

1. Task Number 090505CBB1683		2. Investigator's ID 9102		EPIDEMIOLOGIC INVESTIGATION REPORT
3. Office Code 810	4. Date of Accident YR MO DAY 2009 03 29	5. Date Initiated YR MO DAY 2009 05 05		
6. Synopsis of Accident or Complaint UPC 0-81099-00035-5 The family of three noticed a sulphur smell immediately upon moving into their new home in 2005. The wife and son began having respiratory and sinus problems immediately and the husband two months later. The home's A/C coil was replaced in August of 2006. The family thought the cause of their health problems was due to curing carpet, paint and the new environment until they saw a report on the news of their same health issues. <i>MFR/PRVLR NOTIFIED 10/19/09</i> <i>COMMENTS: YES NO</i> <i>OVERRULED; ATTACHED</i> <i>EXCISIONS/FOLIOS 325C other</i> <i>DO NOT RE-NOTIFY RE-NOTIFY</i>				
7. Location (Home, School, etc) 1 - HOME		8. City SATSUMA		9. State FL
10A. First Product 1876 - House Structures, Repair Or		10B. Trade/Brand Name USG SHEETROCK		10C. Model Number UNKNOWN
10D. Manufacturer Name and Address USG CORPORATION 550 West Adams Street Chicago, IL 60661				
Not Responsive				
11A. Second Product 381 - Air Conditioners				
11D. Not Responsive				
12. Age of Victim 45	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.		15. Injury Diagnosis 68 - Poisoning
16. Body Part(s) Involved 85 - ALL OF BODY	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site		19. Time Spent (Operational / Travel) 13 / 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 type="radio"/> No <input type="radio"/> Verbal <input checked="" type="radio"/> Yes for Manuf. Only				
24. Review Date 06/11/2009		25. Reviewed By 9001		26. Regional Office Director Dennis R. Blasius
27. Distribution Woodard, Dean; Rose, Blake; Blasius, Dennis			28. Source Document Number I0930741A	

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 male owner of the home on 6-02-2009.

Family Members:

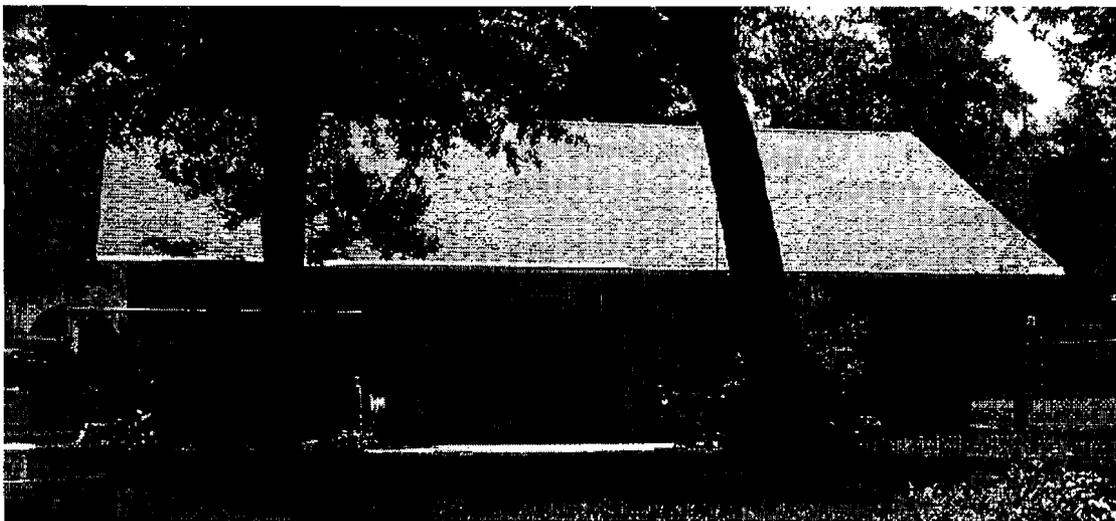
Husband – 45 year old male

Wife – 39 year old female

Son – 12 year old male

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

The home was 3 bedrooms, 2 bathrooms new construction, 1100 square foot ranch style, wood frame with stucco built in 2005 and occupied by the owners on 6-22-2005 in Satsuma, FL. The owner contacted the CPSC on 3-28-2009 which is the incident date. The home had carpet flooring except in the kitchen and bathrooms.



The home was built by a small local firm who purchased a few parcels of land and built a few homes in 2005. The complainant could not provide any documents on the firm and believed they dissolved the company after the homes had been built. No information on the firm could be located on the Internet. The

complainant could offer no information on the source of the drywall or the subcontractor who installed the drywall.

The female complainant indicated she and her son began having medical symptoms from the tainted drywall immediately after the family moved into the home. The husband began experiencing health effects after about two months.

The male complainant stated he had itchy burning eyes, allergy type respiratory symptoms and sinus irritation. The female complainant was experiencing bloody nose, stuffy nose, burning eyes and constant respiratory type infections. Their son was having ear and sinus infections approximately every three months and was given antibiotics by their physician. The family's German Sheppard was experiencing watery eyes and often refused to come into the home. None of the symptoms existed prior to moving into the home.

The family noticed a "weird sulphur smell mixed with something else, almost a horrible rotten egg smell that almost knocks you over and is even noticeable on the front porch." The odor is more noticeable before or after it rains and was stronger in the bedroom closest to the front of the home. The family was keeping that door closed and had painted the room with *Bear-Home Depot* paint which seemed to slow down and prevent some of the odor. The wife stated she could not sleep in their bedroom without a window being left open all the time. Originally the family did not know the source of the odors so they had been steam cleaning the carpet every three months with no noticeable change in the degree of odor.

The family did not know the source of their medical symptoms and believed it was from the house and the new location of their home. However in February of 2009 they saw a report on the Chinese Drywall on *CNN* and immediately realized that their home must have been constructed from the tainted drywall and was producing the medical symptoms/smell they had not been experiencing prior to moving into the home.

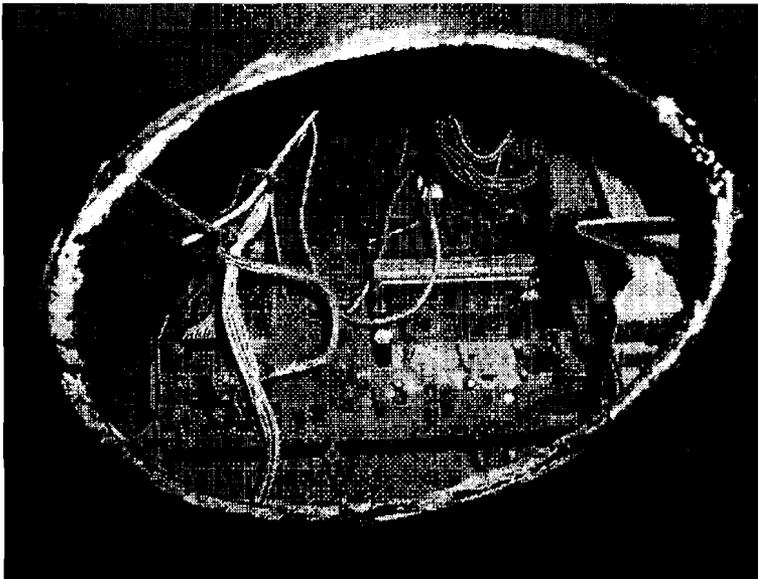
The family had to replace the inside air conditioner coils in August of 2006. Even though the part was still under warranty it cost the family \$900 for the labor repairs. The family indicated they would send a copy of the repair ticket but it had not been received by the time this report was due. Should the report be received it will be submitted as an addendum. The coils were not examined by this investigator due to the difficulty in accessing the unit. The A/C technician stated that the corrosion was caused by sulphur in their water system. However the complainant stated that they do not have a problem with sulphur in the water and in fact is excellent water.

The family indicated that a GFI outlet in the kitchen had been flipping frequently. The outlet cover was removed however the outlet could not be identified or

examined because the façade counter splash plate was too tight to allow access to the outlet mounting screws.

An electric outlet in the living room was removed from the wall and photographed. It showed only mild corrosion. Most of the water supply lines were plastic. Some of the chrome bathroom fixtures showed pitting and corrosion. The family's new laptop computer died in January 2009 and was still broken.

The complainant indicated that the home had a weird gray dust that was always settling on ceiling fan blades and their affects. She stated that within two days of cleaning the ceiling fan blades there would be new grey dust collecting. An excellent example of the grey dust was in a speaker access whole in their son's bedroom television.



The sheetrock in the home was not cut out or examined by the family. However the attic access panel was removed and labeling showed the product to be American products drywall. Please see the photographs in the exhibits

The family had not had any other problems with electrical devices malfunctioning in their home however she stated that the electrical panel would sometimes make a buzzing sound which was not detectable at the time of this inspection by either this investigator or the homeowner. One of the smoke detectors in a bedroom was hard wired to the home's electrical system but it would make a beeping noise and was disconnected. The complainant said he would look for the smoke detector and ship it to this investigator. It had not been received by the time this report was due and will be added as an addendum if received.

The male complainant stated that he worked for a local drywall manufacturer from October 2007 to February 2009. He stated that the firm's web site stated that the firm "has never imported, repackaged or sold Chinese-produced drywall in the North American market." Please see the exhibits. However he stated that the warehouse where he worked had approximately 100 crates of 200 sheets each of drywall. He stated the employees would call it "China Board." He did not know what happened to the supply but eventually it was no longer in their warehouse by December of 2008. He indicated that the plant produced sheetrock in an unknown manner from mined raw material and waste from the local coal plant. The firm would also recycle old drywall in producing new product.

The family had not contacted any other agencies or investigator regarding their home's problems but indicated that another person in the seven homes built by the builder was also experiencing health symptoms. She did not know what they were going to do in the future as they couldn't sell the home and couldn't afford to move to another home and still make payments on this home.

The home owner indicated her permission to release her name only to the manufacturer. She also indicated that discretion should be used in releasing the data from the ex-employer of her husband. The web site for the drywall manufacturer did not list a corporation address but one was found on the Internet and the information is included in the exhibits.

Product Information:

Product: Possible Chinese or American Drywall

Manufacturer: Unknown

Sheetrock in attic access indicated:

USG Sheetrock Brand

Bar Code: 0-81099-00035-5

Manufactured to meet ASTM Standard C36, Conforms to CAN/CSA-A8227-M91, WB2035-12/1-2000

550 West Adams Street
Chicago, IL 60661
United States - Map
+1-312-4364000 (Phone)
+1-312-6724093 (Fax)
www.usg.com

Builder:

J & D McDaniel's Construction

No other data on the firm could be determined.

Drywall Subcontractor:
Unknown

Drywall Supplier:
Unknown

Attachments:

Exhibit #1	Contacts
Exhibit #2	Photographs of the home (18)
Exhibit #3	Release of name form
Exhibit #4	Local drywall plant location and phone numbers-employee
Exhibit #5	Internet statement from the Drywall Manufacturer-employee
Exhibit #6	Internet data on the corporation for the complainant-employee
Exhibit #7	Internet data on the corporation address for the drywall manufacturer of the drywall found in the attic access.

Contacts:

6-02-2009

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

Drywall Employer for the complainant:
Lafarge North America, Inc (Lafarge North America)
886 N Highway 17
Palatka, FL 32177-8647
Contact Phone: (386) 325-5766
www.lafargenorthamerica.com

INCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: I0930741A

DATE OF INCIDENT: 01/01/2005

CATID: SECT152009

FOLLOW-UP REQUESTED

HAZARD ANALYSIS () SECT 15 (X)

HEADQUARTERS CONTACT: Blake Rose 301-504-7613 (brose@cpsc.gov)

BACK-UP CONTACT: Dean Woodard 301-504-7585 (dwoodard@cpsc.gov)

ASSIGNMENT MESSAGE:

AT THE REQUEST OF BLAKE ROSE AND DENNIS BLASIUS, ALL ASSIGNMENTS ARE TO BE CBB PRIORITY (30 CALENDAR DAY TARGET COMPLETION).

Please investigate the attached incident involving drywall, following the guidance outlined in this assignment message.

Thank you very much for your efforts on this IDI. This work is being conducted as part of CPSC staff's current investigation involving Chinese drywall. The results of this IDI will be helpful in supporting CPSC staff's drywall investigation.

BACKGROUND INFORMATION

To date, the U.S. Consumer Product Safety Commission (CPSC) has received over 180 reports from residents in 13 states who believe that Chinese-produced drywall in their houses may be associated with one or both of the following:

- **Adverse health effects.** Reported health effects have included:
 - Recurrent headaches
 - Sinus infections
 - Bloody noses
 - Runny noses
 - Irritated and itchy eyes and/or skin
 - Shortness of breath
 - Difficulty breathing
 - Persistent cough
 - Asthma attacks
 - Insomnia.

- **Corrosion of electrical wiring/components and other metal surfaces.** Reported corrosion effects have included:
 - Black residues on metal surfaces, including electrical wiring, the evaporator coils of central air conditioners, and copper pipes.
 - Air conditioner coils requiring replacement one or more times in the period of a few years due to unusual levels of corrosion.

- Operational problems with appliances such as dishwashers and refrigerators.
- Operational problems with electronic devices such as televisions and video game systems.
- Pitting or other evidence of corrosion on metal fixtures (e.g., bathroom light fixtures, metallic switch plates for lights, electrical outlets, etc.).
- Electrical switches that become warm or hot to the touch.
- Pitting and other evidence of corrosion on jewelry or other metallic articles in the house.
- Smoke alarms producing false alarms.

CPSC staff is currently investigating the relationship between Chinese-produced drywall and these types of reported effects. This IDI was assigned as part of that work. Please see the fact sheet at <http://www.cpsc.gov/drywall.pdf> for additional information.

IDI QUESTIONS

Investigator: In conducting this IDI, please address following questions with respect to the affected house. Note that the affected house may or may not be the respondent's current home.

Please note that the questions listed below are intended to serve as a guide only. Feel free to cover the specific topics however you and the respondent choose.

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. [*Investigator: For each family member who is experiencing or has experienced symptoms, please obtain their age, gender, and reported symptoms. Also, please obtain the age and gender of any family member(s) who lived in the house and did not experience health symptoms.*]
2. Have you and/or any members of your family experienced similar symptoms in the past? If so, when and under what circumstances?
3. When did your family first occupy the house? How long after your family occupied the house did the symptoms start?
4. Is your family still living in the house? If not, when did you move out?
5. Do (did) you live in the house seasonally? If yes, during what time(s) of year did you live in the house?
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?

7. *If respondent is 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?
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? [*Investigator: please obtain copies of these records if available and if respondent allows.*]
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.

House Construction [Investigator: Some questions in this section assume we are dealing with new construction. However, it is possible that the affected drywall was installed during renovations of existing homes either as part of routine renovation or as part of hurricane recovery, and so these questions may need to be adjusted accordingly.]

1. When was the house built? When did you first occupy the house? [*Investigator: this 2nd question may have been addressed above (see Health Effects, Q 2).*]
2. Can you provide me with the name and contact information for the builder? [*Investigator: If yes, please obtain this information.*]
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?
4. Can you tell me what kinds of studs (wood or metal) were used in the house?
5. Do you have natural gas/propane gas service? If so, for which appliances?
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.
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?
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? [*Investigator: If yes, please obtain this information.*]

General Problems (Including Odors)

1. After moving in, when did you first notice a problem? Can you please describe the problem for me? [*Investigator: Please note that problems related to metal corrosion will be explored further through the questions in the section entitled "Presence of Corrosion."*]
2. Have you noticed any unusual odors? How would you describe these odors?
3. When did you first notice the unusual odors?
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?
5. Are there any places in the house where you think the odors are stronger or more noticeable? If yes, where?
6. Are there any times of day and/or times of year when the odors are strongest? If yes, when?
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?

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. [*Investigator: For each identified problem, please determine the type of appliance, the nature of the problem(s), and the date(s) of the problem(s).*]
2. Have you needed to have the central air conditioner in the house recharged due to low refrigerant levels? If yes, how often? [*Investigator: There may be separate air conditioner units for each floor of the house. Please note how many units total are in the house and which one(s) is(are) affected.*]
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?
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?

5. On a consistent basis, have you experienced any of the following indications of possible electrical problems:
 - a. Flickering lights?
 - b. Circuit breakers tripping frequently for no apparent reason?
 - 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)
 - d. Sizzling or buzzing?
 - 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?

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?) [*Investigator: If necessary, please explain to the respondent that the blackening referenced in this question is different from the normal green patina of copper oxidation.*]

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.

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)?).

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

Contacts with Builder and/or Others [Investigator: Please ask these questions if this information was not obtained through the previous questions.]

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? [*Investigator: Please obtain copies of any written communication between the homeowner and builder/contractor.*]

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? [*Investigator: Please obtain copies of any written reports from these sources.*]

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

4. Are you aware of anything that is being done in your community related to this problem? If so, what?
5. What are your short and long term plans for dealing with this problem?
6. Is there anything else that you would like to add?

OTHER IDI ACTIVITIES

Investigator: In conducting this IDI, please also consider the following:

1. If possible, please take photos that are representative of the affected drywall. In these photos, please try to include any visible drywall markings. Note the name of any drywall manufacturer you see. It's possible the drywall in a house could have come from several manufacturers, so check several spots, and note the location in the home where different drywall is found.
2. Please take photos of any corroded metal surfaces (e.g., wiring, air conditioner coils, metal light fixtures, gas service connections, fire sprinklers (if present), etc.) that are accessible at the time of your visit, noting their location in the home.
3. Do not collect drywall or other samples at this time. However, please ask whether it will be possible to re-contact the respondent at a later time for this purpose, if CPSC staff subsequently determines that such samples are required.

Investigator: Again, thank you for your efforts on this IDI.

Person(s) to Contact: Respondent listed in source document—SEE ATTACHMENT—MR. TERRY WILLIQUETTE

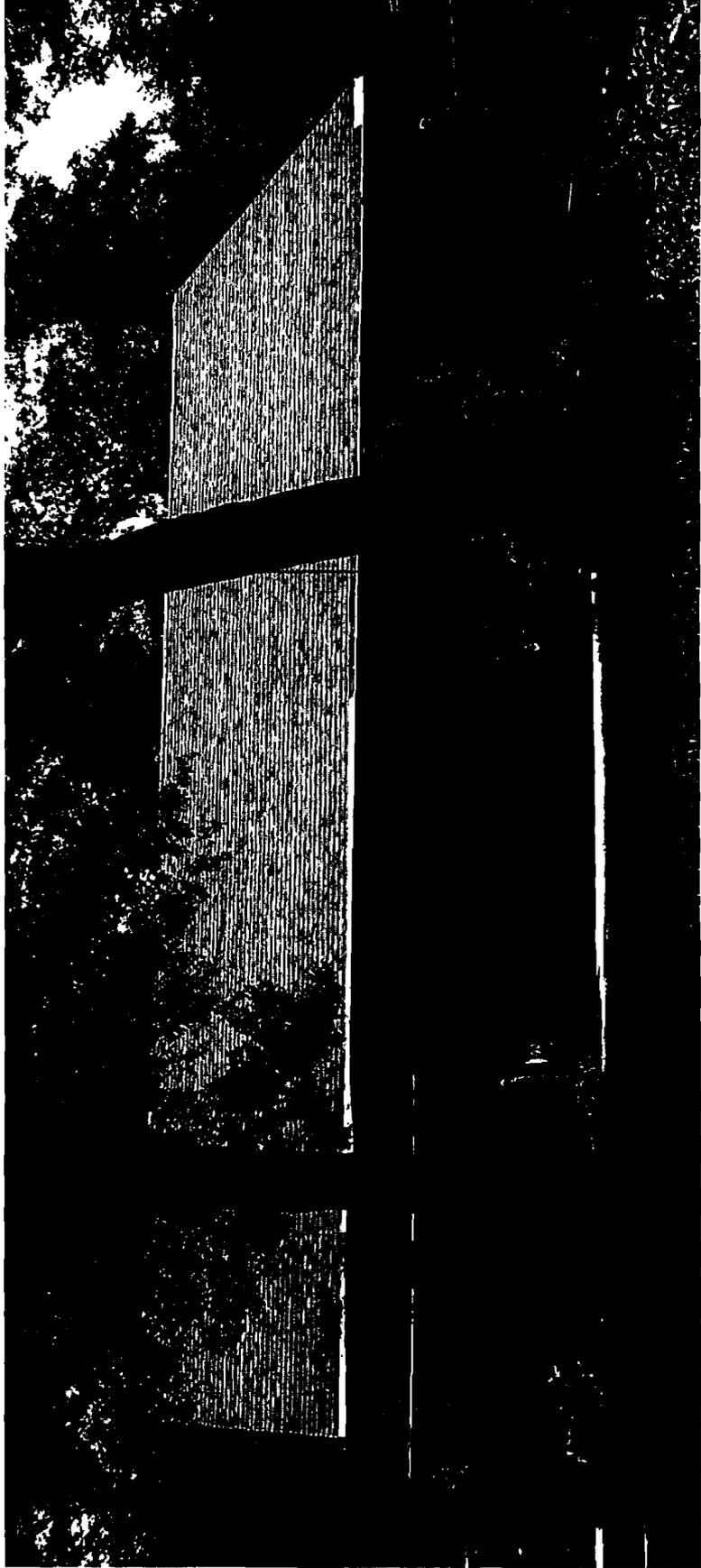
Guidelines: [None]

Task Number: 090505CEB1683

Date: 05/05/2009

Assigned to: CFIE

Requested by: rh



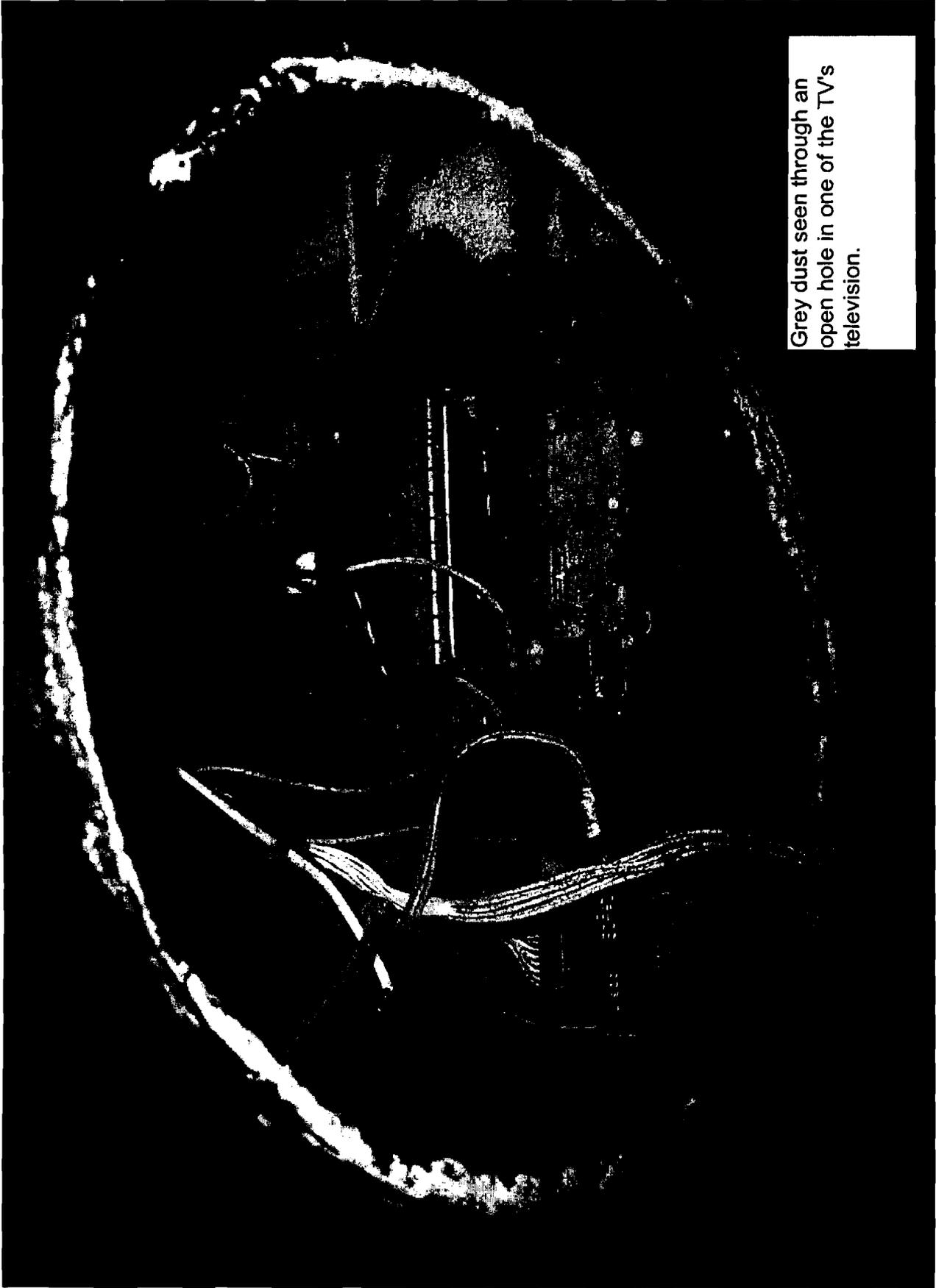
Photograph of the front of
the home taken on
6-02-2009



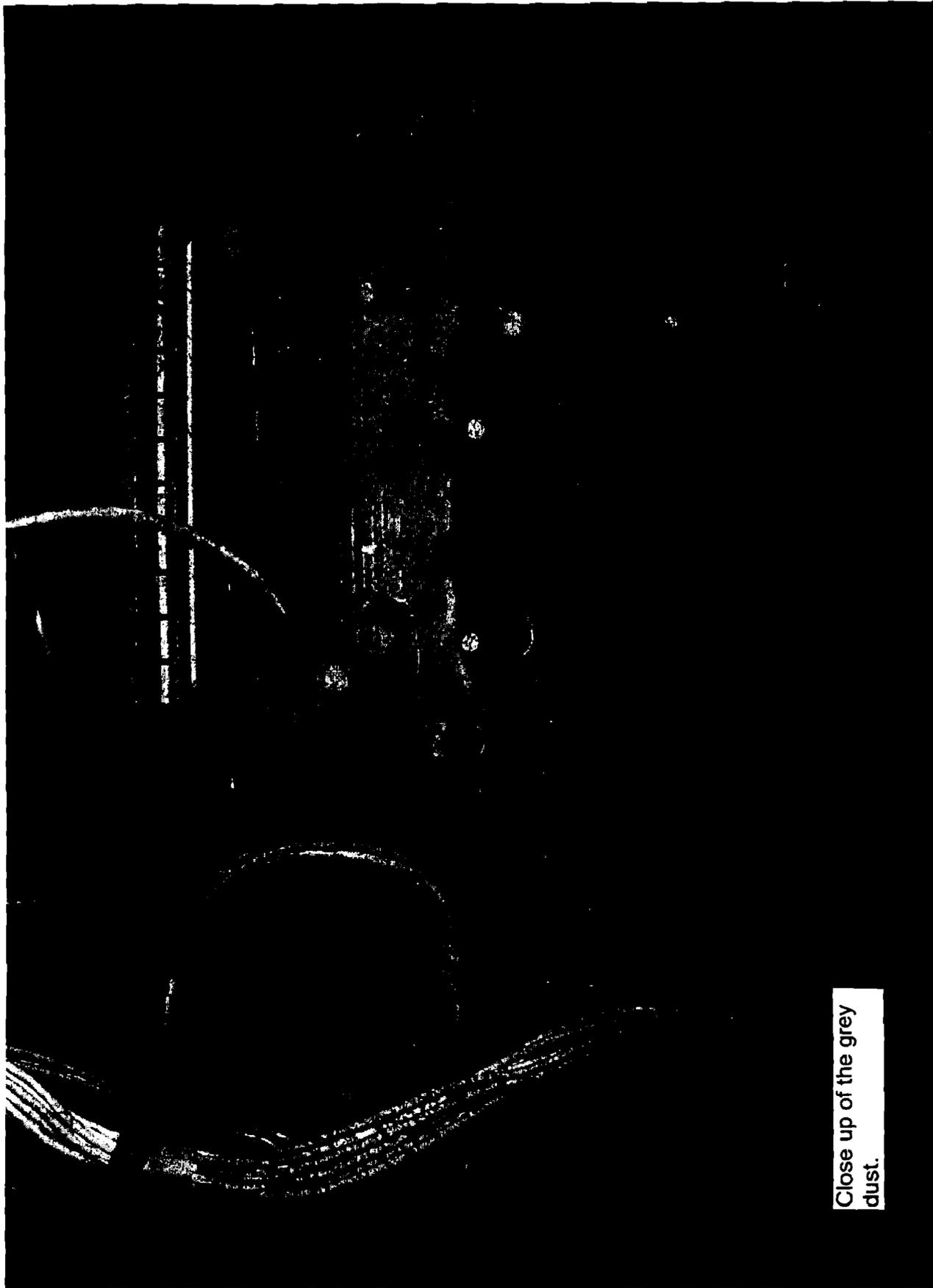
Pitting on bathroom light fixture.



Pitting on chrome
bathroom fixture.



Grey dust seen through an open hole in one of the TV's television.



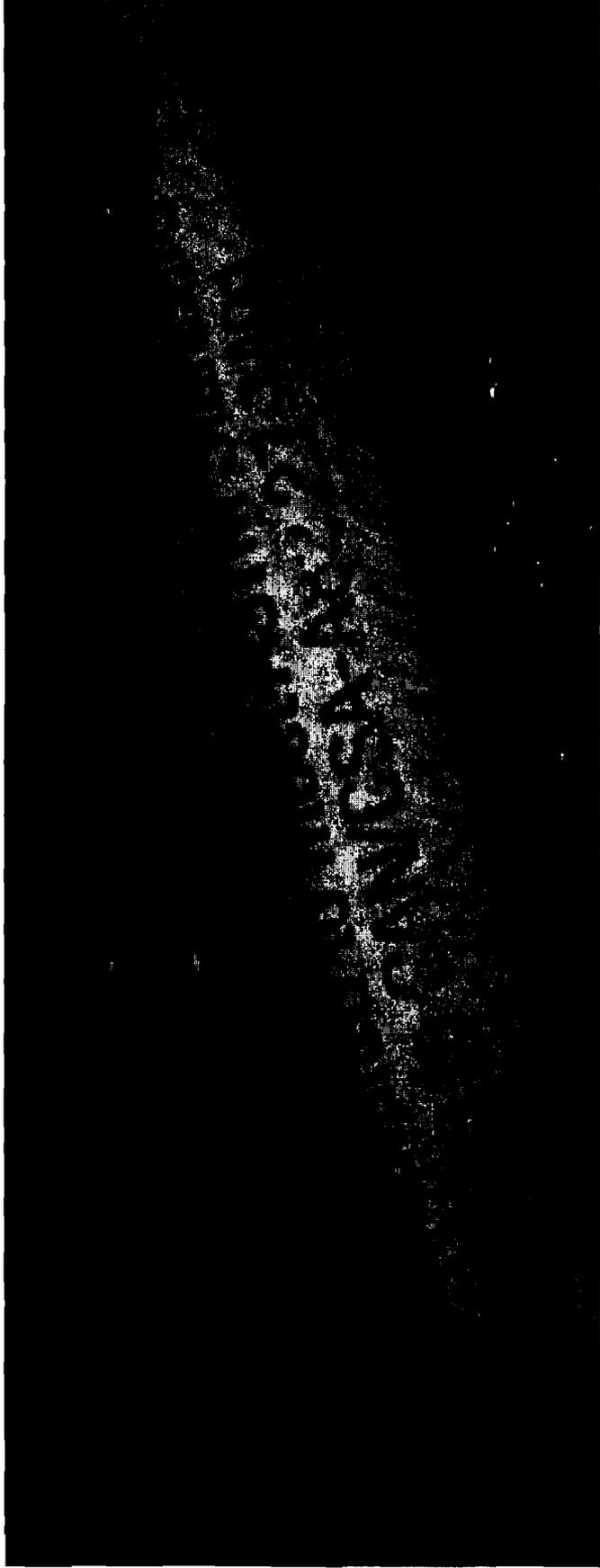
Close up of the grey
dust.



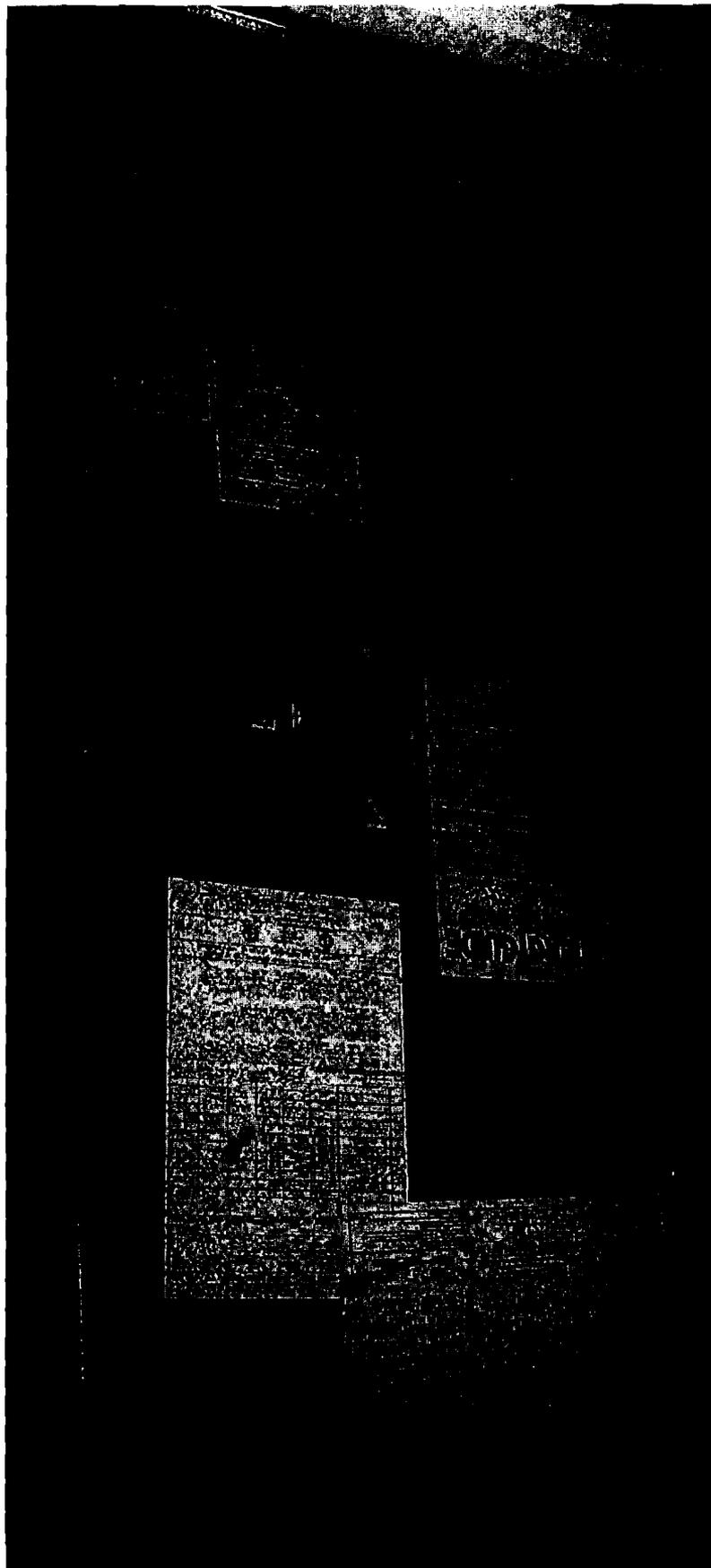
Photograph of the
sheetrock and
labeling used in the
attic access.



Close up photograph of labeling:
USG Sheetrock Brand
Bar Code: 0-81099-00035-5
Manufactured to meet ASTM Standard
C36, Conforms to CAN/CSA-A8227-M91,
WB2035-12/1-2000



Close up of labeling.



Photograph of
the home's A/C
system.

