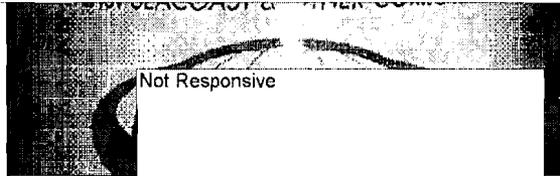


Photograph of corrosion on the bathtub fixture.

Photograph of the protective covering/
paint the consumer applied to the AC
coils when replaced.

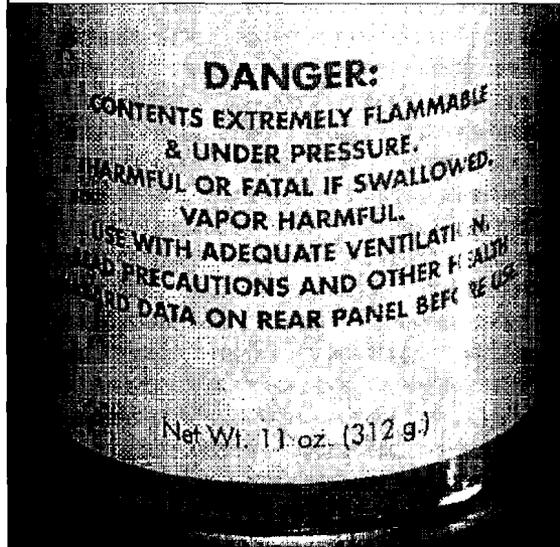


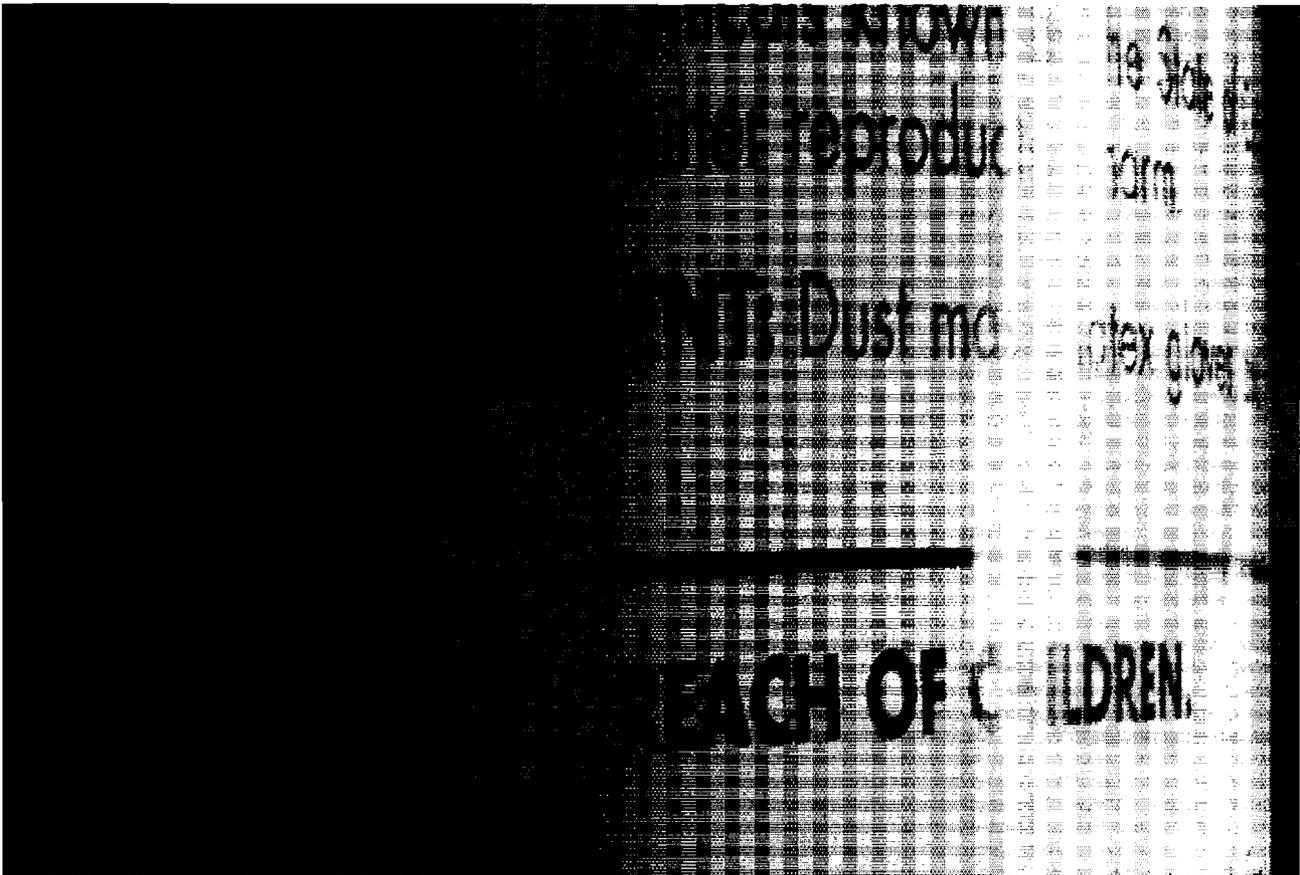
Not Responsive



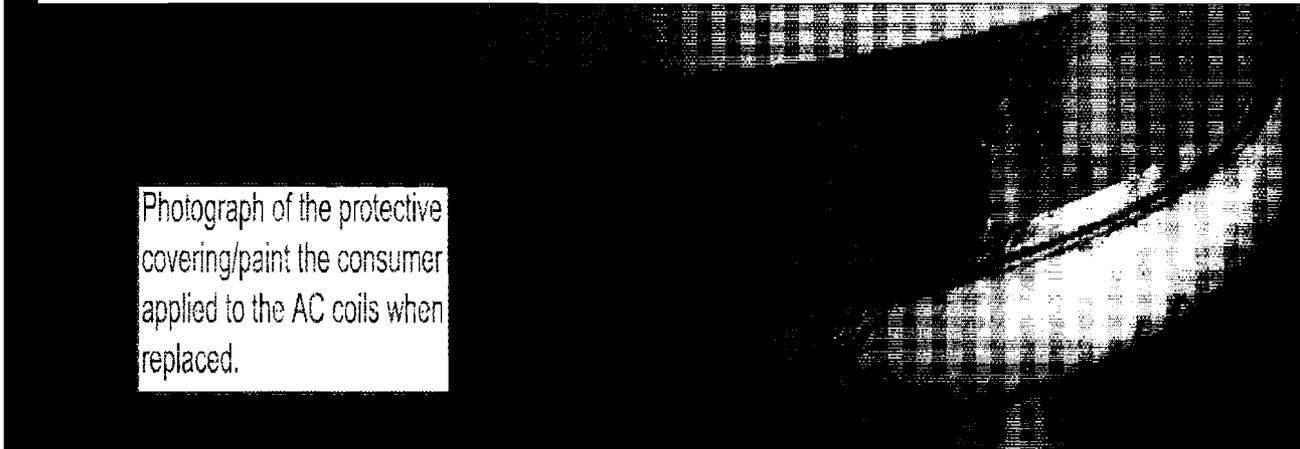
Not Responsive

Not Responsive





Not Responsive



Photograph of the protective covering/paint the consumer applied to the AC coils when replaced.

Addendum:

The attached Official Report(s) was received following submission of the report and is attached as an addendum.

Attachment:

Attachment #12 – Invoice showing the purchase by the Sheetrock installer from the supplier.



SARASOTA (941) 955-0632 • FAX (941) 365-9232
 ENGLEWOOD (941) 474-8185 • FAX (941) 475-8697
 PUNTA GORDA (941) 639-2116 • FAX (941) 639-6653
 FT. MYERS (239) 332-3669 • FAX (239) 332-2078
 NAPLES (239) 597-7109 • FAX (239) 597-2150
 BONITA SPRINGS (239) 495-3188 • FAX (239) 495-3712
 SEBRING (863) 382-4566 • FAX (863) 382-4092

INVOICE

PAGE 1

| Ship Via | Sold To Code | Customer Order Number | Our Order No | From Order No. | IMO From Order | Order Date | Date Requested | Date Shipped | Document No |
|----------|--------------|-----------------------|--------------|----------------|----------------|------------|----------------|--------------|-------------|
| DEL | 7231522 | RAY | 1003829 | | 132013 | 5/23/06 | 5/24/06 | 5/24/06 | 1100003870 |

SOLD TO: RAY HORVATH DRYWALL
 10155 NE 101st STREET

SHIP TO: 1488 Casey
 (Same as SOLD TO unless indicated)

OKEECHOBEE FL 34972

Sebring FL 70419

| PG | COMMODITY CODE | QUANTITY | | PRODUCT DESCRIPTION | EXTENDED QUANTITY | UNIT | PRICE PER UNIT | SALES AMOUNT |
|---|----------------|----------|---------|----------------------|-------------------|------|----------------|--------------|
| | | ORDERED | SHIPPED | | | | | |
| DA | 12RE12 | 137 | 137 | 1/2" REG D/W 4'X12' | 6.576 | MSF | 365.0000 | 2,400.24 |
| DB | 12WR12 | 6 | 6 | 1/2" W/R D/W 4'X12' | .288 | MSF | 430.0000 | 123.84 |
| DH | 12DS08 | 8 | 8 | 1/2" DENS SHIELD 4X8 | .256 | MSF | 860.0000 | 220.16 |
| Remit To: 24263 Production Circle Bonita Springs, FL 34135 | | | | | SUB-TOTAL | | | 2,744.24 |
| | | | | | TAX F HIG | | 7.000 | 192.09 |
| | | | | | TOTAL INVOICE | | | 2,936.33 |
| RB | LOADER | | CHECKER | IND | | | | |

THIS INVOICE IS DUE ON OR BEFORE 6/10/06

PAY LAST AMOUNT SHOWN ABOVE

10% HANDLING CHARGE MADE FOR ALL GOODS RETURNED. GOODS ORDERED SPECIAL ARE NOT RETURNABLE. PAST DUE ACCOUNTS SUBJECT TO SERVICE CHARGE OF 1 1/2% PER MONTH.

THIS ORDER, IF ACCEPTED BY US, WILL BE SUBJECT TO TERMS AND CONDITIONS ON THE BACK HEREOF, WHICH INCLUDE WARRANTY, DISCLAIMER, LIMITATION OF REMEDIES AND NOTICE REQUIREMENT PROVISIONS. NOT RESPONSIBLE FOR BROKEN SIDEWALKS, CURBS, AWNS, ETC. WHEN DELIVERY IS REQUESTED ON PREMISES.

RECEIVED BY _____

TITLE PASSES F.O.B. WAREHOUSE ON PICK UPS, AND TITLE PASSES F.O.B. CURBSIDE BEFORE ANY SPREADING OF STOCKING WHEN DELIVERED. ALL CASH SALES ARE FINAL.

Addendum:

The attached Official Report(s) was received following submission of the report and is attached as an addendum.

Attachment:

Attachment #13 – E-mail to the investigator from the Consultant who inspected the home.

Dunlap, Glenn

From: construction-guru@comcast.net
Sent: Sunday, March 15, 2009 5:28 PM
To: Dunlap, Glenn
Subject: MARY WILLIS ... SEBRING, FLORIDA ... RESIDENCE ... FOREMAN UPDATE 3/4/2009 ... DEFECTIVE DRYWALL

MR. DUNLAP, GENTLEMEN, AND LADIES,

MY FIRM RECEIVED YOUR LETTER DATED MARCH 3RD , 2009

THE WILLIS FAMILY REQUESTED WE FOLLOW UP WITH YOU ...

CONCERNING THEIR SPECIFIC SEBRING RESIDENCE ...

PLEASE BE ADVISED ...

**OUR FIRM VISITED, EXAMINED, DOCUMENTED, AND ANALYZED
THE PROPERTY ...**

OUR FIRM CONFIRMED ...

"KNAUF BRAND" GYPSUM BOARD / SHEET-ROCK ...

INSTALLED WITHIN THE RESIDENCE ...

THE ODOR ALONE WAS NOT ENOUGH FOR OUR CONCLUSION ...

**OUR FIRM REVIEWED OUTLETS, REFRIGERATOR COMPONENTS,
HVAC COMPONENTS, SILVER ITEMS IN RESIDENCE, AND ATTIC
AREA ABOVE GARAGE.**

**TO AVOID FUTURE MIS-STATEMENTS OR PARTIAL STATEMENTS...
MY FIRM HAS DECIDED TO COMMUNICATE WITH NEWS, PRESS, AND GOVERNMENT ...
BY E-MAIL ...**

**MY FIRM STRONGLY SUGGEST THE GOVERNMENT READ THE NEWSPAPERS, AND
NUMEROUS ARTICLES, AND FACTS BY CONSULTANTS, LAWYERS, EXPERTS,
REPORTERS, DEVELOPERS, CONTRACTORS, MANUFACTURERS, AND ACTUAL
HOMEOWNERS ...**

**WITH THE CLEAR KNOWLEDGE, UNDERSTANDING, AND VISUAL CONFIRMATION OF
DAMAGE ASSOCIATED WITH THE DEFECTIVE DRYWALL OUT-GASING PROBLEM
CURRENTLY KNOWN TO-DATE, BEFORE ANY CONCLUSIONS OR OPINIONS ARE FORMED ...**

**HOPE YOU ARE NOT OFFENDED,
NOR TAKE OUR APPROACH PERSONAL ...**

**AS YOU ARE AWARE ...
MY FIRM HAS BEEN INVESTIGATING ...
"DEFECTIVE DRYWALL" FOR NUMEROUS MONTHS ...**

**PLEASE NOTE THE TERM "DEFECTIVE DRYWALL" ...
NOT "DEFECTIVE CHINESE DRYWALL" ...**

**AS PREVIOUSLY STATED AND QUOTED BY ...
FOREMAN AND ASSOCIATES, INC.
"CONSTRUCTION CONSULTANTS"**

**"NOT ALL CHINESE DRYWALL IS DEFECTIVE AND
NOT ALL DEFECTIVE DRYWALL IS CHINESE"**

**OUR ANALYSIS OF NUMEROUS HOMES TO-DATE REVEALS
THE FOLLOWING FACTS ...**

- 1) TWO SPECIFIC TYPES OF "KNAUF GYPSUM BOARD"
MANUFACTURED FROM TWO DIFFERENT FACILITIES
WITH TWO DISTINCTIVELY DIFFERENT "KNAUF LABELS"
TO-DATE HAVE BEEN FOUND INSTALLED IN HOUSES
IN THE SARASOTA / MANATEE COUNTY AREAS**
- 2) MY FIRM HAS IDENTIFIED FOUR CHINESE TYPE
DRYWALL SOURCES ...**
- 3) THREE (3) OF THE FOUR (4) TO-DATE ... INSTALLED ... SHOW
VISUAL SIGNS OR AFFECTED COMPONENTS ASSOCIATED
WITH THEIR INSTALLATION IN HOUSES / RESIDENCES ...**
- 4) ONE (1) OF THE FOUR (4) HAS NOT SHOWN ANY SIGNS
OR AFFECTED COMPONENTS ASSOCIATED WITH
INSTALLATION TO-DATE ...**
- 5) "ALL" DEFECTIVE DRYWALL FOUND INSTALLED TO-DATE
IS A TYPICAL 1/2 INCH TYPE MATERIAL**
- 6) NO 5/8 INCH TYPE GYPSUM BOARD MATERIAL, TYPICALLY
FIRE-RATED FOR CEILINGS AND TENANT SEPARATION
WALLS HAS BEEN DISCOVERED BY MY FIRM TO-DATE,
MANUFACTURED BY ANY "CHINESE" COMPANY, INSTALLED
WITH-IN ANY HOUSE EXPERIENCING TYPICAL SIGNS ASSOCIATED
WITH COMPONENT FAILURES ...**
- 7) HOUSE WITH MULTIPLE 1/2 INCH TYPE GYPSUM BOARD
MANUFACTURERS HAS BEEN DISCOVERED**
- 8) "MADE IN USA" ... STAMPED / LABELED ... 1/2 INCH TYPE
GYPSUM BOARD PRODUCT, HAS BEEN DISCOVERED
INSTALLED WITH-IN A CONFIRMED, DEFECTIVE DRYWALL
AFFECTED / INFECTED HOUSE**
- 9) NUMEROUS GROUPS HAVE DOCUMENTED QUANTITIES OF
POTENTIALLY DEFECTIVE DRYWALL SHIPPED TO FLORIDA
AND THE UNITED STATES IN GENERAL ...**
- 10) NUMEROUS ... CONFIRMED DEFECTIVE ... "KNAUF BRAND" ...
GYPSUM BOARD MANUFACTURING DATES ...
STAMPED ON THE MATERIAL ... HAVE BEEN DISCOVERED,
CONFIRMING MULTIPLE SHIPMENTS, OR DEFECTIVE
BATCHES ...**
- 11) TYPICALLY TWO (2) BATCHES OR QUANTITIES OF DEFECTIVE
MATERIAL WOULD REPRESENT ENOUGH MATERIAL / BOARDS
TO POTENTIALLY BUILD ... 3,000 - 7,000 OR MORE ... RESIDENCES ...
PLEASE NOTE THE TERM RESIDENCES, NOT HOUSES ...**

MY FIRM HAS CONFIRMED, DEFECTIVE MATERIAL INSTALLED WITH-IN MULTI-LEVEL / MULTI-FAMILY HOUSING ... COMMONLY CALLED CONDOMINIUMS OR APARTMENTS ...

- 12) SIMPLY PUT ... MY FIRM QUESTIONS ... THE NUMBERS AND QUANTITIES OF DEFECTIVE DRYWALL MATERIAL ... LENNAR, TAYLOR / MORRISON, WCI, AND OTHER DEVELOPER / BUILDERS HAVE ADMITTED KNOWLEDGE OF SPECIFIC DEFECTIVE DRYWALL MATERIAL INSTALLATIONS TO-DATE ... THESE BUILDERS AND OTHERS ARE AWARE OR SHOULD BE, OF THE EXTENT AND NUMBER OF RESIDENCES AFFECTED OR POTENTIALLY AFFECTED, AND NUMEROUS SPECIFIC SUB-DIVISION LOCATIONS ...**
- 13) FACTS ARE FACTS ... BASED ON QUANTITIES OF DOCUMENTED DEFECTIVE MATERIAL ... RESIDENCES DISCOVERED OR REVEALED TO-DATE ... FAIL TO ACCOUNT FOR THE FULL EXTENT OF DEFECTIVE MATERIAL AND POTENTIALLY AFFECTED RESIDENCES ...**
- 14) THIRD (3RD) TYPE CONFIRMED DEFECTIVE DRYWALL, MANUFACTURED BY TAISHAN GYPSUM CO. LTD., WITH FEW OR NO OTHER LABELING / MARKING OTHER THAN "4FOOT X 12 FOOT X 1/2 INCH" ... TYPICAL BOARD SIZE ...**
- 15) QUANTITY OF "TAISHAN" GYPSUM BOARD ... WHEN ADDED TO KNOW QUANTITIES TO-DATE OF "KNAUF" GYPSUM BOARD ... CAN EASILY EXCEED 20,000 RESIDENCES ...**
- 16) MY FIRM, AS OTHERS, INVESTIGATING DEFECTIVE DRYWALL, ESTIMATE WHEN "ALL" FACTS, QUANTITIES, STATES, DEVELOPMENTS, PORTS OF ENTRY, BORDERS OF ENTRY, AND YEARS COVERED ... EXPECT THE POTENTIALLY AFFECTED HOUSES OR RESIDENCES TO BE CLOSER TO 200,000 ... RATHER THAN THE CURRENT COUPLE OF HUNDRED DISCUSSED / DISCLOSED TO-DATE ...**
- 17) MY FIRM HAS CONFIRMED, SMALL BUILDERS ARE NOT IMMUNE, AND AS PREVIOUSLY STATED AND DOCUMENTED, "FEW ... IF ANY BUILDERS ... WILL NOT BE AFFECTED" WHEN THE FULL EXTENT OF THE PROBLEM IS KNOWN.**
- 18) PLEASE UNDERSTAND MY FIRM IS NOT A LAW FIRM OR TESTING LABORATORY ... OUR CURRENT KNOWLEDGE OF FACTS AND VISUAL CONFIRMATION OF ACTUAL KNOWN DAMAGE ... CAUSED BY THE DEFECTIVE DRYWALL OFF-GASING PROCESS, CAN NOT BE DISMISSED IN OUR OPINION AS "NOT POSING A HEALTH RISK" AS DOCUMENTED AND STATED NUMEROUS TIMES BY THE DEVELOPERS, CONTRACTORS, AND MANUFACTURERS ... WHAT ARE THESE VAPORS / OUT-GASING EFFECTS ON HUMANS AND WHAT SPECIFIC STUDIES / EXPOSURE LEVELS / SPECIFIC MATERIALS REFERENCED WHEN CONFIRMING STATEMENTS AND CONFIRMING ... "SPECIFIC OUT-GASING" WITH-IN SPECIFIC AFFECTED RESIDENCES ???**

PLEASE NOTE AS PREVIOUSLY DISCUSSED AND DOCUMENTED ...

MY FIRM CONTINUES TO PROVIDE "FREE" ANALYSIS OF RESIDENCES FOR EXISTING HOMEOWNERS, OF PROPERTIES BUILT BETWEEN 2004 - 2007 ...

AS I'M SURE YOU ARE AWARE, MY FIRM WILL REQUIRE SPECIFIC HOMEOWNER APPROVAL BEFORE REVEALING SPECIFIC NAMES AND ADDRESSES OF CLIENTS ...

WITH THAT SAID, OUR LOCAL HEALTH DEPARTMENTS AND STATE AGENCIES HAVE BEEN NOTIFIED BY NUMEROUS HOMEOWNERS / CLIENTS ...

MY FIRM WILL BE MORE THAN HAPPY TO ACCOMPANY YOU DURING ACTUAL SITE VISITS, REVIEWS, RESIDENCE INSPECTIONS, OR ANALYSIS CONFIRMING OUR FINDINGS TO-DATE.

THANK YOU FOR ALLOWING MY FIRM TO SHARE OUR OPINION AND KNOWLEDGE ...

PLEASE E-MAIL ANY FURTHER QUESTIONS OR FUTURE QUESTIONS ...

I HOPE THIS INFORMATION AND OPINIONS HELP ...

PLEASE CONFIRM RECEIPT OF OUR E-MAILS TO AVOID MISUNDERSTANDINGS ...

THANK YOU IN ADVANCE FOR YOUR PROFESSIONALISM,

**Michael S. Foreman
Principal**

**Foreman and Associates, Inc.
"Construction Consultants"
2511 Bee Ridge Rd
Sarasota, Florida 34239
Phone: 941-955-8111
Fax: 941-362-4999**

Construction-Guru@comcast.net

Addendum:

The attached Official Report(s) was received following submission of the report and is attached as an addendum.

Attachment:

Attachment #14 – Letter and media statements sent by the distributor of the sheet rock to the installer.

Dunlap, Glenn

From: Donahue, John [jdonahue@usg.com]
Sent: Wednesday, March 18, 2009 12:32 PM
To: Dunlap, Glenn
Subject: Chinese Drywall Investigation -
Attachments: Letter to Glen Dunlap.pdf; Media Statement 1.28.09.pdf; Media Statement 1.9.09.pdf

Glenn,

Following up on our call on Monday, attached is my letter in response to your request on the Willis home in Sebring, FL. Also attached are two media statements that were issued by Knauf Tianjin.

Let me know if you have other questions.

John Donahue

Confidentiality Notice: This email is intended for the sole use of the intended recipient(s) and may contain confidential, proprietary or privileged information. If you are not the intended recipient, you are notified that any use, review, dissemination, copying or action taken based on this message or its attachments, if any, is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy or delete all copies of the original message and any attachments. Thank you.

L&W Supply Corporation

550 W. Adams Street

Chicago, IL 60661

312 436-4000

L&W

March 18, 2009

BY EMAIL

Mr. Glen Dunlap
U.S. Consumer Product Safety Commission
2344 Pear Tree Court
Orlando, FL 37807

Mr. Dunlap,

I am writing this in response to your March 3, 2009 letter to our Seacoast Supply center in Sebring, FL regarding the home of May and Ryan Willis, and to follow up on our telephone conversation on March 16, 2009.

As we discussed, L&W Supply, which does business in Florida as Seacoast Supply, is aware of complaints related to certain wallboard manufactured in China that was imported into Florida in 2006. The complaints have primarily involved a sulfur-like smell being emitted from the wallboard and the appearance of corrosion of copper surfaces in homes.

The wallboard which is the source of the complaints to L&W appears to have been manufactured at one location in China by Knauf Plasterboard (Tianjin) Co. Ltd., a company which is part of the Knauf family of companies engaged in the worldwide production of building materials. Knauf reports that all of its Tianjin wallboard is marked with the Knauf Tianjin name, that its Tianjin plant is ISO 9001 certified, and that the wallboard was produced in accordance with the applicable ASTM standards. Knauf has reported that it is engaged in testing to determine what is happening and to ensure that there is no health risks associated with this product. Knauf has also reported that its testing shows that the wallboard does not present a health risk to persons within the residences. Enclosed with this letter are two statements that Knauf has released relating to the Tianjin wallboard.