NE CONVIENT PAS AUX INSTALLATIONS DU PLUS DE 30

LISTED



G018370080

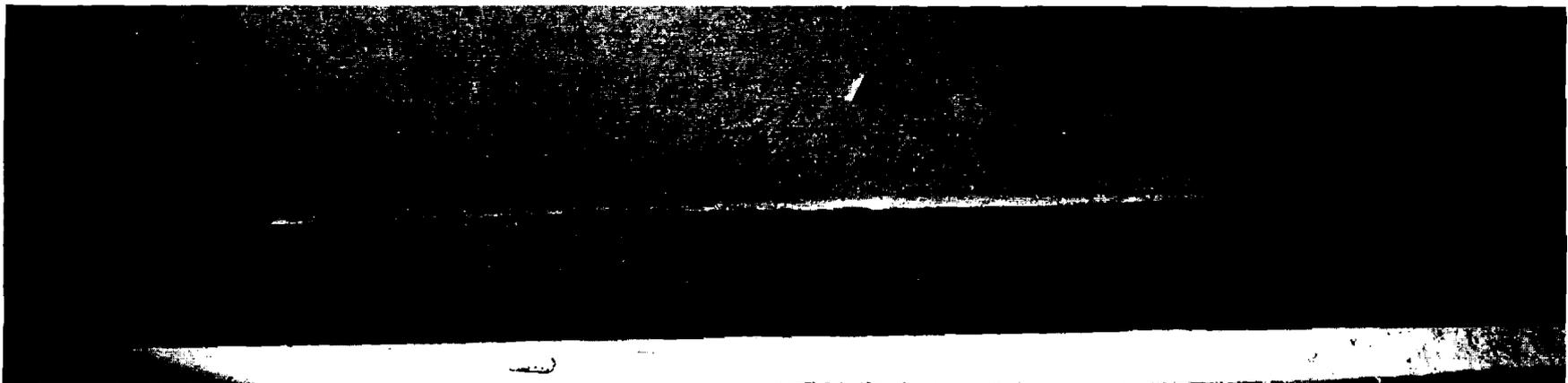
HEAT PUMP AIR
CONDITIONER
SECTION



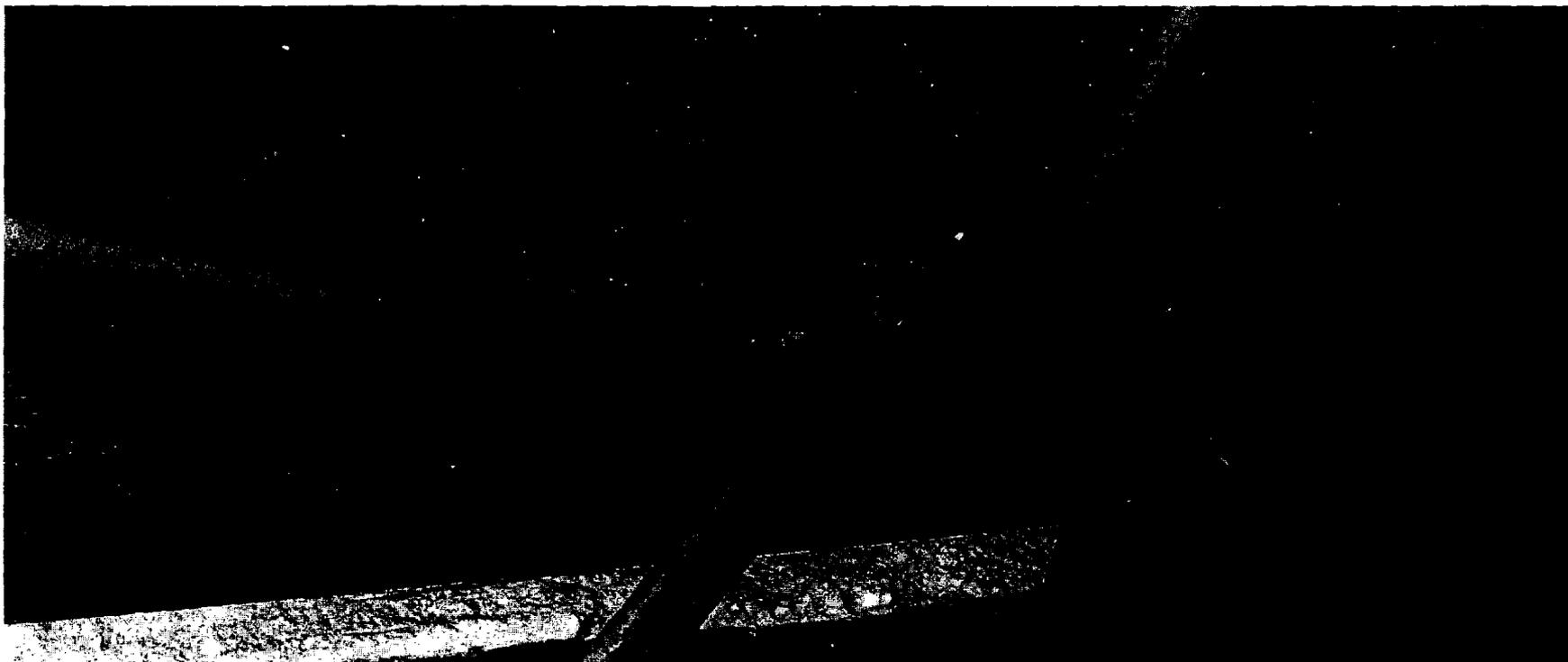
Not Responsive

REFRIG. 22 DESIGN PSIG 150 TEST PSIG

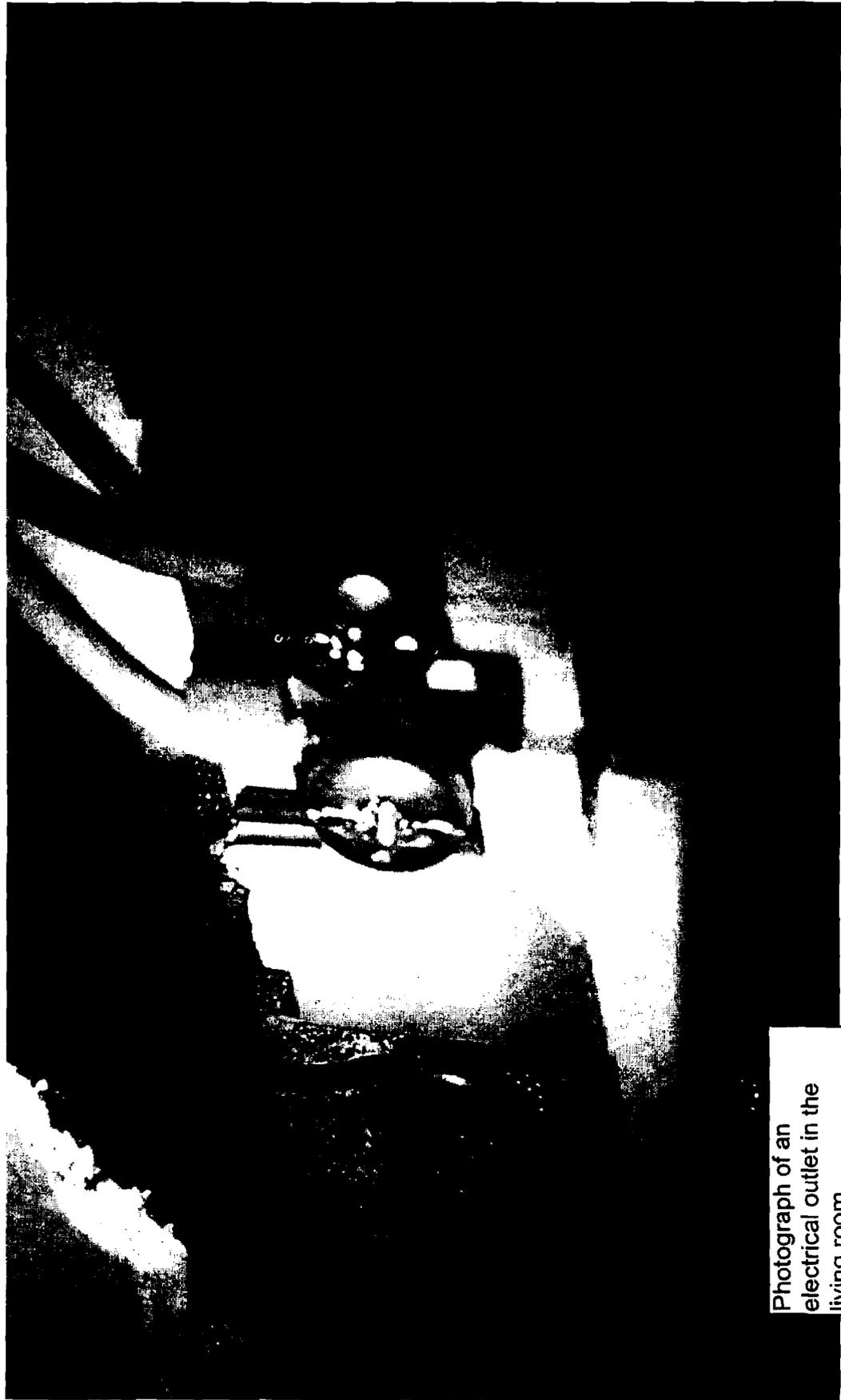
Close up photograph of
the labeling.



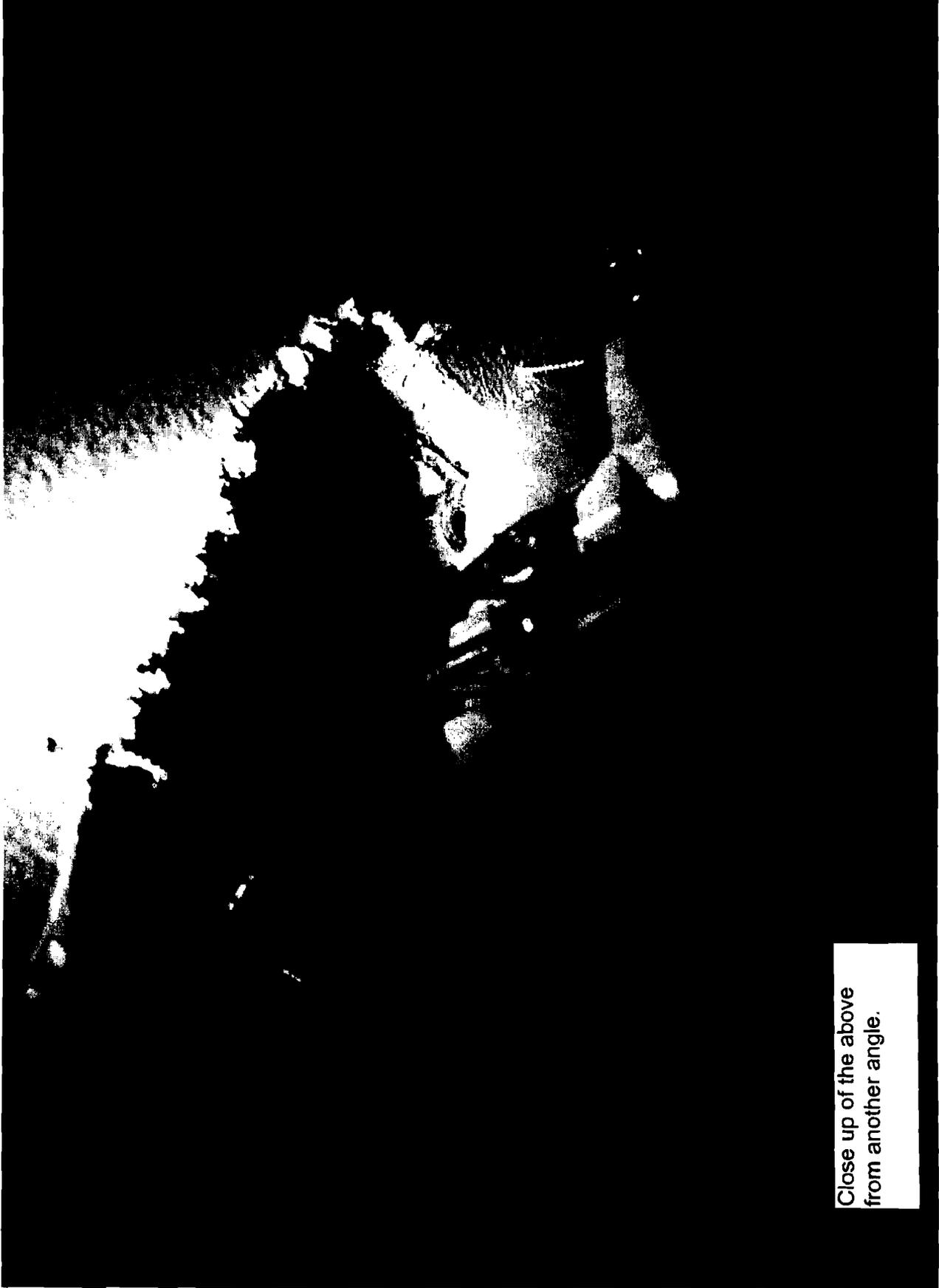
Labeling on the back of
the sheetrock in the attic.



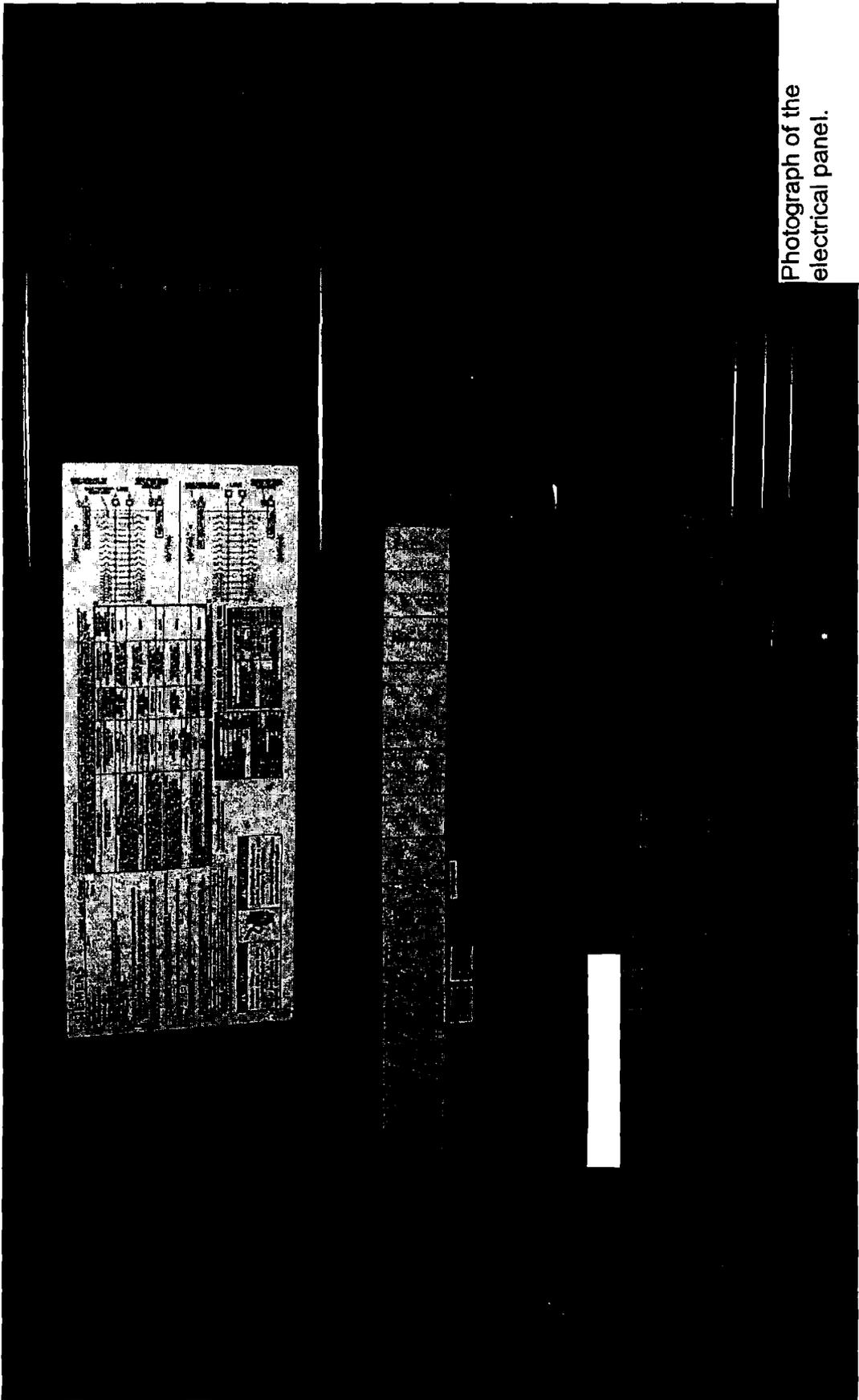
Photograph of the labeling on the back of the sheetrock in the attic.



Photograph of an electrical outlet in the living room.



Close up of the above
from another angle.



Photograph of the electrical panel.

Not Responsive

Load Center

Enclosure
Type 1

SEE MAIN BREAKER RATING IF USED.
NEEDED BREAKER REQUIRES HOLD-DOWN KIT MBR2.
100A/125A/150A/200A/250A/300A/400A/500A/600A/800A/1000A

**SUITABLE FOR USE AS SERVICE EQUIPMENT WHEN MAIN
BREAKER IS INSTALLED. WHEN USED AS SERVICE EQUIPMENT, APPLY
LABELING TO FRONT NEXT TO MAIN BREAKER HANDLE**

Electrical panel labeling.

Not Responsive



LISTED

ESB
BACB
SUD

AFCI

TEST

H0502230187

Close up photograph of
one breaker on the panel.

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)

6-2-09
(Date)

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Lafarge North America, Inc (Lafarge North America)

886 N Highway 17, Palatka, FL 32177-8647

Contact Phone: (386) 325-5766

URL (web address): www.lafargenorthamerica.com

Business Category: Mfg Hydraulic Cement Mfg Gypsum Products in Palatka, FL

Industry (SIC): Cement, Hydraulic

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Business Information

This company profile is for the private company Lafarge North America, Inc branch, located in Palatka, FL. Lafarge North America's line of business is mfg hydraulic cement mfg gypsum products.

Company Name: **Lafarge North America, Inc** Is This Your Company?

Address: 886 N Highway 17, Palatka, FL 32177-8647 (Map)

Alt Business Name: Lafarge North America

Location Type: Branch Location

Est. Annual Sales:

Est. # of Employees:

Est. Empl. at Loc.: 100

Year Started:

State of Incorp:

SIC #Code: 3241

Contact's Name: Jenny Nielson

Contact's Title: Principal

Parent Company: Lafarge North America, Inc

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Herdon, Virginia
Gypsum Head Office
[Map It!](#)

Phone : 703-480-3800
[Location Details](#)

Palatka, Florida
Palatka Drywall Plant
[Map It!](#)

Phone : 386-325-5766
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Lafarge Statement Regarding Chinese Drywall

We stand behind the overall performance and quality of our products which are manufactured here in North America. Lafarge has never imported, repackaged or sold Chinese-produced drywall into the North American market. Lafarge believes in the safety of our drywall products which are manufactured in conformity with all ASTM and UL specifications.

[Gypsum Association Comments on Chinese Drywall](#)

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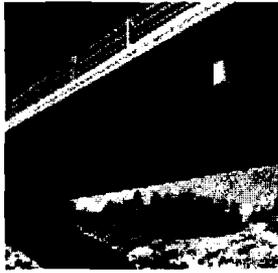
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Lafarge's Ductal made it possible to achieve the architect's vision for these attractive, durable precast canopies in Calgary, Alberta. The 24 thin-shelled canopies measure 5.5m by 6.1m (18 by 20 feet), are just 20mm (¾-inch) thick and are supported on single columns



Company Profile

Lafarge North America is part of the Lafarge Group. The world leader in building materials, active on five continents, the Lafarge Group holds top-ranking positions in all four of its divisions – cement, aggregates and concrete, roofing and gypsum.

By focusing on the development and improvement of building materials, Lafarge puts the customer at the core of its strategy and offers the construction industry and the general public innovative solutions that will bring more safety, comfort and beauty to our everyday lives.

Lafarge Canada Inc.
606 Cathcart Street
Montréal, Québec H3B 1L7
www.lafargenorthamerica.com

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Please contact your Lafarge Regional Office for specific product information, availability and ordering.

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Phone: 248-594-1991
Fax: 248-594-4471

River Region

Lee's Summit, Missouri
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Fax: 816-347-1884

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Calgary, Alberta
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Fax: 403-278-2738

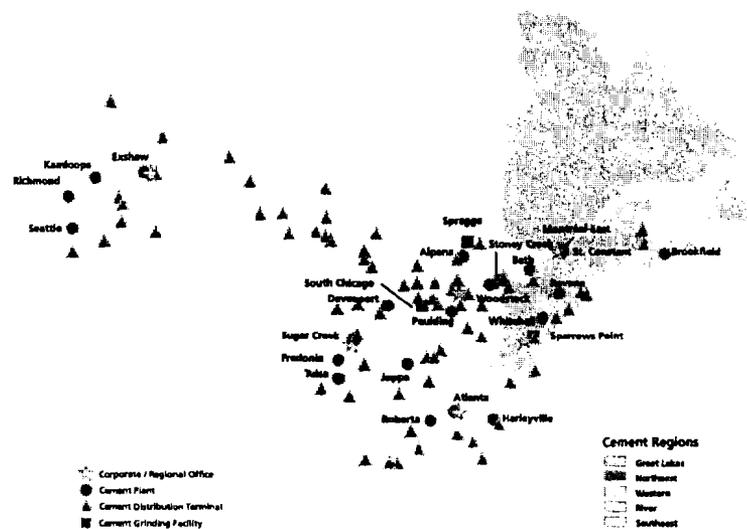
Northeast Region

Montréal, Québec
Phone: 514-861-1411
Fax: 514-861-6917

Southeast Region

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High: 11.91 **52Wk High:** 35.00 **F P/E:**
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Real-time: 9:33AM EDT **Volume:** 0.00 **Avg Vol:** 1.92M **EPS:** -

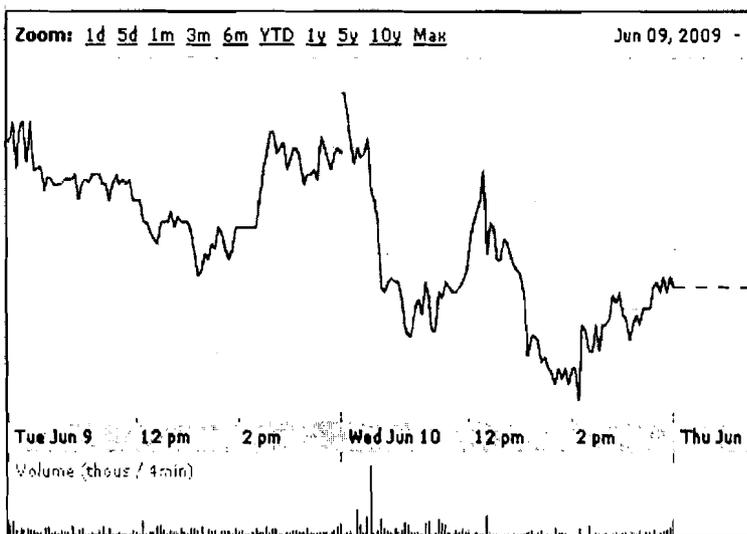
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Placoplatre SA	EPA	MLPLC	471.00 *	0.00 (0.00%)
Imperial Industries, Inc.	NASDAQ	IPII	0.950	0.000 (0.00%)
HeidelbergCement AG	ETR	HEI	29.09 *	+0.39 (1.36%)
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Financials (In millions of USD)

	Q1 (Mar '09)	Annual (2008)	Annual (2007)
Income Statement			
Total Revenue	864.00	4,608.00	5,202.00
Gross Profit	48.00	192.00	599.00
Operating Income	-42.00	-512.00	165.00
Net Income	-42.00	-463.00	76.00
Balance Sheet			
Total Current Assets	1,267.00	1,494.00	1,284.00
Total Assets	4,446.00	4,719.00	4,654.00
Total Current Liabilities	522.00	756.00	567.00
Total Liabilities	2,955.00	3,169.00	2,428.00
Total Equity	1,491.00	1,550.00	2,226.00
Cash Flow			
Net Income/Starting Line	-42.00	-463.00	76.00
Cash from Operating Activities	-30.00	-165.00	1,307.00
Cash from Investing Activities	-16.00	-252.00	-730.00
Cash from Financing Activities	-199.00	608.00	-853.00
Net Change in Cash	-248.00	174.00	-268.00

Key Stats & Ratios

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[capric..@gmail.com](#) - May 30, 2009 (1 post)
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	Q1 (Mar '09)	Annual (2008)	Annual (TTM)
Net profit margin	-4.86%	-10.05%	-10.77%
Operating margin	-4.86%	-11.11%	-11.47%
EBITD margin	-	-7.16%	-6.97%
Return on average assets	-3.68%	-9.88%	-10.13%
Return on average equity	-11.08%	-24.52%	-25.25%
Employees	12,800	-	-

[More ratios from Thomson Reuters »](#)

Summary

USG Corporation (USG), through its subsidiaries, is a manufacturer and distributor of building materials, producing a range of products for use in new residential, new nonresidential, and repair and remodel construction, as well as products used in certain industrial processes. The Company is organized into three reportable segments: North American Gypsum, Building Products Distribution and Worldwide Ceilings, the net sales of which accounted for approximately 46%, 38% and 16%, respectively, of its consolidated net sales during the year ended December 31, 2008. North American Gypsum manufactures and markets gypsum and related products in the United States, Canada and Mexico. Building Products Distribution consists of L&W Supply, a specialty building products distribution business in the United States. USG's Worldwide Ceilings segment manufactures and markets interior systems products worldwide. [More from Reuters »](#)

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Doc No: I0930741A

Issue: 27

04/01/2009

03/28/2009 09:14:11

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

Name =	
Address =	
City =	
State =	
Zip =	32
Email =	
Telephone =	
Name of	

Victim's Address =

Victim's City =

Victim's State =

Victim's Zip =

Victim's Telephone =

Incident Description = I bought my house in 6-2005 right after it was built. There has been a bad odor in the house ever since we moved in. We always have to crack a window to have fresh air come in. My inside air unit had to have the coils replaced about a year after we moved in. The ac tech said it was from sulfur that caused it. When it gets really humid out and we have the doors and windows open you can smell the odor on the front porch. My outlets are popping all the time and I had to replace 2 of the so far. My room mate always has sinus problems. Her nose is always messed up and our eyes burn alot. My roommate feels better when she's out in the fresh air. We never had this problem when we lived in another house I owned. We don't now where the drywall came from.

Victim's age at time of incident =

Victim's sex =

Date of incident = 2005

Product involved = Drywall

Product brand name/manufacturer = ?

Manufacturer street address = ?

Place where manufactured (City and State or Country) = ?

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 =

Product involved still available = yes

Have you contacted the manufacturer = no

If not, do you plan to contact them = no

Name Release = Release name to manufacturer only

090505CAB1683



USG Corporation
Legal Department
550 West Adams Street
Chicago, IL 60661-3676
312 436-4000
Fax: 312 672-7721

August 13, 2009

Founded in 1902

By e-mail tstevenson@cpsc.gov

Mr. Todd A. Stevenson
Director, Office of the Secretary
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814-4408

**Re: FOIA Requests 09-F-00427, 09-F-00495, 09-F-00512, and 09-F-00825:
Chinese Drywall Investigations**

Dear Mr. Stevenson:

This letter is in response to your July 22, 2009 correspondence to United States Gypsum Company regarding the above referenced FOIA requests. We have reviewed all the documents enclosed with your letter, which include the FOIA requests and the CPSC files that the commission is considering producing in response.

United States Gypsum Company has the following comments for your consideration:

1. First, we want to make clear that United States Gypsum Company has never manufactured wallboard in China. Our SHEETROCK® brand gypsum drywall has always been manufactured in North America only. Therefore, we believe that to the extent any CPSC documents mention wallboard made by U.S. Gypsum Company, those documents are not responsive to FOIA requests that are specifically directed at CPSC investigations into Chinese drywall.

Second, in more than 90 years of making wallboard, U.S. Gypsum Company has not had complaints about its SHEETROCK® brand drywall similar to those being made regarding Chinese wallboard.

Third, production of some of these documents by the CPSC in response to Chinese wallboard inquiries would inaccurately and unfairly suggest to the public that our company's primary product, SHEETROCK® brand gypsum drywall, may have been manufactured in China or that the CPSC believes our product may cause problems similar to those that some Chinese wallboard apparently has

Mr. Todd A. Stevenson
August 13, 2009
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caused. Neither is true, and nothing in the documents sent to us suggests otherwise.

2. The following are brief comments on each of the six files that you sent to us for review :

No. 090504CBB1656

No comment or objection.

No. 09054CBB1662

This investigation file relates to a homeowner who believes that his family has developed numerous health conditions related to Chinese drywall in his home. However, neither the homeowner nor the CPSC investigator was able to locate a label on the drywall to confirm the drywall manufacturer. A letter in the file from drywall supplier Seacoast Supply indicates that it did supply some drywall to the home but that based on the delivery date the drywall delivered was manufactured by U.S. Gypsum Company in the United States and is not Chinese-made drywall.

Because no Chinese drywall has been identified in the home, this investigation file is not responsive to FOIA requests for "Chinese Drywall Files". Further, production of the file at this time – prior to a full inspection of all the wallboard in the home and a full investigation into the health issues described by the homeowners – would inaccurately and unfairly suggest to the public that that the family's health issues are related to U.S. Gypsum wallboard. There is no evidence that this is true and the CPSC file does not reveal any reason to believe that such a suggestion is true.

Therefore, U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

X No. 090505CBB1683

As with the previous file, this file reports a homeowner complaint that various health symptoms and copper blackening in his house are related to Chinese drywall. Again, there has been no inspection of all of the drywall in the home to confirm the presence of any Chinese material. The only drywall that has been identified in the report is U.S. Gypsum SHEETROCK® brand drywall, which was reportedly visible only in the attic and is not made in China. There is nothing in the file to confirm the presence of any Chinese drywall in the home. We are aware of other homes where Chinese-made ½" drywall was installed in the walls

Mr. Todd A. Stevenson
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Page 3

of home, and U.S. Gypsum or other 5/8" inch drywall was installed in the ceiling or attic (5/8 inch wallboard typically is used on ceilings, while walls are typically 1/2 inch board).

Production of this complaint file before a full inspection of all the wallboard in the home and before a full investigation into the health issues described by the homeowners, would inaccurately and unfairly suggest to the public that the family's health issues are related to U.S. Gypsum wallboard.

If any of this homeowner's alleged problems are caused by wallboard in the home, it is more likely that the problems are caused by undiscovered Chinese wallboard than by U.S. Gypsum Company wallboard, which has never been associated with the complaints being made regarding Chinese drywall.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090505C1688

This investigation was initiated by a tenant who complained of health issues and copper blackening in her rented home. The manufacturer of the drywall in the home is not confirmed; however, the tenant believes her problems are related to Chinese drywall. As with prior claims addressed herein, the only drywall that was accessible and inspected was located in the attic of the home.

There has been no confirmation that any wallboard in the home was manufactured in China and no investigation into what may be causing the tenant's complaints. Because there is only one unverified reference to U.S. Gypsum Company wallboard in the file, production of these documents by the CPSC in response to FOIA requests would unfairly and inaccurately suggest that U.S. Gypsum wallboard may be a part of the tenant's problems – and there is nothing either in the file or outside the file to support that suggestion.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090520CBB2638

This file relates to an investigation into a homeowner complaint of health symptoms and electrical component failures that the homeowner believes might be related to Chinese drywall. The CPSC investigator found no evidence of Chinese drywall – although he did obtain information (a purchase receipt

Mr. Todd A. Stevenson
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Page 4

produced by the homeowner) that suggests that some of the drywall in the house was manufactured by two U.S. companies – United States Gypsum and Georgia Pacific. However, there was no visual confirmation that the wallboard in the home was in fact manufactured by the two companies. The investigator did not notice any unusual smell in the home and found no visible blackening of copper wire or other metal surfaces – the symptoms frequently reported in homes with the Chinese drywall problems.

There is no evidence of Chinese drywall in the home, the CPSC investigator did not observe any unusual smell or copper blackening, and there is no evidence that the wallboard in the home is causing any problems whatsoever. Therefore, this report is not responsive to the FOIA request. Production of these material in response to the pending FOIA requests may inaccurately suggest that the homeowner's reported problems are related to the presence of wallboard manufactured by two U.S. manufacturers, and there is nothing to support that conclusion..

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090504CBB3555

No comment or objection.

Thank you again for the opportunity to comment on the CPSC response to these FOIA requests. We appreciate your consideration of our comments and concerns. Please feel free to call me if you have any questions or require further information. (312-436-4006)

Very truly yours,



John A. Donahue
Senior Corporate Counsel
Telephone: (312) 436-4006

JAD/cw
#172623

1. Task Number 090504CBB1662		2. Investigator's ID 9102		EPIDEMIOLOGIC INVESTIGATION REPORT
3. Office Code 810	4. Date of Accident YR MO DAY 2009 04 04	5. Date Initiated YR MO DAY 2009 05 04		
6. Synopsis of Accident or Complaint UPC The family of four has been suffering from sinus congestion, nose bleeds, pneumonia, watery eyes, chronic cough, etc., which the owners believe were caused by contaminated Chinese drywall used in the construction of their home. One of their dogs has periodic nose bleeds. The home has two AC units and the inside coils have been replaced four times. The family has been living in their new home since May of 2006 and the copper water supply lines have blackened along with pitting of some of the bathroom fixtures. No labeling could be located on the sheetrock. <i>MFR/PRVLER NOTIFIED 10/9/09</i> COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input checked="" type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> DECISIONS FOLA Hld. <i>325C</i> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY				
7. Location (Home, School, etc) 1 - HOME		8. City JUPITER		9. State FL
10A. First Product 1876 - House Structures, Repair Or		10B. Trade/Brand Name DRYWALL		10C. Model Number NONE
10D. Manufacturer Name and Address UNKNOWN				
11A. Second Product 381 - Air Conditioners		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 38	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 68 - Poisoning	
16. Body Part(s) Involved 85 - ALL OF BODY	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 12 / 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 type="radio"/> No <input type="radio"/> Verbal <input checked="" type="radio"/> Yes for Manuf. Only				
24. Review Date 05/27/2009	25. Reviewed By 9001		26. Regional Office Director Dennis R. Blasius	
27. Distribution Woodard, Dean; Blasius, Dennis; Rose, Blake			28. Source Document Number I0940125A	

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

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

1. An onsite interview with the owners of the home on 5-07-2009.

Family Members:

Husband – 38 year old male

Wife – 35 year old female

Son – 5 year old male

Son – 1.5 year old male

Grandmother – 68 year old female

This incident involves health issues and copper and metal corrosion at the home of the victims over an extended period of time as will be detailed later in this report which the owners believe were caused by contaminated Chinese drywall used in the construction of their home. The home was custom built in Jupiter, FL. Construction began in early 2005 and was completed in May 2006. The family contacted the CPSC on 4-04-2009 which is indicated as the incident date. The family is still living in the home and it is not a seasonally occupied home.

The home is a ranch style home of approximately 3,500 square feet. The home has 3 bedrooms and 2 bathrooms with an attached grandmother's bedroom with kitchen and bathroom. (Total 4 bedrooms, 3 bathrooms) The home had tile in the living and hallway areas and carpet in some of the bedrooms. The home has metal and wood studs with a cinder block and stucco constructed exterior. Odors were not detected by the family or this investigator

The family moved into their new home in May of 2006 and began experiencing health issues after about 6 months of living in the home. All family members experienced adverse health effects including the family pets. Symptoms would alleviate after being away from the home. The home had corrosion to the copper water supply lines, bathroom chrome fixtures, discoloration to silver jewelry, replacement of A/C evaporation coils on four occasions and corrosion to some electrical wiring in outlets. Electrical safety concerns were inconclusive.

The family indicated they were very healthy prior to moving into the home. The husband was usually very healthy but was now having sinus drainage & a chronic cough that seems to linger and not go away. He felt he was sick more than usual. He had bronchitis and pneumonia in December & January 2009 which he was unable to overcome and which took two months to heal. His symptoms started after being in the home 6-8 months.

The wife's symptoms started soon after moving into the home. She was having nose bleeds, allergy type symptoms and the sniffles all the time.

Their 5 year old son was experiencing a chronic cough which started 6-8 months after move-in.

Their 1.5 year old son has had constant allergies since he was born.

The grandmother had allergy symptoms consisting of continuously red & watery eyes. She had been to her physician several times and at each visit the physician would indicate a different diagnosis and medications. She moved out in April 2009 and all the symptoms cleared up within 3 weeks.

The grandmother went to Peru, S.A. in September 2008 for one month. The symptoms abated after approximately three weeks. The symptoms started again within two days of returning to the home. The family took a vacation to Lake Tahoe, CA and the parents were expecting the children to be sick the entire time. Surprisingly the children weren't sick for the entire week.

The family had seen their physician on various occasions as needed and taken unspecified prescription and over-the-counter medication to combat the symptoms with limited success. The complainant is still pursuing medical records. They had not been received by the time this report was due but will be added as an addendum when received.

The family's two dogs also began having adverse health effects after moving into the home. The first dog was a mixed breed basset hound. He had nose bleeds periodically and a runny nose which comes and goes. He had his sinuses flushed three times by the veterinarian with no success. The family would come home and find blood all over the tile floor of the living room after one of his episodes.

The family's other dog was a pure breed basset hound. The dog developed a rash on his belly that started about one year after moving into the home. The pets had been to the veterinarian several times. Diagnoses and medications varied greatly and were not specified.

A/C technicians have been to the house 15-20 times to repair one of the two units in the home due to freezing up/Freon leaks of the system. The A/C coils have been replaced three times under warranty. One at 11 months, another after 11 months and the last unit was replaced after 1 year in Nov 08. The home is about to have the fourth unit replaced soon but not under warranty as the installer had flagged his account as A/C problems not to be covered by the standard warranty.

The consumer indicated he would send copies of the repair invoices but they had not been received by the time this report was due. If they are received they will be added as an addendum.

The home has a well water system that has a sulphur odor and hard water. The A/C technicians told the owner that they believed that had somehow caused problems with the A/C. The home owner had no idea how the homes water system could affect the A/C since they were not connected in any manner. The owners had already put in two water filtration systems to clean up the hard water and odor when the home was originally built. The homeowner recently had another water purification firm come to the home to examine the quality of their water. He indicated that the existing water purification system was working perfectly and there was no sulphur escaping the filtration system. The technician stated he had heard that sulphur in the water could affect the A/C system but that it would take approximately five years to do what had been occurring to the complainant's home in 11 months.

The water copper supply lines underneath the home's sinks were examined and were noted to have blackened. Several electrical outlets were examined and a few showed wiring that had blackened. Some of the chrome bathroom fixtures and chrome water supply lines show pitting and corrosion. Please see photographs in the exhibits.

The complainant showed this investigator several silver jewelry necklaces and all had blackened considerably. Please see photographs in the attachments.

The home was completed by the builder, but the guest bedroom, boy's bedroom, hallway and kitchen were painted with Bear Paint from Home Depot by the complainant.

The complainant cut several holes in the interior drywall of the home. He was unable to locate any labeling in those sections. The attic was examined and showed labeling for the drywall which is included in the photographs in the exhibits. The complainant indicated that the city code required 5/8 inch drywall in the ceilings and only 1/2 drywall in the walls. He concluded that the labeling viewed in the attic would not be indicative of the manufacturer of the drywall in the walls.

The home owner did not indicate any problems at this time with the appliances, flickering lights, breakers "flipping" or other electrical problems or safety issues that he could remember or was aware of.

The homeowner contacted the builder in approximately April of 2009 to suggest that the cause of the corrosion and health problems were related to Chinese

Drywall. The builder dismissed the issue and sent the homeowner a letter from the drywall supplier indicating that the drywall they supplied to the home was only USA manufactured product. The builder had no other plans to address the issue. Please see a copy of the letter in the exhibits. No other agencies or engineers had been contacted.

The family didn't realize the A/C problems and health issues were connected with Chinese Drywall until they started reading articles about health and corrosion problems in the local newspaper approximately 1-2 months ago. The complainant is very concerned about the health issues to his family. He would like to know what to do to conclusively test and determine if the home and family is being affected by the odors/chemicals being emitted by the Chinese Drywall so that he can take effective steps to remedy the problem and safeguard his family's health.

The complainant indicated his permission to release his name only to the manufacturer.

Product Information:

**Possible Chinese Drywall
Manufacturer: Unknown**

Home Builder:

Roy A. Kunnemann Construction, Inc.
14772 Palmwood Rd.
West Palm Beach, FL 33410
561-625-0100
Original installation only.

**Drywall subcontractor:
Unknown**

Drywall Supplier:

Seacoast Supply
21195 Boca Rio Road
Boca Raton, FL 33433
561/479-2200 (Phone)
561/479-0347 (Fax)
561/852-0127 (Admin)
Corporate Location:
L&W Supply Corporation
550 W. Adams Street
Chicago, IL 60661
Fax: (312) 672-7722

Attachments:

Exhibit #1	Contacts
Exhibit #2	Drywall supplier's letter to the home owner
Exhibit #3	Release of name form
Exhibit #4	Internet Information on the Builder
Exhibit #5	Internet Information on the Drywall Supplier
Exhibit #6	Photographs of the home (18)

Contacts:

On site inspection: 5-7-2009

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

Jupiter, FL 33478

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



Seacoast Supply

April 6, 2009

*Roy A.
Kunneemann Construction Inc
Builder 561-625-0100*

Mr. Roy Kunneemann
14772 Palmwood Road
Palm Beach Gardens, FL 33410

RE: Invoice # 300955825, Dated 2/3/2006
13597 152 Road North
Jupiter Farms, FL

Dear Roy:

Let this letter serve as notice that all gypsum drywall materials shipped to the above referenced job address were manufactured by the United States Gypsum Company (USG), and were all of United States origin.