As you may be aware, the importation of gypsum drywall to the United States from overseas locations like China has historically been rare. The weight of the material and associated freight costs typically make the purchase of imported board uneconomical for homebuilders. However, the unprecedented construction boom in Florida in 2005-06 and unfortunate damage caused by two hurricanes, created a domestic drywall shortage unlike anything seen before.

Mr. Glen Dunlap
March 18, 2009
Page 2

Almost all of the wallboard purchased by L&W Supply in 2006 was manufactured in North America. L&W Supply did import a limited amount of Knauf wallboard in 2006, including a small amount from the Knauf Tianjin plant. L&W's records indicate that the Knauf Tianjin board was sold by L&W only in Florida and that Knauf Tianjin wallboard constituted less than ½ of 1% of the total wallboard that L&W Supply sold in the Florida region in 2006. L&W did not relabel or otherwise alter any imported wallboard.

It is not clear what the exact cause of problems with Knauf Tianjin wallboard may be; however, Knauf has reported the following:

- The problem wallboard was manufactured with naturally mined gypsum from a Tianjin quarry;
- Knauf had not received any previous complaints in the nine years that its Tianjin plant manufactured wallboard;
- Low levels of naturally occurring sulfur gases may be causing the smell and corrosion;
- Knauf reports that tests show no health threat from the gases;
- Knauf manufactured wallboard at two other locations in China besides Tianjin; however, only Tianjin wallboard has been the source of complaints to Knauf
- It is not clear that all Knauf Tianjin wallboard sold in the United States has a problem;
- Knauf has also stated that they are conducting thorough investigations of complaints and cooperating with builders that have contacted the company.

With respect to the Willis home, L&W/Seacoast has confirmed that Ray Horvath Drywall purchased ½" drywall from Seacoast that was delivered to the Willis's address. However, the transaction records do not indicate the manufacturer of the delivered drywall. We would welcome any additional details that you may have in that regard, including copies of the photographs that you mentioned in your letter, or additional information about the amount of Knauf Tianjin wallboard or other wallboard that was installed in the Willis home.

I hope this information is helpful in your investigation. Please do not hesitate to call me if you have any further questions.

Very truly yours,



John A. Donahue
Senior Corporate Counsel
Tel: (312) 436-4006
Fax: (312) 672-4006

Media Statement
Knauf Plasterboard (Tianjin) Co., Ltd.
January 9, 2009

Knauf Plasterboard (Tianjin) Co., Ltd. has manufactured plasterboard for more than nine years in Tianjin, China. Along with many other Asian manufacturers, Knauf Tianjin primarily distributes its products to the Asia-Pacific region for use in residential and commercial construction, comparable to the use of plasterboard in the United States.

Because of a shortage of construction materials from a booming housing market and massive damage in the U.S. in 2005 by Hurricanes Katrina and Wilma, U.S. builders began importing significant stocks of plasterboard. Knauf Tianjin sold plasterboard to a third-party that imported the plasterboard into Florida in 2006. Knauf Tianjin was one of several Chinese plasterboard manufacturers whose plasterboard ended up in Florida.

Isolated complaints arose in southern Florida in late 2006 that there was an odor to the plasterboard. The plasterboard was manufactured with naturally mined gypsum rock. The company disclosed to the importer that there may be a slight odor, which depends on the natural ingredients of the rock. With the exception of Florida, no complaint had ever been raised and no product had been rejected because of the scent.

Individual builders also asked whether there were any health concerns. The company took the complaints very seriously and retained experts to test the residences at issue and the plasterboard. There were no health concerns related to the odor or any emissions in the residences.

The company received an additional complaint in July 2008 that certain unsourced plasterboard in some residences caused copper coils in HVAC units or other copper surfaces to blacken. Over the course of the several years that Knauf Tianjin has been manufacturing, it has never been aware of or heard of such a problem with its plasterboard.

The company is conducting a thorough investigation and cooperating with builders that have contacted it. Studies and testing by nationally recognized experts are ongoing. The testing has confirmed that copper has blackened and may be caused by low levels of naturally occurring sulfur gases. The low levels of gases do not present a health risk to persons within the residences.

Knauf Tianjin is assessing remedial options to correct conditions that are identified with respect to its plasterboard, with the least intrusion for homeowners. The company remains committed to the health and safety of the ultimate consumers of its products in the construction industry.

Media Statement
January 28, 2009

Knauf Plasterboard Tianjin Co., Ltd. (KPT) has been the focus of the recent controversy over imported plasterboard because it marked its plasterboard with its name according to industry custom and practice and as required by Chinese law. There are numerous manufacturers of plasterboard in China as well as other countries. Because of a shortage of construction materials from a booming housing market and massive damage in the U.S. in 2005 by Hurricanes Katrina and Wilma, U.S. builders, suppliers and importers began bringing significant stocks of foreign manufactured plasterboard into the U.S. During 2006, plasterboard from various countries was used including China, Mexico, Canada and other countries along with U.S. plasterboard.

KPT is the only manufacturer to respond to builders' complaints and conduct testing to ensure that there are no health risks to Florida homeowners. KPT is a responsible company and abides by the highest standards for manufacturing. KPT is ISO 9001 certified. The KPT plasterboard was manufactured in accordance with and marked with ASTM 36 at the request of its customer.

Other than KPT, it appears that most Chinese manufacturers of plasterboard did not brand their plasterboard. Only about 20% of the plasterboard imported from China over the 16 months, mostly in 2006, that Chinese plasterboard was imported was manufactured by KPT. This includes significant stocks of other manufacturers' plasterboard imported into Miami, Tampa and other Florida ports. KPT's plasterboard was imported by importers, builders and suppliers from January 2006 through October 2006. KPT has inspected and been informed of homes that have plasterboard other than KPT's and exhibit an odor and blackening of copper.

Even though KPT constitutes only a minority of the imported plasterboard, it is investing in exhaustive testing to determine what is happening and to ensure that there are no health risks associated with its product and its use in homes. The sulfur compounds detected in testing in homes have been found at no greater levels than air outside homes or in soil, marshes or the ocean. Their low levels do not present a health risk to persons within the homes. The company is conducting a thorough investigation and cooperating with builders and the Florida Department of Health.

Until last year in Florida, no complaint had been raised and no product had been rejected because of odor or impacts to copper in the nine years of KPT's operation. The company remains committed to assuring the health and safety of the ultimate consumers of its products in the construction industry as it has in the past.

The information in this report was obtained from multiple sources. An on-site investigation was conducted at the consumer's home on May 11, 2009. Copies of medical records were received on May 18, 2009, May 20, 2009, and May 21, 2009. A telephone interview was conducted with the owner of the product importer/supplier/installer company on May 14, 2009 and with an electrician on May 20, 2009. A telephone interview was also conducted with a second electrician and with the consumer's attorney (separately) on May 21, 2009. This investigation was initiated from a complaint that the consumer made to our agency on April 14, 2009.

On August 15, 2006, a local builder completed construction of the complainant's new "dream home." The house is considered to be a transitional style and is approximately 4,500 square feet in size. There is carpet present in three of the bedrooms, and hardwood throughout the rest of the home. The only natural gas present in the house is in the stove. The only work that has been done on the house after the initial construction was when a crack at the bottom of the staircase was filled in with plaster. The complainant and her family commenced moving their belongings into the home once construction was finished, but they did not actually stay overnight until sometime in January 2007 (exact date unknown). Approximately six to seven months (Summer 2007) after the family moved into the home, the complainant, her husband, and their three daughters began to experience the following side effects: runny noses, bloody noses, red, itchy eyes, chest congestion, fatigue, memory problems, chronic headaches, sinusitis, difficulty breathing, insomnia, and deep coughs. They had also been noticing that their home had an odd smell, which the complainant describes as a rotten egg/chemical odor.

Only the complainant and one of her daughters made any doctors visits concerning their side effects since their symptoms were the most severe. This Investigator requested medical records from three separate doctors. The medical records from the complainant's primary care physician were requested on May 14, 2009 and were received on May 18, 2009 (see exhibit 8). These records reflect multiple visits by the complainant in regards to chronic headaches and sinusitis. This Investigator also requested medical records for the complainant's daughter on May 14, 2009. These records were received on May 20, 2009 (see exhibit 9). Contact information for the complainant's neurologist was provided to this Investigator on May 19, 2009. A request for records from the neurologist was submitted on May 20, 2009, and the records were received on May 21, 2009 (see exhibit 10). Only the medical records that are relevant to this case are included in this report.

The complainant stated that she did not know anything about the construction materials used in her home prior to the onset of symptoms. It was only when she began to hear about problems that other homeowners were having with a certain brand of drywall in their houses (via various news stories) that she discovered that the same type of drywall was in her home as well. The consumer indicated that it was her understanding that the symptoms the other consumers were experiencing were very similar to the symptoms she and her family were experiencing. In order to determine if the complainant did in fact have the drywall installed in her home, she contacted her construction importer/supplier (exact date of contact unknown). The importer/supplier informed her that she did have the same drywall in her home. They also sent a letter to all of their customers on April 13,

2009, stating they had received complaints from a builder who had used the drywall during construction (the builder is not identified in the letter, see exhibit 7).

It was not until the drywall in question was identified in the complainant's home that she realized that some of the problems she had been having were as a result of having the drywall in her house. The following is a list of issues that the complainant and her family experienced:

- Unexplained breakers tripping when vacuuming her home or when using other electrical appliances.
- A pungent "rotten egg/chemical" odor throughout the entire house. Smell is strongest when first walking into the home and is significantly stronger on the first floor.
- Corrosion and discoloration of some of the metal décor in her home.
- The brand new dryer in her upstairs laundry room quit producing enough heat to dry her clothes in one cycle as was normal.
- The cable box spontaneously stopped working properly. Three replacements have been received since.
- The router for the internet is no longer functioning. The unit will not turn on.
- The television in her children's playroom makes a loud humming noise when turned on.
- The air conditioning unit does not work properly. The complainant has had to have a repairman come out to her house approximately 15 times to fix the unit because it would simply quit working. The exact dates of the repairman's visits are unknown.
- Copper wires in the electrical outlets have turned black and the gas lines in her attic have corroded. The gas lines are covered in thick rust, with a powdery corrosion substance present on the metal tape covering the vent shaft and on the pipe valves as well (see exhibit 10).

The complainant indicated that she is no longer going to continue to use any of the items in her house for fear that they are contaminated. She and her family moved out of their home on April 12, 2009 and moved into a trailer in their driveway. She left all of their personal belongings inside their home and is scared for her children to go back into the house at any time. The complainant informed this Investigator that one of her daughter's friends stated that girl's clothes always smelled like "rotten eggs." Both the complainant and her family always noticed a rotten egg/chemical odor in their home, but assumed "that's just how [their] house smelled."

During the on-site visit to the complainant's house on May 11, 2009, many of the issues experienced by the complainant herself were observed by this Investigator. Upon entering the house, a very strong, unpleasant odor was evident. While walking through the house, this Investigator noticed that all of the switch plates had been removed from the electrical outlets and the outlets were "hanging" out of the switchbox (all electrical outlets observed were grounded). On some of the outlets, the copper wire had turned completely black, while on others, the wire was only partly blackened (see electrical outlet

photographs in exhibit 11). The complainant stated that she has not had any electrical work done in her home since its initial construction. It did not appear that there was any corrosion, pitting, or discoloration on any of the metal fixtures in the home (i.e. faucets, chandeliers, etc.); however there was obvious corrosion and discoloration on a slotted metal pasta spoon that was shown to me by the complainant as an example (see exhibit 11). Once this Investigator entered the complainant's attic, it was apparent that the metal gas lines were corroded and appeared to show a thick layer of rust. On top of the metal tape surrounding the vent shaft was a significant layer of a corroded powdery substance (see exhibit 11). No samples were collected per instructions.

Since the complainant and her family have moved out of the house, their symptoms have been progressively improving. Her children and husband are no longer experiencing any symptoms, though the complainant herself is still dealing with chronic headaches and sinusitis. She did state however that her symptoms have marked improvement though they have not been completely eliminated. The complainant also stated that she has tried to get in contact with her builder, but the builder never answers his phone. She has been unable to leave a voicemail since an automated recording always states that the voicemail box is full. The exact dates that the complainant attempted to contact the builder are unknown. This Investigator attempted to contact the builder on both May 14, 2009 and May 20, 2009 via a phone number located on the internet (see contact attempt sheet for more details, exhibit 2), but his voicemail was full and could not accept new messages.

This Investigator also contacted the construction importer/supplier company that provided the drywall, and was able to conduct a phone interview with the owner on May 14, 2009. The owner of the supply company also owns the company that installed the drywall. He stated that he has not received any correspondence from the drywall's manufacturer, nor has he received any information about how they plan to remedy the situation. He also stated that he has not received any reports of problems experienced by his workers while they were handling the drywall in his facility. During the conversation, the owner informed this Investigator that the drywall that was imported into his facility met all of his company's exact specifications, such as width, length, and thickness. The drywall was independently received in his warehouse via truck deliveries and no other products were knowingly transported along with the drywall. It is unknown how the product was stored or shipped before it was received by the supply company. A sample of the drywall has already been taken from the supply company's left over stock by another Investigator, and sample number 09-810-7339 was assigned.

The complainant has not had any contact with the manufacturer, but has been in contact with the drywall supplier. She is unsure of the exact dates of contact with the supplier since there have been multiple conversations that have ensued. She has since contacted an attorney and has already filed a lawsuit against the importer/supplier and the installer. The complainant, along with a group of other homeowners, met with a congressman on Saturday, May 16, 2009 to discuss the problem. In a telephone conversation with the complainant on May 19, 2009, this Investigator was informed that the meeting with the congressman was conducted in an open forum format during which the consumers could express their concerns.

On May 20, 2009, this Investigator spoke with an electrician who inspected the complainant's electrical panel after the breakers continued to spontaneously trip. The electrician reports that he also hooked up the complainant's trailer to the electrical system in their home on April 26, 2009. During the electrician's visit, nothing was found to be faulty in the electrical system. On May 20, 2009, this Investigator left a voicemail with a different electrician who had initially installed the complainant's electrical system in the house. The phone call was returned on May 21, 2009 and an interview with the electrician was conducted. During the conversation, the electrician alleged that he did not notice any problems with the complainant's electrical system during or after installation. While at the house, he did not notice any problems with any of the other contractor's work either.

On May 21, 2009, this Investigator contacted the complainant's attorney and conducted a telephone interview. During this conversation, the attorney informed this Investigator that he does not expect any results to come out of the complainant's law suit for approximately two to three years. He believes that some of the home builder associations that have built the homes with drywall are attempting to remedy the situation by re-building the homes; however he is unsure as to when this might take place.

The complainant is aware of and actively participates in a local drywall support group in her community and is working with her attorney concerning the lawsuit against the drywall importer/supplier and installer. She is unsure of what to do with her house and all of the belongings inside. She does not want to use any of the items, yet she does not know how to dispose of them for fear of contaminating other people with whatever substance is causing the corrosion. She has been in contact with the state health department as well as the Environmental Protection Agency (EPA). She has had a representative from her insurance company come out to test her drywall (see exhibit 11, photograph number 6). The exact dates of the contacts and visits are unknown. As of now, the complainant and her husband are considering either searching for a smaller home to live in until a solution is found, or are considering foreclosure. Their current plans are to move along with their lawsuit and hope that a remedy is put into action as soon as possible.

PRODUCT IDENTIFICATION

The product in question is Chinese-manufactured drywall with either "Taihe China" or "Shandong Dongxin Company Ltd" inscribed on the actual drywall itself. There is no known model number, SKU number, or other identifying information. No information is known about the manufacturer or type of electrical outlets used in the home.

Product: Drywall

Manufacturer: Shandong Dongxin Company Ltd. taihe@public.taptt.sd.cn, www.taihegroup.com, address is: in the east of national road 104,25 kilometers south to Tai'an city. The postal code is 271026. Phone number is (0086-538) 8811449 and fax is (0086-538) 881132

090505CBB1681

Brand: Unknown

Model Number: Unknown

Manufactured Date: Unknown

Builder: Eugene Christian Anderson. Curb Appeal Home Builders. 757-291-6299, <http://www.myspace.com/canderson1104>. Address unknown.

Importer/Supplier: Venture Supply, 1140 Azalea Garden Road, Norfolk, VA 23502. Phone: 757-855-5433, Fax: 757-857-0283.

Installer: Porter Blaine, 1140 Azalea Garden Road, Norfolk, VA 23502. Phone: 757-855-5433, Fax: 757-857-0283.

Approximate Cost: Unknown

*NOTE: No applicable data record sheets/investigation guidelines were located.

EXHIBITS

#1: Contact Sheet/Resources

#2: Contact Attempt Sheet

#3: Authorization for Release of Name

#4: Property Assessment for Complainant's Home

#5: News Story (concerning the complainant and her family)

#6: News Story (issued May 20, 2009 concerning Environmental Protection Agency testing results)

#7: Letter from Venture Supply (the drywall supplier)

#8: Medical records from the complainant's primary care physician (11 pages)

#9: Medical records from the complainant's daughter's pediatrician (29 pages)

#10: Medical records from the complainant's neurologist (3 pages)

#11: Photographs of complainant's home (11)

#12: Medical Release Forms (3)

EXHIBIT 1

CONTACT SHEET/RESOURCES

Complainant

(b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c) n May 7, 2009 to schedule on-site IDI. Investigation was conducted at the consumer's home on May 11, 2009. May 14, 2009: The complainant provided her daughter's SSN in order for this Investigator to request her medical records. May 20, 2009: (b)(3):CPSA Section 25(c) provided her neurologist's name and contact information.

Drywall Importer/Supplier/Installer

Owner Samuel Porter (Venture Supply and Porter Blaine)
1140 Azalea Garden Road
Norfolk, VA 23502
757-855-5433 – Office
757-857-0283 – Fax

*Conducted telephone interview with Mr. Porter on May 14, 2009.

Home Builder

Owner Eugene Christian Anderson
Address Unknown
757-291-6299 – Cell

Phone number located at <http://www.myspace.com/canderson/1104>

*Attempted two unsuccessful phone calls on May 14, 2009 and May 20, 2009 (see Contact Attempt Sheet, exhibit 2 for more details).

Electrician

Owner Eric Saar
413 Smiths Lane
Virginia Beach, VA 23452
757-498-7730 – Office
757-498-7853 – Fax
757-754-5262 – Cell

www.etcsonline.com

*Spoke with Mr. Saar on May 20, 2009 since he is the electrician that hooked up the complainant's trailer to her house. He also inspected the complainant's electrical panel box on April 26, 2009.

EXHIBIT 1

Electrician

Owner Jason Parker
151 Kristen Lane
Suffolk, VA 23434
757-934-3771 – Office

*Left voicemail for Mr. Parker on May 20, 2009 to conduct an interview about the service he provided to the complainant when her breakers began tripping spontaneously. Mr. Parker is also the person that installed the electrical system in her house when it was initially being constructed. Telephone interview was conducted on May 21, 2009 when Mr. Parker returned this Investigator's voicemail.

Complainant's Primary Care Physician

(b)(3):CPSA Section 25(c)
(b)(3):CPSA Section 25(c)
Virginia Beach, VA 23462

(b)(3):CPSA Section 25(c) Office
Fax

*Spoke with Felicia on May 14, 2009 and requested complainant's medical records. A request letter was faxed to Felicia same day. The records were received on May 18, 2009.

(b)(3):CPSA Section 25(c) **(complainant's daughter) Pediatrician**

Virginia Beach Pediatric Center
(b)(3):CPSA Section 25(c)
(b)(3):CPSA Section 25(c)

Virginia Beach, VA 23454

(b)(3):CPSA Section 25(c) Phone
Fax

*Spoke with JoAnne on May 14, 2009 and requested (b)(3):CPSA Section 25(c) medical records. A request letter was faxed to JoAnne same day. The records were received on May 20, 2009.

Complainant's Neurologist

Neurology Specialists
(b)(3):CPSA Section 25(c)
(b)(3):Exemption for trade secrets

Norfolk, VA 23502-3932

(b)(3):CPSA Section 25(c) Office
Fax
Alternative Fax

*Spoke with Crystal on May 20, 2009 and requested complainant's medical records. A request letter was faxed to Crystal same day. Medical records received on May 21, 2009.

090505CBB1681

EXHIBIT 1

Attorney

Richard Serpe

580 East Main Street. Ste 310

Norfolk, VA 23510

757-233-0009 – Office

757-233-0455 – Fax

877-544-5323 – Office, toll-free

866-573-6691 – Drywall Hotline

*Conducted telephone interview with Mr. Serpe on May 21, 2009.

EXHIBIT 2

CONTACT ATTEMPT SHEET

*Two separate attempts were made to contact the complainant's home builder, Eugene Christian Anderson at the only phone number that could be located. During both phone call attempts, Mr. Anderson's voicemail was full and could not accept any other messages. Date of the first attempt contact was May 14, 2009. The second contact attempt was made on May 20, 2009.

*A voicemail was left on May 20, 2009 for the electrician who installed the complainant's electrical system when her house was initially being constructed. No reply has yet to be received as of the submission date of this report.

EXHIBIT 3

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)(3):CPSA Section 25(c)

May 11, 2009
(Date)

EXHIBIT 4

Virginia Beach, Virginia

Page 1 of 1

Virginia Beach, Virginia

generated on 5/8/2009 9:33:01 AM CDT

Parcel

| | | | |
|-----------------------|--------------------------------|----------------------------|-------------------|
| GPIN | Address | Current Total Value | Data as of |
| 14985545560000 | (b)(3):CPSA Section 25(c) EACH | \$1,019,900 | 05/02/2009 |
| Owner Address | Information | | |
| | VIRGINIA BEACH VA 23452-4614 | | |
| Transfer Date | 5/19/2006 | | |
| Document # | 20060320000420920 | | |
| Deed Book/Page | 0 0 | | |

Location / Description

| | | | |
|-----------------------|------------------------------------|---------------------------|---------------------|
| District | 50 | Section & Plat | Book 31 Page 51 |
| District | 50 Lynnhaven | Legal Desc. | MICHAEL WOOD LOT 25 |
| Parcel Address | (b)(3):CPSA Sec DR, VIRGINIA BEACH | | |

Parcel Type

| | |
|----------------------------|--------------------------------|
| Zoning | 17 - R40 |
| Property Class Code | 101 - Residence |
| Neighborhood Code | 5114042 LITTLE NECK WATERFRONT |

EXHIBIT 5

Norfolk.VA.MyCityTalk.com

Page 1 of 2



mycitytalk.com



Print the article

Norfolk-based supplier says it distributed Chinese drywall

Published 04/10/2009 - 8:15 a.m. EST

A Norfolk-based construction supplier said Thursday that it imported 2,000 pallets of China-made drywall between March 2006 and December 2008 - enough to build at least 240 homes.

Such wallboard has been the focus of complaints in several states by people who say it emits a corrosive gas that damages household electrical systems and causes respiratory illness. It appears to have been used in at least two developments in Virginia Beach and Chesapeake.

A Virginia Beach developer is inspecting 60 homes suspected of containing the defective drywall.

Separately, on Thursday, two more people in Hampton Roads said they were informed their homes contain Chinese-made drywall.

An attorney for Venture Supply Inc., the Norfolk business that imported the Chinese drywall, said the company could not determine how many homes contain the wallboard.

"A lot of our sales are to builders, not to homeowners," said Mark Nanavati, an attorney for the company. "So I don't know if we could even technically do that."

Venture's owner, Sam Porter, did not return several calls for comment. For the past few weeks, Venture has been going over its records and lining up a team of specialists to determine how to take care of complaints from the drywall, Nanavati said.

One of the people confirming the presence of the Chinese drywall on Thursday lives in the Norfolk condominium complex Harbor Walk, a 240-unit community built in 2006 by Weimers Development. The company sold the development to Florida-based Menin Group, which said it is in discussions with Venture to determine whether defective drywall was used.

Michelle Germano said she began to smell sulfur throughout her home just months after purchasing her Harbor Walk condo in June 2006.

In the past two years, she said, her air conditioning unit has gone out four times, and several other appliances have failed. Germano, a nurse who works from home, said she has suffered from respiratory problems and daily headaches. She is in the process of finding a place to rent until her home can be restored.

"I'm very concerned that this gas has permeated everything I owned," she said.

Venture said that residents whose homes were built before March 2006 do not have the drywall. The company advised residents to look for Venture's name stamped on the back of the wallboard, which could sometimes be seen in the attic.



Colleen Nanyon watches her daughters play on the computer Thursday. Colleen and her husband last week learned that their builder used some hazardous Chinese drywall in constructing their Virginia Beach home.

<http://www.mycitytalk.com/printfriendly.cfm?articleID=22663>

5/14/2009

EXHIBIT 5

Norfolk, VA, MyCityTalk.com

Page 2 of 2

The Dragas Companies has acknowledged that Chinese drywall from Venture may have been used in some homes in The Hamptons at Greenbrier in Chesapeake and Cromwell Park in Virginia Beach.