Materials shipped by Seacoast Supply were shipped on February 3, 2006. Seacoast cannot be held responsible for and materials shipped or transported by other parties.

If I can be of any further assistance, please call.

Sincerely,

Scott R. Thibodeau
Manager of Center Operation
Seacoast Supply
Boca Raton, FL

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)

05/07/07

(Date)

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Wednesday, May 13, 2009
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Company Profiles > Find Companies > West Palm Beach, FL > Building & Construction > General Contractors-Single-Family Houses > New construction, single-family houses > Roy A Kunneman Construction Inc Company Profile

Go to myManta

Add Company To List

Set Company Alert

Roy A Kunneman Construction Inc

14772 Palmwood Rd, West Palm Beach, FL 33410-1018

Contact Phone: (561) 625-0100

URL (web address):

Business Category: General Contractor Of Single Family Homes in West Palm Beach, FL

Industry (SIC): General Contractors-Single-Family Houses

Ads by Google

[Bid On Construction](#) Get Unlimited Construction Leads. Search 1000s of Bidding Projects!

[Construction Bidding Search](#) Search 1000's of active commercial projects up for bid in your area

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The ads are not affiliated with Roy A Kunneman Construction Inc

Business Information

This company profile is for the private company Roy A Kunneman Construction Inc , located in West Palm Beach, FL. Roy A Kunneman Construction Inc's line of business is general contractor of single family homes.

Company Name: **Roy A Kunneman Construction Inc** [Is This Your Company?](#)

Address: 14772 Palmwood Rd, West Palm Beach, FL 33410-1018 ([Map](#))

Alt Business Name:

Location Type: Single Location

Est. Annual Sales: \$2,500,000

Est. # of Employees: 4

Est. Empl. at Loc.: 4

Year Started: 1979

Related info:

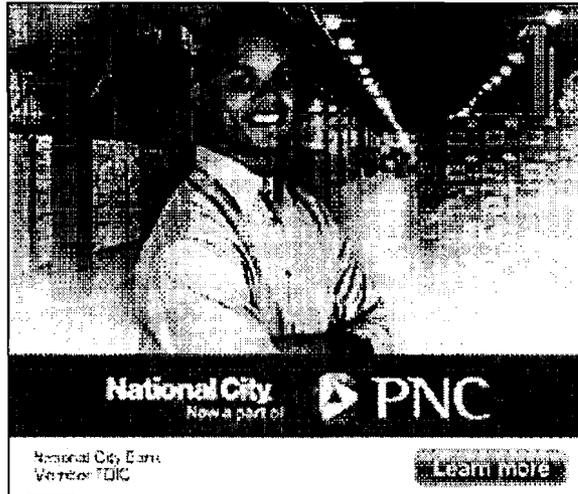
Other companies named [Roy A Kunneman Construction Inc](#)

More Companies in:

- [This Industry](#)
- [West Palm Beach, FL](#)

Find [Jobs in West Palm Beach, FL](#)

[West Palm Beach, FL Videos](#)



State of Incorp:

SIC #Code: 1521

Contact's Name: Roy A Kunnemann

Contact's Title: President

NAICS: New Single-Family Housing Construction (except Operative Builders)

Data above provided by D&B.

Click on the reports tab at the top of the page to research company background, detailed company profile, credit and financial reports for Roy A Kunneman Construction Inc.

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LEGAL

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OF SUBSCRIBERS
SAY DIRECTV
INCREASES THEIR
BUSINESS.

DIRECTV
FOR BUSINESS



CONTACT US

ABOUT L&W

PRODUCTS

OFFICE LOCATIONS

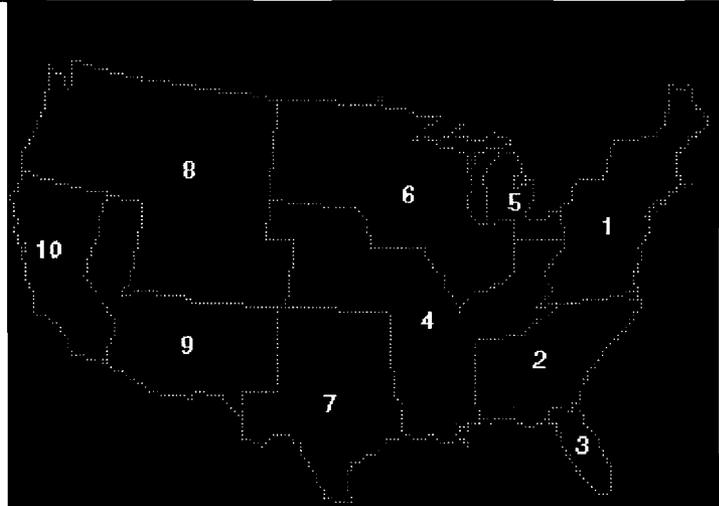
CUSTOMER SERVICE

SUPPORT

APPLY FOR CREDIT

PROSPECTIVE VENDORS

L&W Supply Corporation
550 W. Adams Street
Chicago, IL 60661
Fax: (312) 672-7722
lwwebmaster@lwsupply.com



Regional Headquarters and General Managers

Investors
Legal

1. NORTHEAST

William M. Giuliano
193 Fairfield Road
Fairfield, NJ 07004
Phone: 973/882-1188
Fax: 973/882-1128

5. CENTRAL WEST

Phil Ciesiulka
221 West Jefferson
Naperville, IL 60540
Phone: 630/258-8954
Fax: 630/214-5886

2. SOUTHEAST

Brian Murphy
7842 Hickory Flat Highway
Woodstock, GA 30188
Phone: 678/787-3233

6. SOUTHWEST

John Amsler
16820 Calply Drive
Austin, TX 78664
Phone: 512/670-2774

2. ALL INTERIOR

John Hernandez
6969 West 20th Ave.
Hialeah, FL 33014
Phone: 305/821-8000
Fax: 305/821-7129

7. MOUNTAIN

Thomas G. Wheatley
376 East 400 South #4
Springville, UT 84663
Phone: 801/489-8610
Fax: 801/806-3657

back to top

3. FLORIDA

Tim R. Mahaffey
7611 NW 74th Avenue
Medley, FL 33166
Phone: 305/219-8201
Fax: 305/887-3202

8. CALIFORNIA

Marty Brand
West Division Office
Downey, CA 90240
Phone: 562/622-7976
Fax: 562/622-7966

3. ALL INTERIOR

John Hernandez

6969 West 20th Ave.
Hialeah, FL 33014
Phone: 305/821-8000
Fax: 305/821-7129

[back to top](#)

4. NORTH CENTRAL

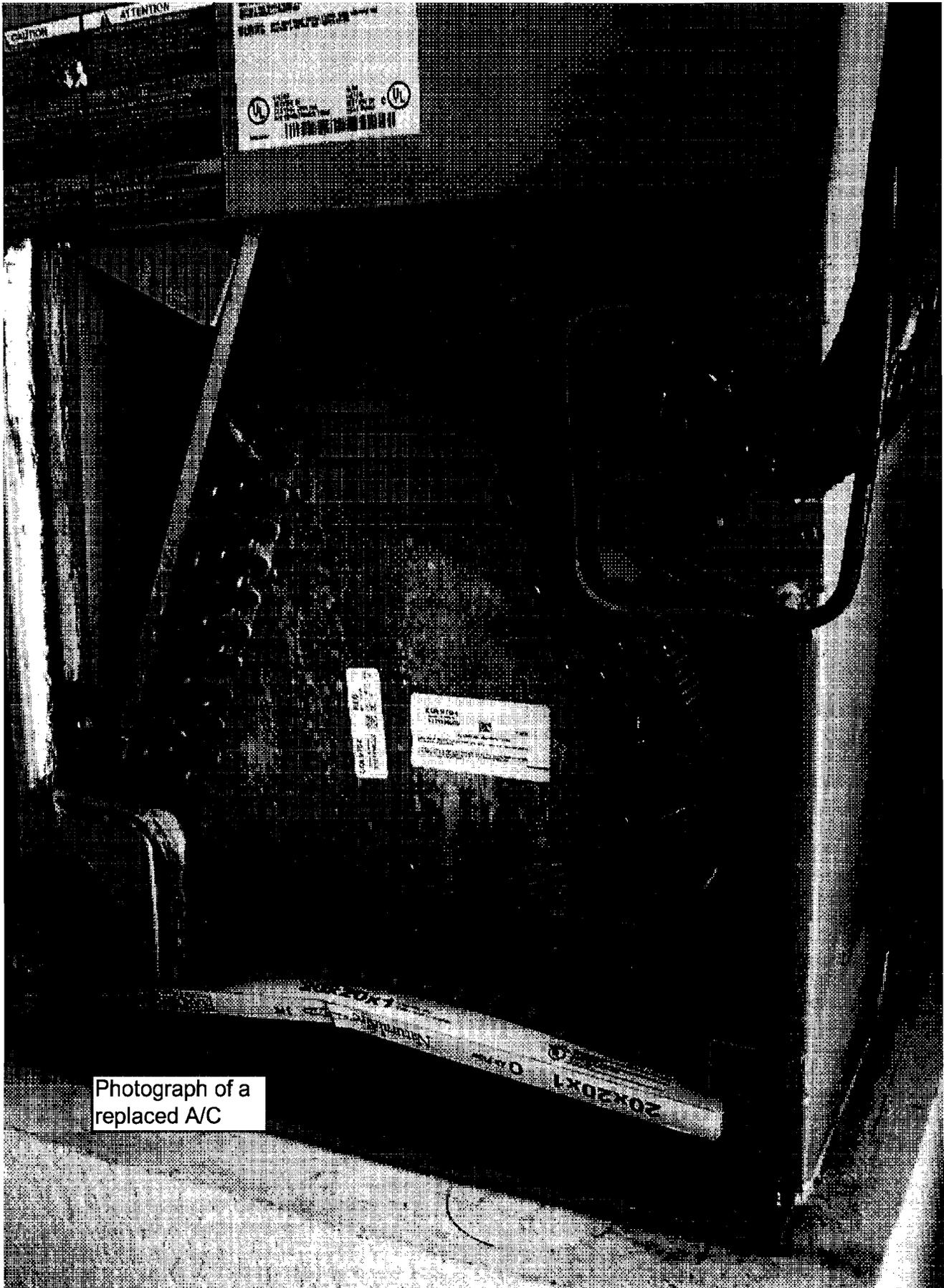
Tracy Hein
114 N. Main Street
Chelsea, MI 48118
Phone: 734/433-0549
Fax: 734/433-0560

4. ALL INTERIOR

John Hernandez
6969 West 20th Ave.
Hialeah, FL 33014
Phone: 305/821-8000
Fax: 305/821-7129



Photographs of the complainant's home taken on 5-07-2009



Photograph of a replaced A/C

Not Responsive

Assembled in USA

1/2 3.50 208-230 1 FT. 60. Hz.

MODEL NO. SERIAL NO. MOTOR H.P. P.L. AMPS VOLTS
FACTORY INSTALLED MAY BE FIELD INSTALLED

ELECTRIC HEATER - 208 OR 240V. 60Hz. 1PH OR 3PH REFRIGERANT 22 OR 410A ONLY DESIGN PRESSURE 480 PSI UNLESS INDICATED "NA" ANY ONE OF THE FOLLOWING HEATERS MAY BE INSTALLED IN THIS UNIT. INSTALLER MUST MARK ONE APPROPRIATE BLOCK IN COLUMN A

A	TRADE HEATER MODEL	SUPPLY VOLTS	PHASE	HEATER		MIX BRANCH CIRCUIT CAPACITY	MAXIMUM OVERCURRENT DEVICE	MINIMUM HEATING BLOWER SPEED	
				Watts	AMPS			WITHOUT HEAT PUMP	WITH HEAT PUMP
	NONE					4.4	15		
	BAYHTR1405+++	208 240	1	3.60 4.80	17.3 20	28 29	30 30	LOW	LOW
	BAYHTR1406+++	208 240	1	5.76 7.68	27.7 32	39 44	40 45	LOW	LOW
	BAYHTR1410+++	208 240	1	7.20 9.60	34.6 40	48 54	50 60	LOW	LOW
	BAYHTR3410000	208 240	3	7.20 9.60	30 34.6	37 43	40 45	LOW	LOW
	BAYHTR3415000	208 240	3	11.53 15.36	33.1 38.2	45 51	45 60	LOW	HI
	CIRCUIT 1 BAYHTR1415+++	208 240	1	7.20 9.60	34.6 40	48 54	50 60	LOW	HI
	CIRCUIT 2	208 240	1	4.83 5.76	20.8 24	26 30	30 30		
	CIRCUIT 1 BAYHTR1419+++	208 240	1	5.76 7.68	27.7 32	39 44	40 45	LOW	MED
	CIRCUIT 2	208 240	1	8.65 11.52	41.6 48	52 60	60 60		
	CIRCUIT 1 BAYHTR1425+++	208 240	1	7.93 10.56	38.1 44	NA NA	NA NA	NA	NA
	CIRCUIT 2	208 240	1	7.20 9.60	34.6 40	NA NA	NA NA		
	CIRCUIT 3	208 240	1	3.60 4.80	17.3 20	NA NA	NA NA		

Note: Heater model number may have additional suffix digits
"+++" = 000, BRK, RBR, PDC, RPD

CAUTION: WHEN HEATER MODELS WITH POWER DISCONNECT ARE INSTALLED USE ONLY 240/208 VOLT SUPPLY CIRCUITS WITH 120 VOLTS TO GROUND (NOMINAL).

FOR FIELD CONNECTIONS USE COPPER CONDUCTORS ONLY. USE ONLY APPROVED COMBINATIONS OF ELECTRIC HEATERS AND UNITS. MINIMUM INSTALLATION CLEARANCE TO COMBUSTIBLE MATERIALS WHEN ELECTRIC HEATERS ARE INSTALLED: UNIT CABINET - 0", PLENUM - 1", AND FIRST 3' OF OUTLET DUCT - 1" EXCEPT MODELS BAYHTR1405, 1406, AND 1410 ARE APPROVED FOR 0" PLENUM AND DUCT CLEARANCE IN THE UPFLOW CONFIGURATION ONLY.

SUITABLE FOR MOBILE HOME USE
MOTOR INTERNALLY PROTECTED

WARNING: WITH HEAT PUMP INSTALLATIONS, SOME HEATERS ARE POSITION SENSITIVE. SEE *NOTES BELOW

A/C Labeling

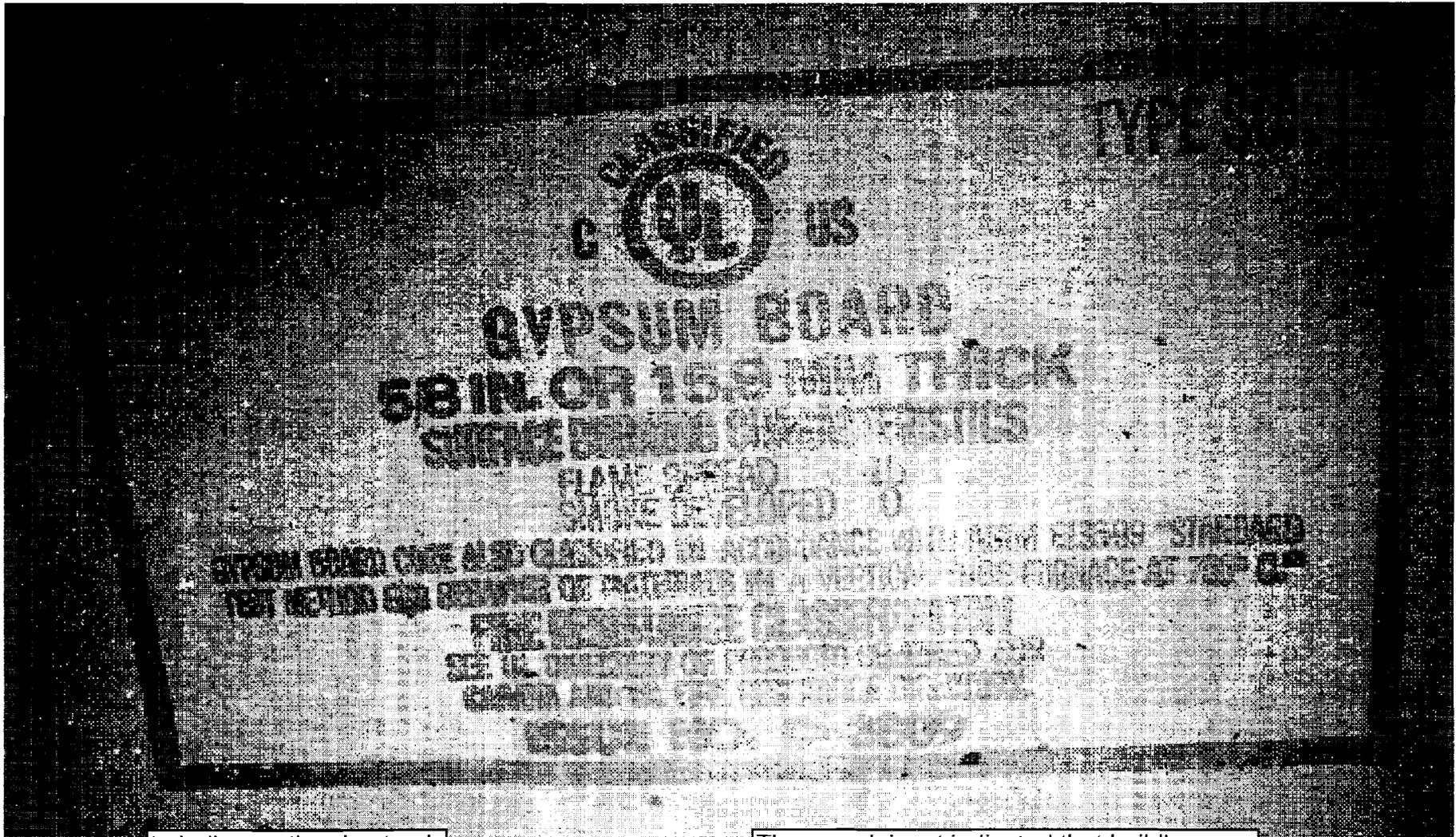
Not Responsive



LISTED SECTION OF CENTRAL COOLING AIR CONDITIONER 23MF

ALSO LISTED SECTION OF HEAT PUMP



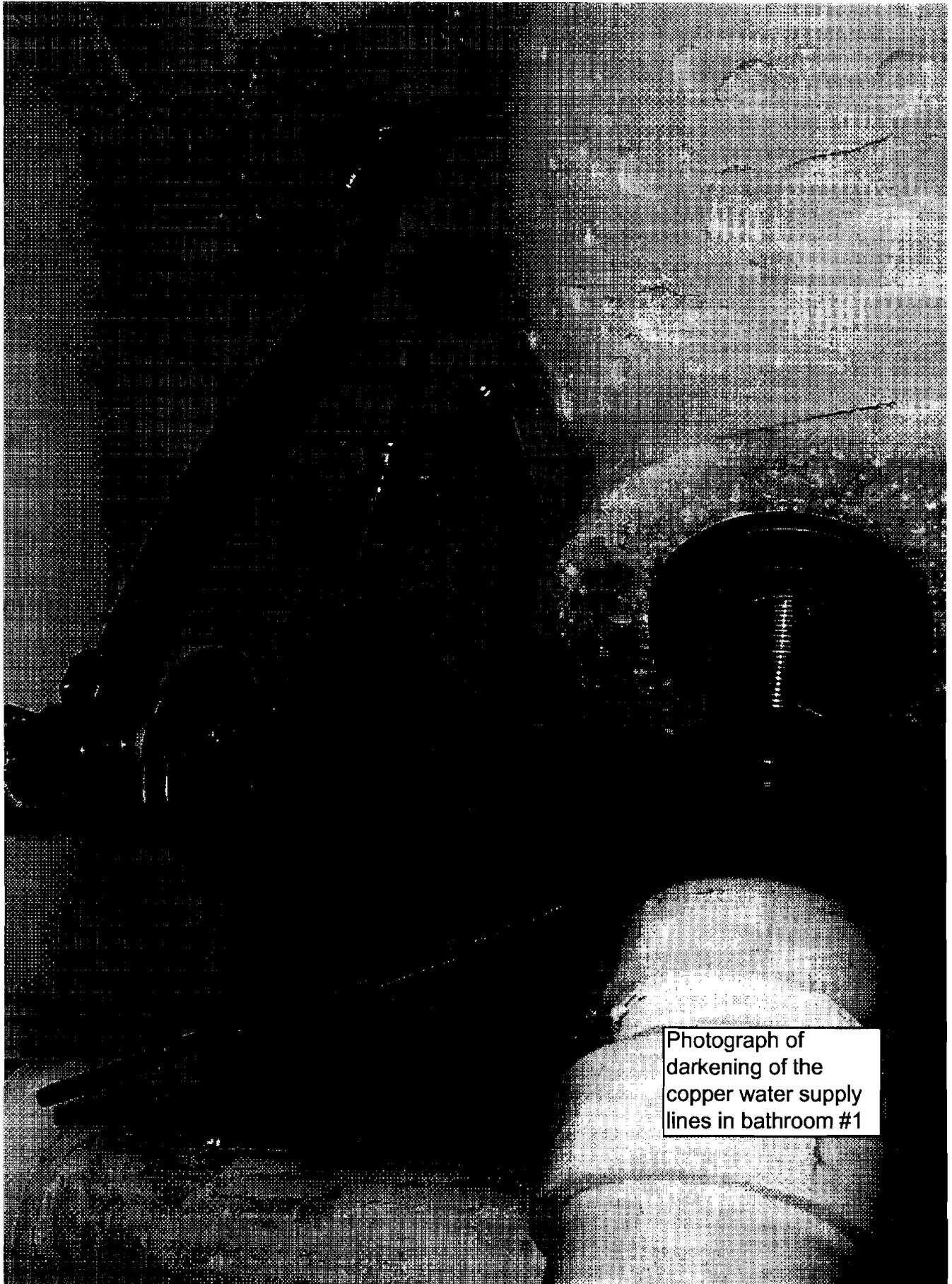


Labeling on the sheetrock in the attic of the home.

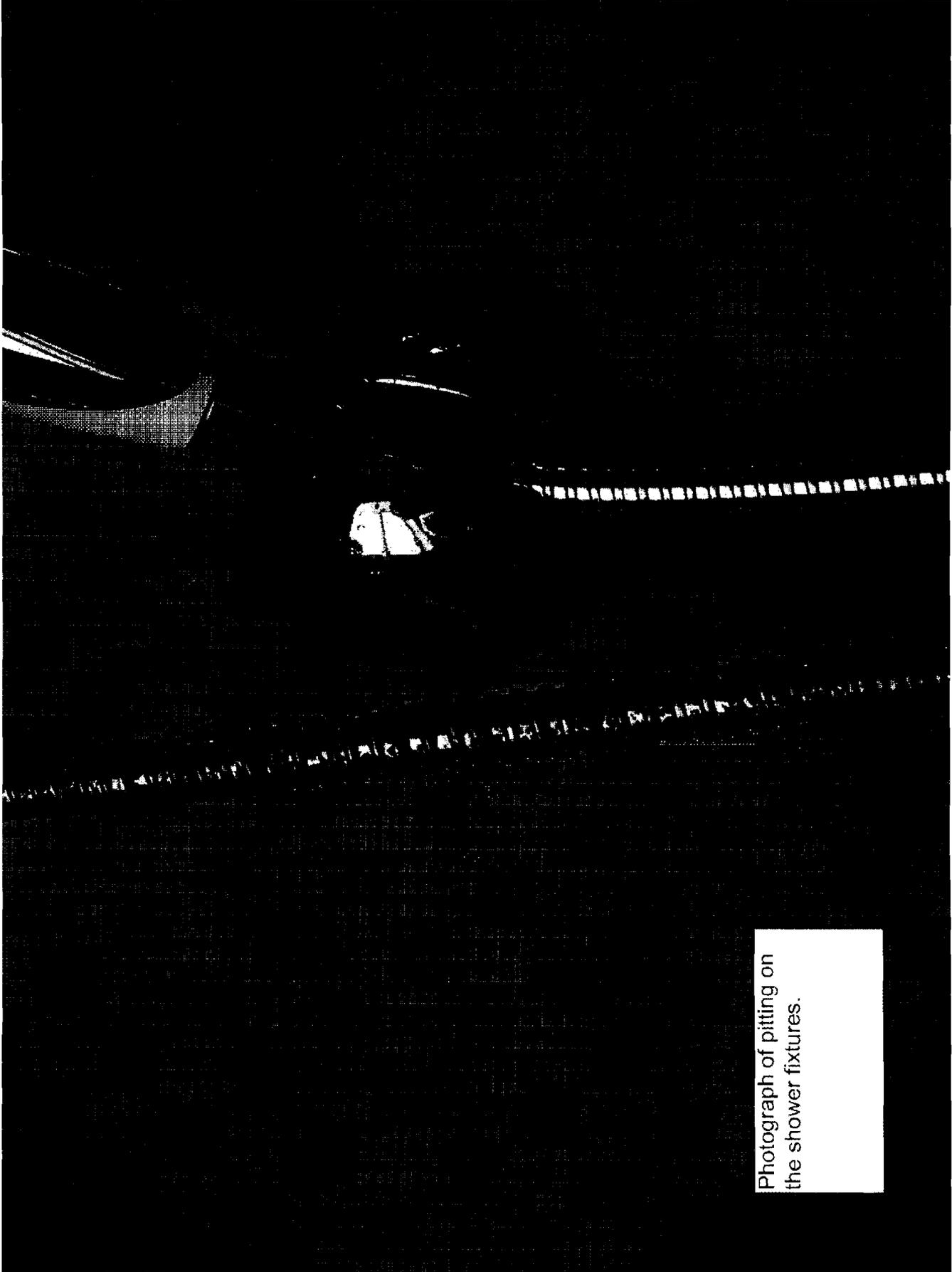
The complainant indicated that building codes required 5/8 sheetrock in the attic and 1/2 sheetrock in the walls. He concluded that this labeling was probably different than the sheetrock in the walls.



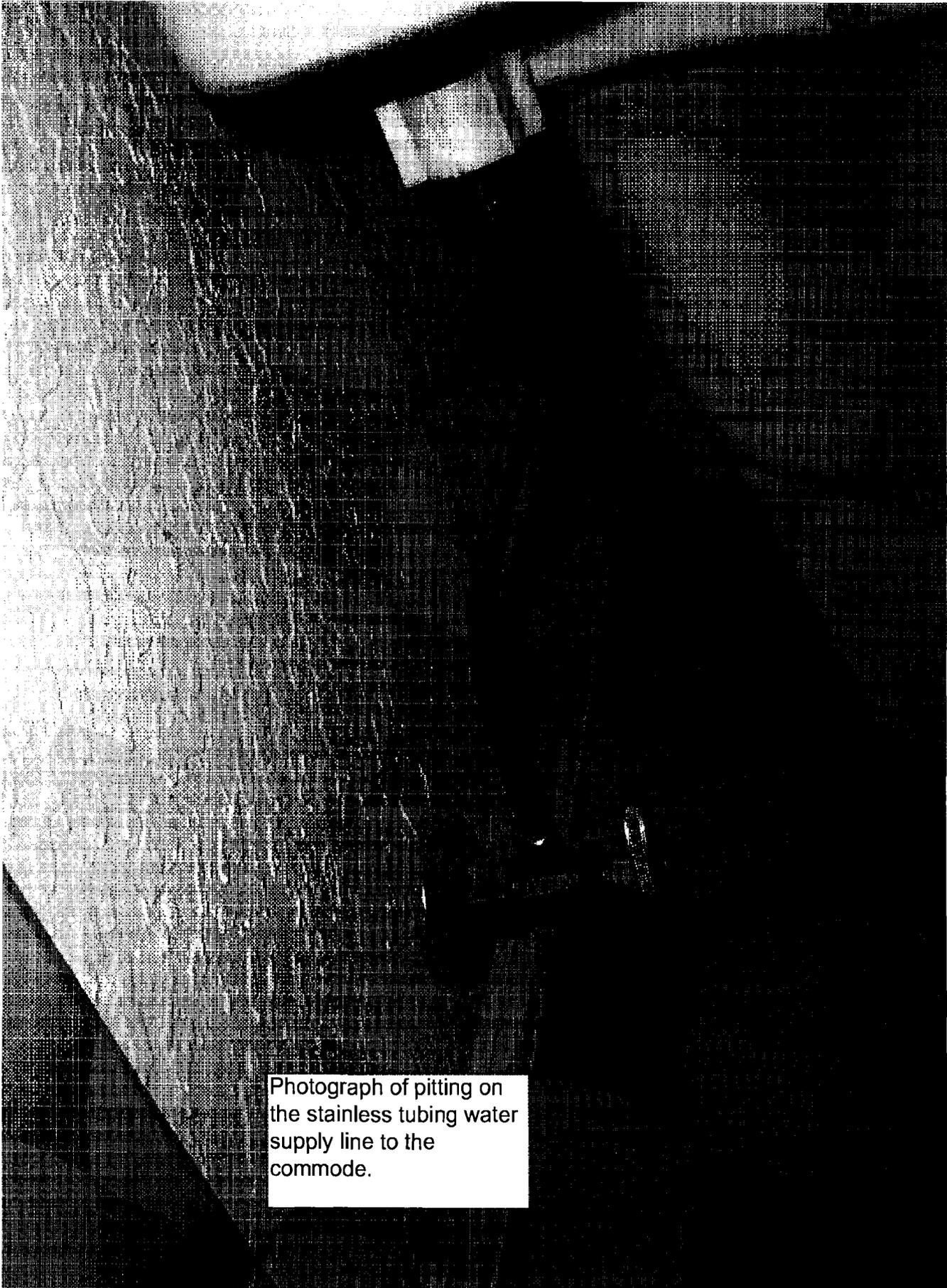
Photograph of the attic area and AC tubing.



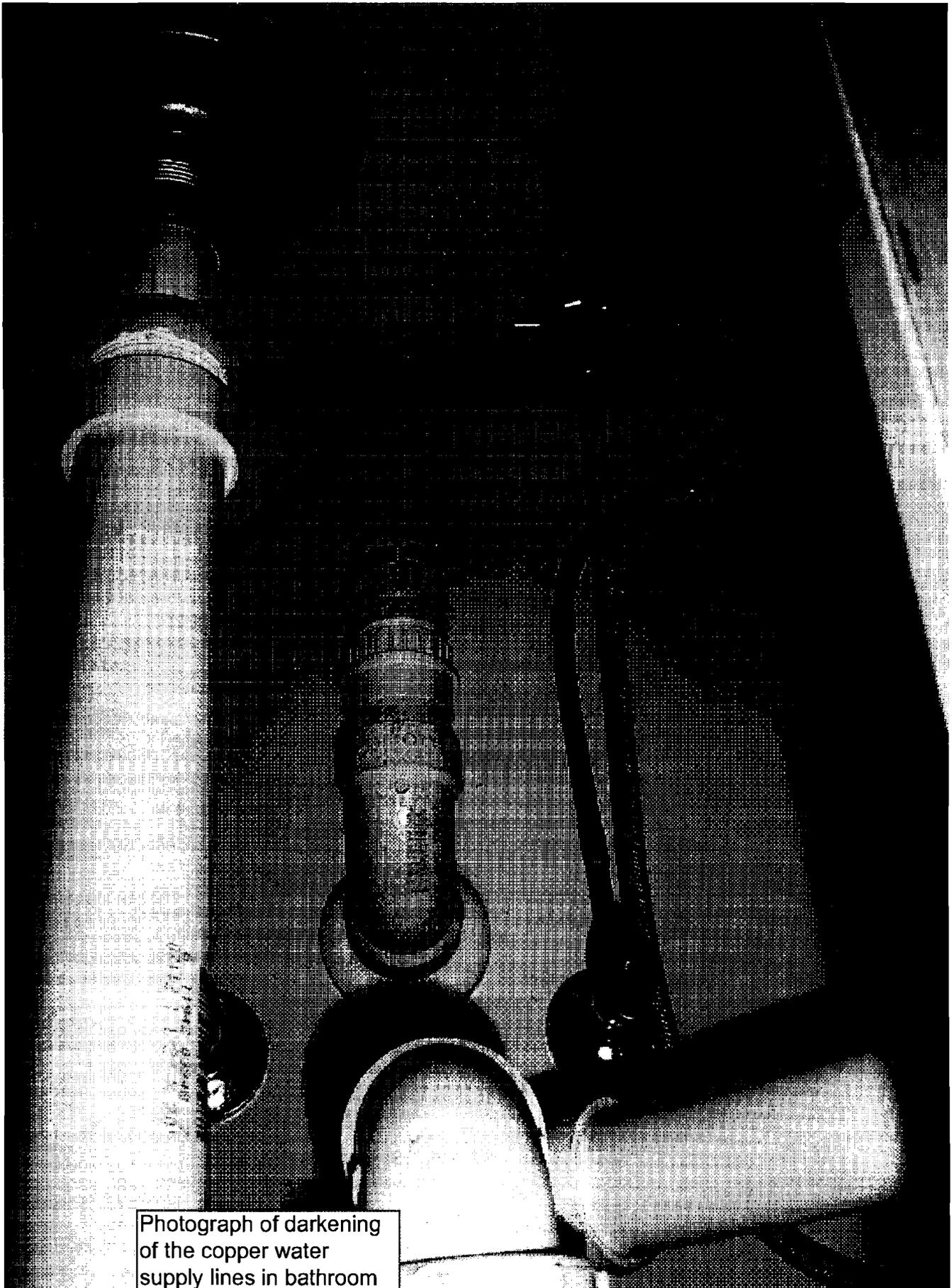
Photograph of darkening of the copper water supply lines in bathroom #1



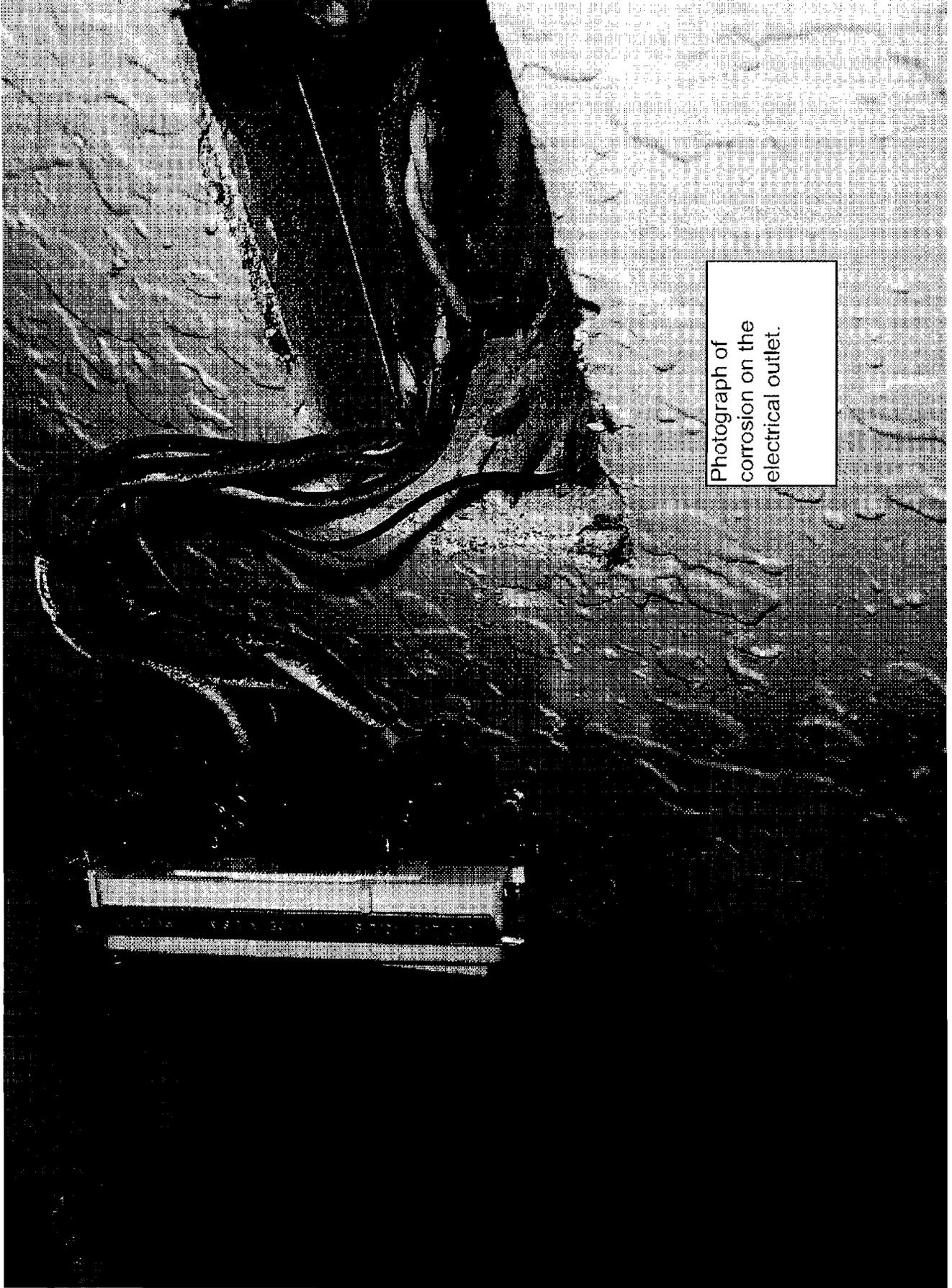
Photograph of pitting on the shower fixtures.