Venture said it imported the drywall because the domestic-made product was nearly impossible to obtain around March 2006, and "builders and developers were demanding building supplies," according to a letter given to customers. The imported drywall cost Venture more than domestic drywall, the letter said.

In a statement, the company said it imported the drywall from Shandong Yame Dong-xin Co. Ltd., a Chinese company that has been connected to defective drywall found in homes in Florida. The company's parent is owned by the Chinese government and is one of China's largest new building materials manufacturers, according to a report this week in the Sarasota, Fla., newspaper.

The issue has gotten an increased amount of national attention in recent weeks. Two U.S. senators recently introduced a bill to recall and ban tainted building products from China. One of them, Sen. Bill Nelson of Florida, also called for the firing of the country's top consumer affairs advocate for not moving faster to deal with homeowners' concerns. The issue is the subject of several lawsuits, including one against the Chinese company that sold drywall to Venture.

A Miami attorney said he is planning to file a class-action suit in Virginia against developers who do business in the Norfolk area. The attorney declined to name the developers but said Dragas would not be included because it has offered to replace drywall in any homes that are found to have the Chinese-made wallboard.

Colleen Nguyen lives in a five-bedroom Virginia Beach home off Little Neck Road. Venture told her that her home contained the wallboard, she said.

That home was built by a company called Curb Appeal Home Builders Inc., Virginia Beach records show. Several messages left with Curb Appeal's president were not returned.

The drywall was installed by The Porter Blaine Corp., whose president is Porter, Venture's owner.

Nguyen moved into what she described as her "dream home" in early 2007. She said her family began to notice a burnt smell in the living room when the heat or air conditioning was on.

On Thursday, she pulled out a few electrical outlets to show copper wires that had turned black.

Nguyen said she is worried about long-term health effects, even though Florida's health department said preliminary tests showed no specific health hazard from gases from the drywall.

Since moving in, she has experienced frequent sore throats. Her 11-year-old daughter began to have itchy eyes.

Source

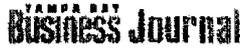
EXHIBIT 6

Nelson: Chinese drywall tests confirm differences - Tampa Bay Business Journal:

Page 1 of 1

Tampa Bay Business Journal - May 20, 2009
http://bizjournals.com/tampabay/stories/2009/05/18/daily29.html?printable

Media Release: U.S. Environmental Protection Agency Tests Confirm Differences



www.bizjournals.com/tampabay

Nelson: Chinese drywall tests confirm differences

U.S. Environmental Protection Agency tests of high-sulfur Chinese drywall have confirmed differences between the imported material and U.S.-made drywall, U.S. Sen. Bill Nelson said Tuesday.

The new EPA tests showed the Chinese-made drywall contained sulfur that was not in U.S. drywall, strontium (a metallic element) at levels 10 times as high as in U.S. drywall and two other organic compounds generally found in acrylic paint that were not detected in any U.S.-made wallboard, according to a media release.



View Larger

"We now know there are three things in there that aren't in other drywall samples," Nelson, a Florida Democrat, said in the release. "We've got the what, and now we need the why and how do we fix it? In the end, I think all this stuff is going to have to be ripped out."

Nelson's office said the EPA has determined more tests are needed, including air sampling in affected houses, to determine whether the drywall is the cause of corroded wiring and appliances and the alleged health problems. Nelson said he and Sen. Mary Landrieu, D-Louisiana, will file an amendment to pending legislation to provide emergency funds for further investigation and continued testing.

The first congressional hearings on Chinese drywall are set for Thursday. The Senate Subcommittee on Consumer Protection, Product Safety and Insurance will investigate health and product safety issues associated with the drywall.

High-sulfur Chinese drywall has been blamed for fumes that cause an odor of rotten eggs, metal corrosion and alleged health problems in thousands of homes, mostly in the Southeast, and especially in Florida.

The growing product liability crisis has spawned federal and state lawsuits, including individual actions and class actions. The Florida Department of Health is tracking 265 reported complaints and investigating. The U.S. Consumer Product Safety Commission is also investigating.

Other witnesses expected to testify at Thursday's hearing include experts from the U.S. Centers for Disease Control and Prevention, the EPA, the CPSC, a Florida homeowner affected by the drywall and a Louisiana homebuilder.

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EXHIBIT 7

VENTURE SUPPLY, INC.

1140 Azalea Garden Road Norfolk, VA 23502
(757) 855-5433 Fax (757) 857-0283

To our customers and clients:

Venture Supply, Inc. has received questions from customers relating to drywall that was imported from Asia.

Around March 2006 we imported some drywall from Shandong Dongxin Company, Ltd., a manufacturer in China. We did so because domestic drywall was nearly impossible to obtain during that time frame and builders and developers were demanding building supplies. The imported drywall's total cost was actually more than we normally pay for domestic drywall.

Since that time there have been complaints originating in Florida relating to drywall manufactured and supplied by another Chinese company. We have also received complaints from at least one local builder. There have also been news reports on both national and local levels. We understand that this may have caused some concern to customers who believe their homes may have drywall manufactured in China.

First, if your home was constructed before March 2006, you do not have drywall that we imported from China. Second, the only way to truly know if you have drywall that we imported from China is to view the back of the boards, which would be stamped with our company's name. The easiest way to check this would be to look in the attic spaces on the back of the boards used for your living space ceilings.

The primary visible symptom reported by some homeowners is a black coating or corrosion on copper, including HVAC coils, electrical wiring, etc. There have been complaints relating to the need to replace the HVAC coils. We have also heard a few complaints relating to an increase in allergy-like symptoms, although we have seen no medical reports linking such symptoms to drywall.

If you believe you have a problem, you should perform whatever investigation you need to determine the best course of action for you. We have contact information for Shandong Dongxin Company, Ltd., if you feel you need to make a complaint to the manufacturer. You may also wish to contact your local health department if you feel the need to do so.

We have turned this matter over to our counsel. If you feel the need to contact them, you may call Mark Nanavati or Ken Hardt at Sinnott, Nuckols & Logan, P.C., (804) 378-7600 or write to them at 13811 Village Mill Dr., Midlothian, VA 23114.

As always, we value your continued business.

"Please feel free to visit our website at www.venturesupply.com"

EXHIBIT 8

May. 13. 2009 12:32PM

(b)(3):CPSA
Section 25(c)

MD FACP

No. 5578 P. 2/76

FOLLOW-UP VISIT 04-22-2009

PATIENT: (b)(3):CPSA Section 25 # 3348
DOB: 08-05-1968

REASON FOR EVALUATION: (b)(3):CPSA Section 25(c) comes in today to for chest congestion, sore throat, cough, and dry throat. She was treated for an upper respiratory infection with a nasal rinse and Biaxin. She had her red blood cell folate level done and a vitamin B12 level, both of which were low. I think that she might do better with Metanx, methylfolate, and see if that works. Her lead level was low. Her mercury level was almost 6, although that is in the admissible range, it still is not high. I did not have the strontium back when I saw her; however the blood level was 15.9. There were no parameters, but I feel that she is probably toxic from strontium from the Chinese drywall. She has moved into a trailer in her front yard, and has found that she has less chest congestion and shortness of breath just being away from her house, which she stated in more because she felt so bad. She has no real new symptoms, just is not improving. She has coughed up a grainy type of substance, and she also has burning in the mid chest. The lower chest burning has gone away; however.

PHYSICAL EXAMINATION: Weight was 163. Blood Pressure was 124/90. Pulse was 88. Respirations were 20. I rechecked her blood pressure and it was 120/85. **HEENT:** The oropharynx had thrush. The TMs were normal. The face was nontender. **LUNGS:** The lungs were very bronchial, but there were no wheezes, rales, or rhonchi.

IMPRESSIONS:

- 1. Toxic exposure
- 2. Thrush 112.0
- 3. Dyspnea on exertion 786.00
- 4. Allergic rhinitis 477.9

DISCUSSION: I put her on Diflucan because she had taken that before without any difficulty. I gave her 200mg for 10 days. Hopefully she will not have to take all 10 days, but if she does, she can. I gave her a Proventil AFA inhaler. I told her how to do two puffs and do a trial of exercise just to see if it allows her to exercise more with the shortness of breath. I am going to schedule a CT scan of the chest and sinus because of the chronic cough and the recurrent sore throat. I will discuss her case with Dr. Russell Jaffe, toxicology, and see if chelation and further (b)(3):CPSA Section 25(c) nted, and what we can chelate her with given it is strontium.

(b)(3):CPSA
Section 25(c)
M.D., F.A.C.P.

SBH/rls
DOT: 04-24-2009

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

May. 13. 2009 12:32PM

(b)(3):CPSA
Section 25(c)

FACP

No. 5578 P. 3/76

FOLLOW-UP VISIT 04-13-2009

PATIENT: (b)(3):CPSA Section 25(c) **3348**
DOB: 08-01-1977

REASON FOR EVALUATION: (b)(3):CPSA Section 25(c) comes in today for a sore throat, headache, chest congestion, and some coughing. She had an earache that started last night when she was laying on that side, it improved when she sat up, and the earache went away. She has found that she has Chinese dry wall in her house that has corroded her wiring. This emits a strontium sulfide that can be very irritating and possibly harmful. I encouraged her that they probably were not suffering much because her children are high school age, but I did suggest that she have them checked. We can do detoxification if needed. She, however, feels sick at this point.

PHYSICAL EXAMINATION: Weight was 162. Blood Pressure was 102/88. Pulse was 84. Respirations were 16. The patient was alert, oriented, and in no acute distress. **HEENT:** The TMs had fluid, but they really were not red. The oropharynx was extremely red. She had tonsillar hypertrophy with debris in the tonsillar crypts, and it appeared to be like a chronic low-grade tonsillitis. She had a tender anterior cervical node, more on the right than on the left. She had minimal facial tenderness over the maxillary but some on the frontal sinus. **LUNGS:** The lungs were bronchial but had no rales or rhonchi. **CV EXAM:** The cardiovascular examination revealed a normal sinus rhythm.

IMPRESSIONS:

- 1. Acute Tonsillitis 463
- 2. Acute pharyngitis 462
- 3. Acute sinusitis 461.0

DISCUSSION: I gave her some Xyzal samples to try. I put her on Biaxin XL 500mg, name brand, two with a large meal. I suggested that she use a nasal rinse on a daily basis, especially now, to see if she can get this out of her head. If she does not improve, we will do a CT scan of the sinus, but she is to call and give me an update on that.

(b)(3):CPSA Section 25(c)

D., F.A.C.P.

SBH/rls
DOT: 04-16-2009

EXHIBIT 8

May. 13. 2009 12:32PM

(b)(3):CPSA
Section 25(c)

MD FACP

No. 5573 P. 4/76

FOLLOW-UP VISIT 03-02-2009

PATIENT: (b)(3):CPSA # 3348
Section 25(c)
DOB: 08-05-1968

REASON FOR EVALUATION: (b)(3):CPSA comes in today to follow-up on her
Section 25(c) labs. There were a number of issues that were unresolved and she is still having headaches. She has an upper respiratory infection that has not gotten any worse. She has been doing some Castor Oil but not as replete as she needs to.

PHYSICAL EXAMINATION: Weight was 164. Blood Pressure was 122/80. Pulse was 88. Respirations were 14. **HEENT:** She had some nasal congestion. The oropharynx was indurated but not red. There was no exudate. The lymphadenopathy was slightly prominent. There was not a lot of musculature in her neck that was tender. **LUNGS:** The lungs were clear. **CV EXAM:** The cardiovascular examination was normal

IMPRESSIONS:

- 1. B₁₂ deficiency 266.2
- 2. Hypothyroid 244.8
- 3. Headache 346.0
- 4. Upper respiratory infection 465.9

DISCUSSION: I reviewed her labs done on February 10, 2009, that showed a uric acid of 37. The ferritin level was 47. The thyroid was not replete. Her T3 was only 2.3, so I added Cytomel 5mg in the morning and at lunch to the Synthroid 0.075mg. I am hoping that will all correct with just that maneuver, rather than change both of those at the same time. Her cortisol in late afternoon was 8.3, so that actually looked pretty good. The folate was 14. Her B₁₂ was still terrible at 380. We started B₁₂ shots again, and I gave her a B₁₂ in the office. I wrote her a prescription. She will give these to herself once a week or more often. I suggested that she go on B-Complex #6 just to minimize some of the other issues. That will give her the folic acid and other things. Her ANA was negative. I still do not have DHEA and all of her lab results back yet, so I am still waiting on those. I think that if we just fix these two things, see her back in a month, see how she does, and then go from there. Getting the rest of her labs will be important and I will report those to her.

(b)(3):CPSA Section
25(c)

, F.A.C.P.

SBH/rls
DOT: 03-04-2009

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

May 18, 2009 12:34PM

(b)(3):CPSA
Section 25(c)

MD FACP

No. 5578 P. 13/76

(b)(3):CPSA Section 25(c)

NEW PATIENT VISIT**48 - 03/14/07**

HISTORY OF PRESENT: (b)(3):CPSA Section 25(c) was referred by Kim Cox. She has a rather complicated history and is concerned about some of the issues in her past.

PAST MEDICAL DIAGNOSES: She has had extreme pelvic pain, leg pain, fatigue, memory issues, chronic sinus FLA's, visual changes in that her vision has become hazy.

PAST HOSPITALIZATIONS/SURGERIES: She had a laparoscopy at VBGH in the past. She has had an appendectomy and gallbladder removal.

CHILDHOOD ILLNESSES: She was born and raised in Suffolk, New York. Had allergies as a child. Had vision issues even then.

ALLERGIES: Penicillin and environmentally everything.

CURRENT MEDICATIONS: Synthroid .075, Nasacort daily. She has started myofascial therapy and that seems to help. She has used Trazodone in the past but none recently. She is taking Vicodin and Ponstel for her pelvic pain.

FAMILY HISTORY: Positive for thyroid disease.

SOCIAL HISTORY: She has a master's degree in computer science but is a stay-at-home mom at this point. She is married. She is self-employed. She is Catholic. She enjoys gardening and scrap booking. She has no financial difficulties. She has never smoked. She usually drinks wine whether daily or weekly. She denies any caffeine or recreational drugs. She sleeps okay, about 6-8 hours, but she feels fuzzy and frazzled. She has no sex drive.

REVIEW OF SYSTEMS: Positive for night sweats, fatigue, sinusitis that is occasionally. She wears contacts now but has very significant visual problems, corrected with glasses, but is having some trouble as she is adjusting to middle age. She has had some stiffness in her joints in the morning, but she had numbness and aching down both legs over the last 3 months. That has improved and gone away right now, but she feels it may be associated with Lupron that was given for endometriosis. She is SOB when lying down occasionally. She has abdominal pain occasionally and constipation more than diarrhea. She has heat and cold intolerance and SOB. She has had appendicitis, gallbladder stones. She is taking Vicodin and Ponstel for her pelvic pain. She has 3 children, 9, 6, and 5. They were all large children, 8.6 lbs, 9.2 lbs, and 10.11 lbs. She now uses a diaphragm. Her periods are relatively normal with low flow for about 5 days. They used to be very heavy. Her mother is in the process of getting a diagnosis whether this is Sjogren's Syndrome or a mass is hard to say. She is seeing Dr. Elstein also. She is more concerned about the fatigue and memory loss than anything else.

PHYSICAL EXAMINATION: Weight 167, she is 5' 8 1/2", blood pressure 112/70, pulse 76, respirations 16. She was alert and oriented. In no acute distress. **HEENT:** Her hair was brown, thin. Scalp was atraumatic. She had old scars from acne, making me a little suspect of PCOD. **PERR:** Conjunctivae were injected. TMs had fluid. She still had some acneiform eruptions on her face. Oropharynx had PND. She had in contacts and her eyes looked normal. Neck was supple. No spinal tenderness. Carotid upstroke was good. EOMs were intact. Trachea was

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

May. 18. 2009 12:34PM

(b)(3) CPSA Section 25(c)

No. 5573 P. 14/76

PAGE 2 PATIEN

physical exam cont.

midline. Thyroid seemed prominent but there was no obvious goiter. No bruits. No CVA tenderness. **LUNGS:** Clear to the bases. **CV EXAM:** Normal sinus rhythm. **ABDOMEN:** Soft and nontender in all quadrants. Epigastric pain was mild. The inguinal areas were nontender. **EXTREMITIES:** She had no distal edema. Good distal pulses. Neurologically, she was grossly intact. DTRs were 1+ and equal.

IMPRESSIONS:

- 1. Hashimotos thyroiditis. 245.2
- 2. Vision change. 368.10
- 3. Memory loss. 780.93
- 4. HA. 784.0
- 5. Pelvic pain. 625.9
- 6. Dysesthesia legs. 782.0
- 7. Pelvic floor dysfunction. 618.83
- 8. Allergic rhinitis. 477.9
- 9. Menorrhagia/change in menses. 626.2

DISCUSSION: I think that there are a lot of different things that need to be evaluated. I am going to start with allergy testing on food, do a perimenopausal profile, an ASI profile, do a reverse T3 and look at her thyroid, look for anemia, see where she is as far as menopause. I have other labs that I think will be replete. I will go into the database and look for other labs that have been done to see if I can make a decision based on that. I will see her in F/U.

(b)(3) CPSA Section 25
(c)

SDH/hrt
dt: 03/22/07

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

May 18, 2009 12:34PM

(b)(3):CPSA Section 25(c)

FACF

Vol. 5578 P. 15/76



MRI CT DIAGNOSTICS
4668 PEMBROKE BLVD, SUITE 117
VIRGINIA BEACH, VA 23455

Phone: 757-671-1144

Fax: 757-671-7299

SEND REPORT TO:

Name:

(b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c)

DOB: 08/05/1968

Gender: Female

(b)(3):CPSA Section 25(c)

Exam Start: 4/24/09 12:11 pm

Referring Physician:

(b)(3):CPSA Section 25(c)

M.D.

CT STUDY OF THE PARANASAL SINUSES

HISTORY: 40 year-old woman with chronic cough.

TECHNIQUE: CT imaging of the paranasal sinuses was performed with an ultra-fast multi-slice helical CT scanner. 0.5 mm thick axial sections were obtained using multi-slice helical volumetric technique and reviewed at bone windows and with multiplanar reformatting (reconstruction). Reconstructed images were requested to evaluate the ostiomeatal complexes.

Frontal sinuses: Minimal soft tissue thickening is seen bilaterally.

Ethmoid sinuses: Bilateral mild soft tissue thickening.

Maxillary sinuses: There is minimal soft tissue thickening along the floor of the left maxillary sinus. A greater degree although mild soft tissue thickening is seen on the inferior and lateral walls of the right maxillary sinus.

Sphenoid sinuses: Clear.

Nasal septum: Leftward deviation.

Middle turbinates: Small right concha bullosa.

Ostiomeatal complexes: A mild amount of soft tissue thickening is seen on the superomedial wall of the right maxillary sinus which causes mild narrowing of the ethmoidal infundibulum. The right ethmoidal infundibulum and frontal recess are patent. On the left side, the ethmoidal infundibulum is anatomically narrowed but patent. The left frontal recess is patent.

IMPRESSION:

Please see discussion above.

Thank you for this referral.

Printed: 4/27/2009 4:59 pm

(b)(3):CPSA Section 25(c)

m 213933}

Page 1 of 2

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

(b)(3):CPSA Section 25(c)

:34 PM

(b)(3):CPSA Section 25(c)

MD FACP

No. 5578 P. 16/76

(Exam 21, 33)

MRN #: 060542483

Interpretation Radiologist

(b)(3):CPSA Section 25(c)

Electronically Signed: 4/27/09 4:57 pm

DIRECT LINE TO RADIOLOGIST 757-965-4170

A contribution has been made to a medical organization to help those patients in need.

EXHIBIT 8

May. 18. 2009 12:34PM

(b)(3):CPSA
Section 25(c)

MD FACF

No. 5573 P. 17/76



MRI CT DIAGNOSTICS
4668 PEMBROKE BLVD, SUITE 117
VIRGINIA BEACH, VA 23455

Phone: 757-671-1144
Fax: 757-671-7299

(b)(3):CPSA Section 25(c)

VIRGINIA BEACH, VA 23462

Fax: (b)(3):CPSA
Section 25(c)

(b)(3):CPSA Section
25(c)

Name:

MRN #:

Phone:

DOB: 08/05/1968

Gender: Female

Exam Start: 4/24/09

Referring Physician:

(b)(3):CPSA Section
25(c)

D.

CT STUDY OF THE THORAX

HISTORY: 40 year-old woman with chronic cough.

TECHNIQUE: CT imaging of the chest was performed with an ultra-fast multi-slice helical CT scanner. 2 mm thick images were obtained using helical multi-slice volumetric technique, before and after IV injection of 100 cc of non-ionic iodinated contrast material (Isovue), and reviewed at soft tissue and bone windows and with multiplanar reformatting (reconstruction). No prior studies are available for comparison.

FINDINGS: The lungs show no suspicious pulmonary nodules, masses, or consolidations. No pathologically enlarged lymph nodes or pleural fluid is seen. Images through the upper abdomen are unremarkable.

IMPRESSION:
Unremarkable contrast enhanced CT study.

Thank you for this referral.

(b)(3):CPSA Section 25(c)

Electronically Signed: 4/26/09 9:01 pm

DIRECT LINE TO RADIOLOGIST 757-965-4170

A contribution has been made to a medical organization to help those patients in need.

Printed: 4/26/2009 9:01 pm

(b)(3):CPSA Section 25
(c)

Exam 213934)

Page 1 of 1

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8



May 13, 2009 12:34 PM

(b)(3):CPSA
Section 25(c)

FAQP 497 0411

No. 5578 Page 18/76



MRI-CT DIAGNOSTICS
4668 PEMBROKE BLVD, SUITE 117
VIRGINIA BEACH, VA 23455

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(b)(3):CPSA Section 25(c)

VIRGINIA BEACH, VA 23462

(b)(3):CPSA
Section 25(c)

(b)(3):CPSA
Section 25(c)

Phone:

DOB: 06/03/1969

Exam Start: 4/24/09 12:11 pm

Referring Physician:

Gender: Female

(b)(3):CPSA
Section 25(c)

M.D.

CT STUDY OF THE PARANASAL SINUSES

HISTORY: 40 year-old woman with chronic cough.

TECHNIQUE: CT imaging of the paranasal sinuses was performed with an ultra-fast multi-slice helical CT scanner. 0.5 mm thick axial sections were obtained using multi-slice helical volumetric technique and reviewed at bone windows and with multiplanar reformatting (reconstruction). Reconstructed images were requested to evaluate the ostiomeatal complexes.

Frontal sinuses: Minimal soft tissue thickening is seen bilaterally.

Ethmoid sinuses: Bilateral mild soft tissue thickening.

Maxillary sinuses: There is minimal soft tissue thickening along the floor of the left maxillary sinus. A greater degree although mild soft tissue thickening is seen on the inferior and lateral walls of the right maxillary sinus.

Sphenoid sinuses: Clear.

Nasal septum: Leftward deviation.

Middle turbinates: Small right concha bullosa.

Ostiomeatal complexes: A mild amount of soft tissue thickening is seen on the superomedial wall of the right maxillary sinus which causes mild narrowing of the ethmoidal infundibulum. The right ethmoidal infundibulum and frontal recess are patent. On the left side, the ethmoidal infundibulum is anatomically narrowed but patent. The left frontal recess is patent.

IMPRESSION:

Please see discussion above.

Thank you for this referral.

(b)(3):CPSA Section 25(c)

Printed: 4/27/2009 4:58 pm

33)

Page 1 of 2

05/18/2009 2:06PM (GMT-04:00)

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EXHIBIT 8

4 May. 18. 2009 12:35PM

(b)(3):CPSA Section
25(c)

CP 437 0411

No. 5578 Page 19/76

(b)(3):CPSA Section
25(c)

Exam 213933

MRN #: 668542483

Interpreting Radiologist

(b)(3):CPSA Section 25(c)

DIRECT LINE TO RADIOLOGIST 757-965-4170

A contribution has been made to a medical organization to help those patients in need.

Printed: 4/27/2009 4:58 pm

(b)(3):CPSA
Section 25(c)

Exam 213933)

Page 2 of 2

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 8

May. 18. 2009 12:38PM

(b)(3):CPSA
Section 25(c)

MD FACP

No. 5573 P. 44/76



MRI CT DIAGNOSTICS
4668 Pembroke Blvd Ste 117
Virginia Beach, VA 23455

Phone: 757-671-1144
Fax: 757-671-7299

SEND REPORT TO:
(b)(3):CPSA Section 25(c)

VA BEACH, VA 23462

Fax: 757-497-0411

Name: (b)(3):CPSA Section 25(c)

MRN #:

Phone:

DOB: 08/05/1968

Gender: Female

Exam Start: 5/16/08 9:51 am

Referring Physician: (b)(3):CPSA Section 25(c) M.D.

MRI STUDY OF THE BRAIN

HISTORY: 39 year-old woman with chronic headache; evaluate for MS.

TECHNIQUE: Magnetic resonance imaging of the brain was performed with a 0.6 Tesla multipositional FONAR scanner with double-dose delay protocol. Sagittal and axial T1, axial T2 and FLAIR, coronal T2, and sagittal T2 FLAIR images were obtained. Additional axial and coronal T1 images were performed after intravenous injection of 15 cc of Magnevist gadolinium contrast material. Sagittal images are displayed from left to right. No prior studies are available for comparison.

FINDINGS: The paranasal sinuses and mastoids are clear.

The CSF spaces are of normal size for age. There is a small right frontal subcortical white matter FLAIR hyperintensity measuring 3 mm in size. There is no associated contrast enhancement. No additional lesions are seen within the brain parenchyma. There is no mass effect. No abnormal contrast enhancement.

The cerebellar tonsils extend 3 to 4 mm below the foramen magnum. There is crowding of the foramen magnum without compression.

IMPRESSION:

1. Small subcortical FLAIR hyperintensity right frontal lobe that isolation is of doubtful significance.
2. Mildly low-lying cerebellar tonsils.

Thank you for this referral.

(b)(3):CPSA
Section 25(c)

Interpreting Radiologist

(b)(3):CPSA Section 25
(c)

(b)(3):CPSA Section 25
(c)

Printed: 5/16/2008 6:00 pm

am 175433}

Page 1 of 2

05/18/2009 2:06PM (GMT-04:00)

EXHIBIT 9

Progress (b)(3):CPSA MD Thu May 15, 2008 4:02 PM Signed
Notes **ASSESSMENT:**

As detailed in the progress note below, the patient was assessed for:

- 462 ACUTE PHARYNGITIS Yes
- Plan: STREP A SCREEN, STREP A SCREEN

PLAN:

Reassurance provided. Rapid strep was negative and a throat culture will be sent to rule out Strep throat. Discussed probable viral etiology as cause for patient's illness. Explained usual course of self-limited illness with resolution in 1-2 weeks. Continue with supportive care: fever and pain control with Tyleno/Motrin, plenty of fluids and rest as needed. Call back if no better in 1 week, worsening of symptoms, or any new concerns. Patient will be contacted with final throat culture results in approximately 48 hours (may be longer on weekends) and an antibiotic can be called in if throat culture is positive for Strep.

Mother verbalizes understanding and agrees with plan of care
All questions were answered.
Follow Up prn no better in 1 wk

SUBJECTIVE:

- FEVER
x 2 days, cough(wet) x 5 days in just started, ha, sa, had a st eating good

HPI
Patient presents for evaluation of fevers up to 101 degrees
She has had the fever for 2 days.
Fever broke yesterday.
Patient has been unchanged
Symptoms associated with the fever include: headache, abdominal pain and poor appetite, sore throat is am.
Symptoms not associated with the fever include: nausea, vomiting, diarrhea and rash.
Symptoms are worse at morning, evening.
Symptoms have been unchanged since that time
Patient has been sleeping well.
Appetite has been worse.
Urine output has been stable
Home treatments tried include Tylenol with no, moderate relief.
The patient has no other risk factors..

Exposure to someone else at home w/similar symptoms: yes
Exposure to someone else at daycare/school/work: no.

Review of Systems
Constitutional: Positive for fever. Negative for malaise/fatigue
Skin: Negative for rash.
HEENT: Positive for headaches and sore throat. Negative for ear pain and congestion
Respiratory: Positive for cough. Is not experiencing wheezing
Gastrointestinal: Positive for abdominal pain. Negative for vomiting and diarrhea
Genitourinary: Negative for dysuria

Patient Name

(b)(3):CPSA Section 25(c)

DOB: 07/02/1997

Printed 5/18/09 10:53 AM

EXHIBIT 9

OBJECTIVE:

WT 35288 g (80 lb)

Physical Exam

Nursing note and vitals reviewed.

Constitutional: She is developed, nourished, and not distressed.
HEENT.

Head: Normocephalic and atraumatic.

Right Ear: Tympanic membrane and ear canal normal.

Left Ear: Tympanic membrane and ear canal normal.

Nose: Nose normal.

Mouth/Throat: Uvula is midline and mucous membranes are normal. Posterior oropharyngeal erythema (tonsils 2+) present.

Eyes: Conjunctivae are normal.

Neck: Neck supple.

Cardiovascular: Normal rate, regular rhythm and normal heart sounds.

Pulmonary/Chest: Effort normal and breath sounds normal.

Abdominal: Bowel sounds are normal. She exhibits no distension. Soft. No tenderness. She has no rebound and no guarding.

Skin: Skin is warm and dry. No rash noted.

• STREP A SCREEN

NEG

Negative-Negative
(Positive/Negative)

(b)(3):CPSA Section 25(c)

Thu May 15, 2008 4:06 PM Addedd

Addedd by: NATHAN, DANIEL and NATHAN, DANIEL

Modules accepted: Orders

Encounter: 090505CBB1681

No values were found over the last 10 encounters

Reason for Visit

FEVER

x 2days, cough(wet) x 5 days, rn just started, ha. sa had a st. eating good.

Office Visit

(b)(3):CPSA Section 25(c)

#50258144

Patient Information

Patient Information

(b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c)

Patient

07/02/1997

Printed 5/18/09 10:53 AM

EXHIBIT 9

Patient Demographics

(b)(3):CPSA Section 25(c)
VIRGINIA BEACH, VA 23452

Family PCP Information

(b)(3):CPSA Section 25(c) MD General

5/15/2008
(b)(3):CPSA Section 25(c)

(No Known Allergies)

Procedure Dates of 05/15/2008

DELETED Duplicated Urinary Collecting System[753.4AM] 1/11/2008
Comment: BILATERAL / OF KIDNEY
VIRAL WARTS NOS[078.10] 1/11/2008
ACUTE CONJUNCTIVITIS NOS[372.00] 1/11/2008

Immunization/Deposition Dates of 5/15/2008

DTAP (DAPTACEL-PEDS) 07/05/2001
VAC INJ
DTAP (DAPTACEL-PEDS) 10/15/1998
VAC INJ
DTAP (DAPTACEL-PEDS) 01/05/1998
VAC INJ
DTAP (DAPTACEL-PEDS) 11/03/1997
VAC INJ
DTAP (DAPTACEL-PEDS) 08/19/1997
VAC INJ
HAEMOP B (HIBTITER)VAC 10/15/1998
INJ
HAEMOP B (HIBTITER)VAC 01/05/1998
INJ
HAEMOP B (HIBTITER)VAC 11/03/1997
INJ
HAEMOP B (HIBTITER)VAC 08/19/1997
INJ
HEP B PED/ADOL(ENGERIX) 04/06/1998
VAC INJ
HEP B PED/ADOL(ENGERIX) 07/30/1997
VAC INJ
HEP B PED/ADOL(ENGERIX) 07/03/1997
VAC INJ
MMR II VAC INJ 07/15/2002
MMR II VAC INJ 07/29/1998
POLIO VAC, INACT(IPOL) 07/05/2001
VAC INJ
POLIO VAC, INACT(IPOL) 10/15/1998
VAC INJ
POLIO VAC, INACT(IPOL) 11/03/1997
VAC INJ
POLIO VAC, INACT(IPOL) 08/19/1997
VAC INJ

Patient Name: (b)(3):CPSA Section 25(c) 1997

Printed 5/18/09 10:53 AM

EXHIBIT 9

(b)(3):CPSA Section 25(c) 07/29/1998

Vital Summary
Demographic Information

5/15/2008 3 30 PM (b)(3):CPSA Section 25(c) SMG 8638863
MD

Department

Virginia Beach Pediatric Center 933 First Colonial Road, Suite 226-7300 757-275-9812
112
Virginia Beach, VA 23454

Referring Provider

(b)(3):CPSA Section 25(c)

Chief Complaint

ACUTE PHARYNGITIS (462) - Primary
Abdominal Pain [789.00AP]

Weight and Height

80 lb (36 288 kg)

Temperature/Vital Signs

80 lb (36 288 kg)

Orders

Order Summary

THROAT CULTURE [LAB228] Order #: 15258463
STREP A SCREEN [LAB3002] Order #: 15256610
THROAT CULTURE [LAB228] Order #: 15258463
STREP A SCREEN [LAB3002] Order #: 15256610

THROAT CULTURE [LAB228] Order #: 5/15/08 11:15:30
15258455
STREP A SCREEN [LAB3002] Order #: 5/15/08 11:15:30
15256583
THROAT CULTURE [LAB228] Order #: 5/15/08 11:15:30
15258455

Patient Name: (b)(3):CPSA Section 25(c)

Printed 5/18/09 10:53 AM

EXHIBIT 9

**STREP A SCREEN [LAB3002] Order #: 5/15/08
15256583**

Result Summary for STREP A SCREEN
Result Information

Normal Final result (5/15/2008 3:44 PM) Reviewed

Collection Information

Throat 5/15/2008 3:35 PM

TESTING LAB

VIRGINIA BEACH PEDIATRIC CENTER
933 First Colonial Road, Suite 112
Virginia Beach, VA 23454

757-226-7300

STREP A SCREEN NEG Negative - Negative
Positive/Negative

Result Notes

Notes recorded by Lateefah Weathers on 05/19/2008 at 7:15 AM
Parent is aware throat culture was negative and to call if no improvement with symptoms

Requested by User

(b)(3):CPSA Section 25(c) May 19, 2008 7:49 AM
on Mon May 19, 2008 7:19 AM

Result Summary for THROAT CULTURE
Result Information

Final result (5/17/2008 2:50 PM) Reviewed

Collection Information

Throat 5/15/2008 4:07 PM

TESTING LAB

SENTARA REFERENCE LAB
600 Gresham Drive
Raleigh Building, 3rd Fl
Norfolk, VA 23507

757-398-3621

FINAL REPORT:
NO GROUP A STREPTOCOCCUS ISOLATED

Result Notes

Patient Name (b)(3):CPSA Section 25(c) /02/1997 Printed 5/18/09 10:53 AM

EXHIBIT 9

Notes recorded by (b)(3):CPSA Section 25(c) on 05/19/2008 at 7:15 AM
Parent is aware throat culture was negative and to call if no improvement with symptoms

Created by User
(b)(3):CPSA Section 25(c)
May 19, 2008 7:49 AM
Mon May 19, 2008 7:19 AM

Screening reasons

None

Previous Results

None

Medications

Medis Ordered This Encounter

None

Medications Received From Other Providers

| | | |
|---------------------------|------------|------------------------|
| Hep A Vaccine (#1) | 07/02/1998 | --- |
| Hep B Vaccine (#3) | 06/29/1998 | 04/06/1998 07/03/1997 |
| Hpv (#1) | 07/02/2008 | --- |
| Vaccella (#1) | 07/02/1998 | --- |
| Flu Vaccine | 10/01/2008 | --- |
| Mumps, Rubella Measles | | 07/15/2002, 07/29/1998 |
| Meningococcal | | 08/20/2008 |
| Tetanus Vaccine | 08/20/2008 | 08/20/2008 |
| Well Child Visit 11 To 17 | | 08/20/2008 |

Override on 08/20/2008: Done
Comment: LOS.99393 CHGA-PREVENT MED EST 5-11

Level Of Service

CHGA-EST. PT. VISIT, LEVEL III [99213]

Medical ****None****
as of 5/15/08

Surgical ****None****
as of 5/15/08

MANAGEMENT PLAN SIGNATURE

Patient Name (b)(3):CPSA Section 25(c) 1997

Printed 5/18/09 10:53 AM

EXHIBIT 9

(b)(3):CPSA Section 25(c) R # 50258144)

Encounter Date: 05/27/2008

(b)(3):CPSA Section 25(c)

MRN 50258144)

Telephone

Patient Information

(b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c) Home)
VIRGINIA BEACH, VA 23452

Telephone Contact Summary

Outgoing Call

5/27/2008 4:44 PM

(b)(3):CPSA Section 25(c)

ed Cen SMG

Incoming Call

05/27/2008 4:44 PM

(b)(3):CPSA Section 25(c)

Reason for Call

ADVICE ONLY

Outgoing Call

(b)(3):CPSA ID Wed May 28, 2008 4:17 PM Addeded

If she is sleeping more than usual and not doing her usual activities, I'll need to recheck to determine what to do-jc

(b)(3):CPSA a, MA Wed May 28, 2008 2:01 PM Addeded

was sick a few wks ago, saw HC. Dx with viral illness. Mom says she has been complaining of being extremely tired and "out of it" not very active at all. Does what she has to do then just lays on the sofa for the rest of the day. Eating good, bathroom good, no other complaints. Just very tired. Mom wants to know if she should have bloodwork done or be checked for Mono. Pls advise (b)(3):CPSA

(b)(3):CPSA Section 25(c) 2008 10:32 AM Signed

(b)(3):CPSA Section e May 27, 2008 4:49 PM Signed

mom would like to see doctor or her Nurse to call her concerning child been overly tired. Inform mom that both (b)(3):C and her nurse have already left for today. Offer to have her speak with another nurse, but she said it could wait until tomorrow.

Called by

(b)(3):CPSA AA on 05/27/2008
Section 25(c)

Allergies

(No Known Allergies)

5/15/2008

(b)(3):CPSA Section 25(c)

M [TMSTOCKU] at ... Page 1 of 1

EXHIBIT 9

(b)(3):CPSA Section 25(c) (MR # 50258144)

Encounter Date: 06/02/2008

Telephone

(b)(3):CPSA Section 25(c) MRN 50258144

Patient Information
Parent Information

(b)(3):CPSA Section 25(c)
Home
VIRGINIA BEACH, VA 23452

Telephone Contact Summary
Incoming Calls

6/2/2008 8:52 AM (b)(3):CPSA Section 25(c) Smg Va Beach Ped Cen SMG

Outgoing

06/02/2008 8:52 AM Incoming (b)(3):CPSA Section 25(c)
06/02/2008 2:09 PM Outgoing

Phone for Call

ADVICE ONLY

(b)(3):CPSA Section 25(c) MD Mon Jun 2, 2008 1:46 PM Signed
Mom needs to schedule a 20-30 minute visit for this issue. Thnx-jc

(b)(3):CPSA Section 25(c) Mon Jun 2, 2008 1:07 PM Signed
MOM RETURNED CALL @ 1:04 MOM WOULD LIKE CALL BACK

(b)(3):CPSA Section 25(c) Mon Jun 2, 2008 11:40 AM Signed
For continued tiredness and decreased activity after an illness. Listless for 2 wks. mom was asking about lab work. (b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c) MD Mon Jun 2, 2008 11:37 AM Signed
For what? if it is a brief visit, have her come in 15 min early and I'll see both.-jc

(b)(3):CPSA Section 25(c) MA Mon Jun 2, 2008 9:00 AM Signed
Mom calling to schedule appt, is bringing in sibling tomorrow at 9 am for a 9yr check up, was wondering if she could bring ~~George~~ at same time. There are other appts scheduled after sibling already and told mom i would have to as JC, willing to come earlier then 9 as well. We are a.m backup Pls advise (b)(3):CPSA Section 25(c)

(b)(3):CPSA Section 25(c) MA on 06/02/2008

Allergies
(No Known Allergies)

5/15/2008

(b)(3):CPSA Section 25(c) [STOCKU] at ... Page 1 of 1

EXHIBIT 9

Progress Notes (b)(3):CPSA Section 25(c) MD Tue Jun 3, 2008 2:05 PM Signed
ASSESSMENT:

As detailed in the progress note below the patient was assessed for:

- 780.79B Fatigue Yes
Plan: CBC WITH DIFFERENTIAL, MONONUCLEOSIS SCREEN, EPSTEIN BARR VIRUS AB-EA R&D, EPSTEIN BARR VIRUS-VCA IGG, EPSTEIN BARR VIRUS-VCA IGM, COMPREHENSIVE METABOLIC PANEL, URINALYSIS, URINALYSIS

PLAN:

Suspect fatigue after viral illness child also dances 15-20 hrs per week.
 Discussed evaluation treatment and usual course.
 Mother verbalizes understanding and agrees with plan of care
 All questions were answered
 Follow Up prn lab results Mom ok to observe if the workup is neg

SUBJECTIVE:

- **FATIGUE**
continued tiredness after illness, HA, no other sx, trouble falling asleep, no fevers

HPI:

See last note from 5/15 visit- had fever for three days. After that, she was and continues to be extremely fatigued. Staying awake OK in school. Goes to bed at 9 pm, does have occasional trouble falling asleep until 10 pm. Up at 7:40 for school. Also c/o HA on and off, m.t.d. ST is gone

Review of Systems

Constitutional: Positive for malaise/fatigue. Negative for fever, weight loss and weakness
Eating: ok
Skin: Negative for rash
HENT: Positive for headaches. Negative for ear pain, congestion and sore throat
Respiratory: Negative for cough
Gastrointestinal: Negative for nausea, vomiting, abdominal pain, diarrhea and constipation
Genitourinary: Negative for dysuria and flank pain.

OBJECTIVE:

WM 37649 g (83 lb)

Physical Exam

Constitutional: She is developed, nourished, and not distressed
Looks fatigued
HENT:
Head: Normocephalic and atraumatic
Nose: Nose normal
Mouth/Throat: Oropharynx is clear and moist. No oropharyngeal exudate.
Tms clear
Eyes: Conjunctivae and extraocular motions are normal. Pupils are equal, round, and reactive to light. Left eye exhibits no discharge.
Neck: Normal range of motion. Neck supple. No thyromegaly present
Cardiovascular: Normal rate, regular rhythm and normal heart sounds
 No murmur heard
Pulmonary/Chest: Effort normal and breath sounds normal. No respiratory distress

Patient Name: (b)(3):CPSA Section 25(c)

Printed 5/18/09 10:54 AM

EXHIBIT 9

Abdominal: Bowel sounds are normal. She exhibits no distension and no mass. Soft. No tenderness.
 Musculoskeletal: She exhibits no edema and no tenderness.
 Lymphadenopathy:
 She has no cervical adenopathy.
 Neurological: She is alert. Gait normal.
 Skin: Skin is warm and dry. No rash noted.
 Psychiatric: Affect normal.

Immunization/Injections as of 6/3/2009

No values were found over the last 10 encounters

Reason for Visit

FATIGUE

continued tiredness after illness. HA, no other sx. trouble falling asleep. no fevers

Office Visit

(b)(3):CPSA Section 25(c)

Patient Information

Patent Information

(b)(3):CPSA Section 25(c)

Address

(b)(3):CPSA Section 25(c)

VIRGINIA BEACH, VA 23452

Physician Information

(b)(3):CPSA Section 25(c)

MD

General

6/3/2008

(b)(3):CPSA Section 25(c)

(No Known Allergies)

Immunization/Injections as of 6/3/2009

DELETED: Duplicated Urinary Collecting System[753.4AM] 1/11/2008

Comment: BILATERAL / OF KIDNEY

VIRAL WARTS NOS[078.10] 1/11/2008

ACUTE CONJUNCTIVITIS NOS[372.00] 1/11/2008

Immunization/Injections as of 6/3/2009

DTAP (DAPTACEL-PEDS) 07/05/2001

VAC INJ

DTAP (DAPTACEL-PEDS) 10/15/1998

VAC INJ

DTAP (DAPTACEL-PEDS) 01/05/1998

VAC INJ

Patient Name (b)(3):CPSA Section 25(c) 97

Printed 5/18/09 10:54 AM

EXHIBIT 9

Progress Notes (b)(3):CPSA Section 25 (c) Mon Mar 2, 2009 10:39 PM Signed
ASSESSMENT:

As detailed in the progress note below, the patient was assessed for

- 789.07 Abdominal Pain, Generalized Yes
- PLAN:**

Discussed evaluation, treatment and usual course
 Mother verbalizes understanding and agrees with plan of care
 All questions were answered.
 Most likely explanation for discomfort is GER or mild gastroenteritis as sister just got over this. Will try OTC prilosec 20 mg and family to keep us posted of the progress. Diet advice reviewed

SUBJECTIVE:

- **ABDOMINAL PAIN**
here with mom

HPI
 Stomach ache since wed (five days). It is the same as when it started. Hurts in the middle of the tummy. Hurts all the time but not really bad, worse after eating. No vomitin no diarrhea. Sib had AGE last week. Last BM yesterday, normal. Eating but a little less than normal. No reflux sx or regurg. No hx of stomach aches. Anything she eats might make it worse. Lying in bed since last week and missed three days of school. A little sore throat

Review of Systems
 Constitutional: Negative for fever
 HENT: Negative for congestion
 Respiratory: Negative for cough
 Gastrointestinal: Positive for abdominal pain (started last wednesday). Negative for vomiting and constipation.
 Genitourinary: Negative for dysuria
OBJECTIVE

Wt 93 lb (42.165 kg)

Physical Exam
 Vitals reviewed
 Constitutional: She is developed, nourished, and not distressed
 HENT
 Head: Normocephalic and atraumatic
 Mouth/Throat: Oropharynx is clear and moist. No oropharyngeal exudate.
 Tms clear
 Pharynx clear
 Eyes: Extraocular motions are normal. Pupils are equal, round, and reactive to light. Right eye exhibits no discharge. Left eye exhibits no discharge.
 Neck: Normal range of motion. Neck supple.
 Cardiovascular: Normal rate, regular rhythm and normal heart sounds.
 Pulmonary/Chest: Effort normal and breath sounds normal. No respiratory distress.
 Abdominal: Bowel sounds are normal. She exhibits no distension and no mass. Soft. No

Patient Name: (b)(3):CPSA Section 25(c)

Printed 5/18/09 11:03 AM

EXHIBIT 9

Progress Notes (b)(3):CPSA Section 25(c) MD Mon Mar 16, 2009 8:01 PM Signed
ASSESSMENT:

As detailed in the progress note below, the patient was assessed for

- 462 Acute Pharyngitis Yes
Plan: STREPA SCREEN, THROAT CULTURE
- 480 Acute Nasopharyngitis (Common Cold)

PLAN:

Since believes may have allergies, will give a sample of Cianitin.
Discussed evaluation, treatment and usual course.
Patient and Father verbalizes understanding and agrees with plan of care
All questions were answered

• Loratadine 5 mg chewable tab
Side effects of prescribed medicine was discussed
Orders.

- Throat culture
- Strep a screen

SUBJECTIVE:

- SORE THROAT
HERE WITH DAD

HPI began with cough and rhinorrhea 2 days ago. Today awoke with sore throat. No fever, chills or body aches. No vomiting or diarrhea. No headache or stomachache. No allergy meds given but believes this is allergies. Sleep is normal and appetite is good

Review of Systems

Constitutional Negative for fever.
HEENT Positive for congestion (SINCE FRIDAY) and sore throat (THIS AM)
Respiratory Positive for cough (OCCASIONAL SINCE FRIDAY)
Gastrointestinal Negative for vomiting and diarrhea

OBJECTIVE

Wt 94 lb (42.638 kg)

Physical Exam

Constitutional. She is developed, nourished, and not distressed.

HEENT:

Mouth/Throat Mucous membranes are normal

Oropharynx red with enlarged tonsils. TMs normal

Eyes Conjunctivae are normal. Right eye exhibits no discharge. Left eye exhibits no discharge

Neck. Normal range of motion. Neck supple

Pulmonary/Chest Effort normal and breath sounds normal. No respiratory distress. She has no

Patient Name (b)(3):CPSA Section 25(c) Printed 5/18/09 11:03 AM

EXHIBIT 9

Progress Notes (b)(3):CPSA Section 25(c) MD Tue Mar 24, 2009 6:08 AM Signed

As detailed in the progress note below, the patient was assessed for

- 462 Acute Pharyngitis Yes
Plan: STREP A SCREEN, THROAT CULTURE
- 789.05 Abdominal Pain, Periumbilic
- 477.9AD Allergic Rhinitis

PLAN:

I discussed with the family that the abdominal pain may be related to the amoxil and had them decrease to once daily at 750 mg to complete a ten day course and add lactobacillus. Also, I think the persistent pharyngitis is from the allergic rhinitis so will add claritin etc

Discussed evaluation, treatment and usual course.
Patient and Mother verbalizes understanding and agrees with plan of care.
All questions were answered

SUBJECTIVE:

- ABDOMINAL PAIN
here with mom
- SORE THROAT
treated for strep last week

HPI

Still on amoxil for strep- mom feels that she never felt better. Didn't feel good all week and missed two days of school- still Cro tummy and sore throat

Review of Systems

Constitutional: Negative for fever
HEENT: Positive for congestion and sore throat. Negative for ear pain
Respiratory: Negative for cough
Gastrointestinal: Positive for abdominal pain. Negative for vomiting and diarrhea

OBJECTIVE

Wt 92 lb (41.731 kg)

Physical Exam

Vitals reviewed
Constitutional: She is developed, nourished, and not distressed.
HEENT:
Head: Normocephalic and atraumatic.
Mouth/Throat: Oropharynx is clear and moist. No oropharyngeal exudate.
Tms clear
Tonsils 2+, not red
Nose with clear discharge and swollen pale turbinates
Eyes: Extraocular motions are normal. Pupils are equal, round, and reactive to light. Right eye exhibits no discharge. Left eye exhibits no discharge.
Neck: Normal range of motion. Neck supple.
Cardiovascular: Normal rate, regular rhythm and normal heart sounds.
Pulmonary/Chest: Effort normal and breath sounds normal. No respiratory distress.