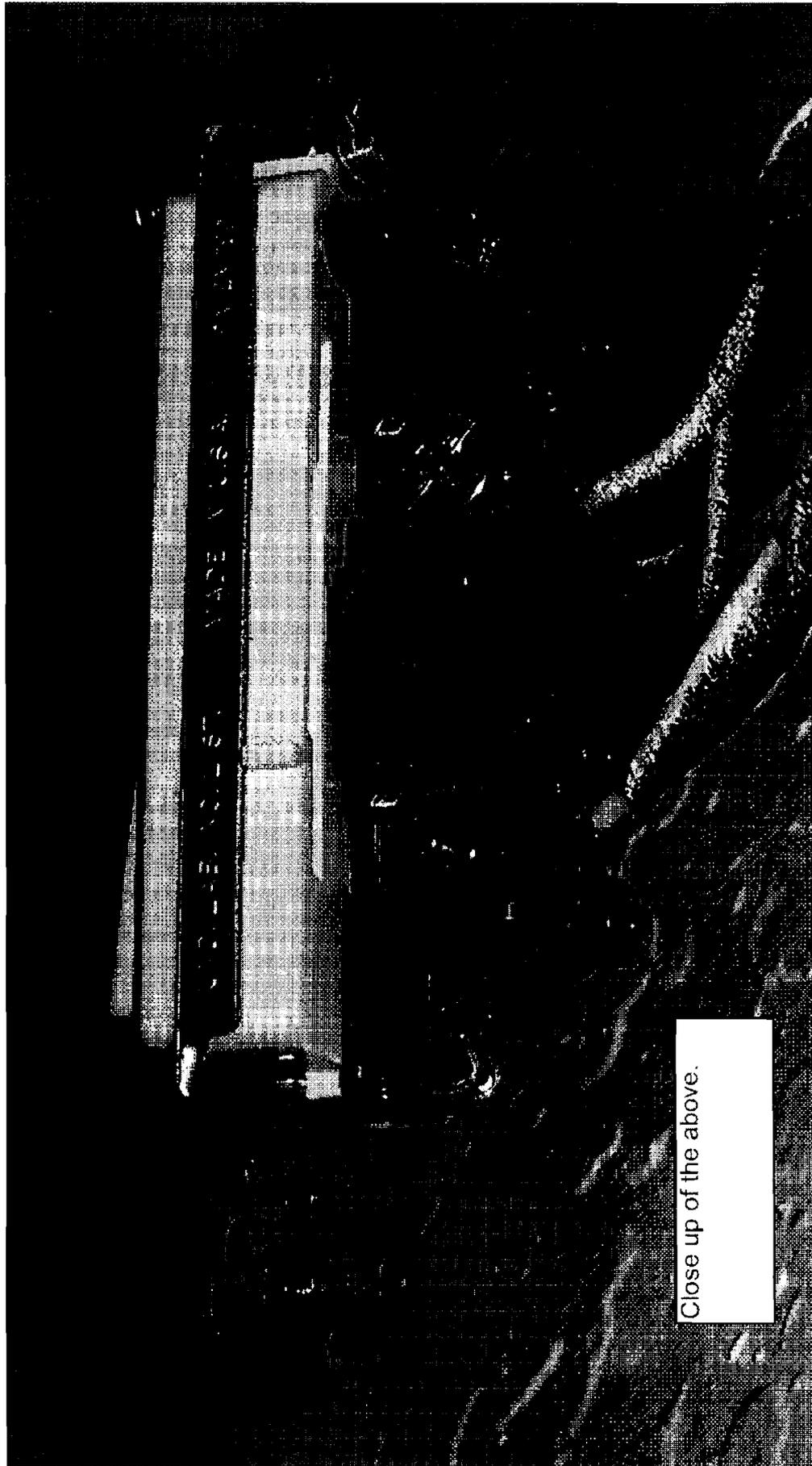


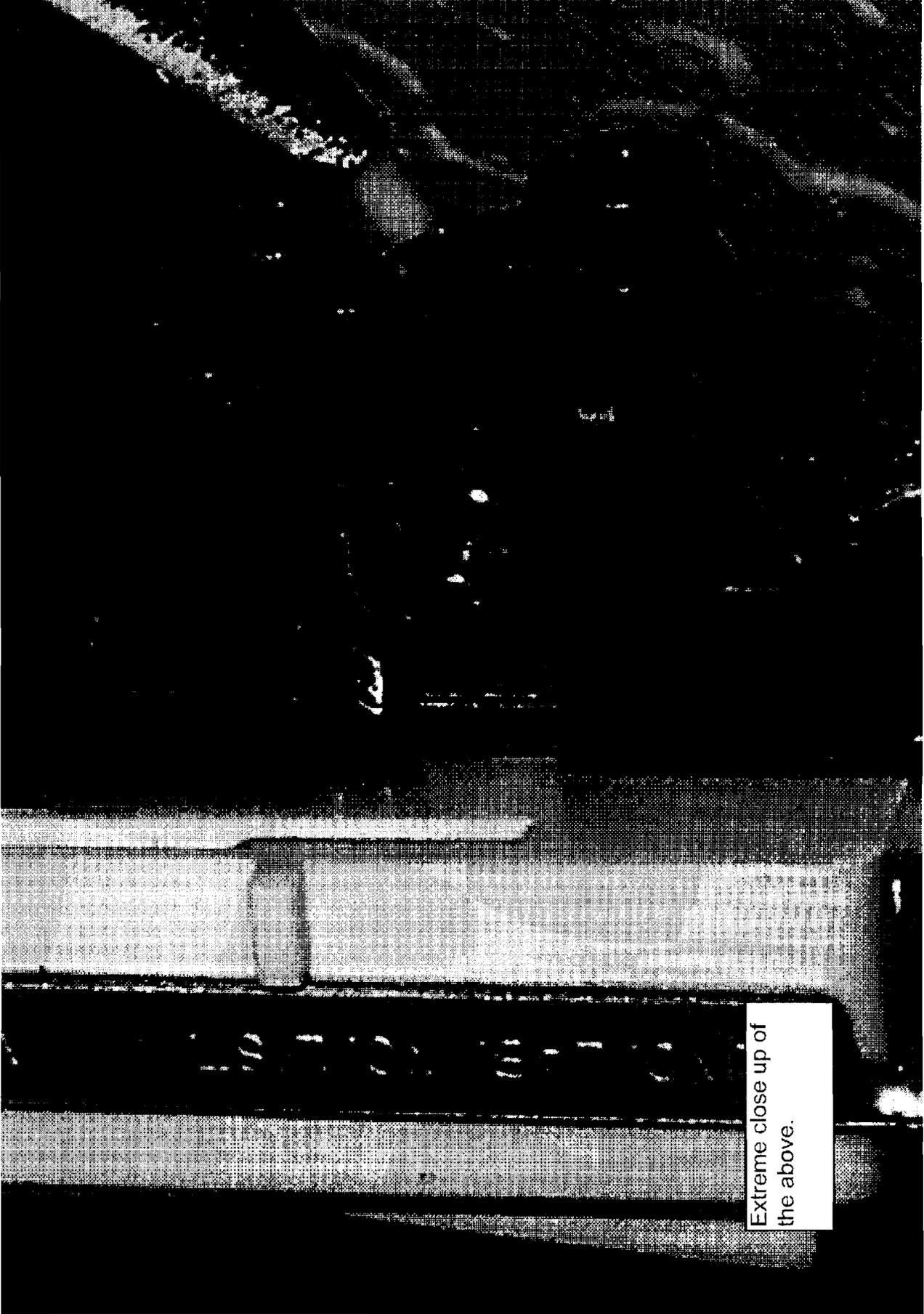
Photograph of pitting on the stainless tubing water supply line to the commode.



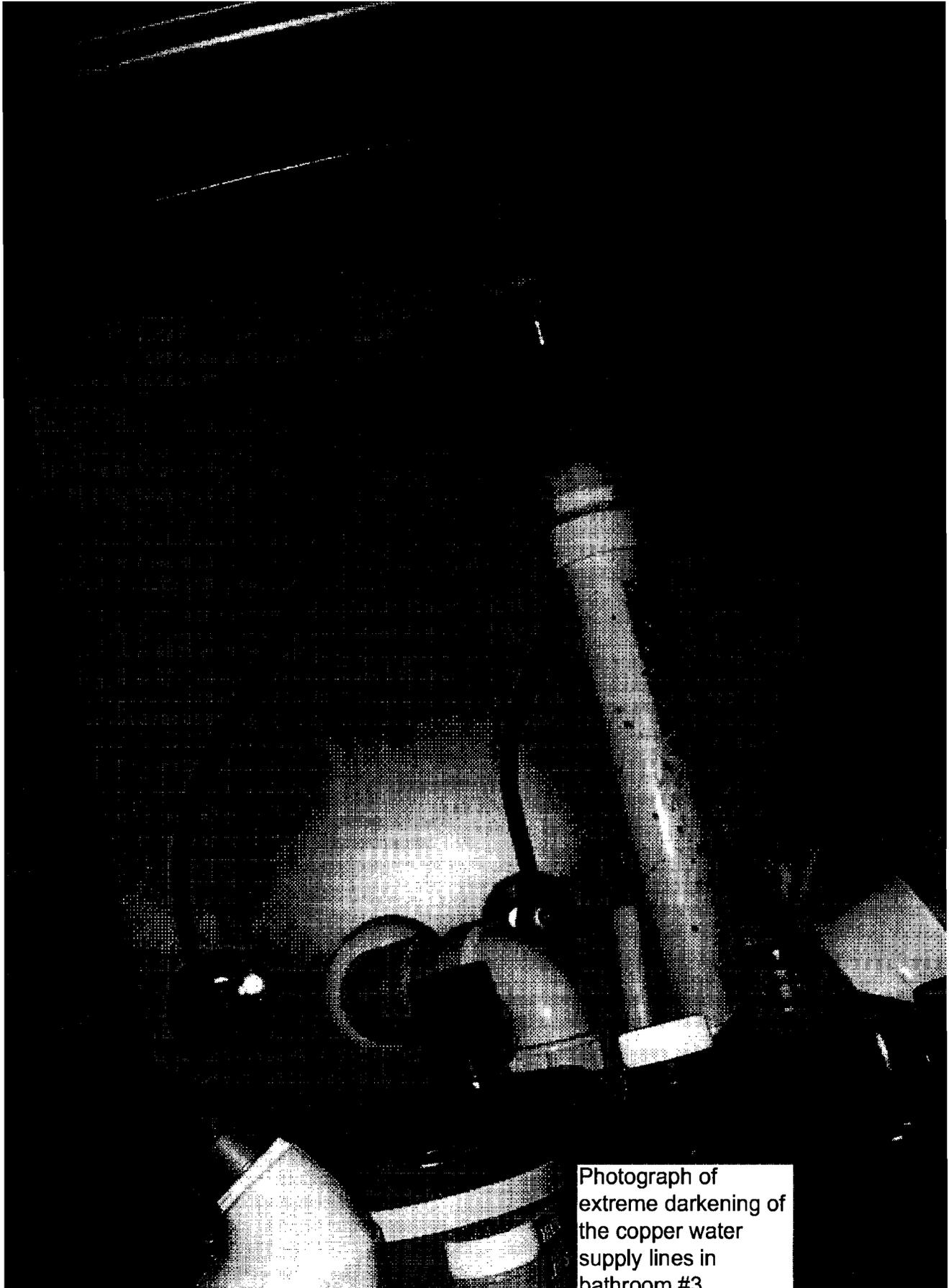
Photograph of darkening
of the copper water
supply lines in bathroom
#2



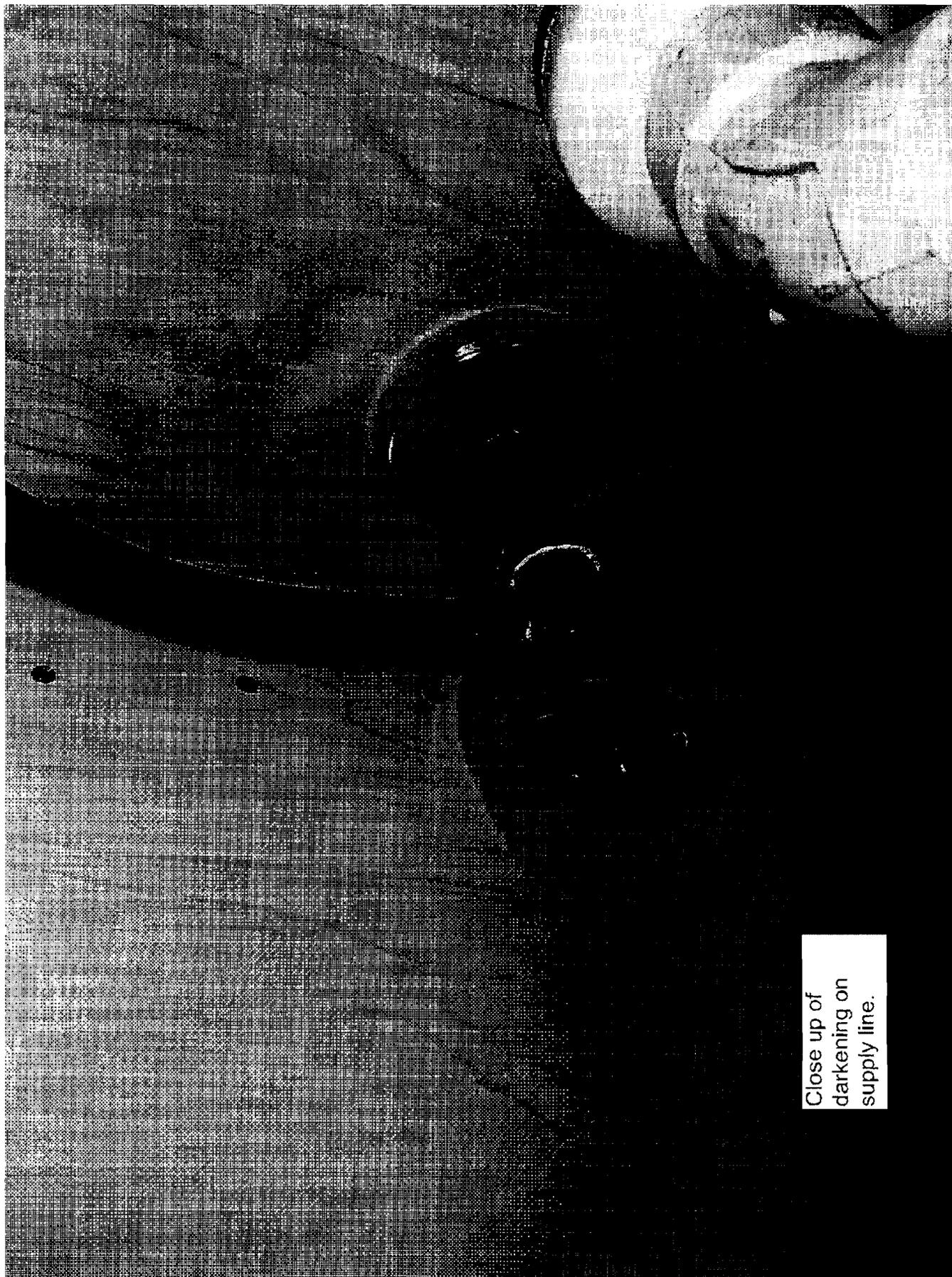




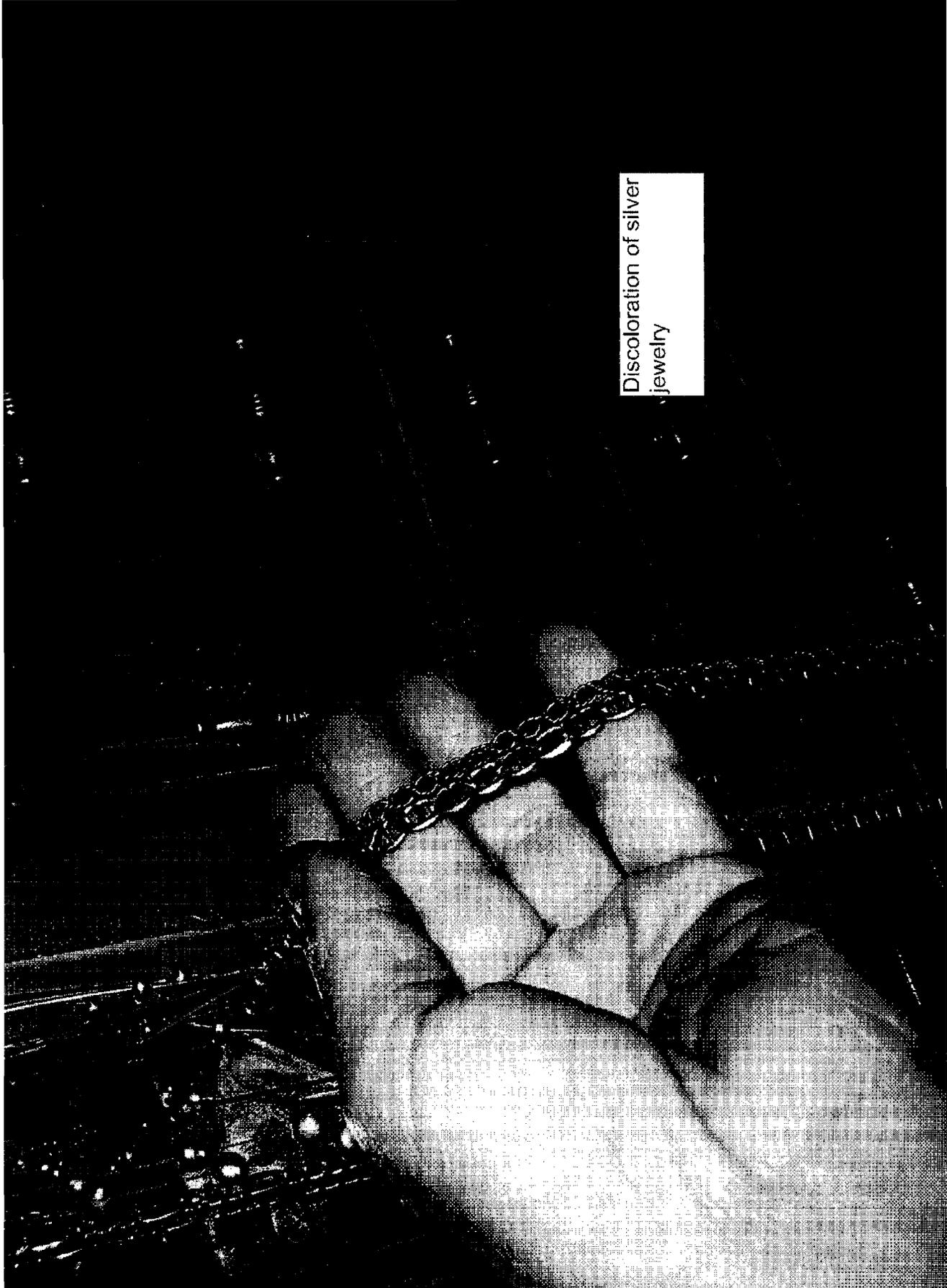
Extreme close up of
the above.



Photograph of extreme darkening of the copper water supply lines in bathroom #3



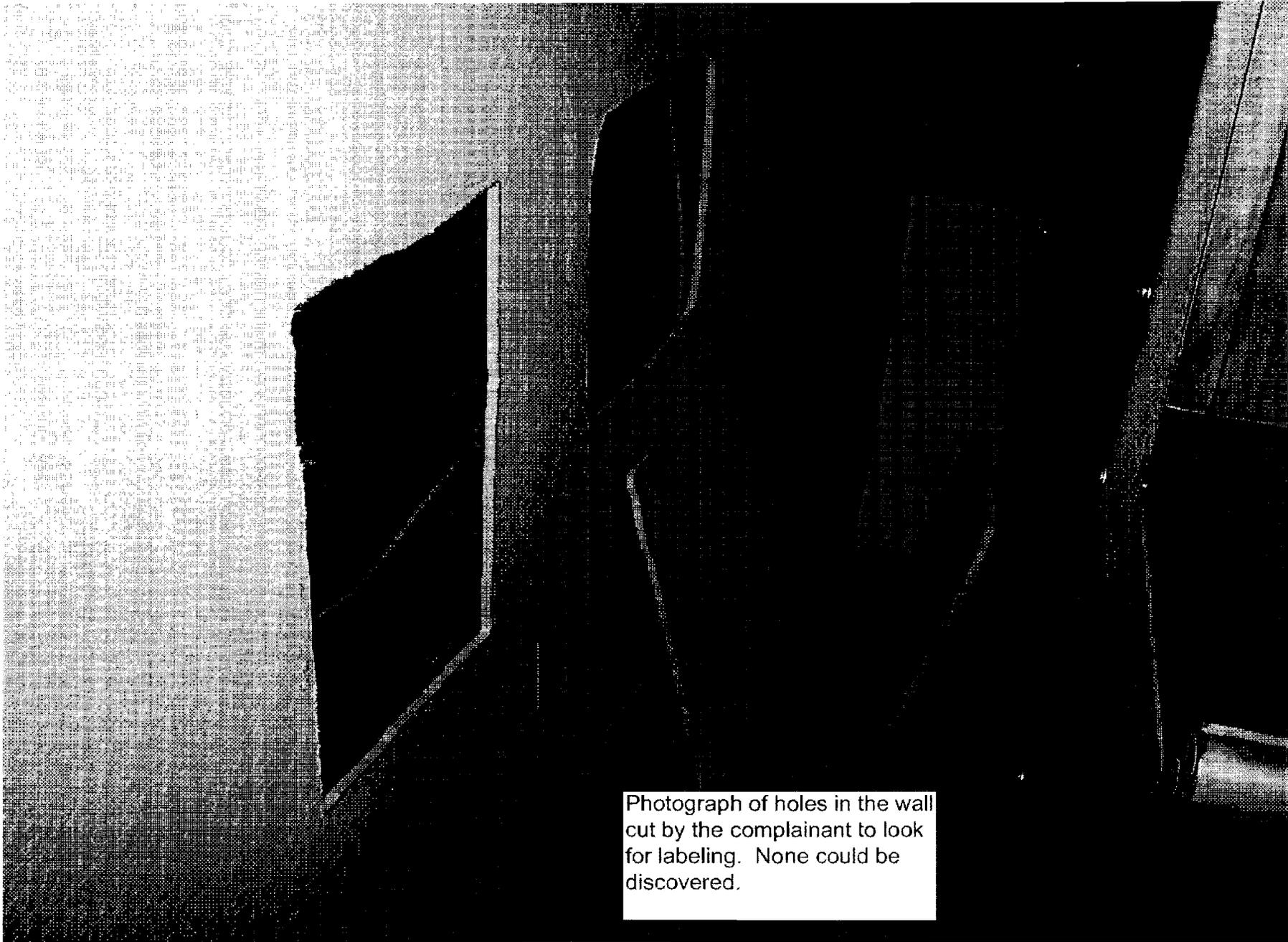
Close up of
darkening on
supply line.



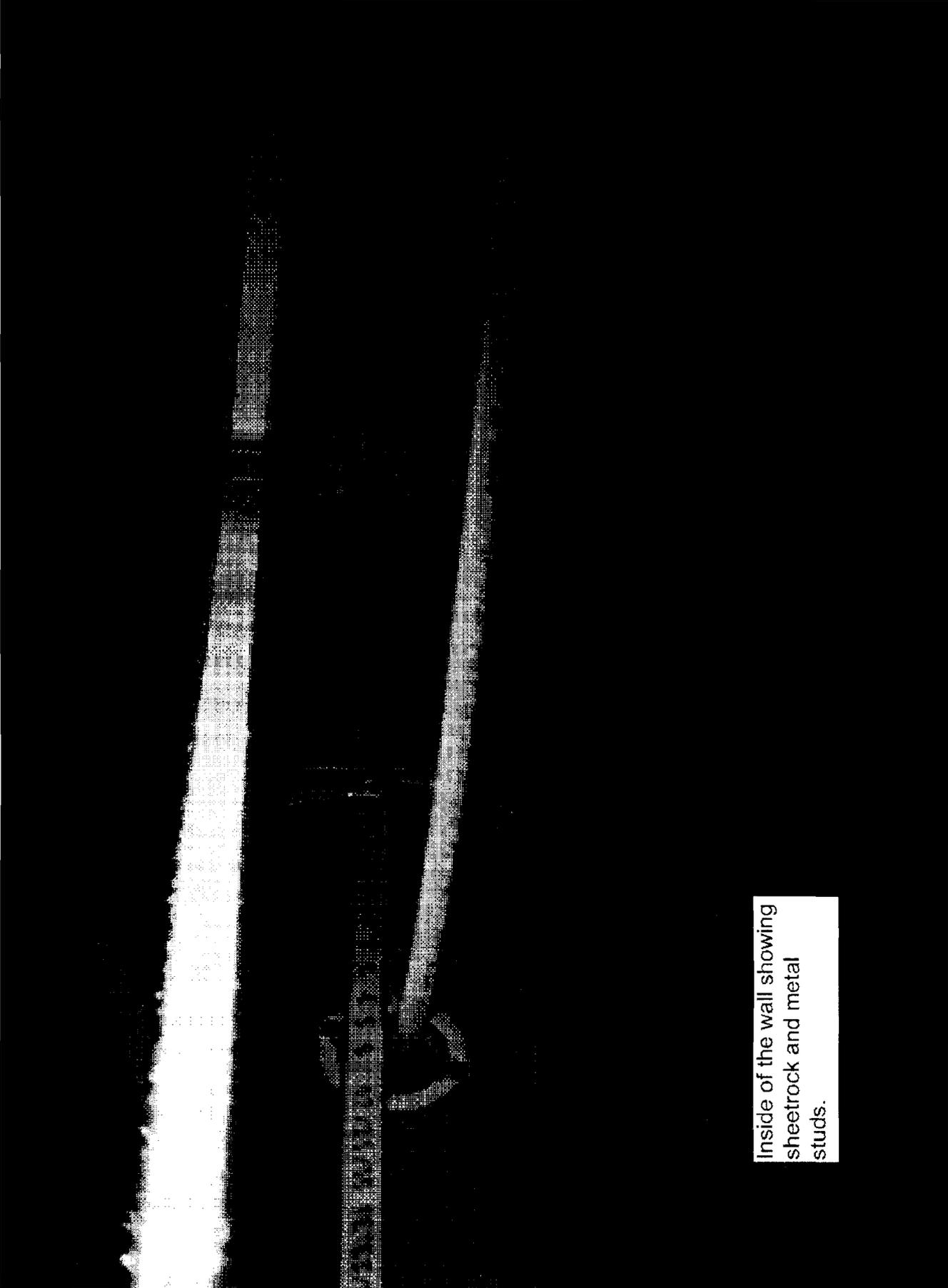
Discoloration of silver
jewelry



Discoloration of silver jewelry



Photograph of holes in the wall cut by the complainant to look for labeling. None could be discovered.



Inside of the wall showing sheetrock and metal studs.

Doc No: I0940125A

Issue: 28

04/07/2009

04/04/2009 15:16:42

Name = (b)(3):CPSA Section 25(c)
Address =
City = Jupiter
State = Florida
Zip = 33478
Email = (b)(3):CPSA Section 25(c)
Teleph =
Name of victim =
Victim's Address =
Victim's City =
Victim's State =
Victim's Zip =
Victim's Telephone =

Incident Description = I believe my home may have Chinese drywall. My home was built in 2005 and since moving in, I've replaced a total of six A/C coils. My children are constantly sick (sinus problems & coughing), my mother has had red, irritated eyes and all the copper wiring and plumbing in the house has turned black. I would like to know if you can help and/or if you can advise what actions need to be taken. I appreciate your earliest response. Thank you.

Victim's age at time of incident =
Victim's sex =
Date of incident = 2005
Product involved = Chinese drywall
Product brand name/manufacturer = Knauf?
Manufacturer street address =
Place where manufactured (City and State or Country) =
Product model and serial number, manufacture date =
Product damaged, repaired or modified = no
If yes, before or after the incident =
Description of damage, repair or modification =
Date product purchased =
Product involved still available = yes
Have you contacted the manufacturer = no
If not, do you plan to contact them =
Name Release = Release name to the manufacturer and public

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

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

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

S

04/17/09
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.

090504CBB1662



USG Corporation
Legal Department
550 West Adams Street
Chicago, IL 60661-3676
312-436-4000
Fax: 312-672-7721

August 13, 2009

Founded in 1902

By e-mail tstevenson@cpsc.gov

Mr. Todd A. Stevenson
Director, Office of the Secretary
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814-4408

**Re: FOIA Requests 09-F-00427, 09-F-00495, 09-F-00512, and 09-F-00825:
Chinese Drywall Investigations**

Dear Mr. Stevenson:

This letter is in response to your July 22, 2009 correspondence to United States Gypsum Company regarding the above referenced FOIA requests. We have reviewed all the documents enclosed with your letter, which include the FOIA requests and the CPSC files that the commission is considering producing in response.

United States Gypsum Company has the following comments for your consideration:

1. First, we want to make clear that United States Gypsum Company has never manufactured wallboard in China. Our SHEETROCK® brand gypsum drywall has always been manufactured in North America only. Therefore, we believe that to the extent any CPSC documents mention wallboard made by U.S. Gypsum Company, those documents are not responsive to FOIA requests that are specifically directed at CPSC investigations into Chinese drywall.

Second, in more than 90 years of making wallboard, U.S. Gypsum Company has not had complaints about its SHEETROCK® brand drywall similar to those being made regarding Chinese wallboard.

Third, production of some of these documents by the CPSC in response to Chinese wallboard inquiries would inaccurately and unfairly suggest to the public that our company's primary product, SHEETROCK® brand gypsum drywall, may have been manufactured in China or that the CPSC believes our product may cause problems similar to those that some Chinese wallboard apparently has

Mr. Todd A. Stevenson
August 13, 2009
Page 2

caused. Neither is true, and nothing in the documents sent to us suggests otherwise.

2. The following are brief comments on each of the six files that you sent to us for review :

No. 090504CBB1656

No comment or objection.

X
No. 09054CBB1662

This investigation file relates to a homeowner who believes that his family has developed numerous health conditions related to Chinese drywall in his home. However, neither the homeowner nor the CPSC investigator was able to locate a label on the drywall to confirm the drywall manufacturer. A letter in the file from drywall supplier Seacoast Supply indicates that it did supply some drywall to the home but that based on the delivery date the drywall delivered was manufactured by U.S. Gypsum Company in the United States and is not Chinese-made drywall.

Because no Chinese drywall has been identified in the home, this investigation file is not responsive to FOIA requests for "Chinese Drywall Files". Further, production of the file at this time – prior to a full inspection of all the wallboard in the home and a full investigation into the health issues described by the homeowners – would inaccurately and unfairly suggest to the public that the family's health issues are related to U.S. Gypsum wallboard. There is no evidence that this is true and the CPSC file does not reveal any reason to believe that such a suggestion is true.

Therefore, U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090505CBB1683

As with the previous file, this file reports a homeowner complaint that various health symptoms and copper blackening in his house are related to Chinese drywall. Again, there has been no inspection of all of the drywall in the home to confirm the presence of any Chinese material. The only drywall that has been identified in the report is U.S. Gypsum SHEETROCK® brand drywall, which was reportedly visible only in the attic and is not made in China. There is nothing in the file to confirm the presence of any Chinese drywall in the home. We are aware of other homes where Chinese-made ½" drywall was installed in the walls

Mr. Todd A. Stevenson
August 13, 2009
Page 3

of home, and U.S. Gypsum or other 5/8" inch drywall was installed in the ceiling or attic (5/8 inch wallboard typically is used on ceilings, while walls are typically 1/2 inch board).

Production of this complaint file before a full inspection of all the wallboard in the home and before a full investigation into the health issues described by the homeowners, would inaccurately and unfairly suggest to the public that the family's health issues are related to U.S. Gypsum wallboard.

If any of this homeowner's alleged problems are caused by wallboard in the home, it is more likely that the problems are caused by undiscovered Chinese wallboard than by U.S. Gypsum Company wallboard, which has never been associated with the complaints being made regarding Chinese drywall.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090505C1688

This investigation was initiated by a tenant who complained of health issues and copper blackening in her rented home. The manufacturer of the drywall in the home is not confirmed; however, the tenant believes her problems are related to Chinese drywall. As with prior claims addressed herein, the only drywall that was accessible and inspected was located in the attic of the home.

There has been no confirmation that any wallboard in the home was manufactured in China and no investigation into what may be causing the tenant's complaints. Because there is only one unverified reference to U.S. Gypsum Company wallboard in the file, production of these documents by the CPSC in response to FOIA requests would unfairly and inaccurately suggest that U.S. Gypsum wallboard may be a part of the tenant's problems – and there is nothing either in the file or outside the file to support that suggestion.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090520CBB2638

This file relates to an investigation into a homeowner complaint of health symptoms and electrical component failures that the homeowner believes might be related to Chinese drywall. The CPSC investigator found no evidence of Chinese drywall – although he did obtain information (a purchase receipt

Mr. Todd A. Stevenson
August 13, 2009
Page 4

produced by the homeowner) that suggests that some of the drywall in the house was manufactured by two U.S. companies – United States Gypsum and Georgia Pacific. However, there was no visual confirmation that the wallboard in the home was in fact manufactured by the two companies. The investigator did not notice any unusual smell in the home and found no visible blackening of copper wire or other metal surfaces – the symptoms frequently reported in homes with the Chinese drywall problems.

There is no evidence of Chinese drywall in the home, the CPSC investigator did not observe any unusual smell or copper blackening, and there is no evidence that the wallboard in the home is causing any problems whatsoever. Therefore, this report is not responsive to the FOIA request. Production of these material in response to the pending FOIA requests may inaccurately suggest that the homeowner's reported problems are related to the presence of wallboard manufactured by two U.S. manufacturers, and there is nothing to support that conclusion..

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090504CBB3555

No comment or objection.

Thank you again for the opportunity to comment on the CPSC response to these FOIA requests. We appreciate your consideration of our comments and concerns. Please feel free to call me if you have any questions or require further information. (312-436-4006)

Very truly yours,



John A. Donahue
Senior Corporate Counsel
Telephone: (312) 436-4006

JAD/cw
#172623

This investigation was initiated through the receipt of a Consumer Product Incident Report submitted by a 42 year old male complainant/homeowner, involving imported drywall material. Information for this report was gathered by an on-site interview with the complainant in his home.

The affected home is occupied by the complainant and his 46 year old wife. The home was built in December 2006 and the complainants moved in shortly after. It is a two story home with 3,600 square feet and constructed primarily with metal studs and wood studs in the areas of wall partitions. All appliances in the home are electric and there is no use of gas or natural gas services. The complainants removed all carpeting on the second floor of the home after moving in and replaced it with hardwood flooring. Also, the walls throughout the home were painted. There has been no additional drywall added or replaced in the home.

Within the first six months of living in the home the complainant noticed that bathroom fixtures were turning black, particularly the fixtures attached to the toilets. Photographs of corroded, blackening, and pitting on metal fixtures throughout the house are included as Exhibit 2. The complainants never noticed an unusual odor in the home. They attributed any smells to having a new house smell. After discovering that their home was affected by imported drywall, they informed their housekeeper. She then mentioned that she noticed an unusual odor in the bathroom on the second floor. She dismissed the odor and never mentioned it to the complainants. Since neither of the complainants can smell any unusual odor he is unsure if the odor is stronger during certain times of the day and/or year. Replacing the carpeting with hardwood floors did not affect the odors or their ability to smell the odor.

The complainant reported that he has some unusual problems with appliances recently. In February 2009 the wireless card for his laptop stopped working unexpectedly and was replaced. In the same month, the evaporator coils in the air condition unit on the second floor were replaced due to Freon leaking. The air conditioning unit on the first floor has not had any issues, but was inspected when the second floor unit was serviced. The technician reported that the first floor unit would likely need repairs in the future. He has never had to recharge either of the air conditioning units with refrigerant. In the first eight months of living in the home, the microwave unexpectedly stopped working. It was under the manufacturer's warranty and a service technician visited the home and made repairs. There was no explanation given for the microwave to have stopped working unexpectedly. The complainant reported that he is not experiencing any of the following on a consistent basis: flickering lights, circuit breakers tripping, arcs or sparks, sizzling or buzzing, no unusual odors anywhere, and no light switches or outlets are hot to the touch. He has noticed blackening and pitting on copper pipes in the bathrooms of the home and on metal fixtures such as the shower head in the master bathroom. His wife's jewelry has also started blackening and had to be sent to the manufacturer for cleaning. He has had fears of a possible fire due to the corrosion of the ground wires in electrical receptacles, but has been advised that as long as the ground wire remains connected to the receptacle, he should not experience any issues. The smoke alarms in the home have not given him any problems.

The complainant reported that he started to experience health issues within the first month of living in the house. He has had problems with allergies in the past during the months of August through September, but after moving into the house he developed sinus infections very frequently. These infections would occur every two to three weeks and were treated initially with antibiotics. His primary care physician referred him to a specialist and he underwent surgery in November 2007 to open up his nasal passages and clear his sinuses. He continues to have issues with sinus infections and is treated regularly with antibiotics and medications such as Nasonex. Email correspondence between the complainant and his physician is included as Exhibit 3. The complainant travels often for work, but he does not see a change in his symptoms. His wife is not experiencing any health issues. They own two Jack Russell terriers ages two and seven years. The two year old dog has had issues with allergies and has been treated for several eye infections. The seven year old dog has not had any health issues.

The complainant contacted the builder when the air conditioning unit had to be repaired. The builder asked for paperwork showing the work being performed, but did not offer any explanation for the problem or any financial remedy being that the problem occurred within the first year of living in the home. The builder visited the home on April 10, 2009 to do a home inspection after the complainant reported problems with corrosion and health issues. The builder's inspection report is included as Exhibit 4. The builder informed the complainant that the inspection report would be submitted to the builder's insurance, but the complainant has not been contacted by the builder since that visit. The complainant has contacted the Florida Attorney General office, the county health department, the White House, Sen. Nelson's office, Congressman Wexler's office, and Governor Crist's office and the county commissioner's office to report the issues he is experiencing. He has received email acknowledgments, stating that his reports have been received. His community has organized a "drywall committee" that meets frequently to discuss issues regarding drywall and the efforts that homeowners are doing to resolve the problem. The community also has a website that allows homeowners to post blogs of their experiences. During one of their meetings, representatives from Sen. Nelson and Congressman Wexler's offices attended. His short term and long terms goals would be to communicate with the builder for a resolution without the use of legal counsel. He hopes for a resolution to come with the help of the local, state, and the federal government. He added that since the discovery of this problem it has added additional stress and mental anguish to their lives. The burden of dealing with this problem takes away from work. He is burdened with thinking about the unknown long term health effects and the financial ruin of a house with diminished value. He would like to be contacted in the event of sample collection by the Commission.

Product Description

The product involved is imported drywall from China. During the on-site this investigator gained access to the attic area of the home. Insulation located in the attic obstructed the view of any labeling on the drywall.