Patient Name (b)(3):CPSA Section 25(c) Printed 5/18/09 11:04 AM

EXHIBIT 9

Lymphadenopathy:
She has no cervical adenopathy
Skin Skin is warm and dry No rash noted.

-end-

Document Worksheet Data as of 5/7/2008

No values were found over the last 10 encounters

Reason for Visit

ABDOMINAL PAIN here with mom
SORE THROAT treated for strep last week

Office Visit

(b)(3):CPSA Section 25(c)

Patient Information

Present information

(b)(3):CPSA Section 25(c)

Pat

(b)(3):CPSA Section 25(c)

VIRGINIA BEACH, VA 23452

Patient NPI information

Jacqueline S Cotton, MD General

Telephone: 410-271-0890

(b)(3):CPSA Section 25(c)

(No Known Allergies)

Procedure List as of 5/2/2008

DELETED Duplicated Urinary Collecting System[753.4AM] 1/11/2008
Comment: BILATERAL / OF KIDNEY
VIRAL WARTS NOS[078.10] 1/11/2008
ACUTE CONJUNCTIVITIS NOS[372.00] 1/11/2008

Immunizations/Injections as of 5/20/2008

DTAP (DAPTACEL-PEDS) 07/05/2001
VAC INJ
DTAP (DAPTACEL-PEDS) 10/15/1998
VAC INJ
DTAP (DAPTACEL-PEDS) 01/05/1998
VAC INJ
DTAP (DAPTACEL-PEDS) 11/03/1997
VAC INJ
DTAP (DAPTACEL-PEDS) 08/19/1997
VAC INJ
HAEMOP B (HIBTITER)VAC 10/15/1998
INJ
HAEMOP B (HIBTITER)VAC 01/05/1998
INJ

Patient Name (b)(3):CPSA Section 25(c)

Printed 5/18/09 11:04 AM

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 03/31/2009

(b)(3):CPSA Section 25(c)

Telephone

Patient Information

Patient Information

(b)(3):CPSA Section 25(c)

Patient Demographics

(b)(3):CPSA Section 25(c)
VIRGINIA BEACH, VA 23452

Telephone Contact Summary

Incoming Call

3/31/2009 2:04 PM (b)(3):CPSA Section 25(c) g Va Beach Ped Cen SMG

Contacts

03/31/2009 2:04 PM Incoming (b)(3):CPSA Section 25(c)

Reason for Call

OTHER

Call Description

(b)(3):CPSA Section 25(c) LPN Wed Apr 1, 2009 2:49 PM Signed
Mom called office back - informed her of pulmonology and JC's advice and mom okay with this - mom also says that she is trying to contact Florida Department of Health but will also call poison control.

(b)(3):CPSA Section 25(c) LPN Wed Apr 1, 2009 12:45 PM Signed
Attempted to call mom - left message for mom to call office.

(b)(3):CPSA Section 25(c) MD Wed Apr 1, 2009 10:09 AM Signed
I wish that I had more to suggest. The only other advice for mom is to call poison control and see if they have any more info. I would be happy to see upon request

(b)(3):CPSA Section 25(c) LPN Wed Apr 1, 2009 9:52 AM Signed
Christina from CHKD called back - left message for me to call her - called back and she stated that she spoke to one of the doctors and she stated that from what she heard on the news that it was fairly bad and can be toxic but they have not received any calls and there is nothing that they can do - the doctor said to look for symptoms such as cough, shortness of breath, wheezing or chest tightness - the doctor stated that if symptoms do develop then either the wall would need to be replaced or they would need to move. Christina stated that they only thing that they will tell their patients is to watch the news and look for symptoms.

(b)(3):CPSA Section 25(c)

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 03/31/2009

(b)(3):CPSA Section 25(c) LPN Wed Apr 1, 2009 8:52 AM Signed

Called CHKD pulmonology and spoke to Cristina - she says that she has not heard anything about this and is not aware of any info but will ask one of the doctors and call me back.

(b)(3):CPSA LPN Tue Mar 31, 2009 5:01 PM Signed

Mom called back and is aware of DH advise. She stated her house was built in 2007 and she was told by the home builders that her house was built with Chinese drywall. This child does not have any sx but had mentioned that her other child drew has coughing sx often which she was told may be allergy's. Mom wondering if this could be due to Chinese drywall. Mom has contacted a lawyer on this issue. Mom fine with waiting until tomorrow to get info from CHKD pulmonology. Lisa will not be in tomorrow routed call to Jenn.

(b)(3):CPSA LPN Tue Mar 31, 2009 4:48 PM Added

Section 25(c) pm. On mom's phone
Also called CHKD pulmonology dept to try and get more info on Chinese dry wall but office hrs are 8:30A to 4:30 P.

Previous Version

(b)(3):CPSA Section 25(c) MD Tue Mar 31, 2009 4:14 PM Signed

I have certainly heard that there is drywall in the area manufactured in China that has sulfur in it. It is mainly a respiratory irritant. I do not know of any information that has been sent to any doctors on this matter but we can call CHKD and see what they may have heard. Are there any respiratory problems now? How long has this dry wall been there?

(b)(3):CPSA Section 25(c) LPN Tue Mar 31, 2009 2:31 PM Added

Mom stated that she lives in a house made with Chinese drywall. She is wondering if any of the Drs. here know anything about Chinese drywall causing sickness. Mom stated that child has not had any reoccurring sx that may have her think that child is effected by this drywall. But states she has read information on the enter net and is concerned about health issues and if she should move out. She is willing to wait for JC if DH has no information on this topic. Mom has called insurance company and they have no information to give her on this matter. She wants to know if a Dr has heard anything at all about this?

Previous Version

(b)(3):CPSA AA Tue Mar 31, 2009 2:10 PM Signed

Mom calling wanting (b)(3):C's opinion about Chinese drywall if anyone can get sick from sulfur. They have Chinese drywall in their house. Mom has done some research on the internet, and talked with several people about it. Mom is in the house majority of the time and everyone else is usually out of the house. Here is cell # just in case (b)(3):CPSA Section 25(c)

There are 2 other siblings that see Dr Cotton.

Session History

| | | | |
|---------------------|---------------------------|----------------|---------|
| 04/01/2009 10:09 AM | (b)(3):CPSA Section 25(c) | N | Routine |
| 04/01/2009 9:52 AM | | MD | Routine |
| 03/31/2009 4:48 PM | | MD, Jennifer L | Routine |
| 03/31/2009 4:14 PM | | | Routine |
| 03/31/2009 2:24 PM | | | Routine |
| 03/31/2009 2:10 PM | | | Routine |

(b)(3):CPSA Section 25(c)

KU at ... Page 2 of 3

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 03/31/2009

Created by (b)(3):CPSA Section 25(c) on 03/31/2009

At Start of Encounter

| | | | | |
|---|----|---|-----------|----------|
| amoxicillin (AMOXIL) 250 mg PO CAPS (Discontinued) | 60 | 0 | 3/17/2009 | 4/8/2009 |
| Take 3 Caps by Mouth Twice Daily for strep - Oral | | | | |
| Loratadine (CHILDREN'S CLARITIN) 5 mg PO CHEW (Discontinued) | 2 | 0 | 3/16/2009 | 4/8/2009 |
| Take 2 Tabs by Mouth Once a Day - Oral | | | | |
| Sample | | | | |

Allergies

None as of 03/2009 3/23/2009
(No Known Allergies)

(b)(3):CPSA Section 25(c)

at ... Page 3 of 3

EXHIBIT 9

Progress Notes (b)(3):CPSA Section 25(c)

MD Thu Apr 2, 2009 7:35 PM Signed

As detailed in the progress note below, the patient was assessed for:

- 462AA Sore Throat Yes
 Plan: STREP A SCREEN, STREP A SCREEN, THROAT CULTURE CEPHALEXIN
 500 MG CAP

PLAN:

Discussed evaluation, treatment and usual course.
Patient and Mother verbalizes understanding and agrees with plan of care.
All questions were answered

- Cephalixin 500 mg cap
Side effects of prescribed medicine was discussed.
- Orders:

- Throat culture
 - Strep a screen
- will DC keflex if culture is negative.

SUBJECTIVE:

- SORE THROAT

HPI began with sore throat today. No fever. No vomiting or diarrhea. Sleep is good but appetite is off. No cough or congestion. Stomach hurts but no headache.

Patient is leaving for Destination Imagination tournament tomorrow and wants to get well quicker

Review of Systems
 Constitutional: Negative for fever
 Skin: Negative for rash
 HENT: Positive for sore throat (Started this am) Negative for ear pain and congestion
 Respiratory: Negative for cough
 Gastrointestinal: Positive for nausea and abdominal pain (stomach hurts all day x 1 day)
 Negative for diarrhea and constipation
 Neurological: Negative for dizziness

OBJECTIVE

Wt 92 lb (41.731 kg)

Physical Exam
 Constitutional: She is developed, nourished, and not distressed
 HENT:
 Mouth/Throat: Mucous membranes are normal
 Oropharynx red with enlarged tonsils. TMs normal
 Eyes: Conjunctivae are normal. Right eye exhibits no discharge. Left eye exhibits no discharge
 Neck: Normal range of motion. Neck supple.
 Pulmonary/Chest: Effort normal and breath sounds normal. No respiratory distress. She has no

Patient Name (b)(3):CPSA Section 25(c)

Printed 5/18/09 11:04 AM

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 04/07/2009

Telephone

(b)(3):CPSA Section 25(c)

Patient Information
Patient Information

(b)(3):CPSA Section 25(c)

Telephonic Contact Summary
Incoming Call

4/7/2009 2:43 PM

(b)(3):CPSA Section 25(c)

SMG

Comments

04/07/2009 2:43 PM

(b)(3):CPSA Section 25(c)

Reason for Call

OTHER

Physician Information

(b)(3):CPSA Section 25(c) Tue Apr 7, 2009 3:04 PM Signed

(b)(3):CPSA Section 25(c) Tue Apr 7, 2009 2:46 PM Signed

Mom called stating that daughter has had sore throat, cold, and stomach issues for about 1 month. Daughter's room is the room with the chinese dry wall in it, and daughter has not left her room for the last month. Mom wants to talk with Dr Cotton. Mom can also be reached on cell at 472-2391

Prescribing History

04/07/2009 2:46 PM

(b)(3):CPSA Section 25(c)

Routine

(b)(3):CPSA Section 25(c) AA on 04/07/2009

Summary of Current Prescriptions

| | | | | |
|---|----|---|-----------|----------|
| cephALEXin (KEFLEX) 500 mg PO CAPS (Drug Information) | 20 | 0 | 4/2/2009 | 4/8/2009 |
| Take 1 Cap by Mouth Every 12 Hours. - Oral | | | | |
| amoxicillin (AMOXIL) 250 mg PO CAPS (Drug Information) | 60 | 0 | 3/17/2009 | 4/8/2009 |
| Take 3 Caps by Mouth Twice Daily, for strep - Oral | | | | |
| Loratadine (CHILDREN'S CLARITIN) 5 mg PO CHEW (Drug Information) | 2 | 0 | 3/16/2009 | 4/8/2009 |
| Take 2 Tabs by Mouth Once a Day - Oral | | | | |
| Sample | | | | |

Allergies

(No Known Allergies)

4/2/2009

Nguy

(b)(3):CPSA Section 25(c)

Page 1 of 1

EXHIBIT 9

Progress
Notes

(b)(3):CPSA Section
25(c)

MD Thu Apr 9, 2009 11:18 AM Signed

As detailed in the progress note below, the patient was assessed for:

- 462 Acute Pharyngitis
Plan: CBC WITH DIFFERENTIAL, MONONUCLEOSIS SCREEN, EPSTEIN BARR VIRUS AB-EA R&D, EPSTEIN BARR VIRUS-VCA IGG, EPSTEIN BARR VIRUS-VCA IGM, EPSTEIN BARR VIRUS AB-NA ELISA, STREP A SCREEN, THROAT CULTURE, STREP A SCREEN
- 780.79B Fatigue
Plan: CBC WITH DIFFERENTIAL, C REACTIVE PROTEIN, OCCULT BLOOD STOOL FOR SMG NDC ONLY, MONONUCLEOSIS SCREEN, EPSTEIN BARR VIRUS AB-EA R&D, EPSTEIN BARR VIRUS-VCA IGG, EPSTEIN BARR VIRUS-VCA IGM, EPSTEIN BARR VIRUS AB-NA ELISA, COMPREHENSIVE METABOLIC PANEL, URINALYSIS, ABDOMEN/KUB
- 789.05 Abdominal Pain, Periumbilic
Plan: CBC WITH DIFFERENTIAL, C REACTIVE PROTEIN, OCCULT BLOOD STOOL FOR SMG NDC ONLY, COMPREHENSIVE METABOLIC PANEL, URINALYSIS ABDOMEN/KUB

PLAN:

I spent 20 minutes looking on the internet for information about the health effects of emissions from the Chinese drywall and there is no conclusive information but there is investigations ongoing through the health department in Florida. I discussed with the family that I could not conclude that her symptoms were due to the possible toxic exposure, though I did recommend that the family consider leaving the house for the upcoming spring break to see if it will help. We decided on the above workup and family will keep us posted on her progress. Of note is that her kub showed a moderate amount of stool and the family will begin a mild stool softener. Family also to bring hemocult cards to check stools for blood. Will consider GI referral prn. We also discussed the possible role of stress in her symptoms and she and her mother will watch. Visit for 60 minutes to review, chart, symptoms, exam and plan and do additional research.

Call mom with results (b)(3):CPSA S

SUBJECTIVE:

- ABDOMINAL PAIN
here with mom
- SORE THROAT

Patient states that she has not been feeling well in the past six weeks. She has continued to have burning in her throat. She has not been febrile and has been recently treated for strep.

She has also had abdominal pain which she describes as periumbilical, more nausea than cramping, and more constant than intermittent. She states that she has bms daily with no constipation and no vomiting. She denies dysuria. She denies recent stress. Is happy in school and making good grades and denies any sx of depression. She states that she is sleeping well.

She denies headaches, congestion or coughing.

Family discovered that there is Chinese drywall in the extra bedroom, the bathroom, the pantry and kitchen island and the wall for the dining room. Home is built in 2006. There

Patient Name

(b)(3):CPSA Section 25(c)

Printed 5/18/09 11:04 AM

EXHIBIT 9

is an odor. Mother states that (b) spends lots of time in the spare bedroom, which is the only room which has the drywall in the entire room. Mom has contacted the builder and a lawyer about this situation. Of note is that (b)(3) was out of town last weekend and states that she was feeling much better. Mother observed that she ate better as well.

Complete list of sx-

1. Burning throat
2. Abdominal pain, nausea and poor appetite
3. Weight loss- five pounds per mother's scale at home
4. Fatigue
5. Eyes burning- red

ABDOMINAL PAIN

The current episode started yesterday. There has been sore throat (burning feeling and painful) and congestion (just a little stuffy).

SORE THROAT

Review of Systems

HENT: Positive for congestion (just a little stuffy) and sore throat (burning feeling and painful)

OBJECTIVE

Wt 41958 g (92 lb 8 oz)

Physical Exam

PHYSICAL EXAM

GENERAL: alert and appropriate, well-appearing, well-developed Female in no acute distress

HEAD: normocephalic, atraumatic

EYES: PERRL bilaterally, EOM intact, clear conjunctiva without discharge or erythema

EARS: bilateral TMs and external canal normal

NOSE: septum midline, pink mucosa, no discharge

MOUTH/THROAT: moist mucosal membranes, no tonsillar erythema or hypertrophy,

normal dentition for age

NECK: supple, full range of motion

CHEST: clear to auscultation bilaterally, no wheezes or crackles, symmetric breath sounds

CARDIOVASCULAR: RRR, normal S1 and S2, no murmur, rubs, or gallop

ABDOMEN: normal bowel sounds, soft, non-tender, no organomegaly or masses, no rebound tenderness or guarding

GU/ANUS: normal, Tanner 1 female

MUSCULOSKELETAL: full ROM, no apparent deformity, no scoliosis

SKIN: warm, dry, no rashes

LYMPH NODES: no adenopathy noted

NEUROLOGIC: alert and oriented, normal tone, moves all extremities equally, brachial and patellar DTRs 2+ bilaterally, normal gait

OTHER: none

-end-

(b)(3):CPSA Section 25(c)

Ned Apr 8, 2009 3:14 PM Signed

Called mom and notified her that KUB showed constipation -

Patient Name

(b)(3):CPSA Section 25(c)

1997

Printed 5/18/09 11:04 AM

EXHIBIT 9

instructed mom to start pt on Benefiber 1 tbsp daily to BID to titrate to one soft stool daily to two times a day - mom okay with this and states that she uses an all natural stool softner called Locll and will start pt on that.

Equipment FlowSheet Data as of 4/8/2009

No values were found over the last 10 encounters

Reason for Visit

ABDOMINAL PAIN here with mom
SORE THROAT

Office Visit

(b)(3):CPSA Section 25(c)

Patient Information

Relating Information

(b)(3):CPSA Section 25(c)

VIRGINIA BEACH, VA 23452

Full via PCP information

(b)(3):CPSA Section 25(c)

General

4/8/2009

(b)(3):CPSA Section 25(c)

JENNIFER L.

(No Known Allergies)

Problems List as of 04/08/2009

| | |
|---|-----------|
| DELETED Duplicated Urinary Collecting System[753 4AM] | 1/11/2006 |
| Comment : BILATERAL / OF KIDNEY | |
| VIRAL WARTS NOS[078.10] | 1/11/2008 |
| ACUTE CONJUNCTIVITIS NOS[372.00] | 1/11/2008 |

Immunizations/Injections as of 4/8/2009

| | |
|------------------------|------------|
| DTAP (DAPTACEL-PEDS) | 07/05/2001 |
| VAC INJ | |
| DTAP (DAPTACEL-PEDS) | 10/15/1998 |
| VAC INJ | |
| DTAP (DAPTACEL-PEDS) | 01/05/1998 |
| VAC INJ | |
| DTAP (DAPTACEL-PEDS) | 11/03/1997 |
| VAC INJ | |
| DTAP (DAPTACEL-PEDS) | 08/19/1997 |
| VAC INJ | |
| HAEMOP B (HIBTITER)VAC | 10/15/1998 |
| INJ | |

Patient Name:

(b)(3):CPSA Section 25(c)

Printed 5/18/09 11:04 AM

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 04/16/2009

Telephone

Casey M Nguyen (MRN 50258144)

Patient Information

Patient Information

(b)(3):CPSA Section 25(c)
Pat
VIRGINIA BEACH, VA 23452

Telephone Contact Summary

Incoming Call

4/16/2009 9:13 AM

(b)(3):CPSA Section 25(c)

Beach Ped Cen SMG

Contacts

04/16/2009 9:13 AM

THER)

(b)(3):CPSA Section 25(c)

Reason for Call

OTHER

Call Documentation

(b)(3):CPSA Section 25(c)

MD Fri Apr 17, 2009 3:37 PM Signed

LPN Fri Apr 17, 2009 12:44 PM Signed

Called mom back and explained to her what Dr. (b)(3):CPSA spoke with pulmonologist about and what was recommended - Mom said that you have got to be kidding me and that she thinks that it is ridiculous because the doctors or anyone are not sure exactly what kind of chemicals are in the drywall - mom said thanks for trying and hung up.

(b)(3):CPSA Section 25(c)

MD Fri Apr 17, 2009 12:34 PM Signed

Please tell mom that I personally called and spoke with CHKD pulmonology and there are no other recommendations at this time besides a visit to assess her pulmonary function testing. She did not rec a cxr prior to the visit. They do keep a cancellation list in their office but, at this time, the situation does not represent a pulmonary emergency for which they need to squeeze her in. I would advise mom to ask to be placed on the cancellation list.

(b)(3):CPSA Section 25(c)

LPN Thu Apr 16, 2009 12:40 PM Signed

mom called office back - mom called to get appt with pulmonology and they cannot get pt in until June - pulmonology told mom that they only way that they will see pt sooner is if our office called them - mom says that they only reason why she wants pt seen sooner is because they are out of house and have been for about a weeks now and they went back yesterday and mom says that as soon as she walked into the house she could tell the difference because her throat started burning - mom

(b)(3):CPSA Section 25(c)

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 04/16/2009

does not want to wait to know the effects, she wants to know as soon as possible. Mom also said that pulmonology said that JC needed to order the CXR, explained to mom that JC said that she did not feel that a CXR was necessary prior to pulmonology visit and if MD wanted it at that visit then they will obtain it and read it then - mom understands but would like us to see if we can get pt in sooner to see pulmonology.

(b)(3):CPSA Section 25(c) .PN Thu Apr 16, 2009 12:29 PM Signed

Mom called office back and left message for me to call her back at (b)(3):CPSA Section 25(c) attempted to call mom back at number left with no answer - number kept ringing - attempted to call mom on cell phone - left message for mom to call office.

(b)(3):CPSA Section 25(c) .PN Thu Apr 16, 2009 11:10 AM Signed

ice back and left message for me to call her back - attempted to call mom back at home as requested - left message for mom to call office back

(b)(3):CPSA Section 25(c) MD Thu Apr 16, 2009 10:58 AM Signed
I don't think that the CXR is necessary prior to the visit- if the physician wants it done, they will obtain it and read it at that time-jc

(b)(3):CPSA Section 25(c) .LPN Thu Apr 16, 2009 10:42 AM Signed

Mom called office - pt concerned because pt has been having problems running a mile at school - mom wanted all of her children seen and examined and chest x-rays done because of the chinese dry wall issues in their home - gave mom the number to CHKD pulmonology and told her to call them to set up an appt and explain to them what is going on with pt and see if they want an x-ray prior to them seeing pt or if they want to see pt before getting x-ray - also instructed mom that Pulmonology might just want to see (b)(3):CPSA Section 25(c) point and see the other children if something is abnormal - mom completely understands and is okay with this.

(b)(3):CPSA Section 25(c) .PN Thu Apr 16, 2009 10:22 AM Signed

call mom back - left message for mom to call office back

(b)(3):CPSA Section 25(c) A Thu Apr 16, 2009 9:16 AM Signed

Mom called wanting kids to be sent to Pulmonologist, but wants to know if there would need xray done first. She was looking at what was going on with the kids in Florida. Mom states that she is more concerned with daughter because she says that she can't run a mile in gym, and

(b)(3):CPSA Section 25(c)

U] at ... Page 2 of 3

EXHIBIT 9

(b)(3):CPSA Section 25(c)

Encounter Date: 04/16/2009

her daughter dances so she doesn't understand. Mom states that she just want to look into it before doing anything legally. Please call.

Routing History

04/17/2009 3:37 PM
04/17/2009 12:45 PM
04/17/2009 12:34 PM
04/16/2009 12:40 PM
04/16/2009 10:58 AM
04/16/2009 10:42 AM
04/16/2009 9:16 AM

(b)(3):CPSA Section 25(c)

| | |
|----|---------|
| PN | Routine |
| MD | Routine |
| PN | Routine |
| MD | Routine |
| PN | Routine |
| MD | Routine |
| PN | Routine |

First In

(b)(3):CPSA Section 25(c) AA on 04/16/2009

Allergies

Allergies as of 4/16/2009
(No Known Allergies)

4/8/2009

(b)(3):CPSA Section 25(c)

at ... Page 3 of 3

EXHIBIT 9

Printed on 5/18/2009 11:09:22 AM

Page 1 of 1

(b)(3):CPSA Section 25

Scan on 4/8/2009 by User: (b)(3):CPSA Section 25 of xray abd kub 4.8.09

(b)(3):CPSA Section 25(c)

Scan on 4/8/2009 by User: (b)(3):CPSA Section 25 of ABDOMINAL/KUB 04.8.09

Wed 08 Apr 2009 12:54:19 PM EDT

Page 1 of 1

FIRST COLONIAL DIAGNOSTIC CENTER
1080 FIRST COLONIAL RD, STE 100
VIRGINIA BEACH 23454

ORDERING MD:

(b)(3):CPSA Section 25(c)
CENTER
933 FIRST COLONIAL ROAD STE 112
VIRGINIA BEACH, VA 23454

JK

PATIENT INFORMATION:

P#(b)(3):CPSA Section 25(c)
B#
M#
Accession # 50258144
Alternate MRN: 50258144

Exam Performed: Abdomen, I view

Exam Date: 04/08/2009

REASON FOR EXAM:

PERI UMBILICAL ABDOMEN PAIN, FATIGUE

DIAGNOSTIC INTERPRETATION:

Abdomen/KUB

Comparison: None

Findings: Single view of the abdomen demonstrates large amount of stool throughout the colon, including rectosigmoid colon. No evidence for bowel obstruction. No abnormal calcifications overlying the renal fossa or right lower quadrant. Osseous structures appear unremarkable.
Impression: Large amount of stool, question constipation. Recommended clinical correlation.

*Please have your begin
Bowel prep 1 TBS P daily
B/D - alternate w
one salt stool softener
JK B/D*

~~XXXXXX~~
Loc 11

Electronically signed (b)(3):CPSA Section 25(c) at 04/08/2009 12:49:33

Patient: (b)(3):CPSA Section 25(c)

04/08/2009 3:17PM (GMT-04:00)

EXHIBIT 10

05/21/2009 09:38 FAX

002/004



A Division of
**Neurology
Consultants of
Tidewater, PLLC**

Armistead D. Williams, M.D.
Marcus C. Rice, M.D., FACP
Robert J. Lanoue, M.D.
Joseph I. Logan, M.D.
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Marie T. Inghillani, M.D.
Mary Allison Bowles, M.D.
Fus Betinjaneh, M.D.
Fl H. Peacock, Ph.D.

Wendy Van Fossen, CPA
Administrator

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Electroencephalography
Electromyography
Evoked Potentials
Epilepsy Monitoring
Sleep Disorders
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THE NEUROLOGY
DEPARTMENT OF
EASTERN VIRGINIA
MEDICAL SCHOOL



EASTERN VIRGINIA
MEDICAL SCHOOL
ESTABLISHED 1977

Neurology Specialists

May 27, 2008

(b)(3):CPSA
Section 25(c) M.D.
802 Newtown Road
Virginia Beach, VA 23462

R (b)(3):CPSA Section
25(c)

Dear Dr. (b)(3):CPSA

Thank you for referring (b)(3):CPSA Section 25(c) for neurologic evaluation. As you know, she is a 39 year old white female with a rather complicated history. Her symptoms started about 3 years ago with pain in her pelvic area. It was down towards the right lower quadrant. She ended up going to the Emergency Room the first time. She had a CT scan of the pelvis which didn't show anything and the symptoms eventually resolved. They would occur every couple of months but have been increasing and will be every month or so and lately its been every week. Two years ago the pains changed a little bit to be not only in the pelvic region but in the low back and anterior thighs. Frequently standing may bring the symptoms on. If she sits down they may go away. If she doesn't and once those symptoms get going, nothing really helps. Sometimes it will just start one day for no particular reason.

She has seen a variety of physicians. She had laparoscopy for endometriosis and apparently that didn't help. She ended up having a hysterectomy and the pain returned in 3 weeks. She tried Actinal which didn't help. She wasn't sure if her symptoms were truly period related or not but they used to occur about once a month. At the current time she is not really sure if they are that cyclically related. The symptoms now last for about 48 hours. She says it feels like labor pains. She becomes bloated in her lower abdomen and can't wear pants. In between the spells, though, she feels fine.

She also saw GI and had a colonoscopy EGD be unremarkable and they questioned whether she could have irritable bowel syndrome and she was placed on imipramine and that didn't help. She went through a variety of diet changes such as avoiding wheat, dairy and eggs and she's not sure that made any difference.

05/21/2009 9:37AM (GMT-04:00)

EXHIBIT 10

05/21/2009 09:38 FAX

003/004

RE: (b)(3):CPSA Section 25
(c)
Pag
May 27, 2008

She underwent an MRI of the lumbar spine which was unremarkable. She eventually underwent an MRI of the brain on 5-16-08 which shows a teeny single subcortical FLAIR hyperintensity in the right frontal lobe. Tonsils were 3 to 4 mm. below the foramen magnum. She is rather educated and has reviewed this and has some concerns whether this could be leading to her chronic pelvic pain problems.

We have some laboratory studies from May to include normal CBC. Her liver functions are a little elevated but they have been normal in the past. Her electrolytes, kidney function and glucose were fine. Thyroid functions and CRP were normal. Estrogen level was OK. Vitamin D was a little low and she has been started on that. B-12 was normal.

PAST MEDICAL HISTORY: Otherwise fairly unremarkable. She has thyroid disease and is on thyroid replacement. She had a hysterectomy as mentioned.

MEDICATIONS: Her only medications are Synthroid, Vitamin D, Vitamin B and she takes 1 or 2 Vicodin at night when she's having the pains.

FAMILY HISTORY: Notable for her mother who is undergoing evaluation for possible MS and they are not sure what she has. Her father has ALS.

SOCIAL HISTORY: She is married and doesn't smoke or drink alcohol.

REVIEW OF SYSTEMS: Notable for some headaches which she relates to sinuses and are currently in the frontal maxillary areas. They are more often when she's had stress. They are not related to when she's having her pelvic difficulties. She denies any focal paresthesias or weakness. She has contacts for her vision. She's not having any incontinence. She doesn't have any change in her bowel habits with these spells. She doesn't develop diarrhea or constipation. She doesn't develop any significant nausea or vomiting although she's not particularly when she's having this pain. Weakness. She doesn't really have much in the way of back pain other than when she's having the symptoms.

EXAMINATION: Blood pressure 110/74; height 5'9"; weight 160 pounds. Visual acuity 20/30 O.D., 20/5 O.S. On exam, well developed, well nourished, no acute distress, pleasant and cooperative. Complete neurologic exam is unremarkable. Reflexes are 2+/4. Toes are downgoing. Extraocular movements are intact without any nystagmus and she neurologically looks normal.

05/21/2009 9:37AM (GMT-04:00)

EXHIBIT 10

05/21/2008 09:39 FAX

004/004

RE: (b)(3):CPSA
Section 25(c)
Page 3
May 27, 2008

IMPRESSION: Chronic pelvic pain which occurs in an episodic fashion.

Her neurologic exam is unremarkable. I don't think this represents radiculopathy. She was concerned about the MRI of her brain changes. The teeny single white matter lesion is non-specific and I don't think she has Multiple Sclerosis. The Arnold-Chiari is also minimal and there is no effect of the brainstem and I don't think that is causing any of her symptoms either.

We talked about other neurologic possibilities such as abdominal migraines or abdominal epilepsy, but these are usually higher up in the abdomen and more associated with nausea and vomiting and also more frequently seen in kids.

At this point I have a hard time giving her a definite neurologic diagnosis. I think she needs to be seen by another GYN Urologist and she may need to go to one of the major universities. We talked about the possibility of trying her on some of the seizure medicines to see if this helps with any neuropathic or type of symptoms, but I would favor her being fully cleared from any lower pelvic abnormalities before embarking on non-specific treatment.

I'd be glad to see her back in follow up in the future if there are further questions.

Sincerely,

(b)(3):CPSA Section 25(c)

(b)(3):CPSA Section
DT: 5-31-08

MAILED

JUN 02 2008

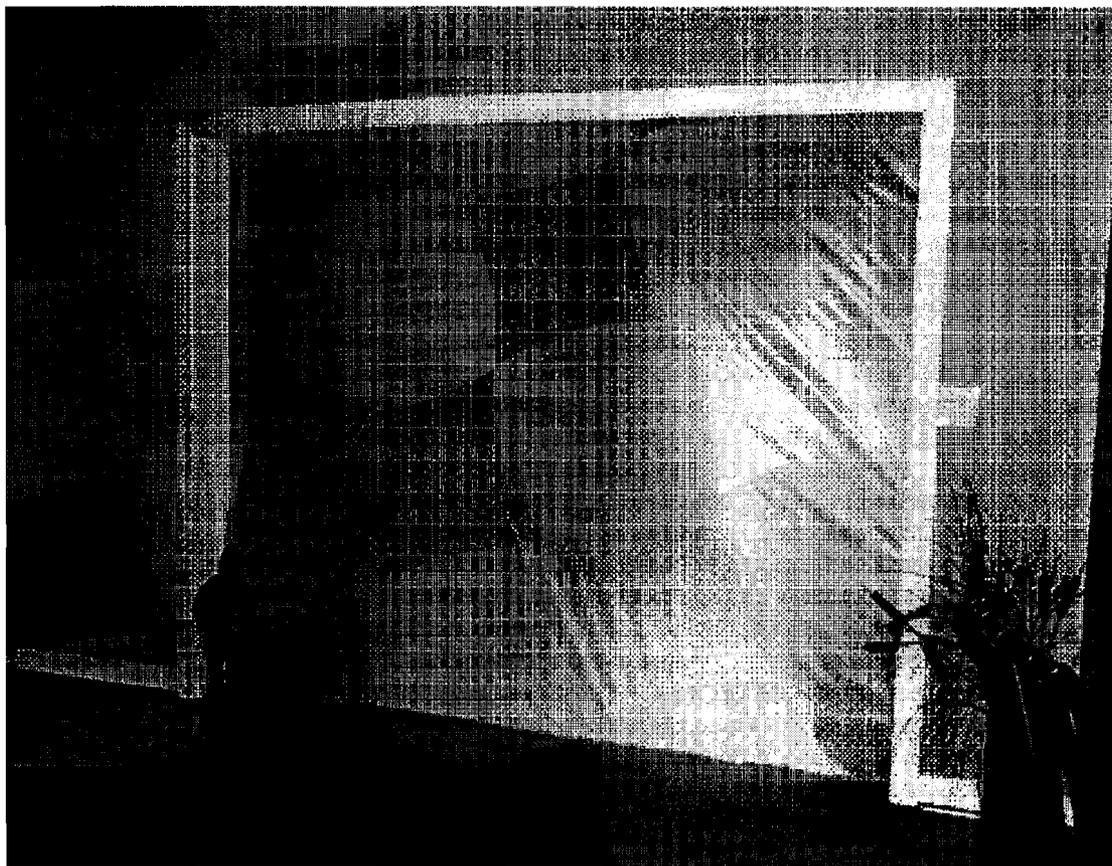
05/21/2009 9:37AM (GMT-04:00)

EXHIBIT 11



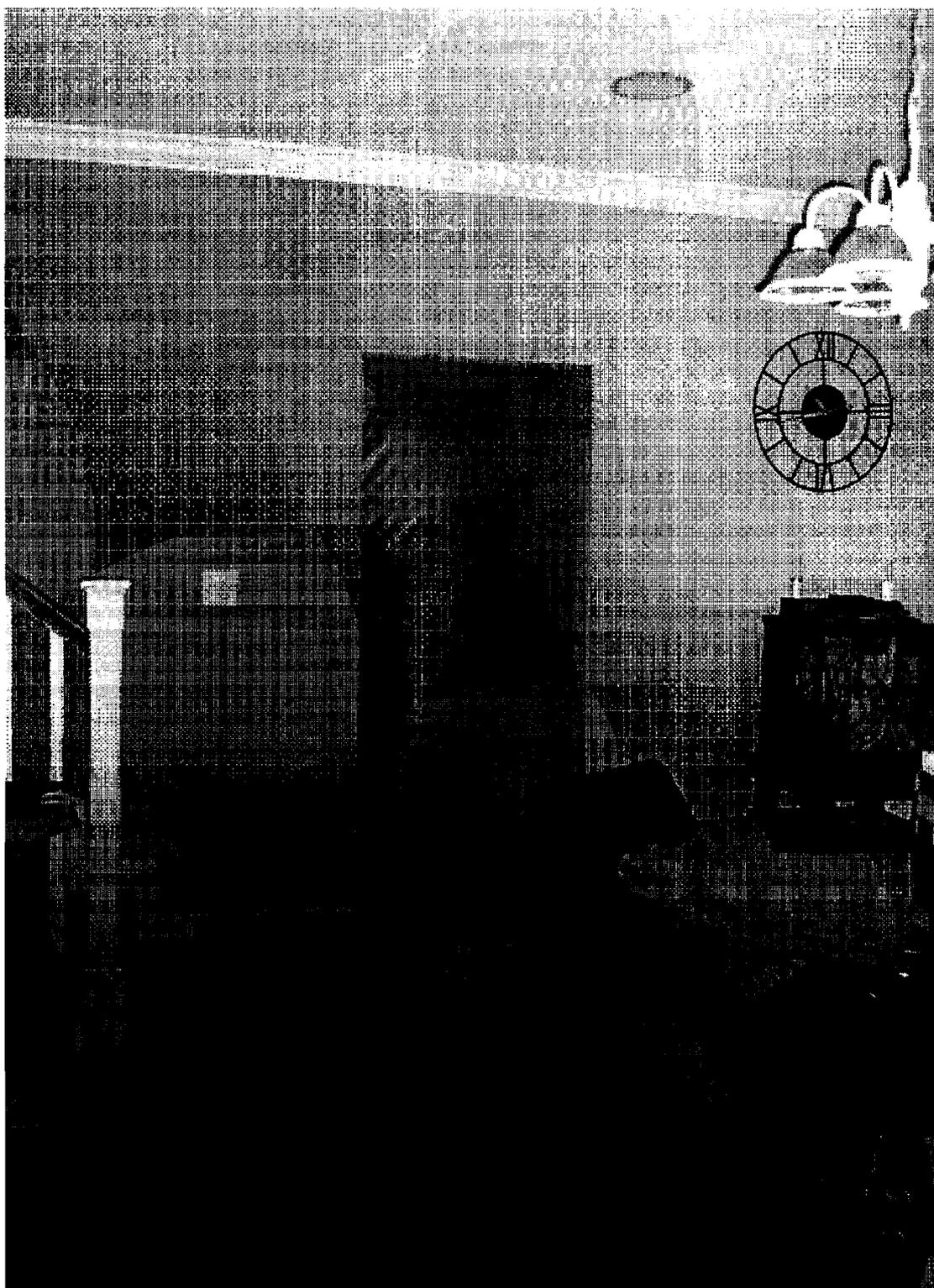
Overall view of front of home. Arrow reflects location of the trailer in which the complainant and her family live (on right side of the home).

EXHIBIT 11



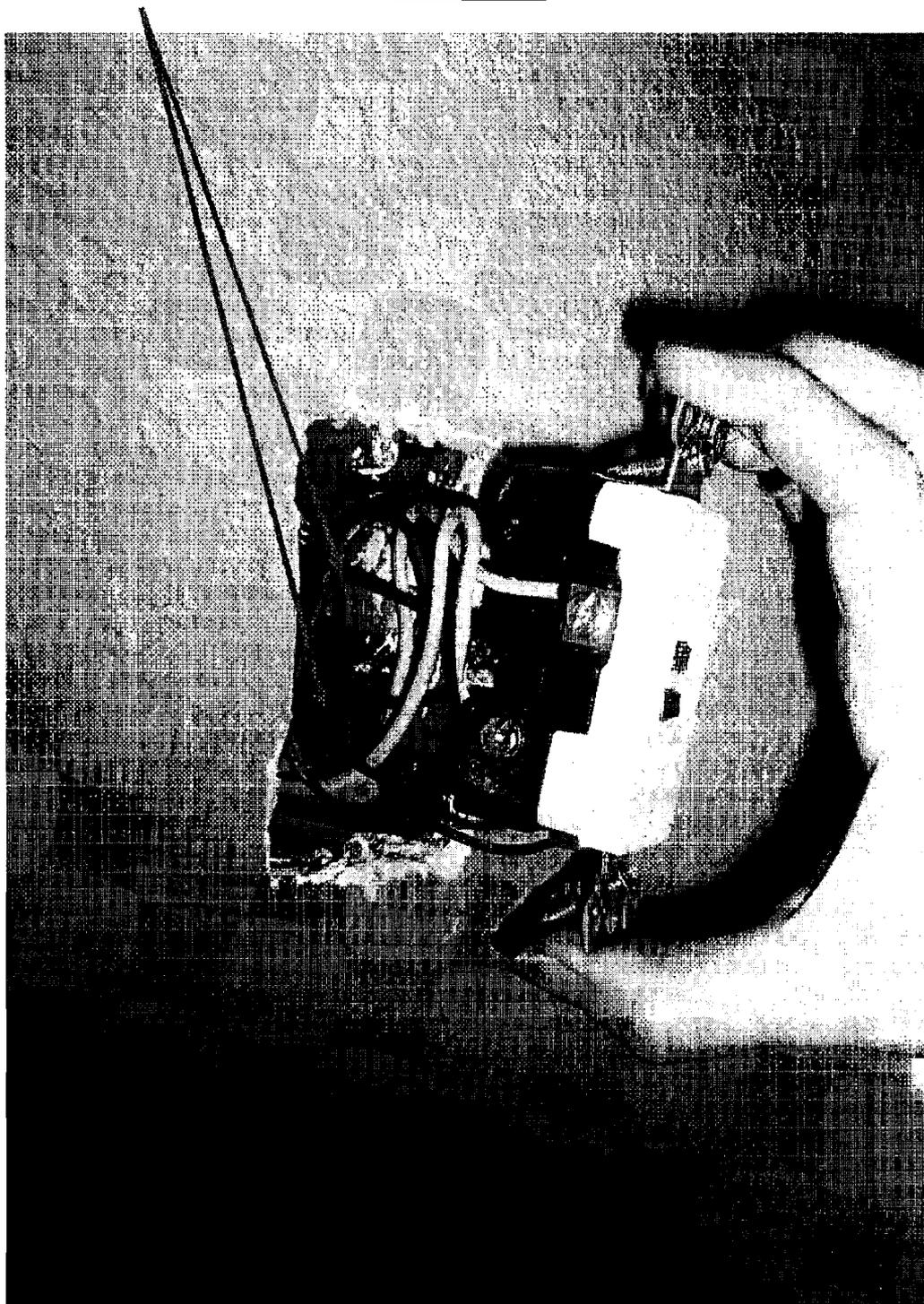
View of one of the rooms in the house that has been blocked off (inaccessible).

EXHIBIT 11



View of another room that has been blocked off.

EXHIBIT 11



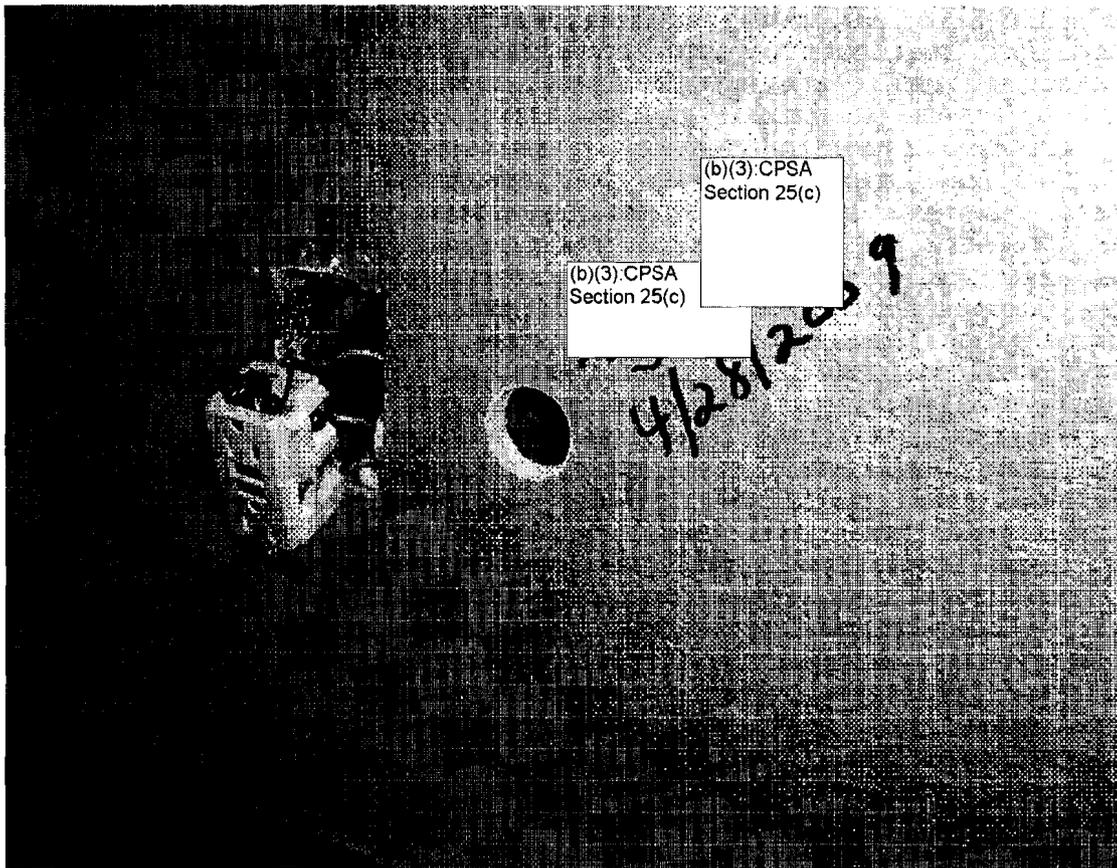
Arrows reflect copper wire in an electrical outlet that has turned black.

EXHIBIT 11



Arrows reflect copper wire in another electrical outlet that is almost completely black.

EXHIBIT 11



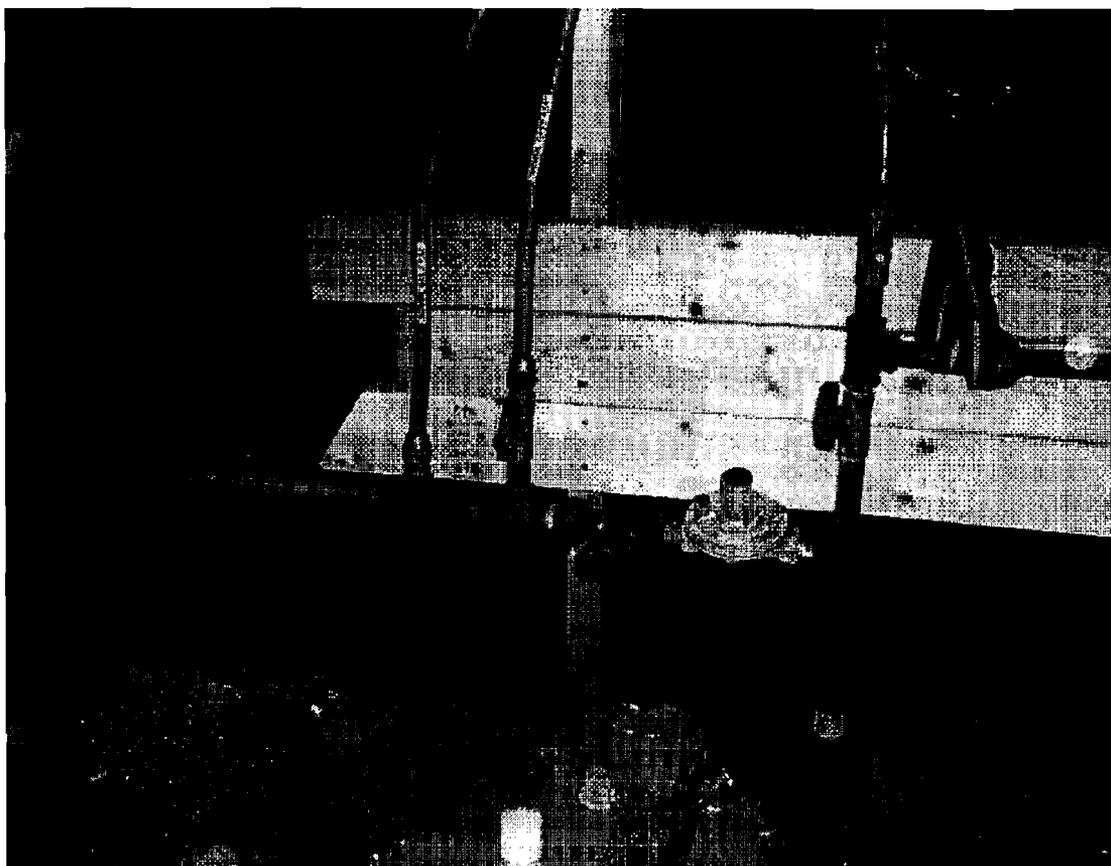
View of hole in wall from where sample was taken for testing by the insurance company.