090504CBB1656

Exhibits

- Exhibit 1 Contact Information
- Exhibit 2 Photographs (18)
- Exhibit 3 Email Correspondence between Complainant and Physician
- Exhibit 4 Builder's Drywall Warranty Inspection Report
- Exhibit 5 Authorization for Release of Name

Contact Information

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

May 5, 2009

Complainant Contacted Builder

Northstar Homes of Florida
14901 Military Trail
Delray Beach, FL 33484
Tel. 561-638-6270

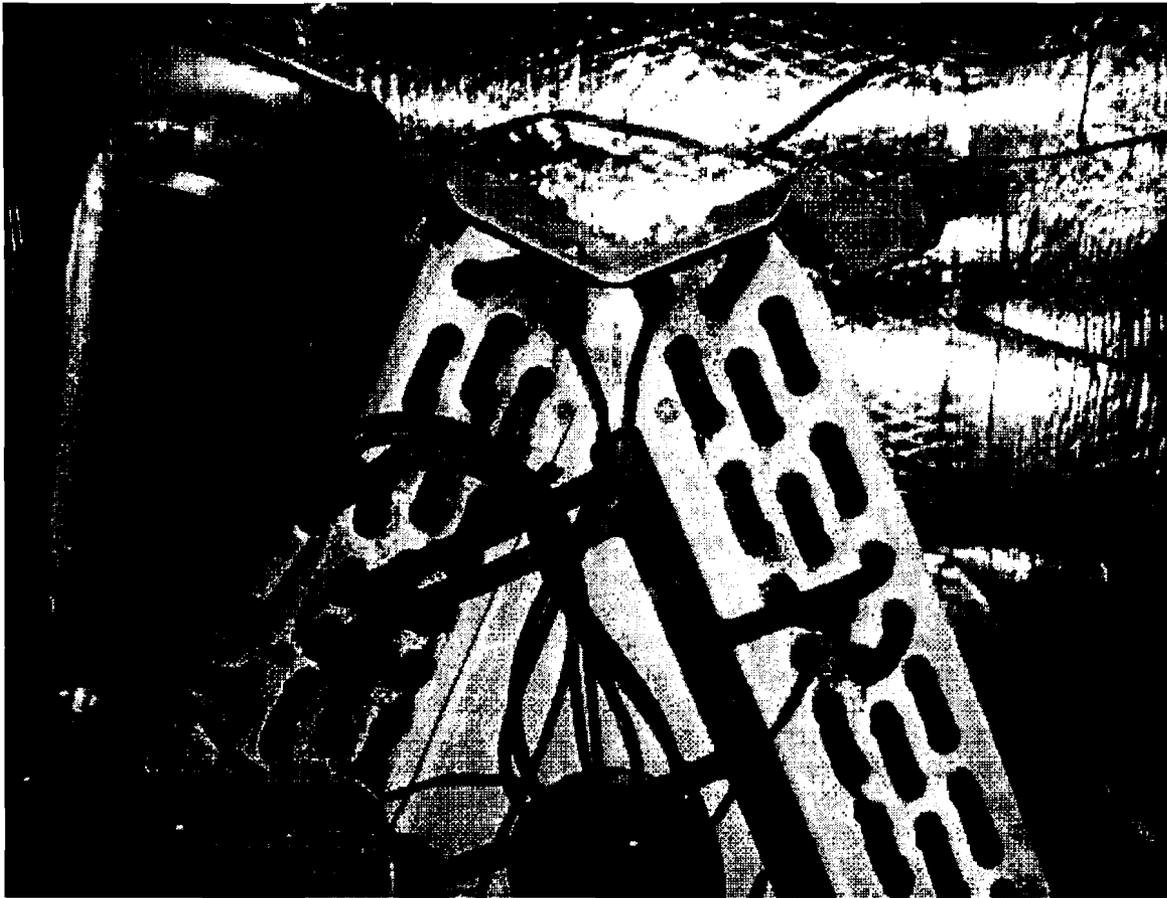


Photo 1 show an overall view of the blackening air conditioning unit on the first floor.

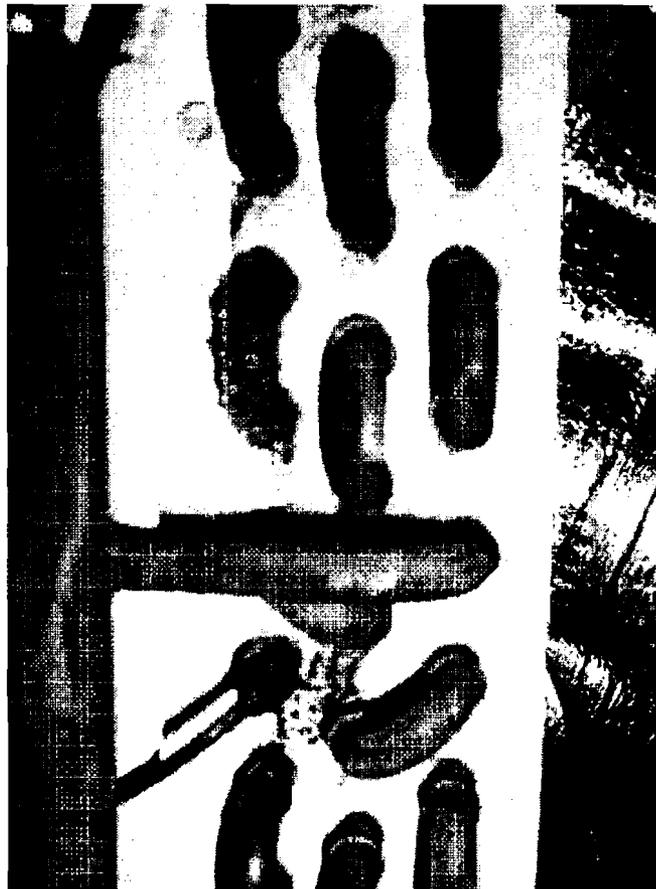


Photo 2 show a close up view of the blackening evaporator coils in the air conditioning unit.



Photo 3 shows another close up view of the evaporator coils in the first floor air conditioning unit.



Photo 4 show blackening wiring in the air conditioning unit.

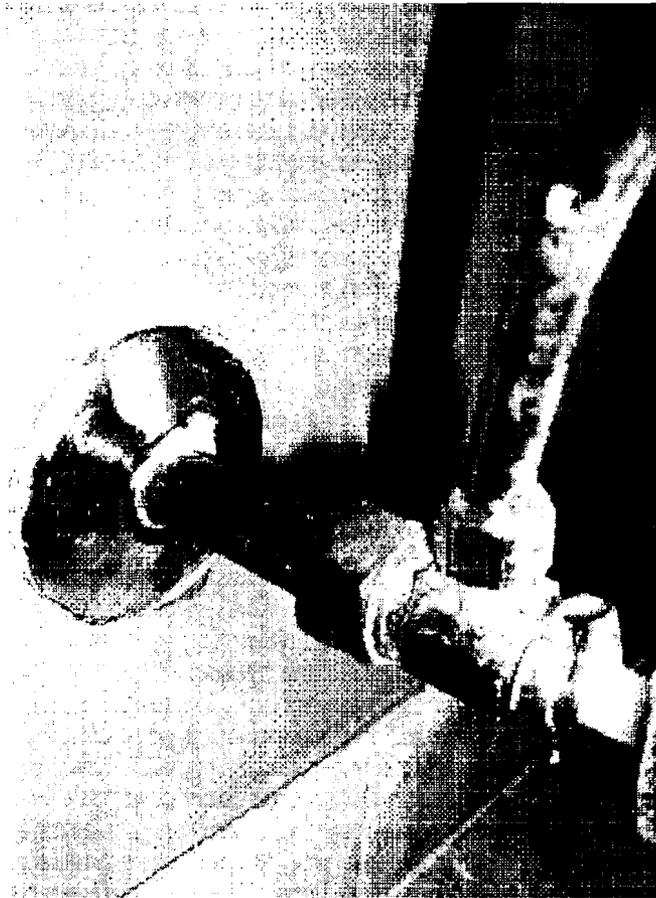


Photo 5 shows blackening of the copper pipe connected to the bathroom toilet valve.

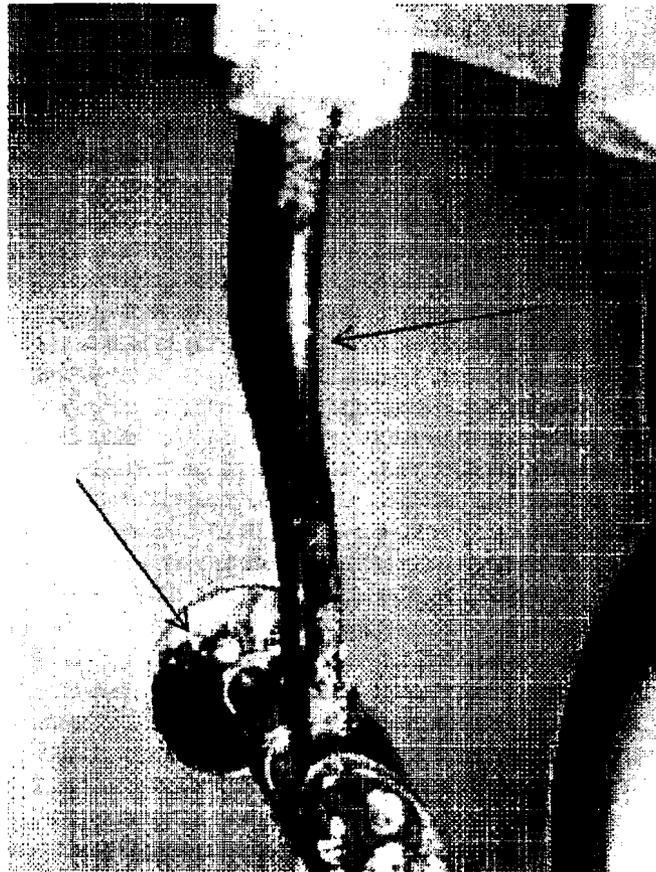


Photo 6 shows blackening and pitting of the pipes underneath the bathroom sink.

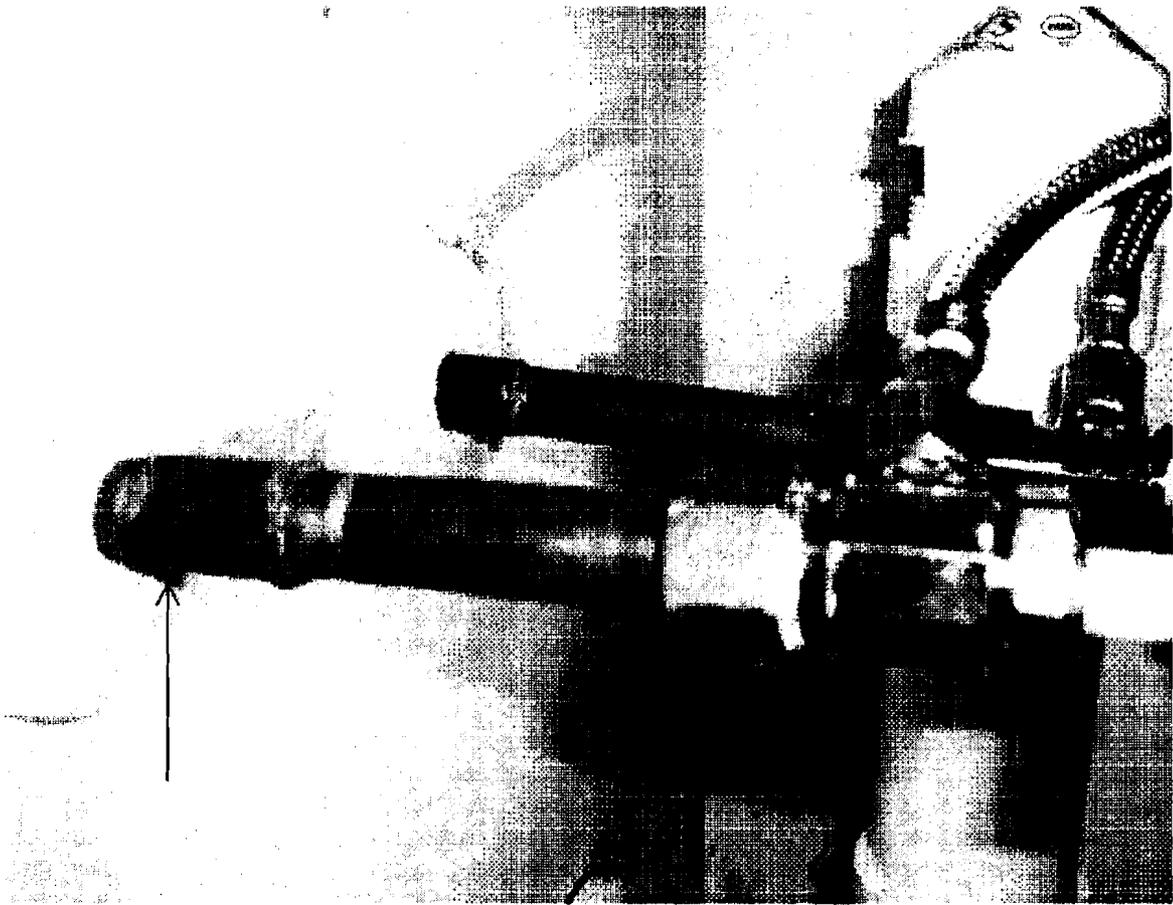


Photo 7 shows corrosion beginning to form on the copper pipes underneath the bathroom sink.

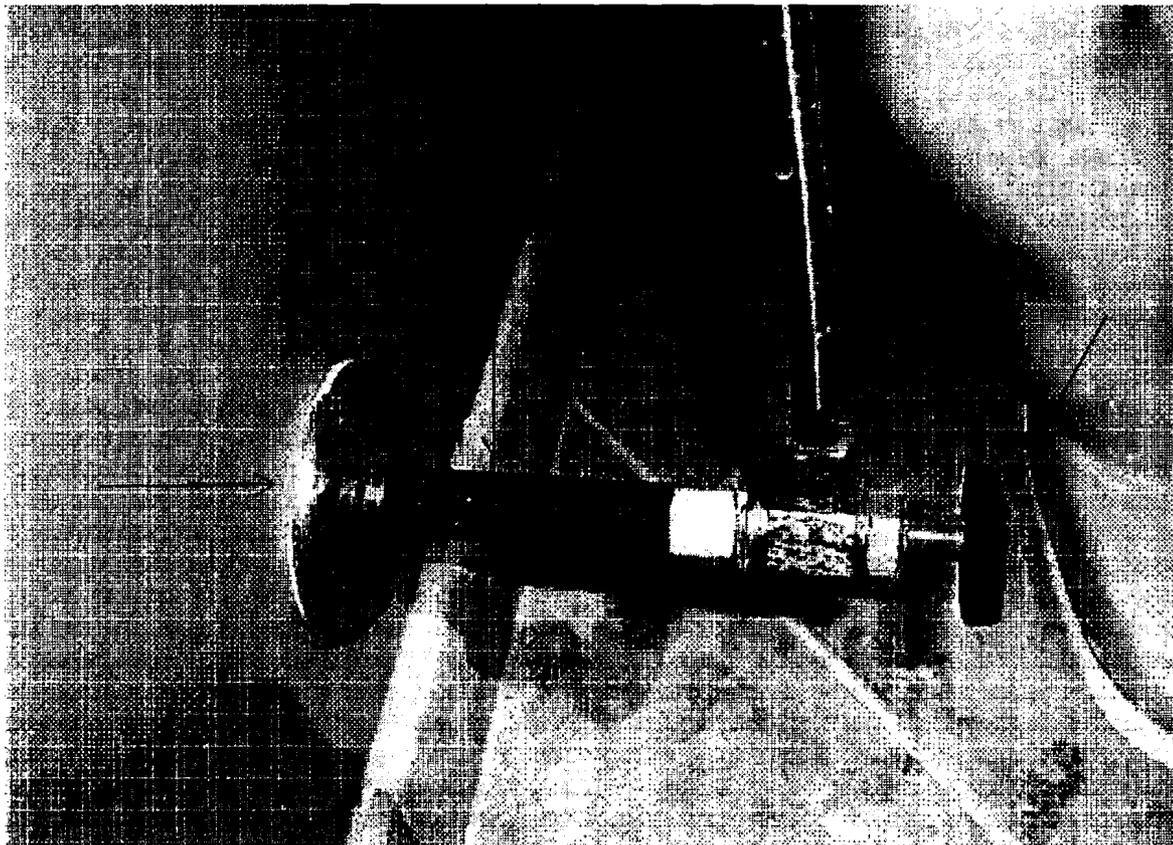


Photo 8 shows pitting and blackening on the copper pipe and metal fixtures.

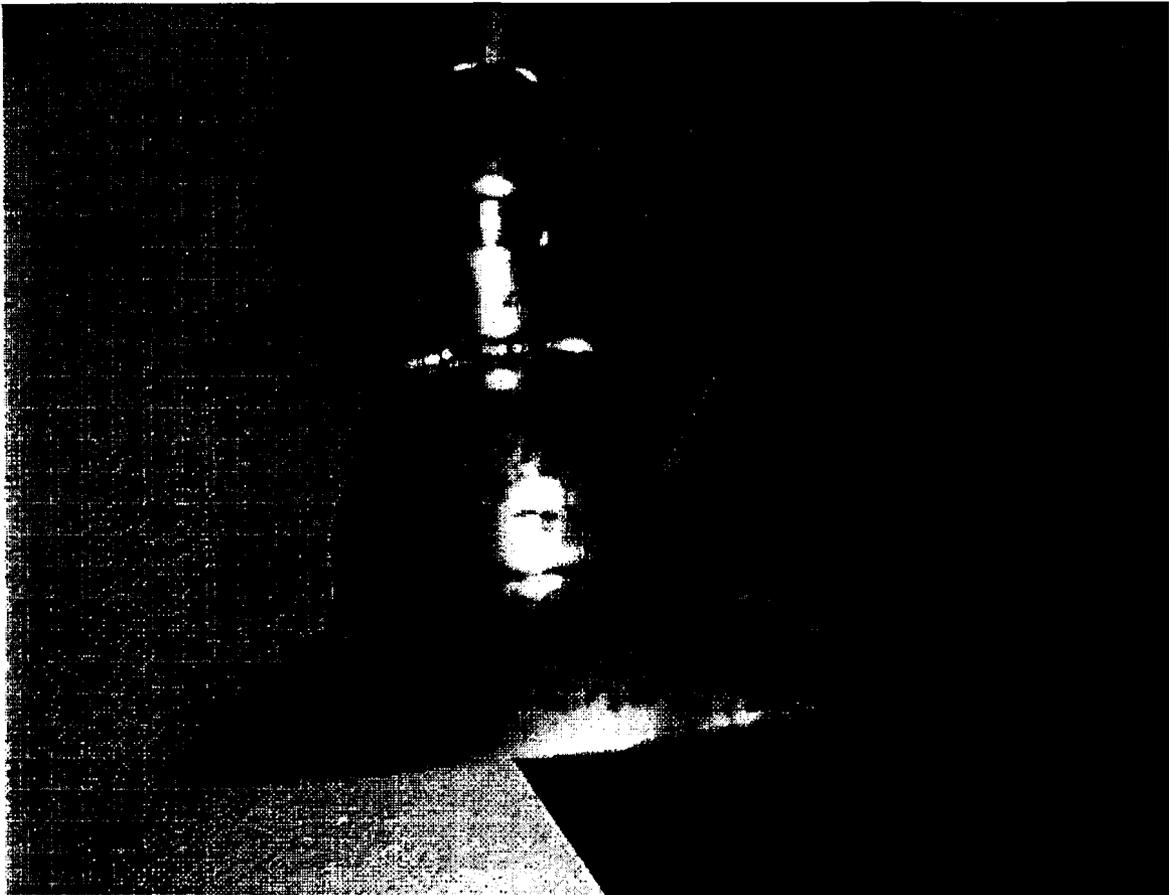


Photo 9 shows pitting on the metal shower head located in the master bathroom.

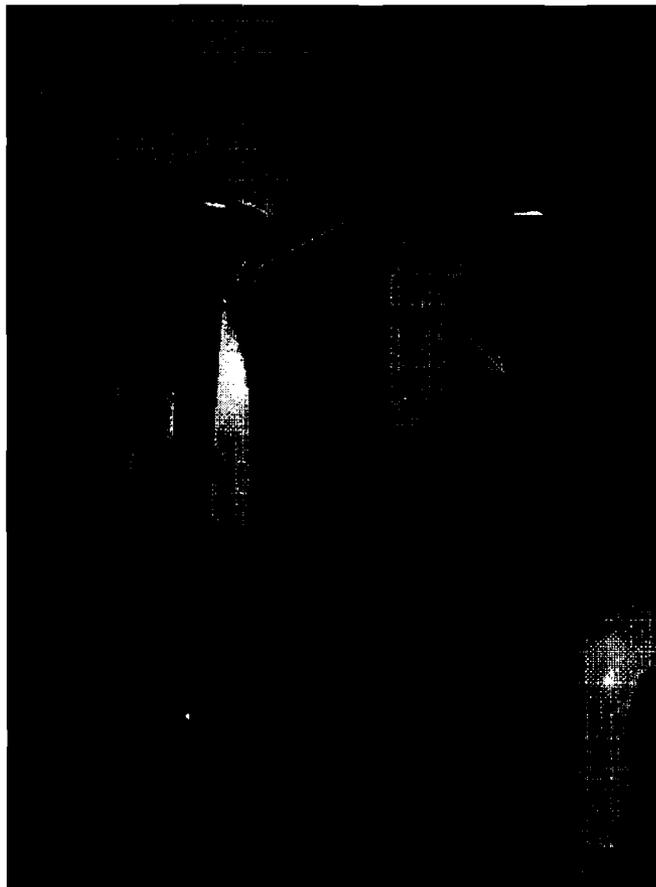


Photo 10 shows blackening and corrosion on copper pipes located under the bathroom sink.



Photo 11 shows a closer view of the blackening copper pipe in the previous photograph.

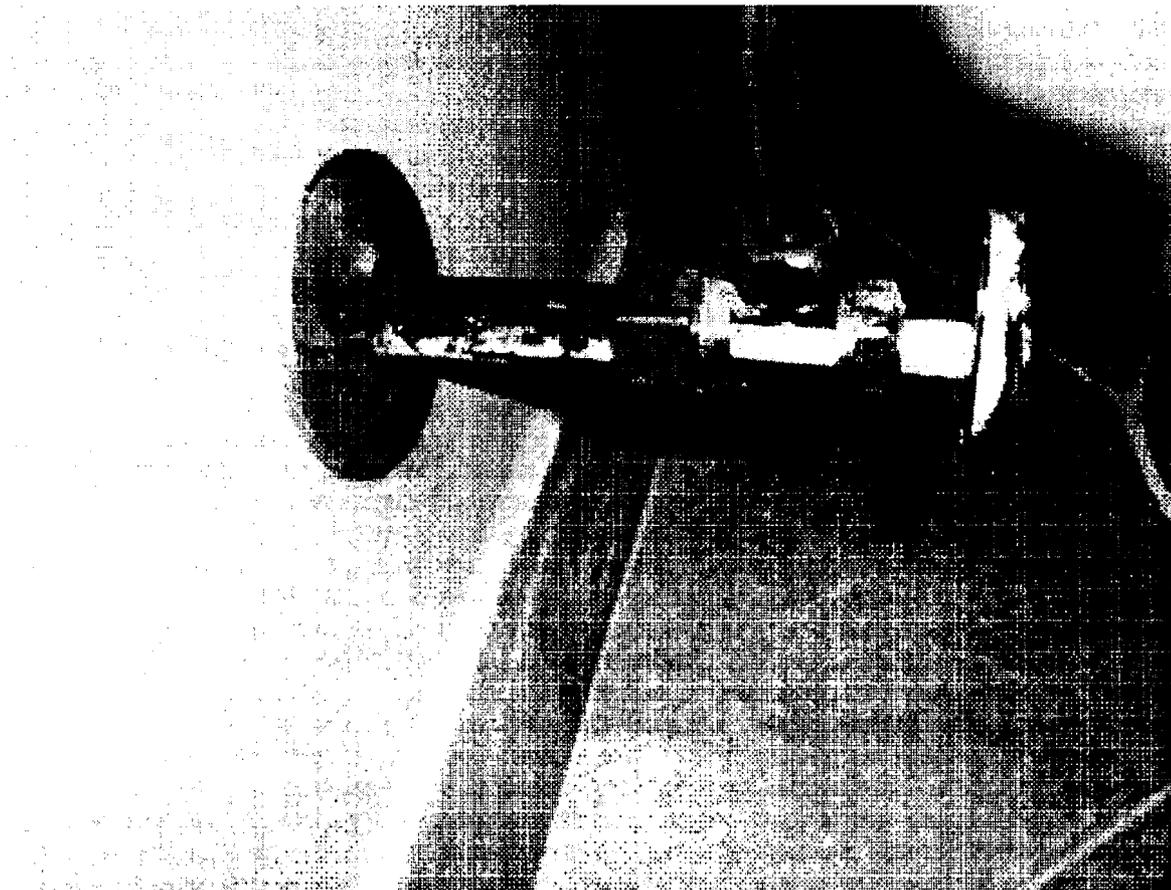


Photo 12 shows another corroded copper pipe on the toilet valve.

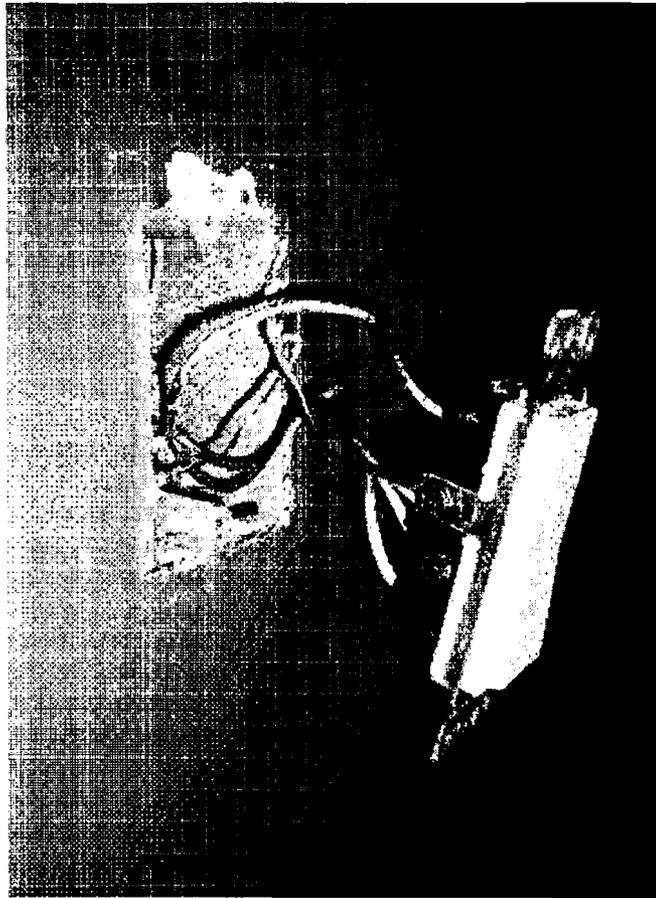


Photo 13 shows blackening of the ground wire in an electrical receptacle.



Photo 14 shows a closer view of the ground wire in the electrical receptacle in the previous photograph.

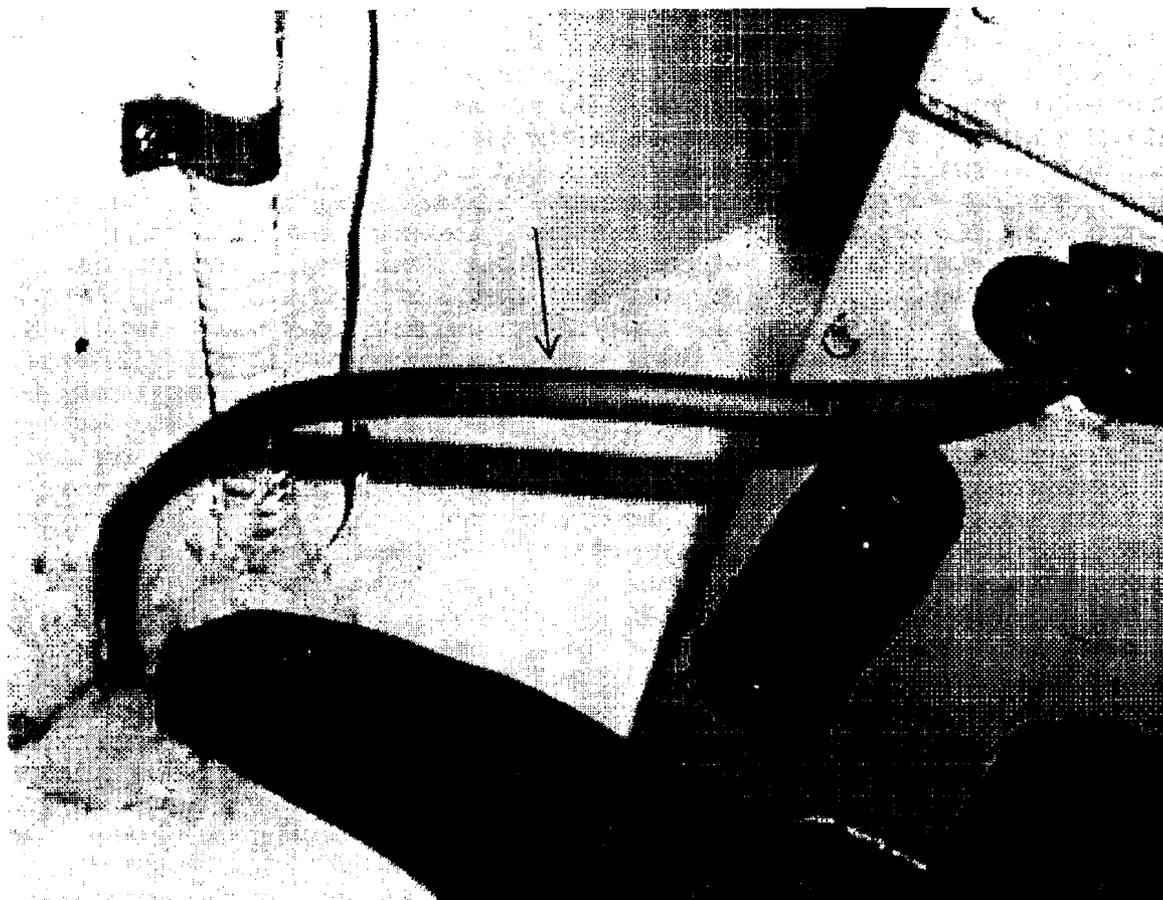


Photo 15 shows a blackening copper pipe attached to the air conditioning unit on the second floor.



Photo 16 shows the overall view of the air conditioning unit on the second floor.

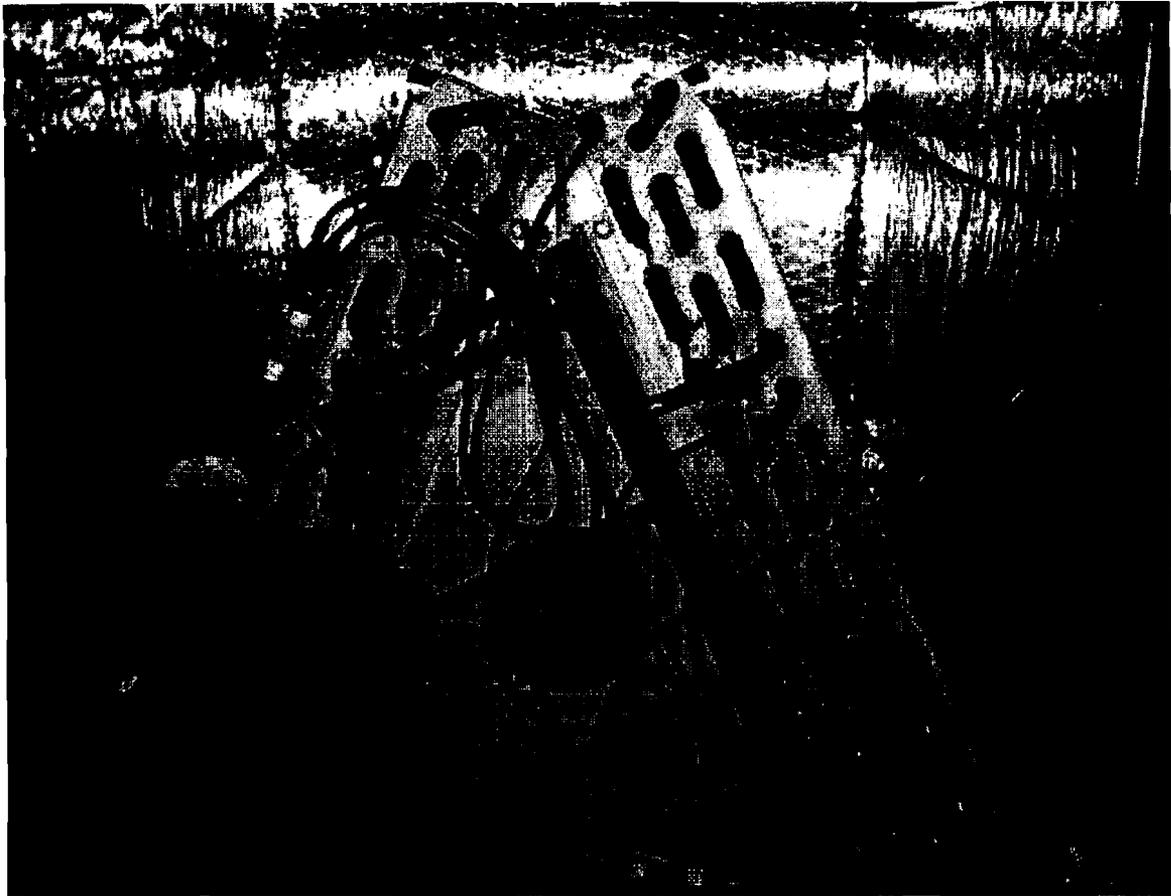


Photo 17 shows a closer view of the blackening air conditioning unit on the second floor.

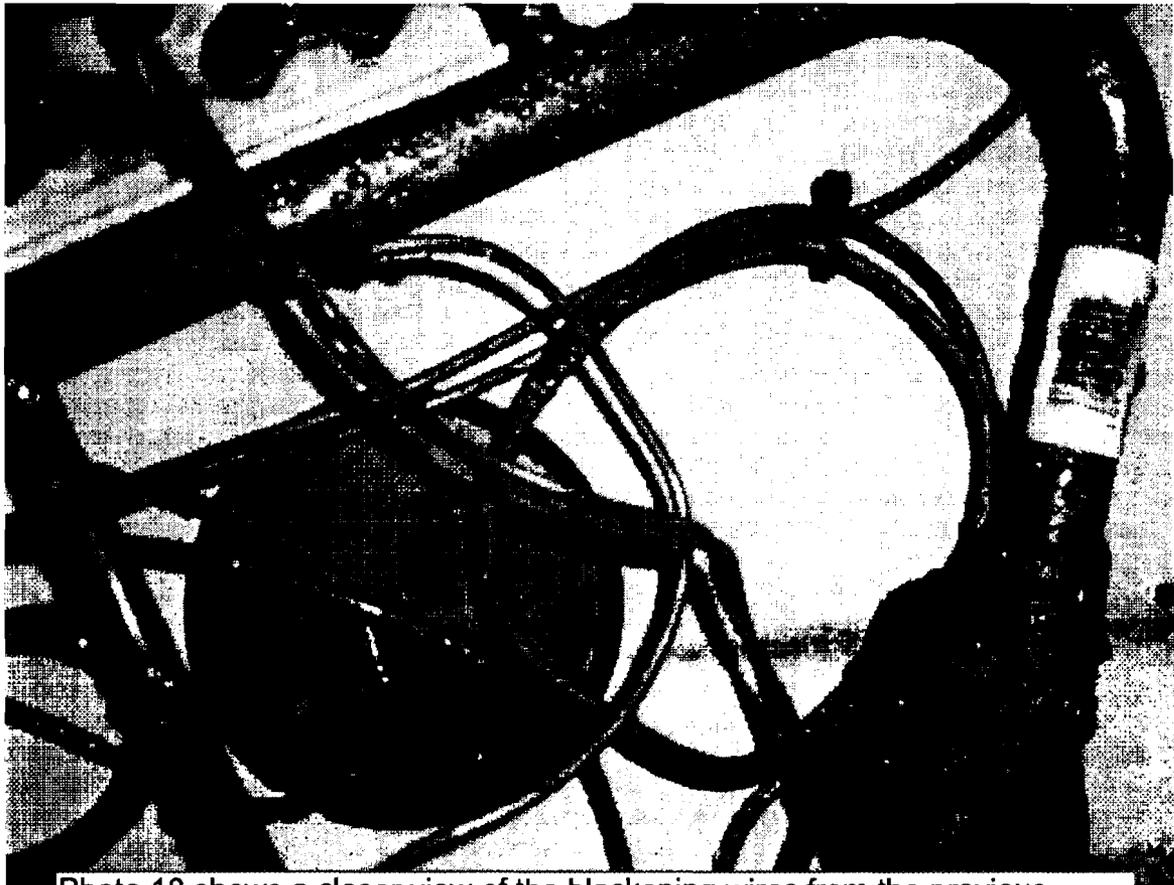


Photo 18 shows a closer view of the blackening wires from the previous photograph.

090504CBB1656 Exhibit 3 Page 1 of 2

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

The 'new home' factor can certainly explain a lot, especially if there is something in it to which you are reacting. Sinus surgery will relieve obstructions, but it is important to figure out if there is something that you are allergic to that is triggering these episodes

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

Chief Plastic and Reconstructive Surgery

Chairman

Ear, Nose, and Throat Associates of South Florida

3301 Clint Moore Road, Suite 170

Boca Raton, Florida 33487

(561) 939-0900 ext

(561) 350-5170 (c)

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

From:

Sent: Friday, July 20, 2007 4:37 PM

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

Subject: RE: computer image and CT

Thank you Dr. (b)(3):CPSA for your email.

I am currently experiencing sinus trouble again that recently started early this week and has progressed worse. A lot of post nasal drip, and congestion both nose and throat. I'm concern that this is now my 3rd time this yr thus far w/this problem as I've never experienced sinus trouble to this degree before. Could it be the fact that we moved to a new home this past January?

You mentioned the CT Scan confirms blockage in the outflow sinus tracts. Would this explain these "On & Off bouts of sinus infections I'm having?

Is surgery the right solution in my case?