EXHIBIT 11



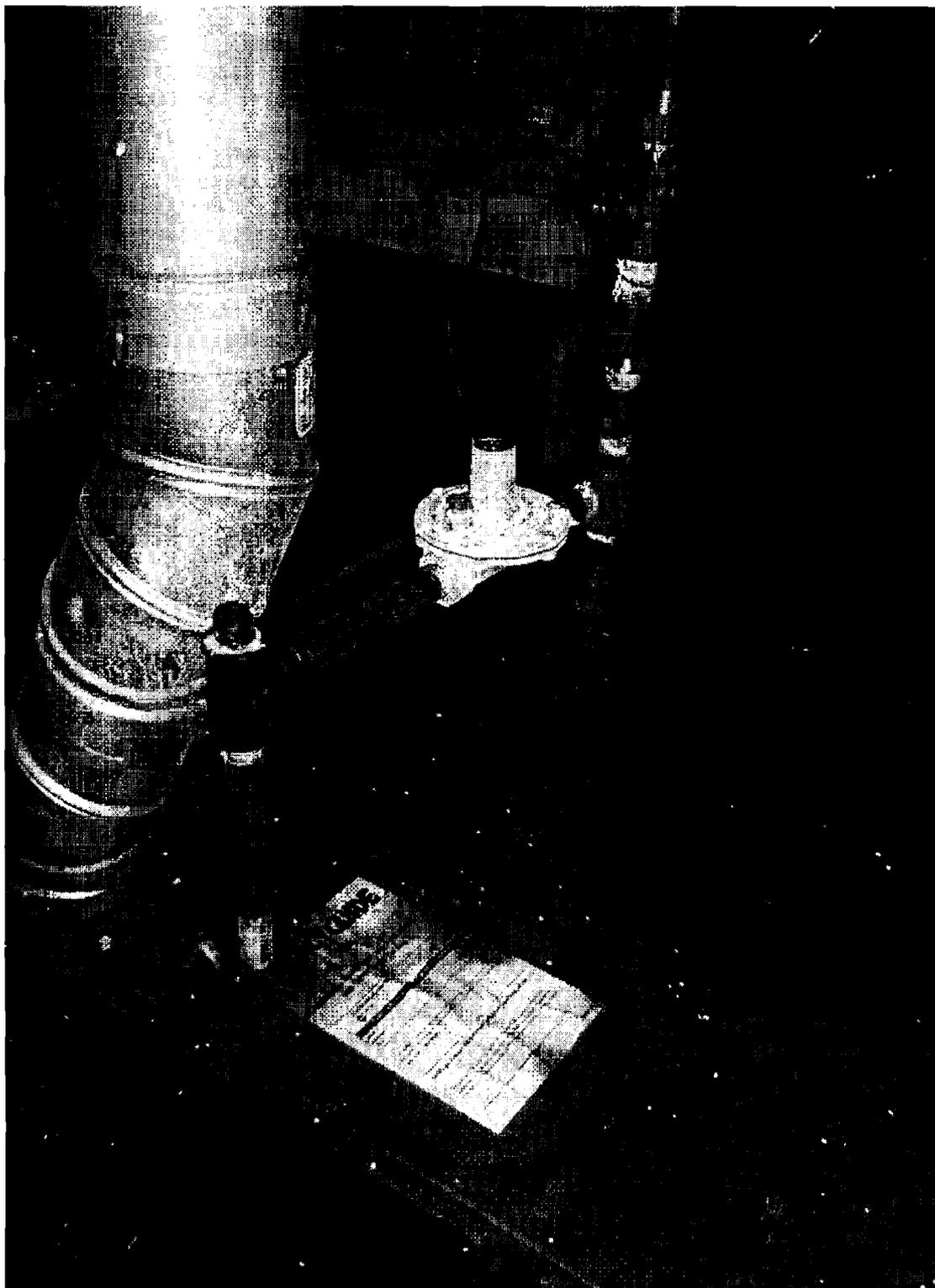
Arrows reflect discoloration and corrosion on a slotted pasta spoon in the complainant's home. The spoon had never been taken out of its box or its plastic covering.

EXHIBIT 11



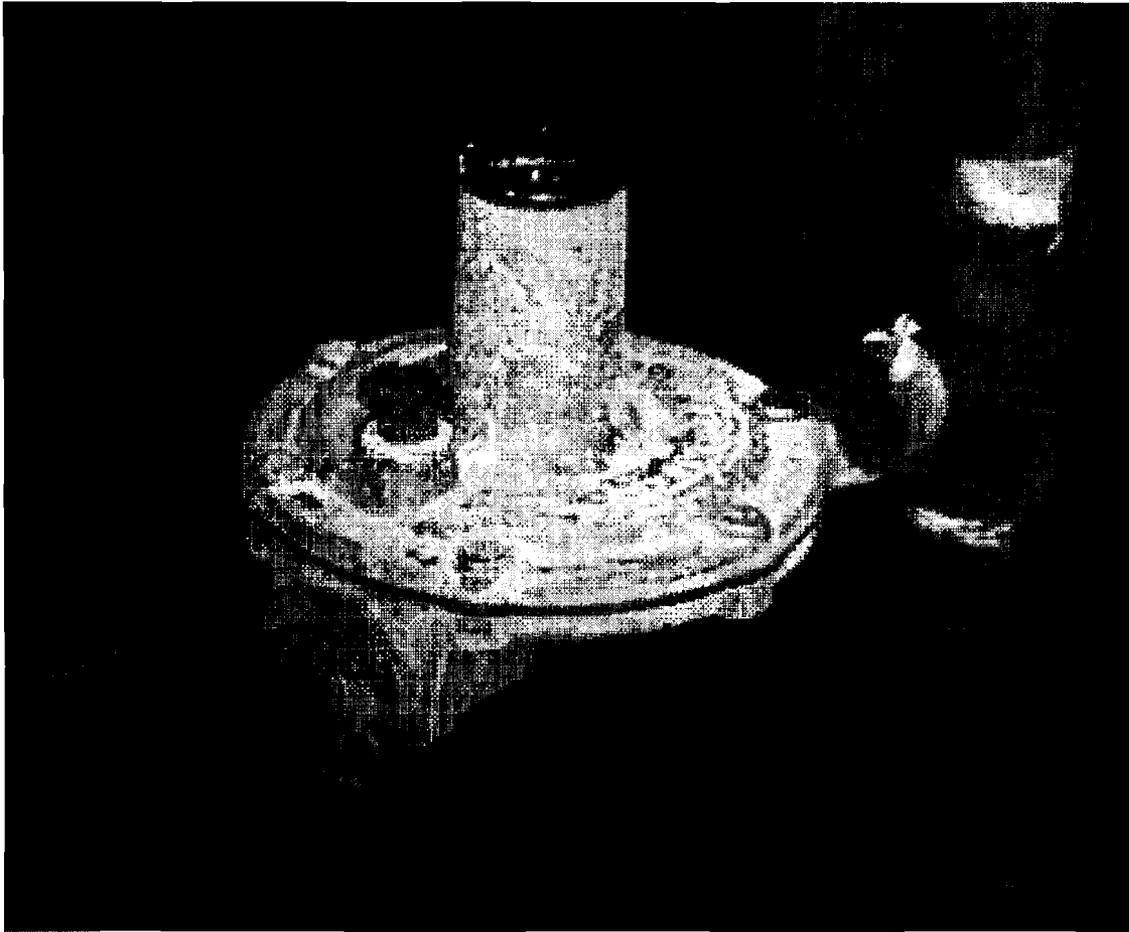
View of gas lines in varying conditions from rusting in the complainant's attic.

EXHIBIT 11



Alternative view of rusted gas lines in varying states of conditions in complainant's attic
Page 9 of 11

EXHIBIT 11



Close-up view of gas regulator with what the complainant described as a fine powdery corroded substance.

EXHIBIT 11



View of deteriorating metal tape on vent shaft

EXHIBIT 12

APPENDIX VII-D-7 MEDICAL RECORDS DISCLOSURE FORM

U.S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR MEDICAL RECORDS DISCLOSURE

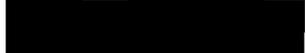
This form authorizes release of information in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. Parts 160 and 164, 5 U.S.C. 552a, and 38 U.S.C. 5701 and 7332. I understand that my disclosure of the information requested on this form is voluntary. I further understand that the Social Security Number will be used to locate records for release and if not voluntarily furnished completely and accurately, the health or medical facility will be unable to comply with the request.

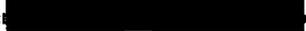
TO WHOM IT MAY COME

I request and authorize  (name of health or medical facility) Consumer Product Safety Commission all information and copies of a  pertaining to (my case)(the case of)

Patient Name 

Relationship to you *daughter*

Patient Social Security Number 

including, but not limited to, medical history,  reports and pathological slides, and X-ray reports and films.

AUTHORIZATION: I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate and complete to the best of my knowledge. I understand that I will receive a copy of this form after I sign it. I may revoke this authorization, in writing, at any time except to the extent that action has already been taken to comply with it. Written revocation is effective upon receipt by the unit or office at the facility housing the records. Redisclosure of my medical records by those receiving the above authorized information may be accomplished without my further written authorization and my records may no longer be protected. Without my express revocation, the authorization will automatically expire: (1) upon satisfaction of the need for disclosure; (2) on *Aug 11, 2009* (date supplied by patient); or (3) under the following conditions:

May 11, 2009

(SIGN  AUTHORIZED TO SIGN FOR PATIENT)

(WITNESS)

EXHIBIT 12

APPENDIX VII-D-7 MEDICAL RECORDS DISCLOSURE FORM

U.S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR MEDICAL RECORDS DISCLOSURE

This form authorizes release of information in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. Parts 160 and 164, 5 U.S.C. 552a, and 38 U.S.C. 5701 and 7332. I understand that my disclosure of the information requested on this form is voluntary. I further understand that the Social Security Number will be used to locate records for release and if not voluntarily furnished completely and accurately, the health or medical facility will be unable to comply with the request.

TO WHOM IT MAY

I request and authorize health or medical facility information and copies of

(b)(3):CPSA Section 25(c)
[Redacted]

(name of) Product Safety Commission all g to (my case)(the case of)

Patient Name

Relationship to you

SELF

Patient Social Security Number

(b)(3):CPSA Section 25(c)
[Redacted]

including, but not limited to, medical history, laboratory reports and pathological slides, and X-ray reports and films.

AUTHORIZATION: I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate and complete to the best of my knowledge. I understand that I will receive a copy of this form after I sign it. I may revoke this authorization, in writing, at any time except to the extent that action has already been taken to comply with it. Written revocation is effective upon receipt by the unit or office at the facility housing the records. Redisclosure of my medical records by those receiving the above authorized information may be accomplished without my further written authorization and my records may no longer be protected. Without my express revocation, the authorization will automatically expire: (1) upon satisfaction of the need for disclosure; (2) on Aug. 11, 2009 (date supplied by patient); or (3) under the following conditions:

May 11, 2009

(b)(3):CPSA Section 25(c)
[Redacted]

(SIGNATURE OF HEALTH CARE PROVIDER AUTHORIZED TO SIGN FOR PATIENT)

(WITNESS)

EXHIBIT 12

APPENDIX VII-D-7 MEDICAL RECORDS DISCLOSURE FORM

U.S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR MEDICAL RECORDS DISCLOSURE

This form authorizes release of information in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. Parts 160 and 164, 5 U.S.C. 552a, and 38 U.S.C. 5701 and 7332. I understand that my disclosure of the information requested on this form is voluntary. I further understand that the Social Security Number will be used to locate records for release and if not voluntarily furnished completely and accurately, the health or medical facility will be unable to comply with the request.

TO WHOM IT MAY CONCERN:

I request and authorize Neurology Specialists / Dr. [REDACTED] (health or medical facility) to furnish the United States Consumer Product Safety Commission information and copies of any and all records you may have pertaining to (my case)(the case of)

Patient Name [REDACTED]

Relationship to [REDACTED]

Patient Social [REDACTED]

including, but not limited to, medical history, physical reports, laboratory reports and pathological slides, and X-ray reports and films.

AUTHORIZATION: I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate and complete to the best of my knowledge. I understand that I will receive a copy of this form after I sign it. I may revoke this authorization, in writing, at any time except to the extent that action has already been taken to comply with it. Written revocation is effective upon receipt by the unit or office at the facility housing the records. Redisclosure of my medical records by those receiving the above authorized information may be accomplished without my further written authorization and my records may no longer be protected. Without my express revocation, the authorization will automatically expire: (1) upon satisfaction of the need for disclosure; (2) on Aug 11, 2007 (date supplied by patient); or (3) under the following conditions:

May 11, 2004
(DATE)

(SIGNATURE OF PERSON AUTHORIZED TO SIGN FOR PATIENT)

(WITNESS)

090505CBB1681

Page 3 of 3

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

| | | | | | |
|--|---------------------------|--|----------|-------------------|------------------|
| 1. NAME OF RESPONDENT (b)(3).CPSA Section 25(c) | | 2. PHONE NO. (HOME) (b)(3).CPSA Section 25(c) | | (WORK) Unknown | |
| 3 | 4. CITY Virginia Beach | | ST VA | ZIPCODE 23452 | |
| 4a. EMAIL ADDRESS Unknown | | 4b. INCIDENT CITY Virginia Beach | | ST VA | ZIPCODE 23452 |

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES
 Consumer stated that she remodeled the kitchen, bath, living room and a downstairs bedroom. Consumer found that after the
 - cont -

| | | |
|---------------------------------------|--|--|
| 6. DATE OF INCIDENT (S) 03/25/2009 | 7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 40 Y/F AND DESCRIBE INJURY See Narrative. | 8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME None RELATIONSHIP None |
|---------------------------------------|--|--|

| | |
|--|--|
| 9. DESCRIPTION OF PRODUCT chinese drywall | 10. BRAND NAME Shandong Taihe Dongxin Co. Limited |
|--|--|

| | | |
|---|--|--|
| 11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Shandong Taihe Dongxin Co. Limited Unknown Unknown Unknown Unknown | 12. MODEL, SERIAL #'s, DATE OF MFR Mod# Unknown | 13. DEALER'S NAME, ADDRESS & PHONE Curve Appeal Homes Builders. Unknown Virginia Beach, VA Unknown |
|---|--|--|

| | | |
|---|--|---|
| 14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE: | 15. PRODUCT PURCHASED NEW DATE PURCHASED 08/15/2006 AGE 2 Y | 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: None |
|---|--|---|

| | | |
|--|---|---|
| 17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM? | 18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION | 19. MAY WE USE YOUR NAME WITH THIS REPORT? YES |
|--|---|---|

FOR ADMINISTRATION USE

| | | |
|---------------------------------|---|---|
| 20. DATE RECEIVED 04/16/2009 | 21. RECEIVED BY (NAME & OFFICE) jik/HL | 22. DOCUMENT NO. H0940208A |
| 23. FOLLOW-UP ACTION | | 24. PRODUCT CODE (S) 9999 |
| 25. DISTRIBUTION | | 26. ENDORSER'S NAME & TITLE jik 04/17/2009 |

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0940208A

Narrative Continued

remodeling they all have the Chinese drywall. Consumer said that she first noticed an odor, but every day they got use to the smell. Consumer noticed the wiring from the electrical outlet and copper pipe corroded. Consumer opened the HVAC systems and all the wiring inside were corroded. Consumer said that she went to the attic and all the pipes including the copper pipes looked like they had been outside for 20 years. Consumer said that she has 3 children and they have nose bleeds and cough. Consumer gets headaches, sore throat, heavy chest and breathing problems.

Consumer said that she has been calling the builder company, but they have not returned her calls. Consumer believes that the company does not exist anymore.

Distributor Phone #:

CPSC Source: BOOKS

The information in this report was obtained through multiple sources. An on-site investigation was conducted with the consumer on May 11, 2009. A telephone interview was conducted with the owner of the product importer/supplier/installer on May 14, 2009, and with the homebuilder on May 26, 2009. Telephone interviews were also conducted with an air conditioning repairman and with the complainant's attorney (separately) on May 26, 2009. This investigation was initiated from a complaint that the consumer made to our agency on April 16, 2009.

Sometime at the beginning of 2006 (exact date unknown), building of the complainant's new 2,600 square feet, three-story condominium home was completed. The condominium consists of carpeting only in the bedrooms and hardwood floors throughout the remainder. Wood studs were used during construction. The only natural gas present in the home is in the stove and the heating system. No repair work has been performed since the home's initial construction. Neither were any changes made to the condominium by the complainant or his family (i.e. painting, carpet installation, etc.).

The complainant, his wife, and his step-son first occupied their condominium in June 2006. They immediately began to notice a "rotten egg" smell upon first entering the home, but assumed "that's just how [their] condominium smelled." No other problems were noticed until the end of summer 2006. At this time, the complainant noticed that his dog began to have a chronic cold that included constant coughing, runny nose, and uncontrollable drooling. To date, the dog is still suffering from these problems, but at a more severe intensity. During this Investigator's on-site visit on May 11, 2009, the dog was observed drooling, sneezing, and coughing throughout the entire visit.

On April 10, 2009, the complainant learned through a local news story that other families living in his area were complaining about a certain type of drywall in their homes that was believed to be causing an extensive list of medical symptoms and health issues. The complainant immediately went into his own attic after viewing the news story to see if the drywall in question was installed in his home. After viewing the manufacturer name on the side of the drywall, the complainant was sure that the drywall in question was in fact present in his home.

Since the condominium was initially built, the complainant's wife noticed that she had developed what was thought to be severe allergies, including dry, itchy eyes, and recurrent headaches. She has not sought any medical treatment for her symptoms. On April 30, 2009, the complainant took his step-son to the emergency room at a local hospital after the teenager had been complaining of a severe headache and sinusitis symptoms. The complainant stated that his step-son had never suffered from sinusitis before moving into the condominium, yet had multiple recurring attacks of sinusitis afterwards. This Investigator requested that the complainant's son sign a medical release form in order for the medical records to be obtained; however, the complainant stated that nothing in the medical records would reflect anything about the drywall being the cause of the problems.

When this Investigator explained that the medical records would still be necessary, the complainant called his wife. The complainant's wife informed this Investigator that since they had never mentioned to any medical professional that they believed their son's sinusitis was as of a result of the drywall in their home, there would be nothing relevant in the records. This Investigator left three medical release forms with the complainant in hopes that they would allow for the medical records to be obtained; however, no further correspondence has been received from the complainant. For this reason, the teenager's medical records have been entered on a missing document form in this report (see exhibit 6).

During the on-site visit to the complainant's home, this Investigator asked the complainant what other problems and symptoms they have experienced. The following is a list of issues the complainant and his family have been dealing with:

Health Effects

- Runny nose (son)
- Recurrent Headaches (wife and son)
- Red, irritated eyes (wife)
- Congestion (son)
- Coughing, Sneezing (son and dog)

Issues in the Home

- Air conditioning coil had to be replaced summer 2008 due to corrosion resulting in a Freon leak.
- The cable box in the son's room freezes up and has had to be replaced on three separate occasions.
- The copper wiring in the electrical outlets has turned black.
- A pungent "rotten egg" odor present throughout the entire home, though it is strongest when first entering the home.
- Light fixtures in the condominium consistently make a buzzing/humming noise.

*The complainant is not aware of whether or not the adverse health effects his family has suffered from improve once the family is away from the home. He alleges that the symptoms were never severe enough to notice. The complainant does not report any problems with the electrical outlets being hot to the touch, and does not believe that the rotten egg odor is any stronger at the site of an electrical outlet. He has no reported problems with breakers spontaneously tripping or with any metal in his home corroding, pitting, or becoming discolored.

Also during this Investigator's on-site visit on May 11, 2009, photographs were taken of the discolored copper electrical wires and of the air conditioner pipes that according to the complainant, appeared to be corroded. The complainant would not allow the air conditioner cover to be removed for inspection or to be photographed since he stated he was not an expert on air conditioner units and did not want to "mess up" any work that had been performed. On May 26, 2009, this Investigator conducted a brief telephone interview with the air conditioner repairman/company owner who replaced the coil in the

complainant's air conditioning unit in the summer of 2008. He stated that the only cause of the problem with the air conditioning unit (a Freon leak) was as a result of a manufacturer's defect. He stated that the problem had nothing to do with the drywall. No information is known about the electrician who initially installed the electrical system in the complainant's home; therefore, this Investigator was unable to contact the electrician.

On May 14, 2009, this Investigator conducted a telephone interview with the owner of the building importer/supplier/installation company (the owner of the supply company also owns the company that installed the drywall). During this conversation, he stated that he has not received any correspondence from the drywall's manufacturer, nor has he received any information about how they plan to remedy the situation. He also stated that he has not received any reports of problems experienced by his workers while they were handling the drywall in his facility. He stated that the drywall that was imported into his facility met all of his exact specifications, such as width, length and thickness. The drywall was independently received in his warehouse via truck deliveries and no other products were knowingly transported along with the drywall. It is unknown how the product was stored or shipped before it was received by the supply company. A sample of the drywall has already been taken from the supply company's leftover stock by another Investigator, and sample number 09-810-7339 was assigned. No sample was collected by this Investigator, per instructions; however, the complainant is willing to have his drywall sampled if needed.

The complainant has not been in contact with the drywall's manufacturer or with the building importer/supplier/installer. He has however been in contact with the home builder (exact date of contact is unknown). The complainant indicated that no remedy has been offered to him by the builder, and that the only conversation that ensued concerned whether or not the builder knew about the problem with the drywall. This investigator contacted the builder on May 26, 2009 and conducted a brief telephone interview. During this conversation, the builder informed this Investigator that he himself had used the drywall in one of his own homes, and that he was concerned about the situation. Neither the builder nor any of his workers suffered from any known health problems during the construction of the complainant's home nor did they notice anything out of the ordinary about the drywall.

The complainant has hired an attorney and has spoken with him on multiple occasions concerning the drywall (exact dates of contact are unknown). This Investigator contacted the attorney on May 26, 2009 and conducted a telephone interview. The attorney informed this Investigator that he was not able to file a lawsuit for the complainant and that he had already referred him to another attorney who could do so.

The complainant and his family are aware of and are actively participating in a local drywall support group that has been formed in their area. The complainant's wife attended a meeting with a congressman on May 16, 2009. They are currently still living in their home and are not sure of their plans for the future. They would like to see a remedy put into place as quickly as possible since they are unsure of what actions they should take concerning their home.

090505CBB1689

PRODUCT IDENTIFICATION

The product in question is Chinese-manufactured drywall with either “Taihe China” or “Shandong Dongxin Company Ltd” inscribed on the actual drywall itself. There is no known model number, SKU number, or other identifying information. No information is known about the manufacturer or type of electrical outlets used in the home.

Product: Drywall

Manufacturer: Shandong Dongxin Company Ltd. taihe@public.tappt.sd.cn, www.taihegroup.com, address is: in the east of national road 104,25 kilometers south to Tai'an city. The postal code is 271026. Phone number is (0086-538) 8811449 and fax is (0086-538) 8811323.

Brand: Unknown

Model Number: Unknown

Manufactured Date: Unknown

Builder: Martin Construction, 1436 Dermott Avenue, Virginia Beach, VA 23455. Phone: 757-363-1100.

Importer/Supplier: Venture Supply, 1140 Azalea Garden Road, Norfolk, VA 23502. Phone: 757-855-5433, Fax: 757-857-0283.

Installer: Porter Blaine, 1140 Azalea Garden Road, Norfolk, VA 23502. Phone: 757-855-5433, Fax: 757-857-0283.

Approximate Cost: Unknown

*NOTE: No applicable data record sheets/investigation guidelines were located for this case.

EXHIBITS

#1: Contact Sheet/Resources

#2: Authorization for Release of Name

#3: Property Assessment for Complainant's Home

090505CBB1689

#4: News Story (issued May 20, 2009 concerning Environmental Protection Agency testing results)

#5: Letter from Venture Supply (the drywall supplier) and a copy of the initial invoice.

#6: Missing Documents Form

#7: Photographs of complainant's home (6)

EXHIBIT 1

CONTACT SHEET/RESOURCES

Complainant

(b)(3):CPSA Section 25(c)

Virginia Beach, VA 23455

Phone (b)(3):CPSA Section 25(c)

*Spoke with complainant on the phone on May 7, 2009 and scheduled on-site IDI for May 11, 2009.

Builder

Martin Construction
1436 Dermott Avenue
Virginia Beach, VA 23455
Phone: 757-363-1100

*Conducted telephone interview with Danny Martin on May 26, 2009.

Air Conditioning Repairman

Alliance Heating and Air
1108 Pickett Road
Norfolk, VA 23502
Phone: 757-461-4132
Fax: 757-461-1938

*Conducted brief telephone interview with the owner, Hank Glaubke, on May 26, 2009.

Drywall Importer/Supplier/Installer

Owner Samuel Porter (Venture Supply and Porter Blaine)
1140 Azalea Garden Road
Norfolk, VA 23502
757-855-5433 – Office
757-857-0283 – Fax

*Conducted telephone interview with Mr. Porter on May 14, 2009.

Attorney

Richard Levin
419 London Street
Portsmouth, VA 23704
Phone: 757-399-7542
Fax: 757-397-1479

*Conducted telephone interview on May 26, 2009 with Mr. Levin.

EXHIBIT 2

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.

(b)(3):CPSA Section 25(c)

to the manufacturer and to the public.

8/11/09

(Date)

EXHIBIT 3

Virginia Beach, Virginia

Page 1 of 1

Virginia Beach, Virginia

generated on 5/8/2009 9:35:15 AM CDT

Parcel

| | | | |
|----------------|------------------------------|----------------------------|-------------------|
| GPIN | Address | Current Total Value | Date as of |
| 15705068344646 | 4646 LAKE DR, VIRGINIA BEACH | \$471,500 | 05/07/2009 |

| | | |
|-----------------------|--|--------------------------|
| Owner Address | (b)(3):CPSA Section 25(c) VIRGINIA BEACH VA 23055-1415 | Owner Information |
| Transfer Date | 5/30/2007 | |
| Document # | 20070508000624610 | |
| Deed Book/Page | 0 0 | |

Location / Description

| | | | |
|-----------------------|--|---------------------------|----------------------------------|
| District | 40 | Section & Plat | 2007041800517360 |
| District | 40, Bayside | Legal Desc. | (b)(3):CPSA Section 2 CONDO UNIT |
| Parcel Address | (b)(3):CPSA Section 25(c) VIRGINIA BEACH | | |

Parcel Type

| | |
|----------------------------|--|
| Zoning | 19 - R5R |
| Property Class Code | 104 - Low Rise Condominium |
| Neighborhood Code | 4124001 CHESAPEAKE BEACH CONDO/SEMI DE |

EXHIBIT 4

Nelson: Chinese drywall tests confirm differences - Tampa Bay Business Journal:

Page 1 of 1

Tampa Bay Business Journal - May 10, 2009
 http://bizjournals.com/tampabay/stories/2009/05/18/daily29.html?n=printable

TAMPA BAY
Business Journal

1000 N. Florida Ave., Suite 1000
 Tampa, FL 33602-2000
 Phone: 813-224-2000
 Fax: 813-224-2001
 Email: info@bizjournals.com

Nelson: Chinese drywall tests confirm differences

By [Tara L. Eggen](#) | [tara.eggen@bizjournals.com](#) | [tara.eggen@tampabay.com](#)

U.S. Environmental Protection Agency tests of high-sulfur Chinese drywall have confirmed differences between the imported material and U.S.-made drywall, U.S. Sen. Bill Nelson said Tuesday.

The new EPA tests showed the Chinese-made drywall contained sulfur that was not in U.S. drywall, strontium (a metallic element) at levels 10 times as high as in U.S. drywall and two other organic compounds generally found in acrylic paint that were not detected in any U.S.-made wallboard, according to a media release.

"We now know there are three things in there that aren't in other drywall samples," Nelson, a Florida Democrat, said in the release. "We've got the what, and now we need the why and how do we fix it? In the end, I think all this stuff is going to have to be ripped out."

Nelson's office said the EPA has determined more tests are needed, including air sampling in affected houses, to determine whether the drywall is the cause of corroded wiring and appliances and the alleged health problems. Nelson said he and Sen. Mary Landrieu, D-Louisiana, will file an amendment to pending legislation to provide emergency funds for further investigation and continued testing.

The first congressional hearings on Chinese drywall are set for Thursday. The Senate Subcommittee on Consumer Protection, Product Safety and Insurance will investigate health and product safety issues associated with the drywall.

High-sulfur Chinese drywall has been blamed for times that cause an odor of rotten eggs, metal corrosion and alleged health problems in thousands of homes, mostly in the Southeast, and especially in Florida.

The growing product liability crisis has spawned federal and state lawsuits, including individual actions and class actions. The Florida Department of Health is tracking 365 reported complaints and investigating. The U.S. Consumer Product Safety Commission is also investigating.

Other witnesses expected to testify at Thursday's hearing include experts from the U.S. Centers for Disease Control and Prevention, the EPA, the CPSC, a Florida homeowner affected by the drywall and a Louisiana homebuilder.

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EXHIBIT 5

VENTURE SUPPLY, INC.

1140 Azalea Garden Road Norfolk, VA 23502
(757) 855-5433 Fax (757) 857-0283

To our customers and clients:

Venture Supply, Inc. has received questions from customers relating to drywall that was imported from Asia.

Around March 2006 we imported some drywall from Shandong Dongxin Company, Ltd., a manufacturer in China. We did so because domestic drywall was nearly impossible to obtain during that time frame and builders and developers were demanding building supplies. The imported drywall's total cost was actually more than we normally pay for domestic drywall.

Since that time there have been complaints originating in Florida relating to drywall manufactured and supplied by another Chinese company. We have also received complaints from at least one local builder. There have also been news reports on both national and local levels. We understand that this may have caused some concern to customers who believe their homes may have drywall manufactured in China.

First, if your home was constructed before March 2006, you do not have drywall that we imported from China. Second, the only way to truly know if you have drywall that we imported from China is to view the back of the boards, which would be stamped with our company's name. The easiest way to check this would be to look in the attic spaces on the back of the boards used for your living space ceilings.

The primary visible symptom reported by some homeowners is a black coating or corrosion on copper, including HVAC coils, electrical wiring, etc. There have been complaints relating to the need to replace the HVAC coils. We have also heard a few complaints relating to an increase in allergy-like symptoms, although we have seen no medical reports linking such symptoms to drywall.

If you believe you have a problem, you should perform whatever investigation you need to determine the best course of action for you. We have contact information for Shandong Dongxin Company, Ltd., if you feel you need to make a complaint to the manufacturer. You may also wish to contact your local health department if you feel the need to do so.

We have turned this matter over to our counsel. If you feel the need to contact them, you may call Jack Nanavati or Ken Hardt at Simmt, Nuckols & Logan, P.C., (804) 378-7600 or write to them at 13811 Village Mill Dr., Midlothian, VA 23114.

As always, we value your continued business.

"Please feel free to visit our website at www.venturesupply.com"

Faxed To

4 20 09 9 30 am

EXHIBIT 5



INVOICE

00115750-001

Remit To: Venture Supply, Inc.
1140 Azalea Garden Road
Norfolk, VA 23502
USA Phone: (757)-855-9433

Invoice Date: 02/24/06
Account#: PORD1 3122
Branch: VENTNRF
Phone#: (757)-857-0282
Fax#: (757)-857-0283
Delivery#: 00115750-001

199
0198
89244

BILL TO:
Porter-B. Nine Co.
1140 Azalea Garden Road
Norfolk VA 23502

Reprinted: 04/13/09 05:36:26

SHIP TO:
MARTIN CONST
4646 LAKE DRIVE
RIGHT
VA BEACH VA 23502

CREATED BY: Kim Page 1 of 1

| QTY ORDERED | QTY SHIPPED | UOM | ITEM/DESCRIPTION | CONVERTED QTY | PRICE/UOM | EXTENDED AMOUNT |
|-----------------------|-------------|------|---|---------------|------------|-----------------|
| 203 | 203 | PC | 1212DWVS 12" 4X12 Drywall Venture Supply | 9.7440/MSF | 263.33/MSF | 2,565.89 |
| 69 | 69 | PC | MBDWB008 8' Drywall Corner Bead | 69.0000/PC | 1.18/PC | 81.42 |
| 19 | 19 | PC | MBDWB009 9' Drywall Corner Bead | 19.0000/PC | 1.32/PC | 25.08 |
| 3 | 3 | PC | MBSPLYB008 8' Splayed Drywall Bead Metal | 0.240/MLF | 276.00/MLF | 6.62 |
| 18 | 18 | ROLL | DWTAPE 250' Drywall Tape | 18.0000/ROLL | 1.88/ROLL | 33.84 |
| 18 | 18 | BKT | MDGBADY 5 Gal Mid Advantage Pail Gold Bond | 18.0000/BKT | 12.72/BKT | 228.96 |
| 1 | 1 | BG | EZ45 18 lb. Easy Sand 45 Minute | 1.0000/BG | 14.70/BG | 14.70 |
| ***** SUB-TOTAL ***** | | | | | | 2,956.51 |
| VA Sales Tax | | | | | | 5.0% 147.83 |

TERMS:
2% Discount on 10th of Following Month 25th Cut Off Due Date: 03/25/06
You may deduct 59.13 if paid by 03/10/06

Balance 3,104.34

EXHIBIT 6

Print Form

Task No. 090505CBB1689

Date: May 26, 2009

STATUS OF MISSING DOCUMENT (S)

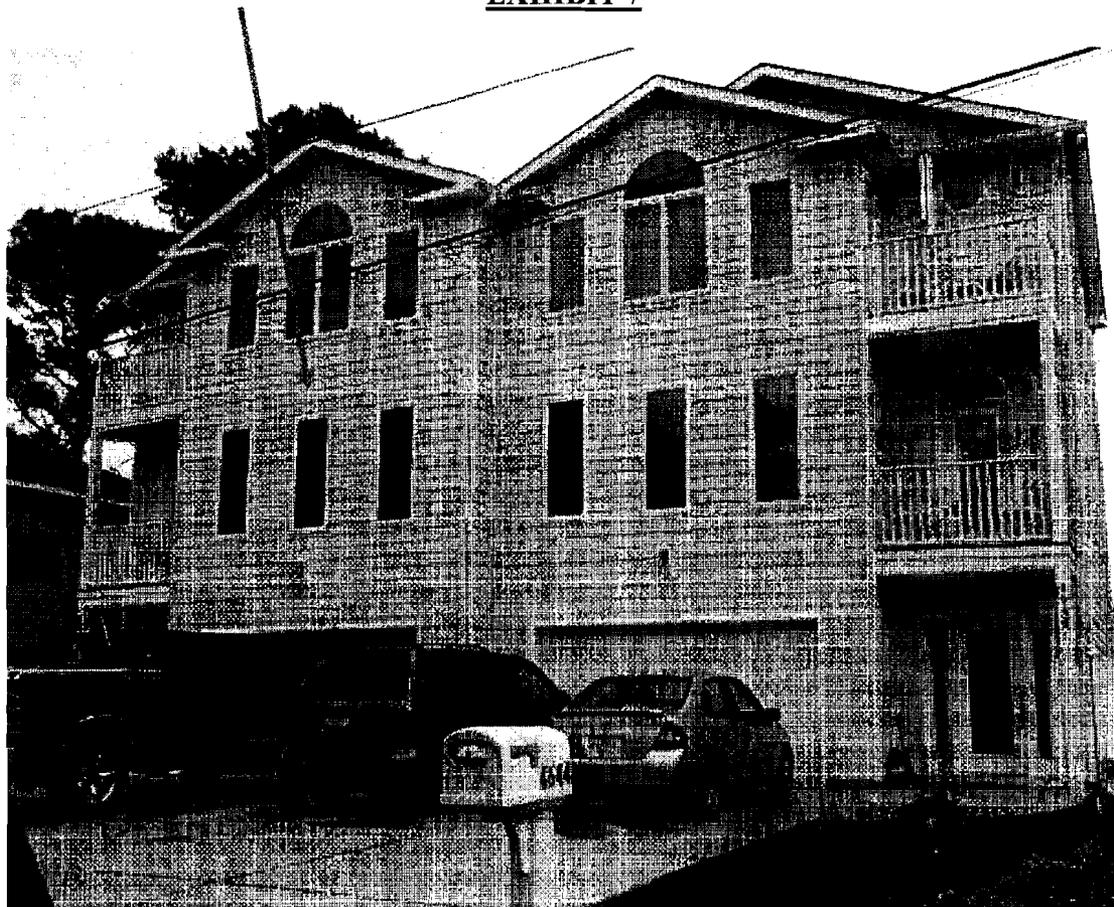
The official records were requested for this investigation report but could not be obtained.

1. Medical records for complainant's step-son
2. _____
3. _____
4. _____
5. _____

Date: May 26, 2009 **Investigator No:** 2428

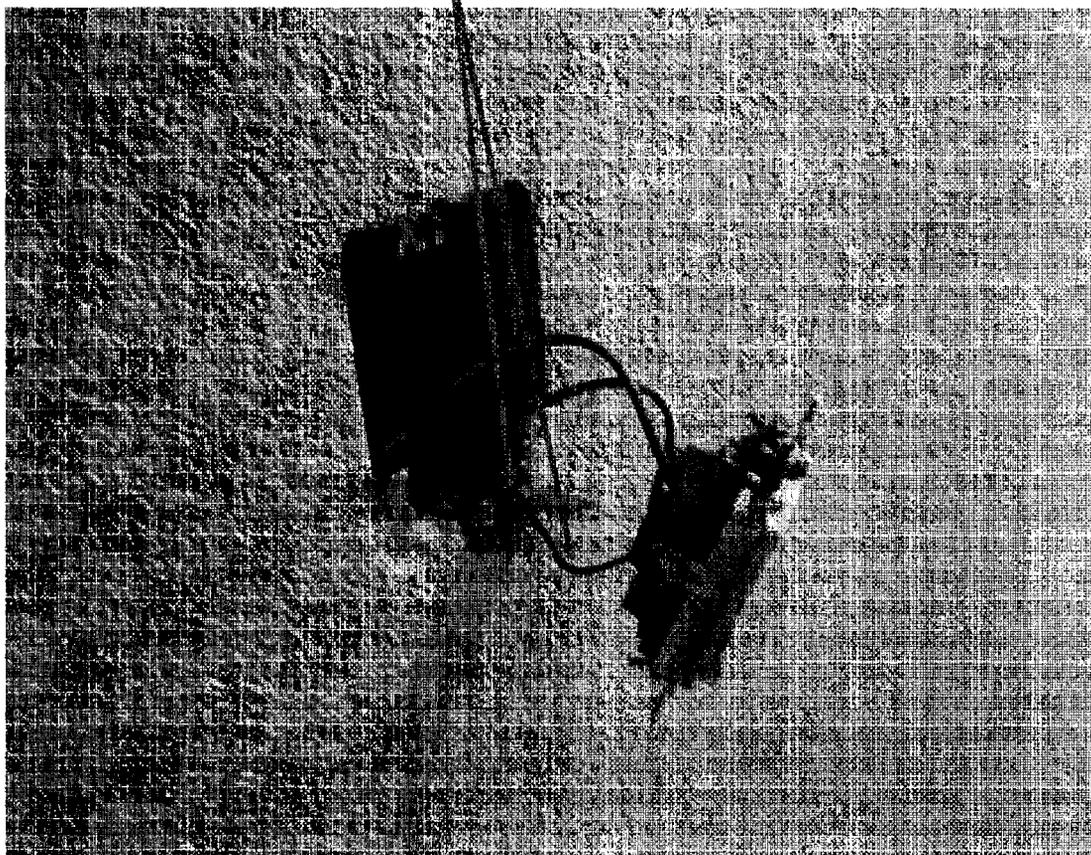
Regional office: CFIEB **Supervisor No:** 9084

EXHIBIT 7



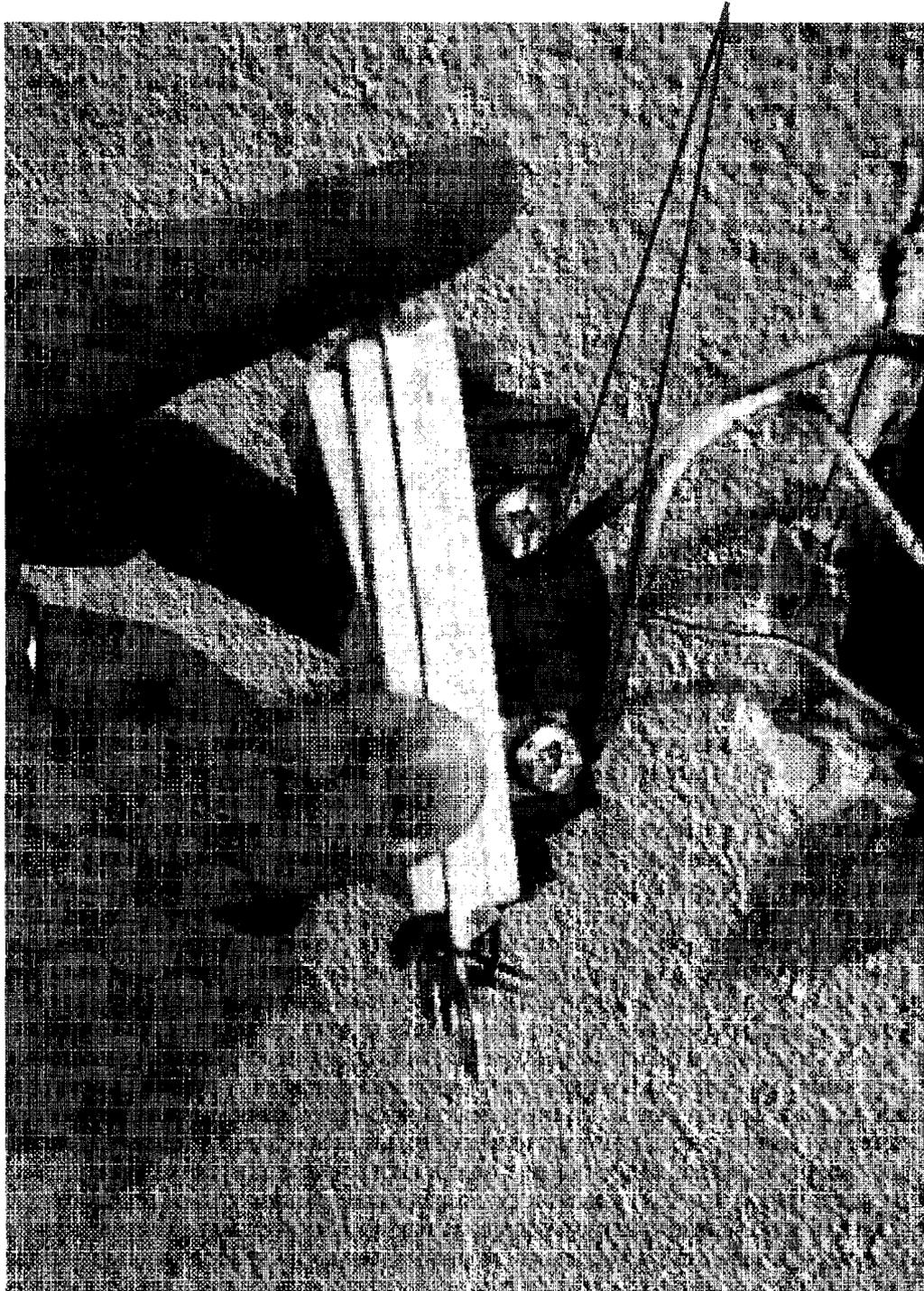
Arrows reflects complainant's condominium (on the left)

EXHIBIT 7



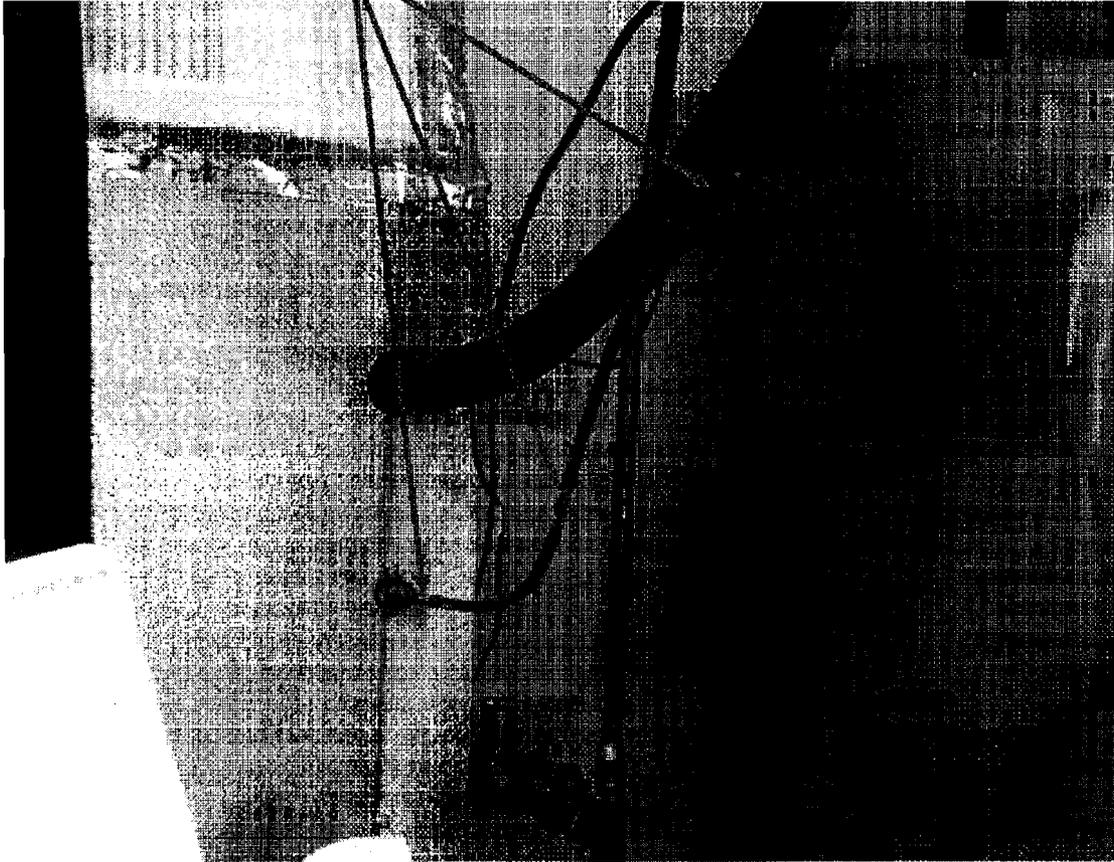
Arrows reflect copper wire in an electrical outlet that has turned black

EXHIBIT 7



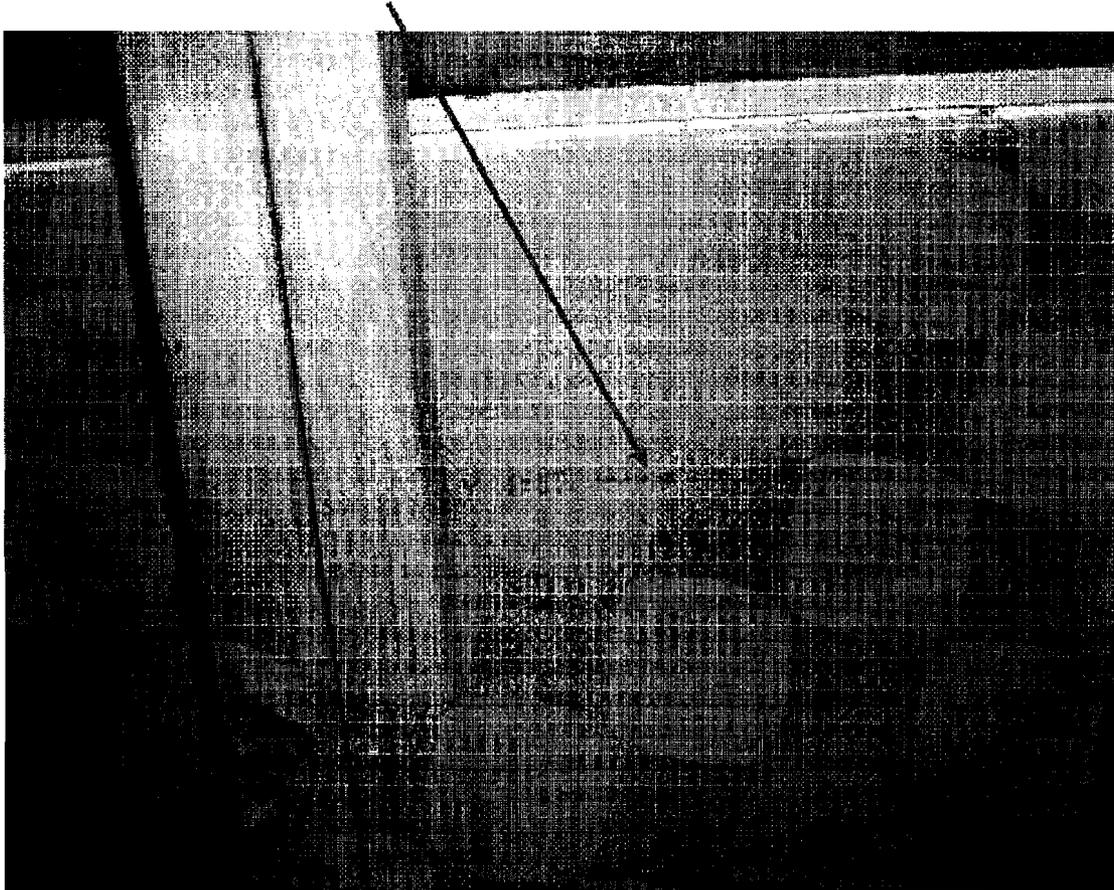
Arrows reflect difference in copper wires on one electrical outlet. One wire has been blackened while the other still shows some copper.

EXHIBIT 7



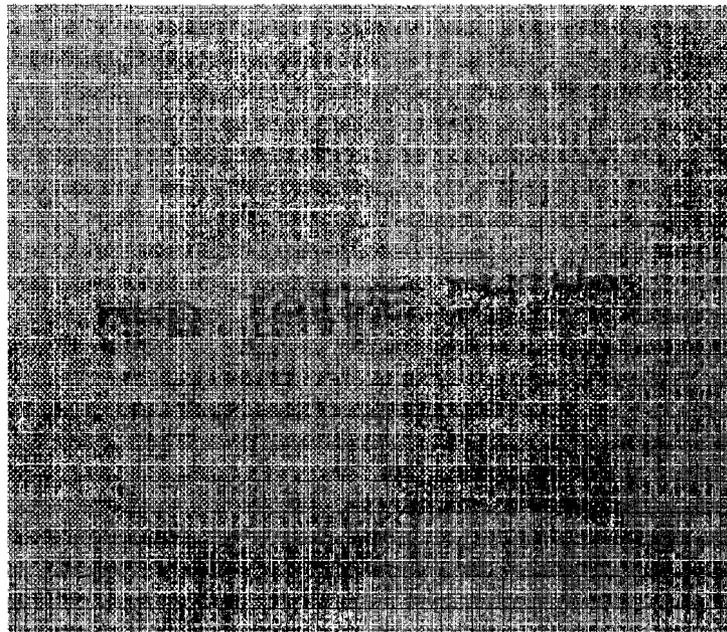
Arrows reflect discoloration present on air conditioning unit pipes. There is also a powdery white substance present on the pipes.

EXHIBIT 7



Arrow reflects manufacturer's name shown on the exposed drywall in the complainant's attic.

EXHIBIT 7



Close-up of drywall manufacturer's name present on exposed drywall

090505CBB1689

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