Thank you for your help

Cobblestone Creek Drywall Warranty Inspection Report

Customer Name: _____ (b)(3):CPSA Section 25(c) _____ Model Type: Chelsea
Address: _____ Lot Number: 106

1) Inspector observation or any odors at the time of the inspection:

I DID NOT NOTICE

2) Homeowner comments of any odors over the past two years:

HOMEOWNER DOES NOT NOTICE BUT OTHER PEOPLE VISITING HAVE COMMENTED ON SMELL - SECOND FLOOR

3) Inspection of A/C coils and Freon lines:

FREON DOWNSTAIRS BLACK AND SOOT COME OFF WHEN RUBBING COIL DISCOLORS BLACK
- UPSTAIRS - FREON LINE BLACK. NEWER COILS YET TO SHOW DISCOLORATION

4) Homeowner comments of history of A/C service:

- UPSTAIRS REPLACED FEBRUARY
- DOWNSTAIRS ORIGINAL AND MAY BE LEAKING FREON

5) Inspection of Electrical Outlets:

DINNING ROOM - NO SIGNS OF DISCOLORATION
MASTER BEDROOM - SOME SIGNS BUT NOT REALLY BLACK

6) Inspection of Electrical Panel:

NO SIGNS

7) Inspection of Refrigerator copper fittings:

FREON LINE BLACK

8) Inspection of copper water lines under sinks:

DOWNSTAIRS BATHROOM COPPER TO TOILET
MAY BE DISCOLORED, - UPSTAIR HAS BLACKENED
IN M.B. AND SECONDARY BATH

9) Inspection of Water Heater:

NO SIGNS

10) Inspection of Plumbing Fixtures:

M.B. SHOWER HEAD IS FITTED. OTHER FIXTURES
ARE POLISHED NICKEL OR CHROME AND DID NOT SHOW SIGNS OF SLUDDING

11) Additional or Homeowner Comments:

TOILET IN UPSTAIR WAS TORN DOWN - STORED IN GARAGE

Inspector: SCOTT WASHBY Date of Inspections: 4/10/2007

Disclaimer: Northstar Homes is not a professional inspection company. The purpose of the inspection is for Northstar Homes to evaluate potential warranty claims. Northstar Homes is not making any determination if a home has imported drywall, has any damaged caused by imported drywall, any statement on indoor air quality and/or statement of effect on Health related to imported drywall. Homeowners that expect they may have imported drywall should hire a licensed professional inspection company to perform the appropriate laboratory testing. Homeowners that have legal questions should consult an attorney. Homeowners that have health concerns should consult a physician.

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

Name

Signature

Date

4/10/09

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)

5/13/09

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

Boyanov Beach, FC 33472

Doc No: I0940055A

Issue: 28

04/06/2009

04/03/2009 07:58:40

(b)(3):CPSA Section 25(c)
Name
Address
City = Boynton Beach
State = Florida
Zip = 33437
Email = (b)(3):CPSA Section 25(c)
Telephone
Name of
Victim's
Victim's City = Boynton Beach
Victim's State =
Victim's Zip = 33472
Victim's Telephone = (b)(3):CPSA Section 25(c)

Incident Description = We purchased a new home in December 2006 from Northstar Homes of Florida of Delray Beach, FL. The home we purchased is located here in Boynton Beach, FL and is in the community known as Cobblestone Creek. Shortly after we moved in at that time (December of 2006) I got a sinus infection where today (more than 2 yrs. later) I am still being treated for by an MD & ENT specialist. We began to see signs of metal (particularly the copper pipes) in our home begin to turn black. Bath fixtures slowly became black pitted over time along with my wife's jewelry and finally our AC Coils (copper coils) turned extremely black causing the system to leak freon and fail all together forcing replacement. We didn't realize while these events were occurring that they were related in any way nor did we realize the potential gravity, hazards and dangers associated with these events but we understand that it is related to imported (Chinese) drywall installed in our home that emits toxic sulfur gases. Hence the explanation of the blackening of copper and other metals in the home. occurrences. Our neighbors in our community have experienced similar events. This notice is to put US CPSC on notice of these events and our incident to date and request that an immediate investigation into this matter.

Victim's age at time of incident = 42

Victim's sex = male

Date of incident = Feb 2009

Product involved = Imported Drywall (China)

Product brand name/manufacturer = Knauf Plasterboard (Wuhu, Dongguan, Tianjin) , USG Corp, National Gypsum, La Suprema Trading Inc. La Suprema Enterprises Inc., L&W Supply dba Seacoast Supply, Independent Builders Supply Associates Inc., Black Bear Supply Inc., Banner Supply Co., Rothchild International, Taishan Gypsum Co fka Shandong Taihe Dongxin Co Ltd., Knauf Gips KG, Taylor Wimpey PLC

Manufacturer street address = unknown

Place where manufactured (City and State or Country) = unknown

Product model and serial number, manufacture date = unknown

Product damaged, repaired or modified = no

If yes, before or after the incident =

Description of damage, repair or modification =

Date product purchased = Installed in our home in 2006

Product involved still available = yes

Have you contacted the manufacturer = no

If not, do you plan to contact them =

Name Release = Release name to manufacturer only

1. Task Number 090505CBB1688		2. Investigator's ID 2391		EPIDEMIOLOGIC INVESTIGATION REPORT
3. Office Code 810	4. Date of Accident YR MO DAY 2008 03 01	5. Date Initiated YR MO DAY 2009 05 05		
6. Synopsis of Accident or Complaint UPC The 44 year old female complainant occupies the home built using imported drywall from China with her 34 year old husband, 16 year old son, 4 year old daughter. They have experienced issues including upper respiratory infections, bronchitis, congestion, and allergies since moving into the home. They have also noticed blackening, pitting, and corrosion on metal surfaces and copper pipes. The complainant is concerned with the long term health effects her family will experience.				
MR/PRYLR NOTIFIED 10/9/09 COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO OVERRULED; <input checked="" type="checkbox"/> ATTACHED EXCISIONS/FOIA Hqs 3:52 <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY				
7. Location (Home, School, etc) 1 - HOME		8. City SEBASTIAN		9. State FL
10A. First Product 1876 - House Structures, Repair Or		10B. Trade/Brand Name UNKNOWN		10C. Model Number UNKNOWN
10D. Manufacturer Name and Address UNKNOWN				
11A. Second Product 4082 - Electric Wire Or Wiring Syst		11B. Trade/Brand Name UNKNOWN		11C. Model Number UNKNOWN
11D. Manufacturer Name and Address NONE				
12. Age of Victim 44	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 / 1	
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 05/20/2009	25. Reviewed By 9093		26. Regional Office Director Dennis R. Blasius	
27. Distribution Kessler, Charles; Saigado-Rivera, Karina; Rose, Blake; Woodard, Dean			28. Source Document Number H0940141A	

This investigation was initiated through the receipt of a Consumer Product Incident Report submitted by a 44 year old female complainant, involving issues with imported drywall used in building the home she is renting. Information for this report was gathered from an on-site interview with the complainant in the home.

The affected home is occupied by the complainant, her 16 year old son, four year old daughter and on weekends by her 34 year old husband. The home was built in March 2004 and the complainant's family began occupying the home in March 2008. The house is 1,500 square feet, villa style, has three bedrooms and two bathrooms, and was constructed with wood studs. The house does not have carpet and is tiled throughout. There is no gas or natural gas service, all the appliances are electric. Since moving into the house she has not made any changes or renovations because she rents the home. The complainant is not aware of any drywall being replaced in the house prior to moving in. While living in the house, she has not had to replace or repair any of the existing drywall.

Upon moving into the house, the complainant first noticed an unusual odor that she described as a "rotten egg" odor. When the air conditioner is off, the complainant reported that the odor becomes stronger. She has also noticed that the odor is stronger in the bathroom. Specifically, near the sink and shower drain and other plumbing areas. The time of day does not affect the odor. During the winter she has noticed that the odor is not as strong. Because she has not had any repairs or renovations, she has not seen a change in the odor.

In April 2009 she began to experience problems with the garage door opener and lights that have stopped working unexpectedly. She has not had to recharge the air conditioning unit with refrigerant, although she has noticed that it needs to be recharged. Her father, a retired electrician, has advised her that the unit will need to be recharged by the end of the month because it is leaking Freon. She intends to move out of the house soon and does not plan on recharging the air conditioning unit. The complainant reported that the box that the air conditioning unit is placed on top of in the garage filled with water and she later discovered that the unit was clogged; she was unable to give a specific date when this occurred. She has not had to replace any of the evaporator coils in the air conditioning unit. The complainant has not had electricians or service technicians inspect any components. Her father is a retired electrician and has advised her in some instances. On a consistent basis she has not experienced any of the following: flickering lights, arcs or sparks anywhere in the electrical system, sizzling or buzzing, or light switches or outlets that are warm or hot to the touch. She has experienced the circuit breaker for the smoke alarms tripping. She also has noticed an unusual odor in the vicinity of a light switch and electrical receptacle in the bathroom. Since moving into the home, she has noticed blackening, pitting, and corrosion on such items such as: shower heads, metal components on light fixtures, plumbing copper pipes, copper pipes connected to the air conditioning unit, and her jewelry. She is unsure if there is a potential safety issue or potential for a fire due to the problems occurring in the home. She reported only one issue with the smoke alarms. On April 13, 2009 the smoke alarms were activated unexpectedly. Photographs of the affected areas of the house are included as Exhibit 2.

The complainant and her family moved into the home in March 2008. In the summer months of 2008 the family developed health issues. The complainant developed issues with allergies, burning and swollen eyes, a haze and film impairing her vision, headaches, and visited the emergency room in May 2009 for chest pains. Her four year old daughter has been treated by a pediatrician for upper respiratory infections and bronchitis. Her 16 year old son has had upper respiratory infections and bronchitis on three occasions. The last incident was in April 2009 where he was treated at a local hospital. He was placed on a nebulizer and other medications. He also complains of burning eyes. Her husband visits and stays in the home on weekends and has complained of congestion and upper respiratory infections. He was treated with steroids and antibiotics. The complainant reported that her family was usually healthy prior to moving into the home. Her children have not had these health issues until living in the house for several months. The complainant has provided some medical documentation that she had available during the interview and it is included as Exhibit 3. The symptoms the family is experiencing do lessen when they leave the home for long periods of time such as attending work and school. But upon returning to the home the symptoms return. They do not own any pets.

On April 16, 2009 the complainant contacted the owner of the home via e-mail. She is currently renting the home and did not have any contact information for the builder at that time. She reported her issues to the home owner and included photographs. The e-mail correspondence is included as Exhibit 4. The owner contacted the builder and realtor to report the drywall issues. On April 21, 2009, personnel from the realty company and building company removed drywall from the master bedroom. On April 28, 2009 they returned to replace the drywall. She has not had any other experts or professionals in the house to examine the house. She has contacted the Florida Attorney General's Office to report her issue. Her short term goal is to move out of the house before the end of May 2009. The complainant is not aware of anything being done in her community related to this problem. She is aware of others in her community affected by this problem. She added that she is a school teacher and was made aware of this issue while examining current events with students at work.

Product Description

The product involved is imported drywall from China. During the on-site interview this investigator gained access to the attic through the garage. Visible labeling on the drywall read in part: "***120904225WEA 03:4 *** RECYCLE *** 11:55 100% RECYCL *** 121104225KDC ***" No additional identifying information is available.

Exhibit

- Exhibit 1 Contact Information
- Exhibit 2 Photographs (24)
- Exhibit 3 Medical Documentation

090505CBB1688

Exhibit 4 Correspondence between Complainant and Landlord

Exhibit 5 Authorization for Release of Name

Contact Information

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

Complainant

Sebastian, FL 12111

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

May 5, 2009

Contact Information for Complainant

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

Beaumont, CA 92223

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

April 16, 2009

Paula Rogers & Associates, Inc., Realtor

PO Box 643245

Vero Beach, FL 32964

Tel. 772-231-9121

April 21, 2009

MGB Construction

945 Sebastian Blvd. #4

Sebastian, FL 32958

Tel. 772-589-0663

April 21, 2009

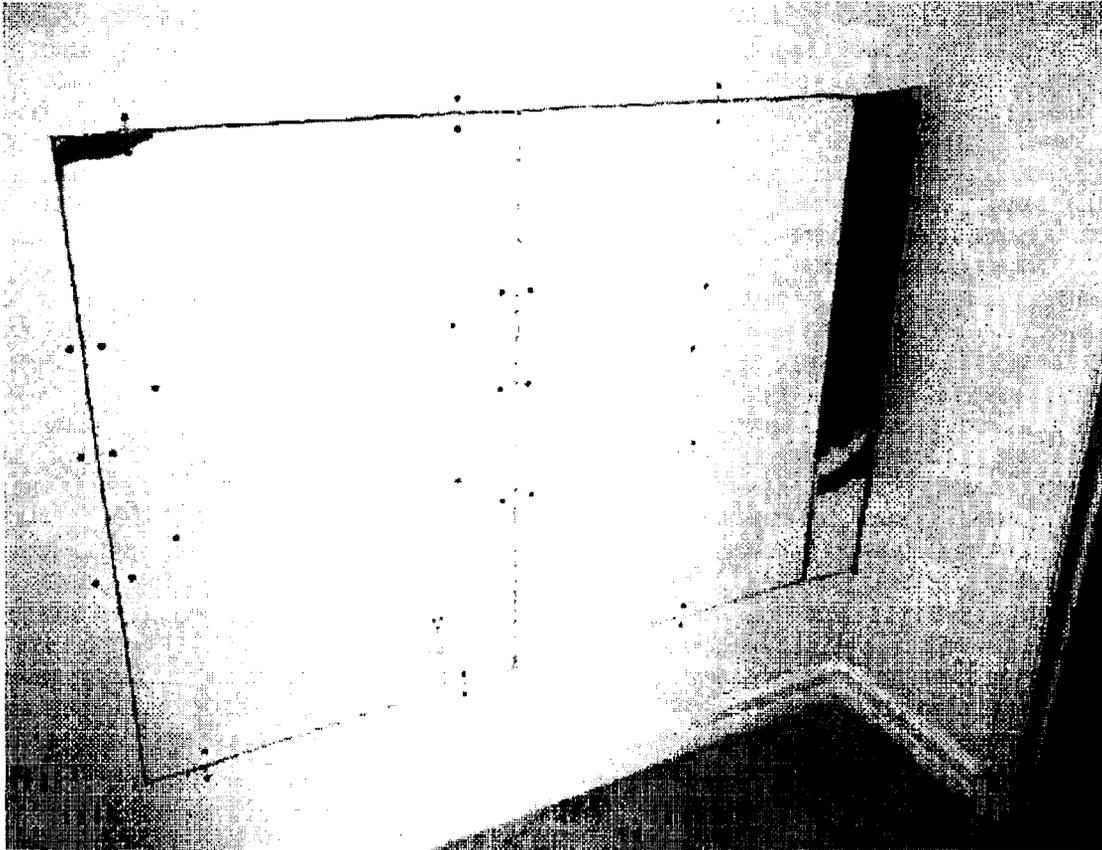


Photo 1 shows the wall that the builder used to sample drywall. Additional drywall was added to cover the hole.



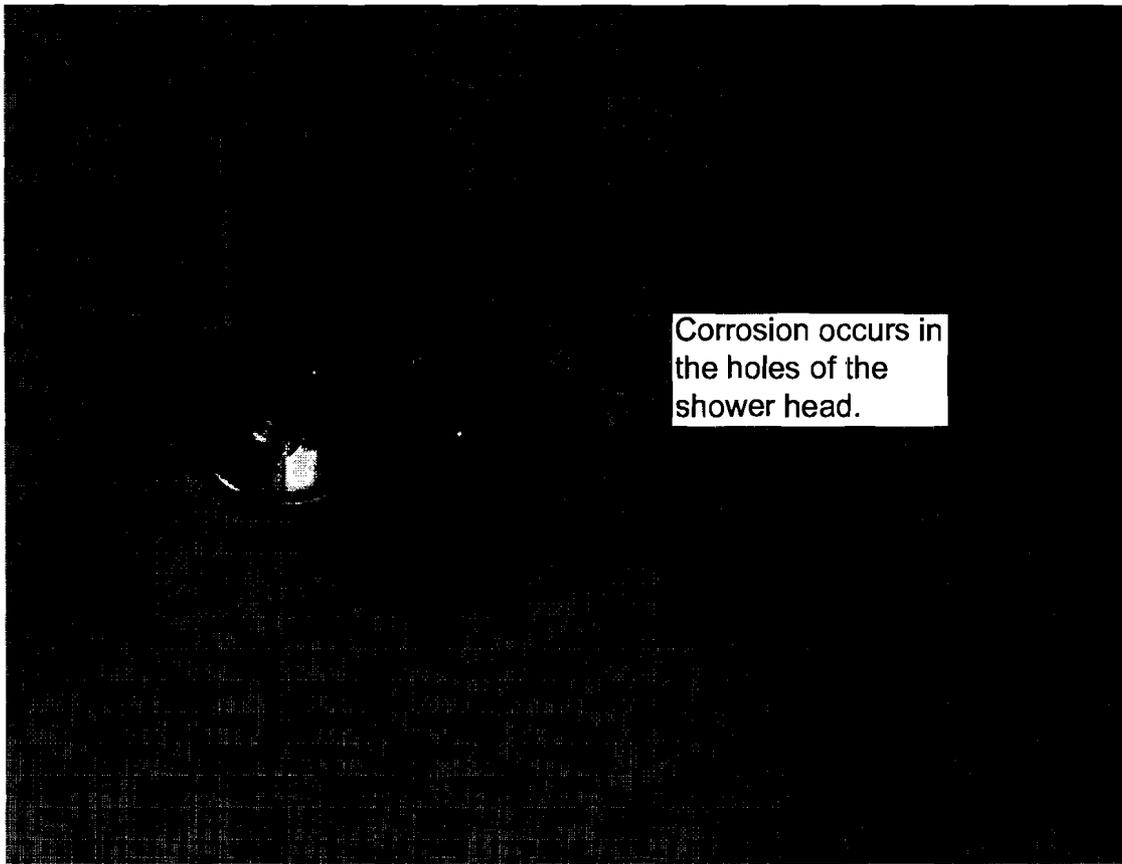
Photo 2 show a silver bracelet that has blackened.



Photo 3 shows blackening on a heart shaped earring.



Photo 4 shows blackening and pitting around mirrored lights in the bathroom.



Corrosion occurs in the holes of the shower head.

Photo 5 shows blackening and corrosion in the shower head.

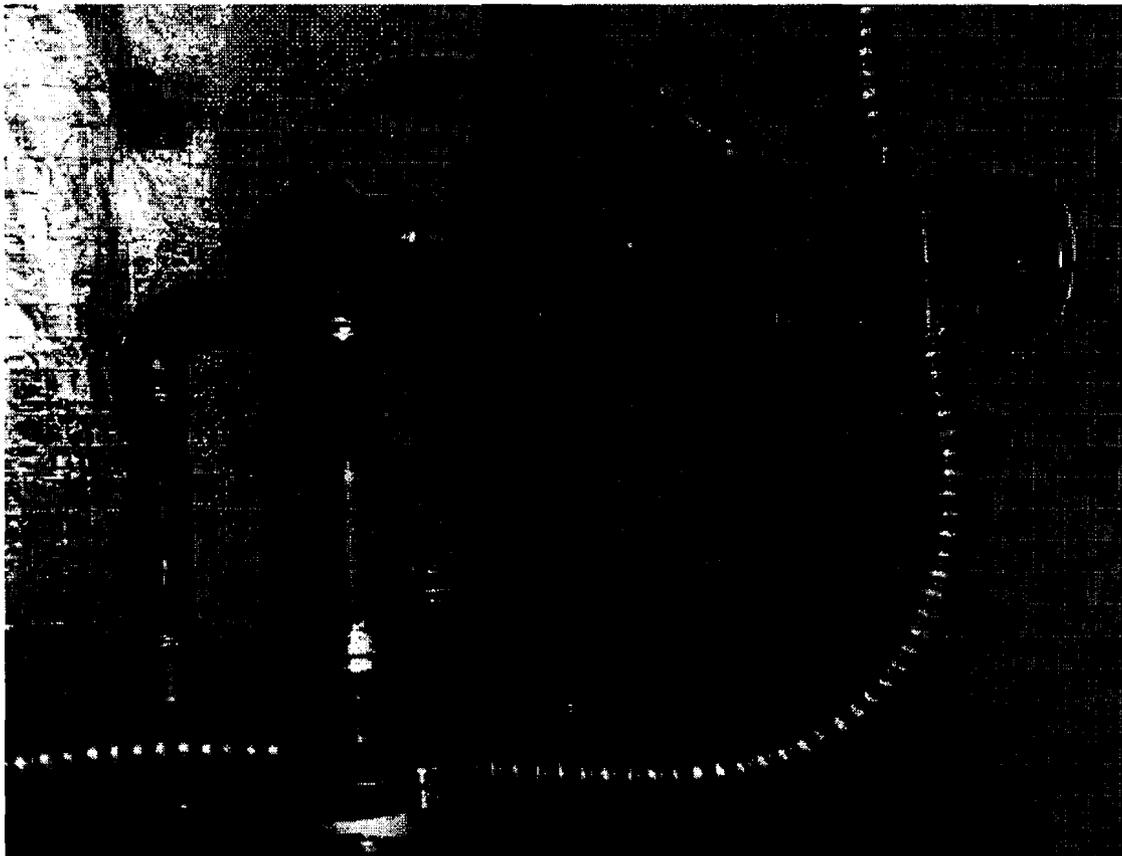


Photo 6 shows the copper pipes connected to the water heater located in the garage.

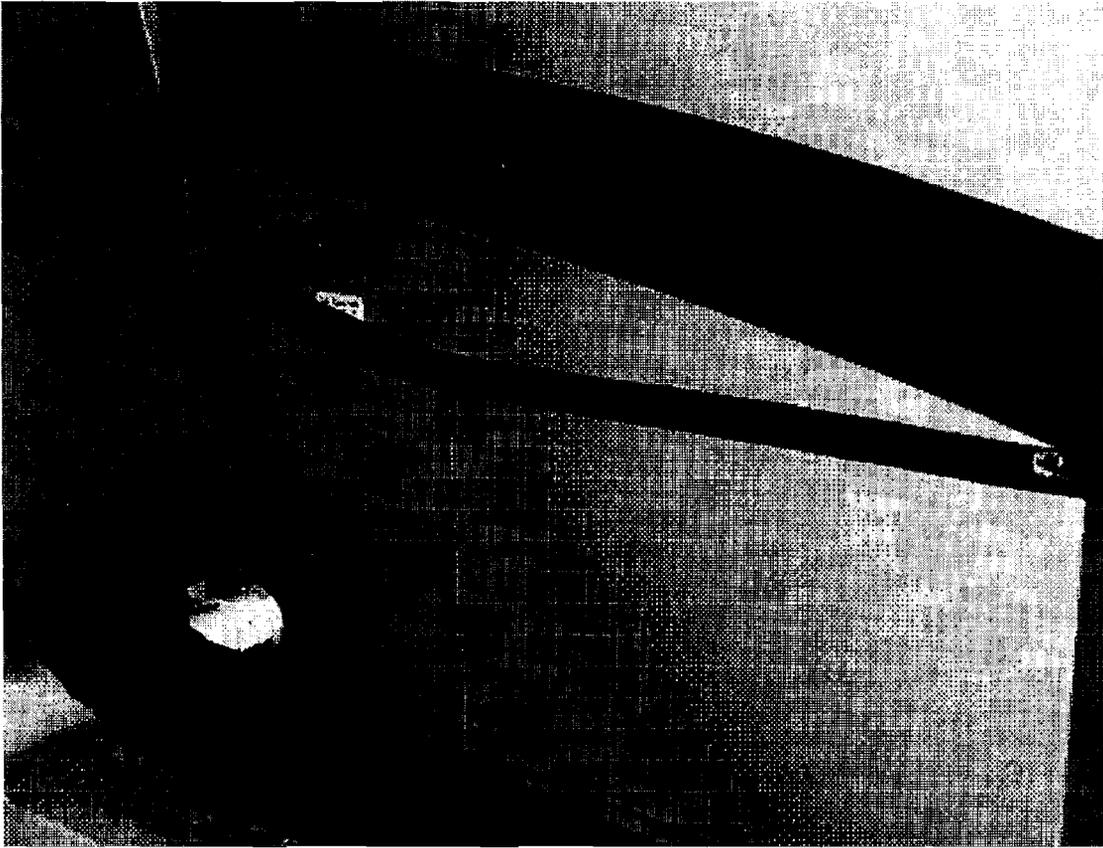


Photo 7 shows a blackening copper pipe connected to the air conditioning unit.P

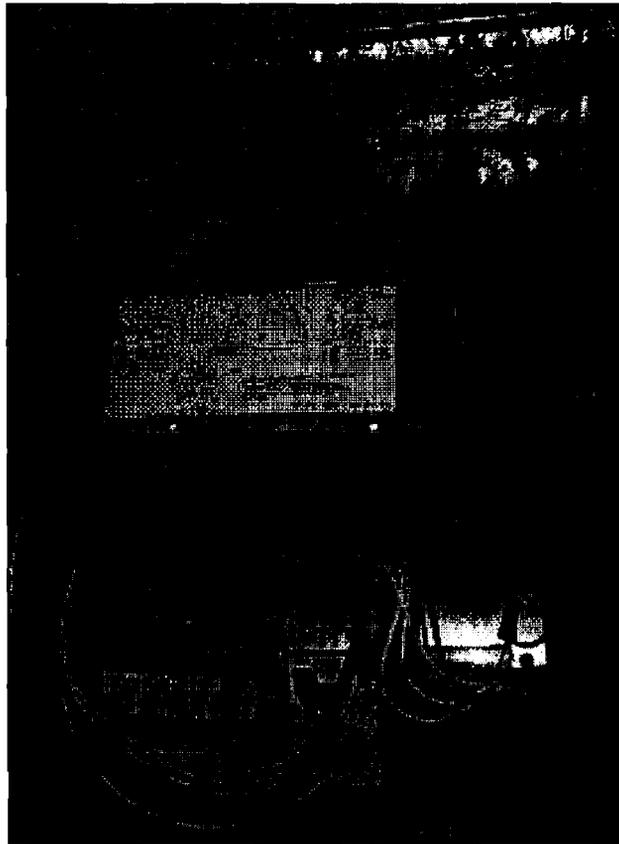


Photo 8 shows the cover of the air conditioning unit.



Photo 9 shows some corrosion on the copper evaporator coils of the air conditioning unit.

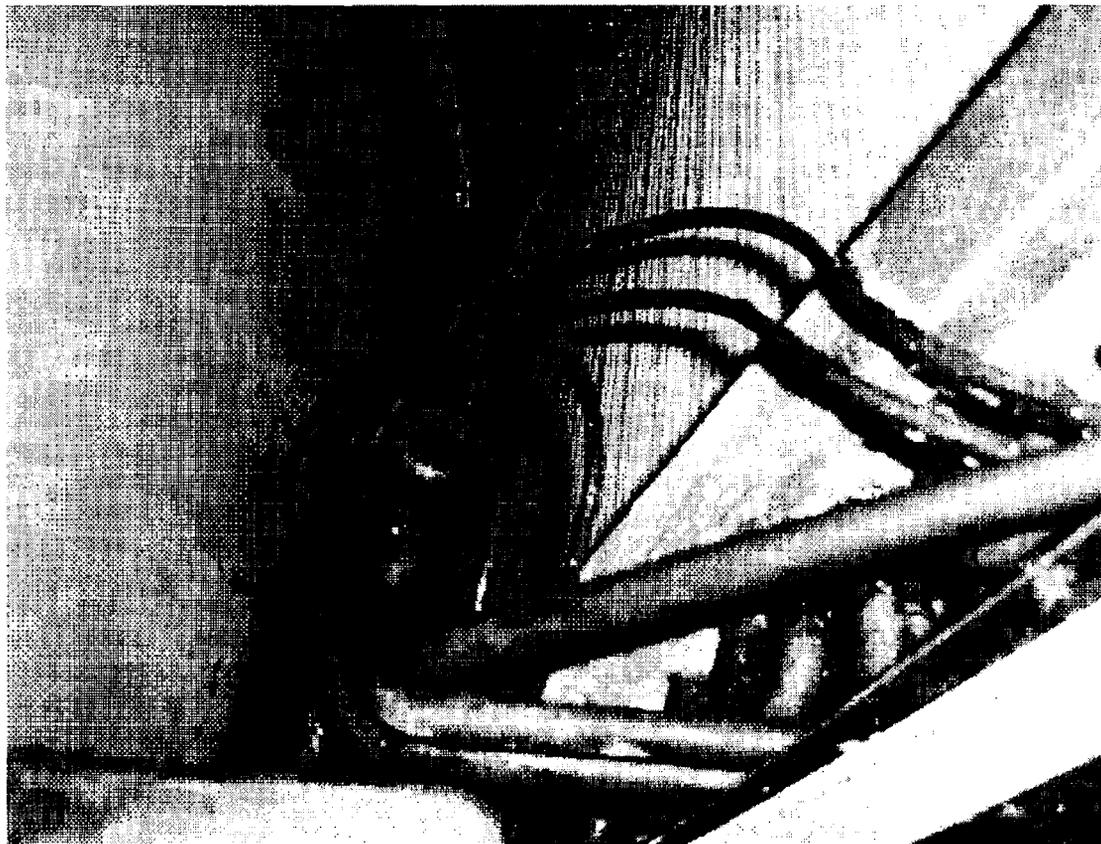


Photo 10 shows a closer view of the evaporator coils beginning to corrode.



Photo 11 shows a corroded wire in the air conditioning unit.

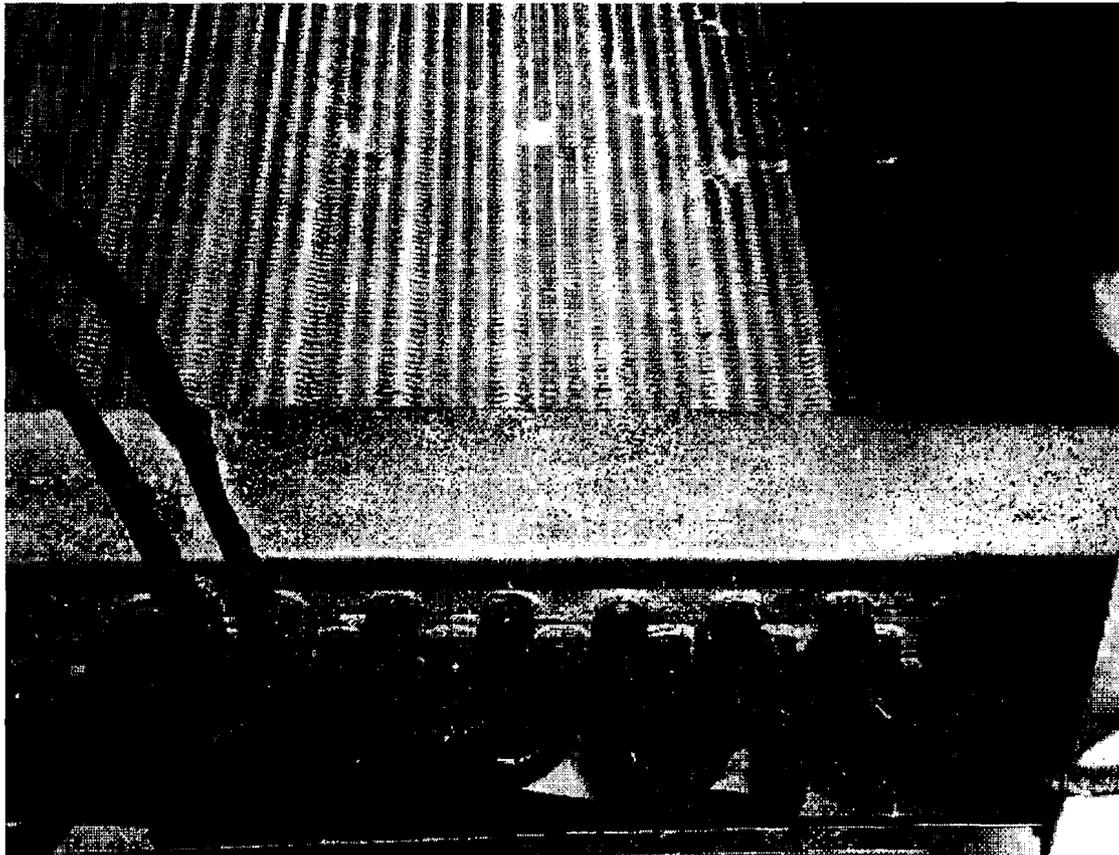


Photo 12 show another view of corroding evaporator coils.

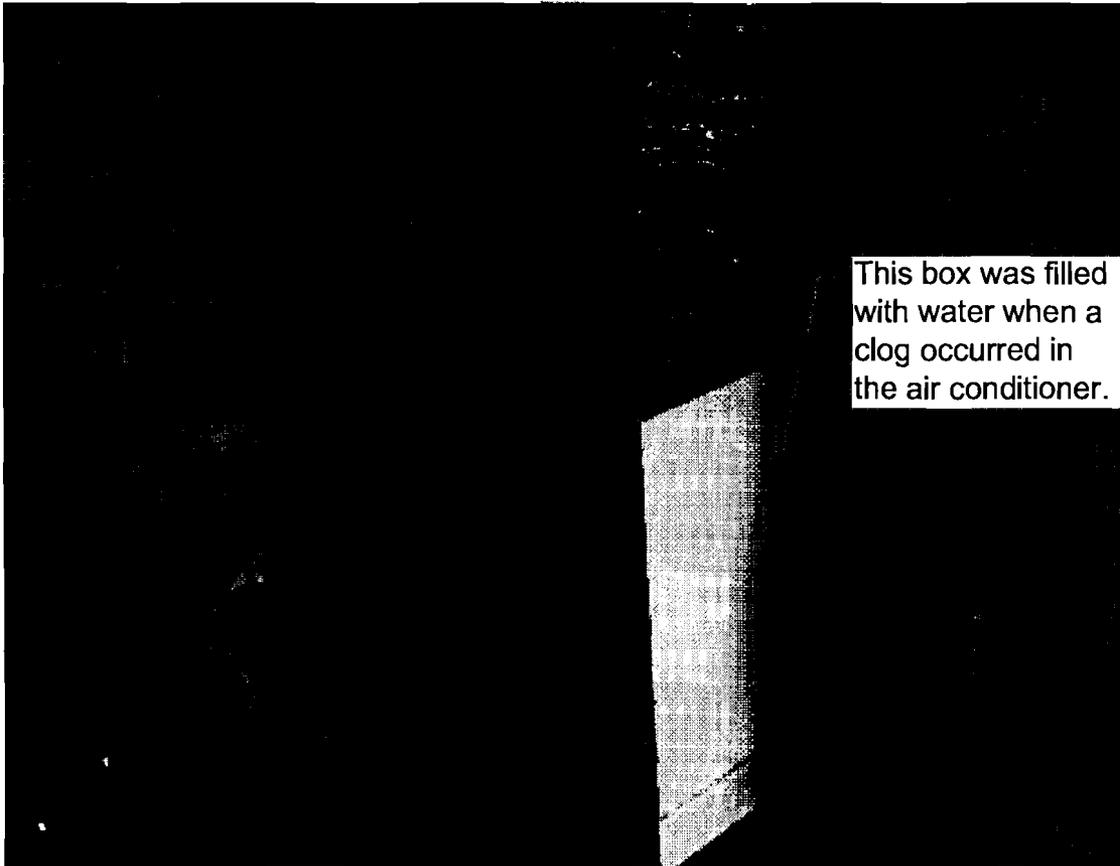


Photo 13 shows the area of the air conditioning unit in the garage.

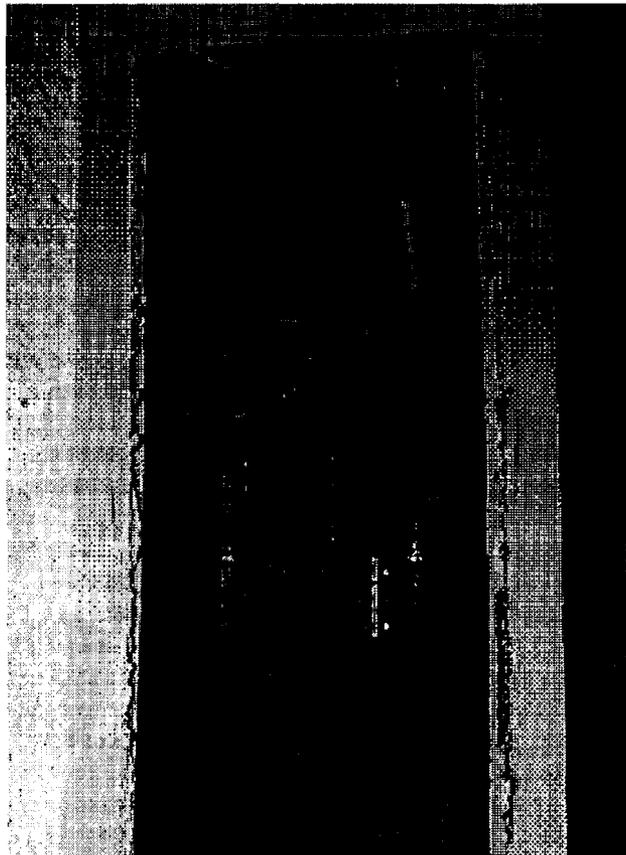


Photo 14 show the circuit breaker panel without the cover.



Photo 15 shows the copper wiring in the circuit breaker panel.



Photo 16 shows copper wiring in the circuit breakers.



Photo 17 shows some corrosion on the copper wires.



Photo 18 shows labeling located on drywall above the attic, accessed through the garage. Label reads: "120904225WEA 03:4"

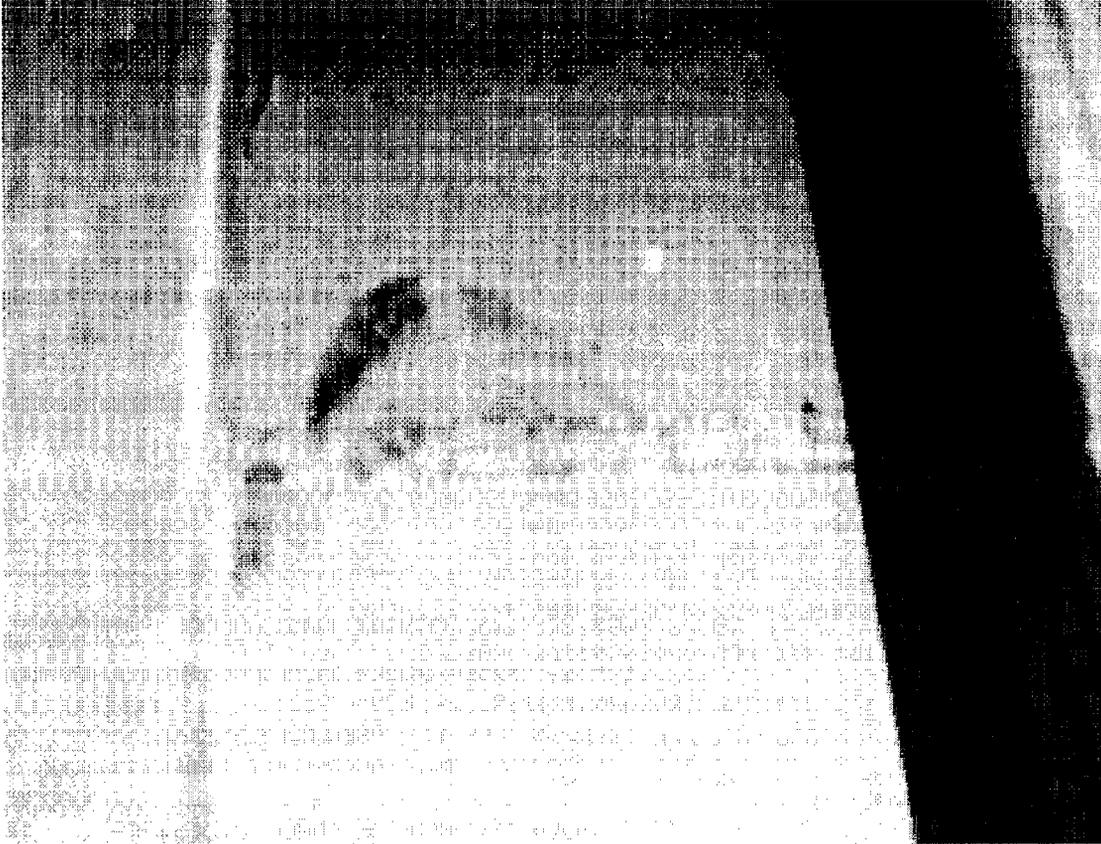


Photo 19 shows labeling on drywall in the attic, accessed through the garage. Label reads: "RECYCLE"

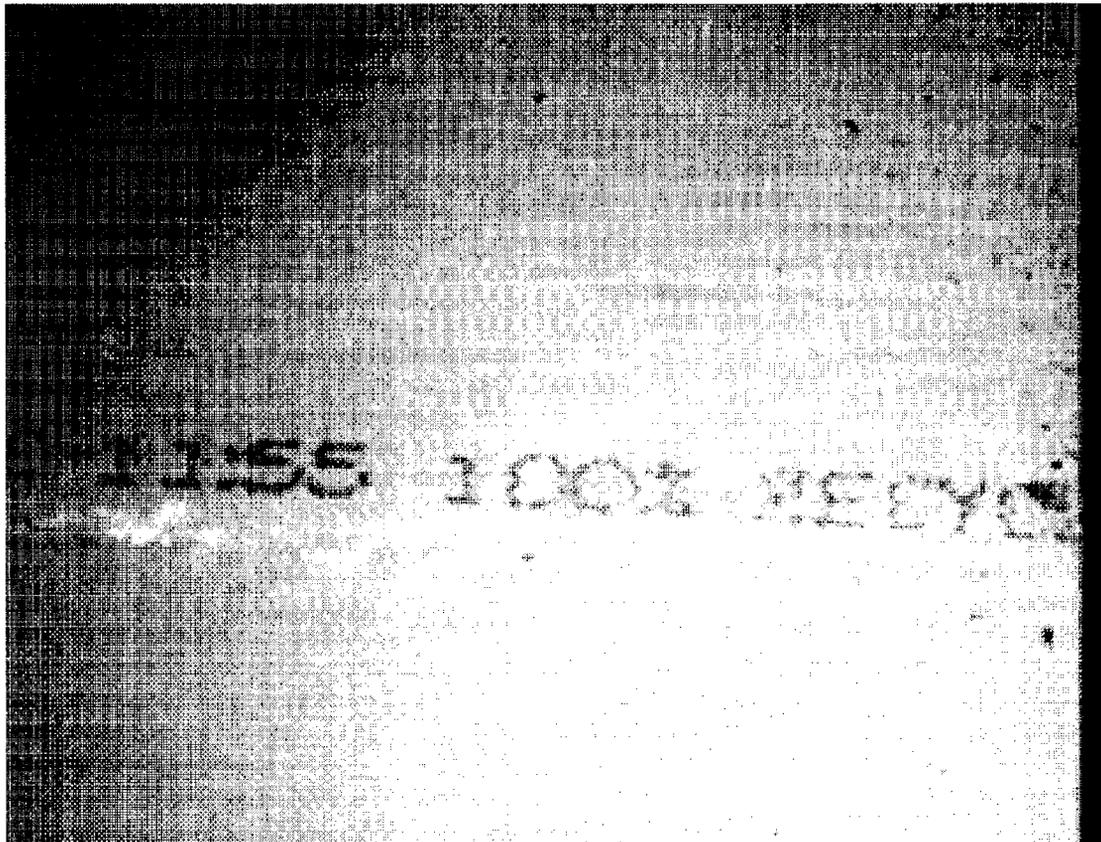


Photo 20 shows labeling on the drywall. Labeling reads: "11:55 100% RECYCL"

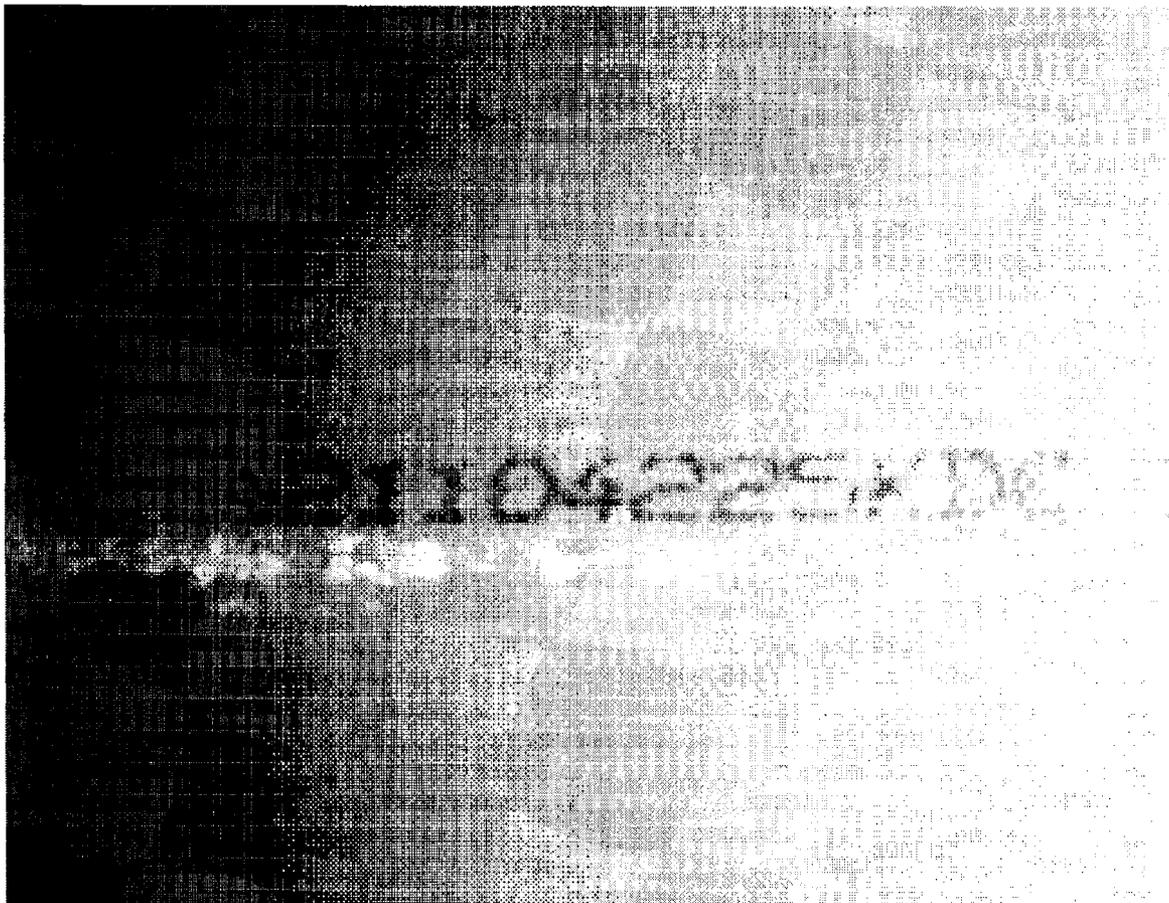


Photo 21 shows labeling on the drywall. Labeling reads: "121104225KDC"



Photo 22 shows blackening metal on a floor lamp.

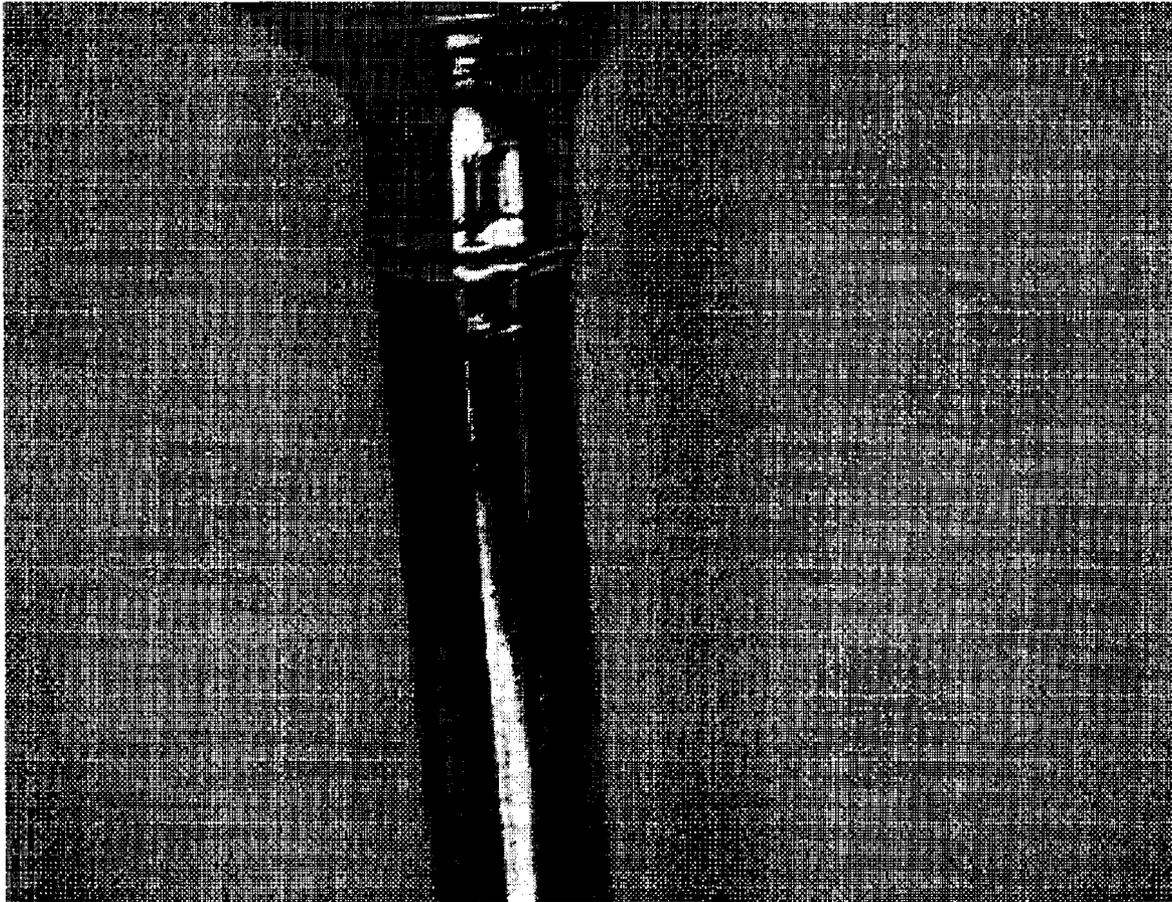


Photo 23 shows continued blackening of the floor lamp.

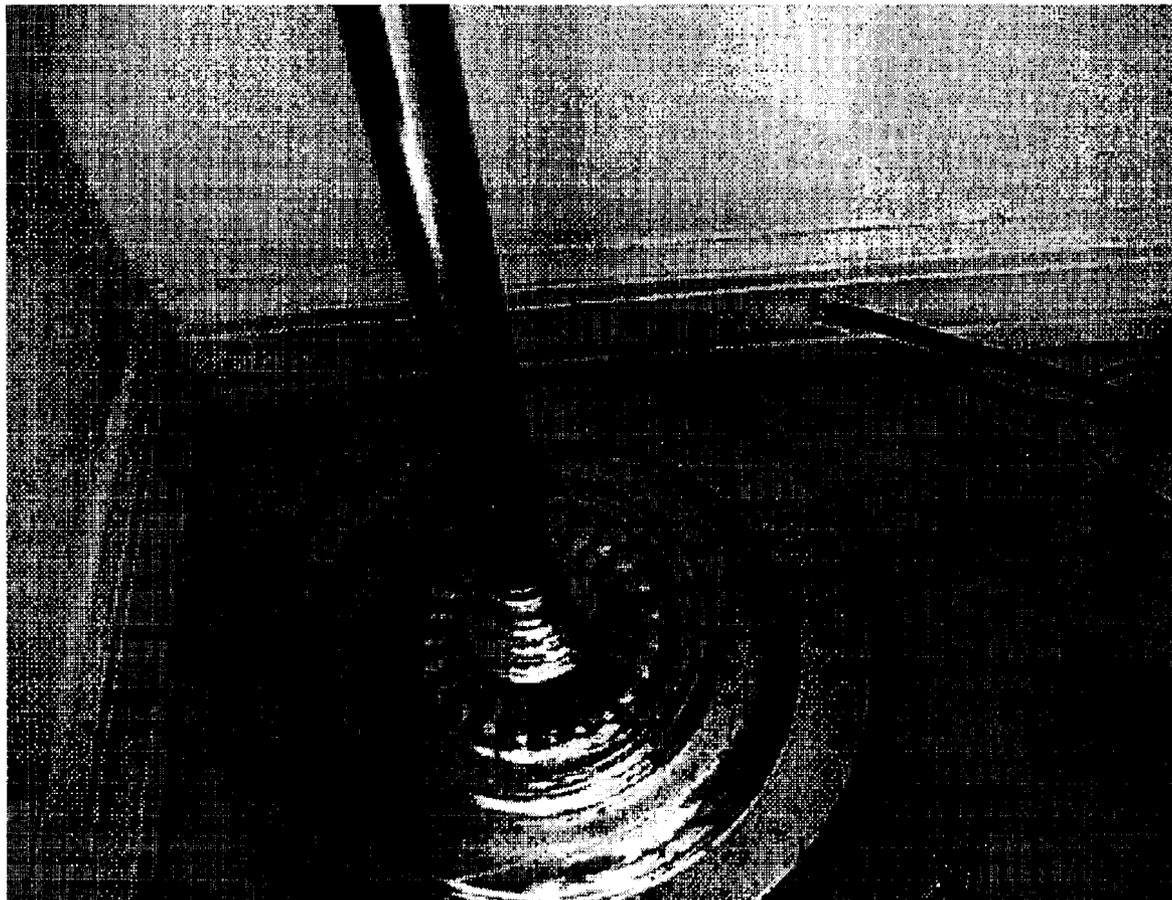


Photo 24 shows the bottom of the floor lamp with pitting on the base.

253511400 penny

\$0.00

04/26/05

Penny Pediatrics Inc.

14430 US Highway 1

Sebastian, FL 32958

772 581-0300

0000017673

PATIENT NAME (b)(3):CPSA Section 25(c) ACCT # 5344 SOCIAL SECURITY ADDRESS (b)(3):CPSA Section 25(c) SEBASTIAN, FL 32958
 PRIMARY COVERAGE MEDICAID 8622183840 SECONDARY COVERAGE 04/26/05 INS BALANCE \$120.00 PAT BALANCE \$0.00
 DATE Monday Apr 13, 2009 TIME 01:00 PM DUR PROVIDER 15 Penny, Marza S

Description	Code	Amount	X	Description	Code	Amount	X	Description	Code	Amount
NEW SICK LEVEL I	99201	100.00		BLADDER ASPIRATION	51000			DTAP	V06.1	90700 10.00
NEW SICK LEVEL II	99202	110.00		BURN TX AND DRSG	16020			HEP A	V05.3	90633 10.00
NEW SICK LEVEL III	99203	120.00		CERUMEN REMOVAL	69210			ROTARIX 2 DOSE	V04.89	90681 130.00
NEW SICK LEVEL IV	99204	150.00		DEST WART UP TO 14	17110			HEP B	V05.3	90744 10.00
NEW SICK LEVEL V	99205	170.00		DEST WART >15	17111			HIB	V03.81	90645 10.00
				I & D ABSCESS	10060			IPV	V04.0	90713 10.00
EST SICK PT LEVEL I	99211	55.00		LYSIS PENILE ADHES	56441			PREVNAR	V03.82	90669 10.00
EST SICK PT LEVEL II	99212	65.00		CIRCUMCISION	54150	250.00		MMR	V06.4	90707 10.00
EST SICK PT LEVEL III	99213	75.00		PULSOXIMETRY	94760			VARIVAX	V05.4	90716 10.00
EST SICK PT LEVEL IV	99214	90.00		SILV NITR GRANULMA	17250			TDAP	V06.1	90715 10.00
EST SICK PT LEVEL V	99215	95.00		SUTURE REMOVAL	17999	25.00		MENACTRA	V03.89	90734 10.00
								GARDSIL	V04.89	90649 200.00
NEW WELL 0-11 M	99381	90.00						ROTATEQ	V04.89	90680 10.00
NEW WELL 1-4 YO	99382	95.00						(DTap-IPV)Kinrix 4-5yr old		90696 65.00
NEW WELL 5-11 YO	99383	95.00		HEARING EXAM	92587	30.00		FLU B-36 MO	V04.81	90657 10.00
NEW WELL 12-17 YO	99384	100.00		VISION SCREEN	99173	20.00		FLU >3 YO	V04.81	90658 10.00
								FLU GUARDIAN		30.00
EST WELL 0-11 M	99391	80.00		MOST USED DX'S				FLUMIST	V04.81	90660 25.00
EST WELL 1-4 YO	99392	85.00		URI	465.9			VACCINE ADMIN 1ST		90471 10.00
EST WELL 5-11 YO	99393	85.00		DME	382.00			VACCINE ADMIN 2+		90472 10.00
EST WELL 12-17 YO	99394	90.00		PHARYNGITIS	462			Pentacel (DTaP-HIB-IPV)	V06.3/V03.81	90698 95.00
				CONJUNCTIVITIS	372.03			Pediarix Dtap/Hep-B/IPV	V06.8	90723 10.00
COUNSELING				UTI	599.0			BLOOD SUGAR		82948 10.00
15 MINUTES	99401	50.00		CONSTIPATION	564.00			COLLECTION/HANDLING		99000 20.00
30 MINUTES	99402			ABDOMINAL PAIN	789.0			HEMOGLOBIN		85018 10.00
45 MINUTES	99403			SINUSITIS	461.9			H. PYLORI		86677 10.00
60 MINUTES	99404			ADHD	314.01			MONO TEST		86403 15.00
DEVELOP. TESTING	96110			HYPERKIN. SYND.	314.8			RAPID STREP		87880 15.00
								STOOL GUIAC		82270 10.00
								URINALYSIS		81002 10.00
								URINE PREGNANCY		81025 20.00
								FLU TEST		87804 15.00
								MD VENIPUNCTURE		36410 20.00
								FINGER/ROUTINE VENI/HL		36416 25.00

I HEREBY AUTHORIZE MY INSURANCE BENEFITS TO BE PAID DIRECTLY TO THE PHYSICIAN, AND I AM RESPONSIBLE FOR ANY NON-COVERED SERVICES. I ALSO AUTHORIZE THE RELEASE OF ANY INFORMATION REQUIRED FOR THE PROCESSING OF THIS CLAIM.

SEND PATIENT BILLING TO:

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

SEBASTIAN, FL 32958

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

ARNP

Debra Lee Jobe, Office Manager

42
44
72/44
110
24

KO
01-16-2009



PROMISED: 12:00P
01-16-2009
Scripts: 02

#7894 Ph: 772.589-2822

3495 US HIGHWAY 1
VERO BEACH, FL
32967-0900



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

0182523 00 0000800

Date: 01-16-2009 DAW: 0

Rx: 182523 00

AZITHROMYCIN 250 MG DOSE PAPLI

Pfizer Inc

TAKE AS DIRECTED

NDC 50111-0787-60 Days Supply: 5 Refills: 0 Qty: 6 TA

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

PAY: \$8.00

TP: 4000 GR: MMODRUG
AUTH: FT1M3X9

PAID PRESCRIPTION

002103



Personal
Emergency
Response
System

FREE Equipment FREE Delivery EASY Setup
Minimal Monthly Service Fee

Call 1-800-283-2300 for a FREE BROCHURE

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001489

Your CVS Pharmacist can
answer questions about
your medications

- Knowledgeable
- Committed

- Caring
- Confidential

CVS/pharmacy

KU
04-21-2009

04-21-2009
Scripts: 01

#7894 Ph: 772.589-2822

3495 US HIGHWAY 1
VERO BEACH, FL
32967-0900



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

07 0192467 00 0000286

Date: 04-21-2009 DAW: 0

Rx: 192467 00

PREDNISON 10 MG TABLET WAT

Watson Labs

TAKE 5 TABLETS BY MOUTH EVERY DAY FOR 5 DAYS

NDC 3099-5402-01 Days Supply: 5 Refills: 0 Qty: 25 TA

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

PAY: \$2.86

TP: 4000 GR: MMODRUG
AUTH: SAC7N7X

PAID PRESCRIPTION

002103



Personal
Emergency
Response
System

FREE Equipment FREE Delivery EASY Setup
Minimal Monthly Service Fee

Call 1-800-283-2300 for a FREE BROCHURE

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001489

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answer questions about
your medications

- Knowledgeable
- Committed

- Caring
- Confidential

CVS/pharmacy

090505CBB1688 Exhibit 4 Page 1 of 9

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

From:**To:** John Wolkowicz**Date:** Thursday, May 7, 2009 8:09:01 PM**Subject:**

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

Good Evening,

Thank you for sending the cancellation letter attachment with your last e-mail. My family and I will be moving out the weekend of May 16th and 17th, 2009. In the attachment it states the 15th; however, this is physically impossible since I will be working at the high school on Friday, the 15th.

If it is o.k. with you, I would like to change the date to reflect the 17th (Sunday) as the day in which we will be completely out of the unit. In addition, we won't be able to get into the new residence until after the 15th.

I appreciate your assistance with this matter and thank you again for being an understanding landlord.

Once you receive the cancellation notice and initial the changes, would you please forward a copy to me.

Thank you again.

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

CANCELLATION OF LEASE,
UNCONDITIONAL AND FULL GENERAL RELEASE

This agreement is made and dated May ____, 2009, and in consideration of the mutual covenants and agreements herein set forth between RELEASOR (b)(3):CPSA Section 25(c) tenant in that lease agreement between the parties dated February 14, 2009, for lease of the premises at (b)(3):CPSA Section 25 (c) Sebastian, Florida, and RELEASEE JOHN WOLKOWICZ, landlord in said lease, for payment by releasee to releasor, the receipt of which is acknowledged by releasor, of \$900, upon the rented premises having been vacated by tenant by May 15, 2009 and left in at least as good condition as when tenant first took possession of the premises, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by all parties, and intending to be bound, the parties hereby cancel and set aside said lease, and releasor hereby remises, releases, acquits, satisfies, and forever discharges and holds harmless releasees of and from all and all manner of action and actions, causes and causes of action, suits, debts, dues, sums of money, accounts, security deposits, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims, and demands whatsoever, in law or in equity, in tort of any type, by contract, negligence, premises tort liability, product liability, or any other cause of action or type of cause of action, existing and/or known or unknown or undiscovered as of, before, or after the date of this agreement by either party, both parties or otherwise, latent or patent, past, present or future, accrued or unaccrued, matured or unmatured, which releasor ever had, now has or will have or which any personal representative, successor, devisee, vendee, heir or assign of releasor, hereafter can, shall or may have, against releasee, caused by, or for which the releasee, and/or the employee or employees, agent or agents, of releasee, may be legally liable, for, upon or by reason of any matter, cause or thing whatsoever, past, present and/or future, including specifically but without limitation any liability relating in any way to the real property of releasor which is the subject of said lease. Tenant has vacated the premises and irrevocably given possession thereof to landlord. Releasor agrees there is and will be no further claim by tenant against landlord for return of any or all of tenant's security deposit or unused rent, tenant waives further statutory notice of claims for security or rent deposits, reason for deduction of security deposits and the parties apply her last months rent deposit to pay rent for May 2009, all the foregoing except as provided in this agreement. Successors and Assigns. This release is binding upon the parties hereto and their respective personal representatives, successors, assigns, vendees, devisees, and heirs. THE RELEASOR SIGNING THIS DOCUMENT HAS READ AND UNDERSTANDS IT AND HAS HAD THE OPPORTUNITY TO HAVE AN ATTORNEY-AT-LAW OF HIS OWN CHOICE EXPLAIN IT TO RELEASOR, AND KNOWS THAT RELEASOR IS GIVING UP HIS OR HER RIGHT TO SUE RELEASEES FOR DAMAGE, CLAIM, AND/OR INJURY FROM ANY MATTER WHATSOEVER AS DESCRIBED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the parties have hereunto set their respective hands this ____ day of May 2009.

JOHN WOLKOWICZ, landlord

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

From: John Wolkowicz ()
To: (b)(3):CPSA Section 25(c)
Date: Wednesday, May 6, 2009 8:43:12 AM
Subject: (b)(3):CPSA Section 25(c)

Hello

I'm sorry that I could not get back to you sooner, but I took sick. I feel better now. I'm trying to catch-up on lost time, missed correspondence, etc.

As you know, when you advised me of alleged "Chinese Drywall" installed in 961, I took immediate action. I contracted with 3rd party professional(s) to investigate your allegation. I have been told of the happenings during the test and inspect period. I am glad that you all got through the investigation period without major incident.

It is my understanding, that you were advised by professional 3rd party non-destructive and destructive investigation and testing report - there was no "Chinese Drywall" discovered in 961. It was determined the gypsum drywall product installed in 961 was manufactured by United States Gypsum ("USG"). The 3rd party test reports I received advise me there is no "Chinese Drywall" in 961.

You have lived in 961 for approx 15 months. You have been a good tenant. You kept terms of the lease agreement. The 1st time I was notified of any problem with 961 was April 15, 2009. I'm sorry that you continue to feel the way do. As requested, I can grant your release from 961 by May 15. I do not stand in your way. Should you decide to break your lease agreement - I can work that out with your cooperation for an orderly transition.

The process for an orderly transition from 961 to your new living arrangement can be made by reading, signing and delivering the attached cancellation of lease form to Paula Rogers. Upon receiving the signed cancellation of lease form, Paula will transfer funds to you. I appreciate your tenancy and wish you the best.

Thank you.

John Wolkowicz
 (760) 625-8945.

From: (b)(3):CPSA Section 25(c)
To: JOHN WOLKOWICZ <jawwz@sbcglobal.net>
Sent: Sunday, April 26, 2009 10:25:47 AM
Subject: Re: (b)(3):CPSA Section 25(c)

Thank you for the reply. Sorry you are not feeling well. Trust me I know how you feel. Everyone in my house is on antibiotics for upper respiratory infections. I do not have the option of shutting down for a few days to recuperate, nor do my children.

Consequently, I do need to move out asap. I'd appreciate your acknowledgment of this situation and information on how to proceed. I'd also appreciate my last month's rent refunded and I'll handle the security deposit with Paula. The situation here is not unique, and not confined to just your unit. Many homes in the Treasure Coast have been affected. I'm aware of your apprehensions, but the documentation and photos speak for themselves. Residing in this unit is obviously a health hazard to me and my family.

Thank you for your understanding and I look forward to resolving this situation soon.

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

From: John Wolkowicz <lajawz@sbcglobal.net>

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

Sent: Saturday, April 25, 2009 3:16:44 PM

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

Hello Annmarie -

A hour ago, I replied to your previous (Thursday) email to let you know that I've been out sick. I chose to shutdown my daily activity, until I got to feel better. Today, I'm not feeling 100% but checking on what I missed since getting sick. I will get back with you soon on a plan to resolve. Thank you for your understanding.
John Wolkowicz

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

From:

John Wolkowicz <lajawz@sbcglobal.net>

Sent: Saturday, April 25, 2009 8:21:15 AM

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

Good Morning,
I didn't hear back from you since I sent the last e-mail and I was concerned? I have responded to your concerns about your home and you have not answered my e-mail. (b)(3):CPSA Section 25(c)
When you have a chance please e-mail me back or call me on my cell phone (b)(3):CPSA Section 25(c) I would like to discuss with you the details involved with moving out of 961 due to the continual health issues for myself and my children. The inconvenience of having my children stay somewhere else until we relocate, and the reoccurring medical expenses need to end.
Please, inform me on the necessary procedure in order to rectify this situation and move my family out. You stated in our phone conversation that you would not hold me to the lease, and "It is just a piece of paper." I certainly hope that has not changed, because there is definitely something in the air of this unit that is causing health problems as well as structural and mechanical ones.

Look forward to speaking with you soon.

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

090505CBB1688 Exhibit 4 Page 5 of 9

From: (b)(3):CPSA Section 25(c)
To: John Wolkowicz
Date: Sunday, April 26, 2009 1:25:47 PM
Subject: Re: 961 S Easy

Thank you for the reply. Sorry you are not feeling well. Trust me I know how you feel. Everyone in my house is on antibiotics for upper respiratory infections. I do not have the option of shutting down for a few days to recuperate, nor do my children.

Consequently, I do need to move out asap. I'd appreciate your acknowledgment of this situation and information on how to proceed. I'd also appreciate my last month's rent refunded and I'll handle the security deposit with Paula. The situation here is not unique, and not confined to just your unit. Many homes in the Treasure Coast have been affected. I'm aware of your apprehensions, but the documentation and photos speak for themselves. Residing in this unit is obviously a health hazard to me and my family.

Thank you for your understanding and I look forward to resolving this situation soon.

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

From: John Wolkowicz <lajawz@sbcglobal.net>
To: (b)(3):CPSA Section 25(c)
Sent: Saturday, April 25, 2009 3:16:44 PM
Subject: Re: 961 S Easy

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

A hour ago, I replied to your previous (Thursday) email to let you know that I've been out sick. I chose to shutdown my daily activity, until I got to feel better. Today, I'm not feeling 100% but checking on what I missed since getting sick. I will get back with you soon on a plan to resolve. Thank you for your understanding.
 John Wolkowicz

From: (b)(3):CPSA Section 25(c)
To: John Wolkowicz <lajawz@sbcglobal.net>
Sent: Saturday, April 25, 2009 8:21:15 AM
Subject: (b)(3):CPSA Section 25(c)

Good Morning,
 I didn't hear back from you since I sent the last e-mail and I was concerned? I have responded to your concerns about your home and you have not answered my e-mail. When you have a chance please e-mail me back or call me on my cell phone (b)(3):CPSA Section 25(c) I would like to discuss with you the details involved with moving out of 961 due to the continual health issues for myself and my children. The inconvenience of having my children stay somewhere else until we relocate, and the reoccurring medical expenses need to end. Please, inform me on the necessary procedure in order to rectify this situation and move my family out. You stated in our phone conversation that you would not hold me to the lease, and "It is just a piece of paper." I certainly hope that has not changed, because there is definately something in the air of this unit that is causing health problems as well as structural and mechanical ones.

Look forward to speaking with you soon.

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

From: (b)(3):CPSA Section 25(c)
To: John Wolkowicz
Date: Tuesday, April 21, 2009 5:38:06 PM
Subject: Re: (b)(3):CPSA Section 25(c), Sebastian

Hello John,

Sorry I did not return the message last night, but I spent the evening at Sebastian River Medical Center with my son. He was having extreme difficulty breathing with a pain in the middle of his chest. He was diagnosed with acute bronchitis/ upper respiratory infection with asthma symptoms. Antibiotics, steroids and a nebulizer(breathing treatment machine) are his directions for recovery. He no longer stays at 961 because his symptoms worsen when here. My daughter still is coughing and going to the ENT Monday, my eyes are burning and swollen.

Obviously there is some form of "toxic and unhealthy" condition with the unit. Perhaps an air quality inspection may shed some light on the matter for you. I do not know. I contacted you as soon as I put the information together. All of the coincidences were not just coincidences. There is a reason why my children and I are getting sick as often as we do living here. This is very disruptive to our family structure as it is to your real estate investment.

John, when I spoke with you, you said that the lease was "just a piece of paper" and I thank you for that because my family needs to move out as soon as possible. I officially request that you please allow me to brake the lease in order to move my family. We will be out of here as soon as I can get everything lined up, not to go beyond May 15th. I am hoping that you are able to return my last month's rent of \$900 since I will definitely be needing this to apply to my new home. As for the security deposit, upon exit and inspection of the unit by Paula, I would anticipate to receive this back as well.

Thank you so much for your understanding and I look forward to hearing from you soon.

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

From: John Wolkowicz <lajawz@sbcglobal.net>
To: riestop@yahoo.com
Sent: Monday, April 20, 2009 5:38:23 PM
Subject: Re: (b)(3):CPSA Section 25(c) Sebastian

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

Since receiving your Monday 4-13-09 VM, and leaving VM's - to finally reach you on Thurs, 4-16-09 night.

After listening to your concern, I did not expect to hear of "Chinese" drywall installed @ 961.

For approx 15 months, you have lived in 961 and approx 3 months ago, you renewed your lease on 961.

Until I spoke with you on 4-16-09, I was not aware of a concern needless to say of "Chinese" drywall in 961.

In March 2009, when Property Manager Paul Rogers advised me that your had re-newed your lease for 1 year, Paula advised me that you were a good tenant and happy to live in 961. I was happy on the her report but was not aware of any concern regarding "Chinese" drywall or any other maintenance issues during your tenancy.

As discussed Thursday night, I take your concern seriously and took immediate action to investigate with the Developer, the Builder, the RE Agent, PM and IRC. On Friday, 4-17-09 morning, I investigated your concern of possible "Chinese" drywall installed in 961. I spent the day retrieving phone numbers and talking to people who I thought would be in the know, with first hand knowledge on the construction of 961.

I spoke with the Developer, the Builder, the RE Agent and PM and forwarded them your email and pictures for their

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review. After taking their calls throughout the day, the Developer and the Builder assured me their drywall material delivery records report no "Chinese" drywall installed in 961.

The RE Agent and IRC are to get back. Property Manager Paula Rogers advised that she was not aware of any problem with 961. In fact, Paula reported when you decided to renew the lease on 961 for one more year, you were happy living in 961, you had no problems with 961 and wanted to continue to live in 961.

In the meanwhile, I have arranged to have 961 inspected. I take your concern serious but need to coordinate entry day and time with you. Please advise on entry availability so I can schedule my 3rd party to review unit concern.

Thank you.

John Wolkowicz
(760) 625-8945

PS:

On Friday 4-17-09, I received your May rent check and dated 4-10-09. The envelope was date stamped 4-11-09. The rent check was wrapped in pink paper but there was not a notice advising me of your concern with 961.

From: (b)(3):CPSA Section 25(c)
To: Lajawz@sbcglobal.net
Sent: Thursday, April 16, 2009 3:41:32 PM
Subject: (b)(3):CPSA Section 25(c) Sebastian

Good Afternoon Mr. Wolkowicz,

I have not been able to reach you via telephone and I am hoping that we get a chance to speak soon. The reason I am contacting you is due to possible Chinese Drywall in my unit or some other air quality toxin in the house.

Since my children and I moved in last spring, we have had too many upper respiratory infections and my daughter has seen the doctor 12 times. This coupled with the physical signs of Chinese drywall have prompted concern on my end. According to what I have learned, this unit does have characteristics of this problem, or perhaps another contaminant that is turning copper pipes black, jewelry black and produces a sulfur smell in the home. The children and I really felt its impact over Spring break, since we were all home from school.

Please understand that I love my unit and I am not looking to move. However, the health risks and conditions right now are scary. I have reached out to construction professionals as well as consumer/legal advocates to assist me in identifying the problem in the house.

Please view the attached photos and I will speak to you soon regarding this matter.

Thank you,

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

From: (b)(3):CPSA Section 25(c)
To: Lajawz@sbcglobal.net
Date: Thursday, April 16, 2009 6:41:32 PM
Subject: (c) Sebastian

Good Afternoon Mr. Wolkowicz,

I have not been able to reach you via telephone and I am hoping that we get a chance to speak soon. The reason I am contacting you is due to possible Chinese Drywall in my unit or some other air quality toxin in the house.

Since my children and I moved in last spring, we have had too many upper respiratory infections and my daughter has seen the doctor 12 times. This coupled with the physical signs of Chinese drywall have prompted concern on my end. According to what I have learned, this unit does have characteristics of this problem, or perhaps another contaminant that is turning copper pipes black, jewelry black and produces a sulfur smell in the home. The children and I really felt its impact over Spring break, since we were all home from school.

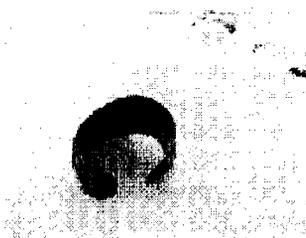
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Please view the attached photos and I will speak to you soon regarding this matter.

Thank you,

(b)(3):CPSA Section 25(c)
 [Redacted Signature]

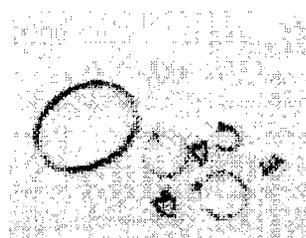
8 Images | [View Slideshow](#) | [Download Selected](#) | [Download All](#)



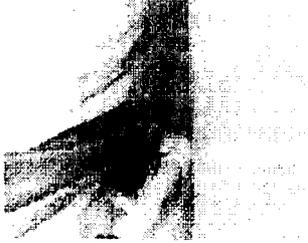
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IMG_0487.JPG



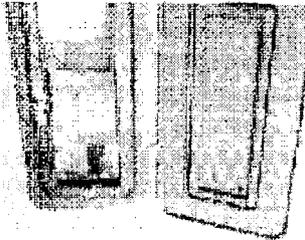
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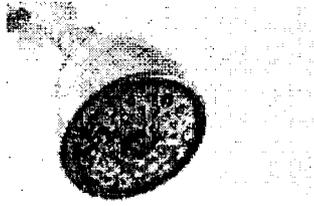
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IMG_0484.JPG



IMG_0483.JPG



IMG_0481.JPG

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)

5-12-09
(Date)

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1	(b)(3):CPSA Section 25(c)	(b)(3):CPSA Section 25(c)	(HOME)	(WORK)
				unknown
3		4. CITY	ST	ZIPCODE
		Sabastian	FL	12111
4		4b. INCIDENT CITY	ST	ZIPCODE
		Sabasten	FL	12111

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES

The consumer had to replace the elbows in his bathroom. The pipe underneath the sink in the bathroom had a black, nasty sludge
 - cont -

6. DATE OF INCIDENT (S) 01/15/2009	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 34 Y/M AND DESCRIBE INJURY upper respiratory problems and runny nose	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
---------------------------------------	---	--

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

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR unknown	13. DEALER'S NAME, ADDRESS & PHONE unknown
ISSUE 29 04/14/2009		

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES IF YES, BEFORE OR AFTER THE INCIDENT? AFTER DESCRIBE: See narrative	15. PRODUCT PURCHASED NEW DATE PURCHASED 03/15/2008 AGE 13 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: None pertaining to the problem.
---	---	---

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? not sure	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 04/13/2009	21. RECEIVED BY (NAME & OFFICE) mj/HL	22. DOCUMENT NO. H0940141A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1876
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE mj 04/13/2009

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0940141A

Narrative Continued

that was far beyond normal debris of hair and other items that may end up in the pipes. One of wife's sterling silver bracelets turned completely black. A couple gold earrings and necklaces have begun turning color. The copper pipe coming from the air handle has turned completely black in color.

Their hard-wired fire alarms went off for about 10 minutes and then they stopped. The consumer had an electrician look at them, but he could not find anything wrong with them. The consumer has also noticed a sulfur (rotten eggs) smell in the home.

The son has also experienced headaches and he has been very tired since living in the home. The daughter also has a persistent cough and fever. Daughter has been on antibiotics twice in the past 2 months and the symptoms always return. The consumer mentioned that his wife began to experience her symptoms in the Summer of 2008.

The house was built between 2004 and the middle of 2005.

Vict #	Sex	Age	Name	Relationship
2	F	44 Y	(b)(3):CPSA Section 25(c)	wife
3	M	15 Y		son
4	F	4 Y		daughter

Vict #	victim Injury Description
2	burning eyes, swelling to the eye, upper respiratory tightness
3	burning eyes, swelling to the eye, upper respiratory tightness
4	burning eyes, swelling to the eye, upper respiratory tightness

Distributor Phone #:

CPSC Source: HD

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

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

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

S

4-21-09
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.

090505LBB1688



USG Corporation
Legal Department
550 West Adams Street
Chicago, IL 60661-3676
312 436-4000
Fax: 312 672-7721

August 13, 2009

Founded in 1902

By e-mail tstevenson@cpsc.gov

Mr. Todd A. Stevenson
Director, Office of the Secretary
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814-4408

**Re: FOIA Requests 09-F-00427, 09-F-00495, 09-F-00512, and 09-F-00825:
Chinese Drywall Investigations**

Dear Mr. Stevenson:

This letter is in response to your July 22, 2009 correspondence to United States Gypsum Company regarding the above referenced FOIA requests. We have reviewed all the documents enclosed with your letter, which include the FOIA requests and the CPSC files that the commission is considering producing in response.

United States Gypsum Company has the following comments for your consideration:

1. First, we want to make clear that United States Gypsum Company has never manufactured wallboard in China. Our SHEETROCK® brand gypsum drywall has always been manufactured in North America only. Therefore, we believe that to the extent any CPSC documents mention wallboard made by U.S. Gypsum Company, those documents are not responsive to FOIA requests that are specifically directed at CPSC investigations into Chinese drywall.

Second, in more than 90 years of making wallboard, U.S. Gypsum Company has not had complaints about its SHEETROCK® brand drywall similar to those being made regarding Chinese wallboard.

Third, production of some of these documents by the CPSC in response to Chinese wallboard inquiries would inaccurately and unfairly suggest to the public that our company's primary product, SHEETROCK® brand gypsum drywall, may have been manufactured in China or that the CPSC believes our product may cause problems similar to those that some Chinese wallboard apparently has

Mr. Todd A. Stevenson
August 13, 2009
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caused. Neither is true, and nothing in the documents sent to us suggests otherwise.

2. The following are brief comments on each of the six files that you sent to us for review :

No. 090504CBB1656

No comment or objection.

No. 09054CBB1662

This investigation file relates to a homeowner who believes that his family has developed numerous health conditions related to Chinese drywall in his home. However, neither the homeowner nor the CPSC investigator was able to locate a label on the drywall to confirm the drywall manufacturer. A letter in the file from drywall supplier Seacoast Supply indicates that it did supply some drywall to the home but that based on the delivery date the drywall delivered was manufactured by U.S. Gypsum Company in the United States and is not Chinese-made drywall.

Because no Chinese drywall has been identified in the home, this investigation file is not responsive to FOIA requests for "Chinese Drywall Files". Further, production of the file at this time – prior to a full inspection of all the wallboard in the home and a full investigation into the health issues described by the homeowners – would inaccurately and unfairly suggest to the public that the family's health issues are related to U.S. Gypsum wallboard. There is no evidence that this is true and the CPSC file does not reveal any reason to believe that such a suggestion is true.

Therefore, U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090505CBB1683

As with the previous file, this file reports a homeowner complaint that various health symptoms and copper blackening in his house are related to Chinese drywall. Again, there has been no inspection of all of the drywall in the home to confirm the presence of any Chinese material. The only drywall that has been identified in the report is U.S. Gypsum SHEETROCK® brand drywall, which was reportedly visible only in the attic and is not made in China. There is nothing in the file to confirm the presence of any Chinese drywall in the home. We are aware of other homes where Chinese-made ½" drywall was installed in the walls

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of home, and U.S. Gypsum or other 5/8" inch drywall was installed in the ceiling or attic (5/8 inch wallboard typically is used on ceilings, while walls are typically 1/2 inch board).

Production of this complaint file before a full inspection of all the wallboard in the home and before a full investigation into the health issues described by the homeowners, would inaccurately and unfairly suggest to the public that the family's health issues are related to U.S. Gypsum wallboard.

If any of this homeowner's alleged problems are caused by wallboard in the home, it is more likely that the problems are caused by undiscovered Chinese wallboard than by U.S. Gypsum Company wallboard, which has never been associated with the complaints being made regarding Chinese drywall.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

X No. 090505C1688

This investigation was initiated by a tenant who complained of health issues and copper blackening in her rented home. The manufacturer of the drywall in the home is not confirmed; however, the tenant believes her problems are related to Chinese drywall. As with prior claims addressed herein, the only drywall that was accessible and inspected was located in the attic of the home.

There has been no confirmation that any wallboard in the home was manufactured in China and no investigation into what may be causing the tenant's complaints. Because there is only one unverified reference to U.S. Gypsum Company wallboard in the file, production of these documents by the CPSC in response to FOIA requests would unfairly and inaccurately suggest that U.S. Gypsum wallboard may be a part of the tenant's problems – and there is nothing either in the file or outside the file to support that suggestion.

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090520CBB2638

This file relates to an investigation into a homeowner complaint of health symptoms and electrical component failures that the homeowner believes might be related to Chinese drywall. The CPSC investigator found no evidence of Chinese drywall – although he did obtain information (a purchase receipt

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produced by the homeowner) that suggests that some of the drywall in the house was manufactured by two U.S. companies – United States Gypsum and Georgia Pacific. However, there was no visual confirmation that the wallboard in the home was in fact manufactured by the two companies. The investigator did not notice any unusual smell in the home and found no visible blackening of copper wire or other metal surfaces – the symptoms frequently reported in homes with the Chinese drywall problems.

There is no evidence of Chinese drywall in the home, the CPSC investigator did not observe any unusual smell or copper blackening, and there is no evidence that the wallboard in the home is causing any problems whatsoever. Therefore, this report is not responsive to the FOIA request. Production of these material in response to the pending FOIA requests may inaccurately suggest that the homeowner's reported problems are related to the presence of wallboard manufactured by two U.S. manufacturers, and there is nothing to support that conclusion..

U.S. Gypsum requests that this file not be produced or in the alternative that any mention of our company be deleted.

No. 090504CBB3555

No comment or objection.

Thank you again for the opportunity to comment on the CPSC response to these FOIA requests. We appreciate your consideration of our comments and concerns. Please feel free to call me if you have any questions or require further information. (312-436-4006)

Very truly yours,



John A. Donahue
Senior Corporate Counsel
Telephone: (312) 436-4006

JAD/cw
#172623

1. Task Number 090508CBB3567		2. Investigator's ID 9096		EPIDEMIOLOGIC INVESTIGATION REPORT
3. Office Code 840	4. Date of Accident YR MO DAY 2008 11 18	5. Date Initiated YR MO DAY 2009 05 08		
6. Synopsis of Accident or Complaint UPC				
<p>A 41-year-old female reported the drywall is making her ill and is producing a black residue. She was DX with an eye infection. It was determined during this investigation that the drywall was manufactured in the United States. Corrosion, pitting, or blackening of copper pipes or fixtures was not evident in this residence. It has not been determined what is producing the black residue in the female's home.</p>				
				<p>MFR/PRYLR NOTIFIED 07/10/09 COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input checked="" type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXCISIONS; FOLA H&L: 25C <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p>
7. Location (Home, School, etc) 1 - HOME		8. City LAKE CHARLES		9. State LA
10A. First Product 1876 - House Structures, Repair Or	10B. Trade/Brand Name TEMPLE INLAND GYPSUM		10C. Model Number UNKNOWN	
10D. Manufacturer Name and Address TEMPLE INLAND INDUSTRIES McQueeny, UT				
11A. Second Product 381 - Air Conditioners	11B. Trade/Brand Name UNKNOWN		11C. Model Number FSM4X3600A1	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 41	13. Sex 2 - Female	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 71 - Other	
16. Body Part(s) Involved 77 - EYEBALL	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 27 / 7	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal <input checked="" type="radio"/> Yes for Manuf. Only				
24. Review Date 06/04/2009	25. Reviewed By 8631		26. Regional Office Director Frank J. Nava	
27. Distribution Rose, Blake; Woodard, Dean			28. Source Document Number H0940202A	

090506CBB3567

The complainant was initially contacted by telephone on 5/08/09. She was interviewed on-site on 5/12/09. This investigation was conducted as part of the current investigation involving Chinese drywall. During the investigation, it was discovered that the involved drywall was not imported, but manufactured in Texas. The non-profit organization that built the complainant's home was visited on-site on 5/12/09. The Executive Director provided a letter from the company that provided the involved drywall which is attached as Exhibit #15. The Owner of the company that provided the drywall was interviewed by telephone on 6/3/09. He confirmed that the drywall installed in the residence had been purchased from a drywall manufacturer located in McQueeney, TX. The complainant's medical records were requested from her various doctors on 5/12/09. They are attached as Exhibit 2 and Exhibit 3 are considered *confidential and should be treated as such*.

The complainant is a 41-year-old female that is 5'5" and weighs 141 pounds. The complainant stated that she was diagnosed with Type II diabetes in 2008. Her medical records show that as of May of 2009, she is suffering with tension headaches, diabetes type II, and a persistent cough. She is currently under the care of a primary care physician and a pulmonologist. She is currently taking the following medications: Butalbital/APAP/Caffeine for treatment of her headaches, ciprofloxacin 500mg for acute sinusitis, promethazine with codeine for her persistent cough, and epinastine HCl .05% for an eye infection. She is also currently prescribed the following medications (according to her medical records): sliding scale insulin, Lantus, Levoxyl, Crestor, Celebrex, Xanax, and Megace. The complainant is a smoker, whose medical records report she smokes between 5 cigarettes and a pack of cigarettes a day.

The complainant stated that her current residence was built by a non-profit organization. She explained that construction of the residence began on March 5, 2007 and that she moved into the residence on July 10, 2007. The residence is a one-story, approximately 1,100 square foot, single-family home. Wood studs were used to build the residence. It has ceramic tile floors through-out the living areas. It is equipped with battery operated smoke detectors. It is not equipped with a fire sprinkler system or a fire extinguisher. The residence has natural gas and also electric service. The following appliances are fueled by natural gas: stove, dryer, and the water heater.

The complainant reported to CPSC that the involved product, drywall, which she initially reported was Chinese drywall, was installed in her home in approximately May of 2007, by a group of Hispanics. Shortly after the drywall was hung, it was floated and painted before she moved into the residence in July of 2007. During the course of this investigation, it was determined that the sheetrock was domestic drywall (sheetrock). The complainant maintains that something is occurring between the HVAC system in her home and the blown-in cellulose in her attic. She provided a website which she located on the website, which correlates with the problems she has been experiencing in her home since November of 2008. The website is:
http://ryanhomesnightmare.com/Ryan_page2.htm.

The complainant stated that from the time she moved into her residence on July 10, 2007, until November 16, 2008, she did not experience any problems in her residence related to

odors or residue in her home. The complainant stated that she left her residence on November 16, 2008 and returned on November 18, 2008. She stated that during her absence at the residence, the HVAC system was not in use. She stated that upon return to her home, she discovered a black residue on the inside and outside of her refrigerator, on curtains, plates, food containers in her cabinets, ceilings, walls, furniture, and on the inside of her screen of her flat screen television. She stated that she also began to notice a peculiar odor in her home. She compared the odor to a rotten egg. She stated that she contacted the Family Services Manager, of the non-profit agency that built her home. She stated that the Manager suggested she try cleaning the residue with ammonia. The complainant stated that she tried (unsuccessfully) to clean the residue off of the surfaces in her home. The complainant stated that a short time later she began to experience a chronic cough.

The complainant stated that in addition to coming home to find the residue in her home, she came home to find that her water heater was not functioning properly, (it was not heating the water). She stated that she checked the water heater and found that the pilot light would not stay lit, and when it was lit, the flame was red and orange. She stated that On November 20, 2008, she began to feel ill (headache, nausea, diarrhea). She stated that her neighbor suggested she call the gas company, which she did. She stated that a technician came to her home and discovered that the water heater's burner was bad and that the entire water heater needed to be replaced. During his visit, he found a reading of 30 ppm of carbon monoxide in the vicinity of the water heater. She stated that during his visit, he turned the gas off at the main line. On November 21, 2008, the complainant stated that she contacted her primary physician for medication to treat her diarrhea. The complainant stated that she had her water heater, supply line and male adapters replaced on November 24, 2008. The involved water heater was sent back to the manufacturer. The complainant stated that she received a letter from the manufacturer stating that they had not been able to find anything wrong with the involved water heater. (See Exhibit #4, for copies of the gas company report, and receipt for parts, installation, and labor for the new water heater.) She stated that she repainted the walls in her residence shortly after the water heater was replaced. She stated that two days later, she discovered residue on her curtains, walls, and vents of her home.

The complainant stated that she continued to see the black residue in her residence, even after partially removing it with various cleaning products. She stated that she noticed the receptacle in her bathroom was also beginning to show evidence of the black residue. She stated that an electrician came to her residence during December of 2008. According to a letter dated December 16, 2008, the electrician stated that, "After investigating what the insurance company referred to as burning around the receptacle in the bathroom, I discovered there was no evidence to support that. The voltage was checked, and it was determined that the voltage was correct with the appliances plugged in. *** showed me soot throughout her home. This residue is a result of gases not having the proper air ratio or an improper orifice on the burner. My recommendation is that someone qualified in gas combustion completely check of this situation out as an electrical burn does not create soot." (See Exhibit #5).

The complainant stated that in an effort to determine what was causing the residue in her home, she has had several different air-conditioning and heating technicians come to her residence. (It was determined by two different HVAC service repair men that the recommended size of an air-conditioning unit for a home her size is a 2-ton system. Currently a 3-ton air handler unit is installed inside the residence, with a 2.5-ton condenser unit located outside her residence.) She stated that it was determined during a visit on 2/16/09 and on 3/27/09 that the 3-ton unit is oversized, and the unit is short cycling. This short cycling is not allowing the dampness to filter out of her home. (Copies of the service orders are attached as Exhibit #6). The complainant had another HVAC company come to her residence on 4/27/09 to examine the air-conditioning unit. The service technician notes on the service order, "Inspected one 2 ½ ton central air and heat system. It is installed correctly but not completely. Air handler closet needs sealing, unit is pulling air out of attic. Unit has a 10 degree split it should be 18 to 20 degree, Return box needs to be sealed also." A copy of this service order is attached as Exhibit #7.

A mold assessment was also conducted on the residence on February 21, 2009. The statement in the conclusions/recommendations portion of the assessment states, "BES has performed a Mold Assessment Sampling project in conformance with the above scope and limitations for the subject property located at the subject site. It is our conclusion that darkened areas was not mold and that there is not a fungal problem at this residence. While there was some soot particles present, the overall concentration of soot was not considered to be high. Soot is normally present to some extent in urban environments." A copy of the report is attached as Exhibit # 8.

The complainant stated that she has also had a professional examine her flat screen television, which has residue on the screen. The technician states on the repair order, "opened TV and found black soot inside, soot is inside LCD panel, needs new LCD panel, not cost effective to repair". A copy of the repair order is attached as Exhibit #9.

The complainant stated that she received a letter from the attorney representing the non-profit organization stating, "*** Most recently you have made a complaint about the newly installed water heater, but we had plumbers and appropriate experts examine that water heater, and have been advised that it is properly installed and working properly and not emitting any carbon monoxide and is perfectly safe. In looking at your home, the best explanation which we have for your problem is the numerous candles which you have around your home which are causing soot which can get into your air conditioning unit and be circulated thus causing the blackening effect which you observe. It is our recommendation that you refrain from burning any candles in your home. We have exhausted our investigation into what may be the problem in your home. If you have a specific expert who after examining your home identifies a more specific problem, or concern in your home, I would be happy to discuss that with them and yourself. ***" A copy of this correspondence is attached as Exhibit #10 . The complainant stated that she has contacted the international office for the non-profit agency to report the problems she has experienced with her home. She stated that she received an email from a support specialist with the international office stating that the organization "would not be

pursuing this concern any farther as we have received written confirmation from the affiliate's legal representation stating that they have been working with you on the issue and feel that they have uncovered the root of the issue. ***". (Correspondence is attached as Exhibit #11). The complainant stated that the only time she has burned any candles was on February 13, 2009. She stated that she lit two candles in the living room of her residence and only let them burn a short time.

The complainant stated that she placed cheese cloth in the vents in her home recently in an attempt to "trap" the residue/soot. The pieces of cheese cloth were examined during the visit and were noted to be filled with residue. A picture of a representative cheese cloth was photographed and is attached as Exhibit #18, Photo #5. The complainant has also been changing the air filter on her air-conditioning unit every 3 days. A picture of representative filter which had been in the unit for 3 days was taken and is attached as Exhibit # 18, Photo #3.

The complainant stated that aside from attempting to determine what was causing the odor and black residue in her home, she has been ill since November 18, 2008. She stated that she has been under the care of two different primary care physicians and a pulmonologist. She stated that since November 18, 2008, she has been experiencing a chronic cough, which prompted her to move in with her mother. She stated that although her cough does lessen when she is away from her residence, it never goes away altogether. She stated that she has been taking a cough syrup prescribed by her physician since November of 2008. She stated that she has not lived in her home since she came home in November of 2008, to find the black residue in her residence, at which time she began coughing. She stated that she comes to the residence daily to "check on things", and notices that her cough gets worse when she enters the residence. She stated that her pulmonologist recommended during her visit to him on 3/11/09, that she move out of the residence, "until the vents can be appropriately cleaned and the material in the vents can be removed. I am certain that if this material is in the vents, it is continuing to cause her respiratory difficulty". (A copy of this recommendation is attached as Exhibit # 12) The complainant has also had x-rays taken of her chest and a CT scan of her chest. Both were negative and showed no acute cardiopulmonary disease.

The complainant is also being treated for an eye infection which she developed on 4/19/09 after she had been at the involved residence for a short time. She stated that she visited the emergency room for treatment of irritation to her left eye and was diagnosed as having an eye infection which had been caused by being in her residence. (See Exhibit #13)

Note: During the on-site, this Investigator detected an odor comparable to what an empty refrigerator that has been cleaned out, but kept refrigerated, might smell like. A sulfur or rotten egg odor were not detected by this Investigator during the visit. This Investigator did note the presence of a small amount of grayish/black residue on the drywall in the dining room, on the top of the curio in the dining room, on baseboards, on drapes, used a/c filters, and electronic equipment. Photos were taken of the residence. The faucets, door handles, hinges, and several light switches were examined for the presence of

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corrosion, blackening, or pitting. None was noted. The attic was also examined during the visit in an attempt to determine the brand of drywall. Several areas near the entrance of the attic were examined and no labeling could be located. Due to the construction of the attic, entrance into the attic was limited. Photos were taken of the blown in cellulose insulation during the examination of the attic and can be viewed as Exhibit #18, Photo #6.

PRODUCT IDENTIFICATION

First Product:

- TYPE: Drywall
- BRAND: Temple
- SIZE: 4' x 12' x ½"
- MANUFACTURER NAME AND ADDRESS: Temple-Inland Gypsum, McQueeny, TX
- RETAILER NAME AND ADDRESS: GenSet, 3708 Hwy 27 South, Sulphur, LA 70665
- COST: not determined

Second Product:

- TYPE: HVAC System
- BRAND: Unknown
- MODEL NUMBER: FSM4X3600A1(air handler) H4H30GKB100(condenser unit)
- SERIAL NUMBER: AU70482347A (air handler) EO62908420 (condenser unit)
- MANUFACTURER NAME AND ADDRESS: unknown
- RETAILER NAME AND ADDRESS: unknown
- COST: unknown

SAMPLES

None

ADDITIONAL INFORMATION

The non-profit organization was visited on 5/12/09. A Notice of Inspection was issued and credentials were shown to Julie Giordano, Executive Director. The reason for the visit was explained and a copy of the invoice and shipping records for the involved drywall was requested. Ms. Giordano explained that they had purchased the involved drywall from a company that provides drywall services. She provided a copy of a letter they had received from the company which states in part, "****let me assure you that the so called "Chinese drywall" was not used in this house or any houses that our company has drywalled. We purchase Temple drywall that is made in McQueeny, TX. ****"

090506CBB3567

Ms. Giordano explained during this Investigator's visit on 5/12/09, that the organization was in the process of trying to correct the problem in the home and had recently sealed the closet that the air handler for the air-conditioning unit is located in. She provided an invoice for payment of the drywall that is installed in the involved residence on 5/12/09 by fax. During the visit, she stated that she has not received any other complaints involving the same issue as the involved residence. This Investigator also requested copies of records for the installation, maintenance and repairs on the involved air-conditioning unit. Attempts to obtain the records were unsuccessful. On 5/25/09, Ms. Giordano advised by email that, "**** is not sure what the source of the problem is, but we are diligently seeking to find the problem. The air-conditioning system has not been identified to be the problem, but we have sealed the box in the return air-conditioning closet recently. We have had numerous specialist assessing the home and we are continuing to move toward a final resolution. ****" The email is attached as Exhibit #17.

The company that provided the involved drywall was contacted by telephone on 6/3/09. The reason for the telephone contact was explained. The owner of the company was interviewed. The owner stated that the drywall installed in the involved residence had been purchased from a manufacturing company located in McQueeney, TX. He stated that his company had also provided the blown-in cellulose insulation for the involved residence. This Investigator asked the owner if he thought it was possible that the cellulose insulation was producing the black residue in the residence, in the event it was being "sucked" into the air-conditioning or heating system. The owner stated that the cellulose insulation contains Boric acid and that it would take a flame to produce the amount of residue that was being described in the residence. No other information was obtained.

ATTACHMENTS

- (1) Identity of Respondents (1 page)
- (2) Medical Records –Primary Care Physicians (47 Pages)
- (3) Medical Records-Pulmonologist (18 Pages)
- (4) Gas Company Report, Water Heater (2 Pages)
- (5) Letter from Electric company re: receptacle in bathroom (1 Page)
- (6) A/C Maintenance record (3 pages)
- (7) HVAC Service Order (1 Page)
- (8) Mold Assessment (3 Pages)
- (9) General Repair Order for TV (1 Page)
- (10) Letter from attorney re: black soot (2 Pages)
- (11) Correspondence from corporate office (1 Page)
- (12) Letter from Dr. re: move out of residence (3 pages)
- (13) Medical Records- Eye care (10 pages)
- (14) Notice of Inspection (1 Page)
- (15) Letter re: drywall (1 Page)
- (16) Drywall invoice (1 page)
- (17) Email correspondence (1 Page)

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(18) Photos 1-8

(19) Authorization for Release of Name Form (1 Page)

(20) Missing Document re: HVAC system records (1 Page)

IDENTITY OF RESPONDENTS

- (b)(3):CPSA Section 25(c) Plaintiff
[Redacted]
Lake Charles, LA 70601
(b)(3):CPSA Section 25
Initially contacted by telephone on 5/8/09. She was interviewed on-site on 5/12/09.
 - Julie Giordano, Executive Director
Habitat for Humanity
3351 Avenue C
Lake Charles, LA 70602
337/497-0129
Visited on-site on 5/12/09.
 - Humphries Family Healthcare
2025 Oak Park Blvd.
Lake Charles, LA 70601
337/479-7475
Visited on-site on 5/12/09 to obtain medical records, rec'd on 5/12/09.
 - (b)(3):CPSA Section 25(c)
[Redacted]
Lake Charles, LA 70601
(b)(3):CPSA Section 25(c)
Visited on-site on 5/12/09 to obtain medical records, records were received by mail on 6/4/09.
 - Pulmonary Associates of SW LA
(b)(3):CPSA Section 25(c) MD
1701 Oak Park
Lake Charles, LA 70601
Visited on-site on 5/12/09 to obtain medical records, rec'd on 5/12/09
 - GenSet
Bill Ramsey
3708 Hwy 27 South
Sulphur, LA 70665
337/583-9338
Initially contacted by telephone on 5/13/09. Follow-up contact made on 5/26/09 and again on 6/3/09. He verbally confirmed that the drywall used in the involved residence had been manufactured in the US.
-

SUSAN A. JONES, MD
A PROFESSIONAL MEDICAL CORPORATION
2708 SECOND AVENUE SUITE C
LAKE CHARLES LA 70601
PHONE: 337.474.0046 FAX: 337.474.8919

AUTHORIZATION FOR RELEASE OF MEDICAL RECORDS
(b)(3):CPSA Section 25(c) [Redacted] DOB: 9-2-67 SSN: (b)(3):CPSA Section 25(c) [Redacted]

authorize Susan A. Jones, MD, 2708 Second Avenue, Suite C, Lake Charles, LA 70601 to release to

U.S. Consumer Product Safety Commission Address: (b)(3):CPSA Section 25(c) [Redacted] Hammond, LA 70403
(Hospital, service agency, or third party)

the information indicated below with regard to services provided to me for the following purpose:

- For treatment at this facility
- For processing of my insurance claim
- For application for insurance
- Other, specify _____

Reports to be furnished:

- Complete Medical Records
- Diagnosis, including related to alcohol or drug abuse, if any
- History and physical examination reports
- Physician's progress notes
- Operative Report
- Consultation Reports
- Laboratory and x-ray reports
- Physician's discharge summary
- Pathology Report
- Other _____

Covering the period from November 21, 2008 to present (5/12/2009)

I understand that my records (including alcohol, drug abuse or mental status information) are protected by Federal Regulations. This consent to disclose information may be revoked by me at any time except to the event that action has been taken in reliance thereon. This consent is valid for a period of _____ six months after date signed below.

(b)(3):CPSA Section 25(c) [Redacted]

Signature of patient _____ Date May 12, 09

Signature of witness _____ Date 5/12/2009

Signature of Patient or Legal Representative _____ Date _____
(nature of relationship)

PROHIBITION ON REDISCLOSURE: THIS INFORMATION HAS BEEN DISCLOSED TO YOU FROM RECORDS WHOSE CONFIDENTIALITY IS PROTECTED BY FEDERAL LAW. FEDERAL REGULATIONS (42CFR PART 2) PROHIBIT YOU FROM MAKING ANY FURTHER DISCLOSURE OF THIS INFORMATION EXCEPT WITH THE SPECIFIC WRITTEN CONSENT OF THE PERSON TO WHOM IT PERTAINS. A GENERAL AUTHORIZATION FOR THE RELEASE OF MEDICAL OR OTHER INFORMATION IF HELD BY ANOTHER PARTY IS NOT SUFFICIENT FOR THIS PURPOSE. THE FEDERAL RULES RESTRICT ANY USE OF THE INFORMATION TO CRIMINALLY INVESTIGATE OR PROSECUTE ANY ALCOHOL OR DRUG ABUSE PATIENT. FEDERAL REGULATIONS STATE THAT ANY PERSON WHO VIOLATES ANY PROVISION OF THIS LAW SHALL BE FINED NOT MORE THAN \$5,000 IN THE CASE OF EACH SUBSEQUENT OFFENSE.

Drug Abuse Office and Treatment Act of 1972 (21 USC 1175) Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (42USC 4582), Federal Register, Vol. 40, No. 127—Tuesday, July 1, 1973.

10/99 11/05 Records sent 6-2-09
Shel, LOMA
Handwritten signature 5/15/09



Exhibit #2 and Exhibit #3
are medical records and are
confidential.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

WARNING

AN INDIVIDUAL/AGENCY WHO PROVIDED INFORMATION FOR THIS REPORT CONSIDERS THE DATA TO BE CONFIDENTIAL OR RESTRICTED. PLEASE PROCESS THIS MATERIAL IN A CAREFUL AND PRUDENT MANNER.

17-979

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 (b)(3):CPSA Section 25(c) (name of health or medical facility) to furnish the United States Consumer Product Safety Commission all information and copies of (b)(3):CPSA Section 25(c) may have pertaining to (my case)(the case of)

Patient Name

Relationship to you

self

Patient Social Security Number

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. Rediscovery 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 5/21/2009 (date supplied by patient); or (3) under the following conditions:

5/13/2009

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

(PRINTED TO SIGN FOR PATIENT)

CPSC FORM NO 170

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

NAME: NOMBRE:		CALL CENTER NUMBERS: SERVICIO AL CLIENTE:
ADDRESS: DIRECCIÓN:		ARKANSAS 1-800-992-7552 BEAUMONT 1-800-376-9663 EAST TEXAS 1-800-259-5544 SOUTH TEXAS 1-800-427-7142 HOUSTON 1-800-752-8036 NORTH LOUISIANA 1-866-275-5252 SOUTH LOUISIANA 1-800-477-0177 MINNESOTA 1-800-722-9326 MISSISSIPPI 1-800-371-5417 OKLAHOMA 1-866-275-5265
CITY/STAT: CIUDAD/ESTADO: <u>L.C. LA</u>	PHONE: TELÉFONO:	
<input checked="" type="checkbox"/> OWNER: PROPIETARIO: <input type="checkbox"/> REFUSED TO SIGN: REHUSARON FIRMAR:	<input type="checkbox"/> TENANT: INQUILINO: <input type="checkbox"/> PROPERTY MANAGER ADMINISTRADOR DE LA PROPIEDAD	<input type="checkbox"/> OTHER: OTRO:
EMPLOYEE: EMPLEADO: <u>J. H.</u>	CUSTOMER: CLIENTE: <u>MARILYN CHAMBERS</u>	

DATE CONDITION WAS FOUND (FECHA EN QUE SE ENCONTRÓ LA CONDICIÓN)
11-20-08

WARNING: YOU ARE CAUTIONED NOT TO USE THE APPLIANCE UNTIL PROPER CORRECTIVE ACTION HAS BEEN TAKEN.
 ATENCIÓN: TEN CUIDADO DE NO USAR EL APARATO HASTA QUE SE HAYAN TOMADO LAS MEDIDAS APROPIADAS.

APPLIANCE (APARATO)

<input type="checkbox"/> SPACE HEATER (CALEFACTOR DE AMBIENTE)	<input type="checkbox"/> GAS LOGS (TRONCOS DE GAS)
<input checked="" type="checkbox"/> WATER HEATER (CALENTADOR DE AGUA)	<input type="checkbox"/> GAS GRILL (PARRILLA DE GAS)
<input type="checkbox"/> HEATING UNIT (UNIDAD GALEFACTORA)	<input type="checkbox"/> GAS LIGHT (LÁMPARA DE GAS)
<input type="checkbox"/> RANGE (ESTUFA)	<input type="checkbox"/> _____
<input type="checkbox"/> GENERATOR (GENERADOR)	<input type="checkbox"/> _____
<input type="checkbox"/> POOL HEATER (CALEFACTOR DE PISCINA/ALBERCA)	<input type="checkbox"/> _____
<input type="checkbox"/> AIR CONDITIONER (ACONDICIONADOR DE AIRE)	<input type="checkbox"/> _____

CONDITION FOUND (CONDICIÓN ENCONTRADA):

- NOT VENTED PROPERLY (VENTILACIÓN INAPROPIADA)
- BURNER NOT ELEVATED 18" FROM FLOOR (QUEMADOR A MENOS DE 18 PULGADAS DE ELEVACIÓN DEL SUELO)
- NOT BURNING PROPERLY (NO PRENDE APROPIADAMENTE)
- NEEDS CLEANING (LIMPIEZA REQUERIDA)
- WATER LEAK (FUGA DE AGUA)
- NO WATER TO WATER HEATER (NO HAY ABASTECIMIENTO DE AGUA AL CALENTADOR DE GAS)
- NO RELIEF VALVE (NO HAY VÁLVULA DE ESCAPE)
- DEFECTIVE APPLIANCE CONNECTOR (CONECTOR DEFECTUOSO EN APARATO DOMÉSTICO)
- ELECTRICITY NOT TURNED ON (ELECTRICIDAD NO CONECTADA)
- SOURCE OF CARBON MONOXIDE (FUENTE DE MONÓXIDO DE CARBONO)
- DEFECTIVE HEAT EXCHANGER (INTERCAMBIADOR DE CALOR DEFECTUOSO)
- LEAKING THROUGH BURNER VALVE (FUGA POR VÁLVULA DEL QUEMADOR)
- DEFECTIVE CONTROL (CONTROL DEFECTUOSO)
- NO ACCESS TO EQUIPMENT (NO HAY ACCESO AL EQUIPO)
- DID NOT LIGHT CUSTOMER REQUEST (NO SE ENCENDIÓ PEDIDO DEL CLIENTE)
- DID NOT LIGHT NEW OR UNTESTED EQUIPMENT (NO SE ENCENDIÓ EQUIPO NUEVO O NO PROBADO)
- putting out 30ppm of CO
- _____

REMARKS (NOTAS):

Villery Plumbing & Heating
518 North Cherry Street
Lake Charles, LA 70601
Ph. 337.433.3914

INVOICE

(b)(3):CPSA Section 25(c)		SHIP TO <i>Villery Plumbing & Heating</i>	
		ADDRESS <i>518 N. Cherry St</i>	
CITY, STATE, ZIP <i>Lake Charles, La. 70601</i>		CITY, STATE, ZIP <i>Lake Charles, La. 70601</i>	
CUSTOMER ORDER NO.	SOLD BY <i>R. Verry</i>	TERMS	DATE <i>11-24-08</i>
ORDERED	SHIPPED	DESCRIPTION	PRICE UNIT AMOUNT
		<i>Drain and removed</i>	<i>2.0</i>
		<i>40 gal. nat. gas whirlpool</i>	
		<i>water heater. Returned</i>	<i>1.0</i>
		<i>to power.</i>	
		<i>Installed male adapters</i>	<i>1.0</i>
		<i>for supply lines.</i>	
		<i>Installed 40 gal. nat. gas</i>	<i>2.0</i>
		<i>water heater w/ new supply</i>	
		<i>lines for cold and hot water.</i>	
		<i>R. Verry</i>	<i>6.0 \$650.00</i>

Parts, Materials + Labor

Loftin



090506CBB3567
Exhibit #5, Page 1 of 1

Physical Address: 1581 N. Hwy 171
Mailing Address: P.O. Box 12767
Lake Charles, LA 70611 Phone: 337.855.8882
Fax: 337.855.4944

Electric LLC

December 16, 2008

Habitat for Humanity
1638 Broad Street
Lake Charles, LA 70601

Attention: Jeanie

Dear Jeanie:

Subject: (b)(3):CPSA Section 25(c)
Lake Charles, LA 70611

After investigating what the insurance company referred to as burning around the receptacle in the bathroom, I discovered there was no evidence to support that. The voltage was checked, and it was determined that the voltage was correct with the appliances plugged in.

Miss Charles showed me soot through out her home. This residue is a result of gases not having the proper air ratio or an mproper orifice on the burner.

My recommendation is that someone qualified in gas combustion completely check this situation out as an electrical burn does not create soot.

Sincerely,

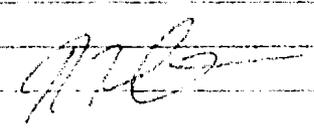
A handwritten signature in cursive script that reads 'R. Scott Loftin'.

R. Scott Loftin
Owner, Loftin Electric, LLC
LA Master License # 49105

PRICING SHEET

PAGE NO. 1 OF 1 PAGE

(b)(3):CPSA Section 25(c) ARCH OR CONTRACTOR <u>Sims A/c</u> TYPE OF WORK <u>A/c</u>	ESTIMATE NO. CHECKED BY DATE <u>2/16/09</u>
PRICED BY <u>Richard</u>	EXTENDED BY

DESCRIPTION	QUAN	@	UNIT PRICE	TOTAL PRICE	EXTENSION
<p> Square Footage of Home Is 1092 Square Feet. Recommended Size of A/c Unit Is A 2-Ton A/c System. Currently In The Home Is A 3-Ton A/c System. This 3-Ton A/c System Is Oversized For This Home. mold mildew Spots Are Appearing On The Walls, Clothes, Appliances, + Furniture Due To High Humidity In Home Because Of Oversized A/c. Unit Is Short Cycling. Not Allowing Humidity to Filter Out. </p>					
					
TOTAL \$					

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Exhibit #6, Page 1 of 3

1707 Mustang Crossing
Missouri City, Tx 77459

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Exhibit #6, Page 2 of 3

Carney's Air Conditioning and Heating

Date:

Carney's Air Conditioning Heating
Installation & Service
(281) 437-0941

Sold To

Name: Y
Address:
City, St, &
Phone:
337

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

SERVICE REPORT

Qty	Parts	Price	Amount	Description of Work
	Home size 1100 SQ FT Recommended size 2 TON 13 SEER SYSTEM			CHECK A/C & HEATING SYSTEM. FOUND AIR CONDITIONING SYSTEM SHORT CYCLE IN UNIT NOT RUNNING LONG ENOUGH TO
	AT PRESENT THERE IS A 3 TON SYSTEM WHICH IS ONE TON OVER SIZE			REMOVE DAMPERS OUT OF AIR CAUSING HIGH HUMIDITY THROUGH HOUSE
	NOTE TO REMOVE 3 TON AIR HANDLER AND ALL DUCT, BECAUSE OF IN SYSTEM		150	SERVICE PRICE
	REPLACE A 2 TON 13 SEER AIR HANDLER AND ALL NEW DUCT SYSTEM			Other Charges
	ALL PARTS WOULD HAVE 5 YEAR WARRANTY			
Date Completed:	3/27/08		Total Parts	Labor: 1200 Total Parts: 2000 Sub Total: 3200 Tax: Total: 3200
WHEN ORDERED:	A Carney			

Thank you for your business!

"WE GET IT DONE"

RECEIVED

DATE 3/27/09 No. 583567

FROM FLOYD CARNEY \$ 150.00

ONE HUNDRED & FIFTY DOLLARS

FOR RENT SERVICING A/C & HEATING

FOR

ACCT.		<input checked="" type="radio"/> CASH	FROM <u>MURKIN</u> ^{charges} TO <u>FLOYD CARNEY</u>
PAID		<input type="radio"/> CHECK	
DUE		<input type="radio"/> MONEY ORDER	BY <u>F. CARNEY</u>

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 Exhibit #6, Page 3 of 3

SUMMARY REPORT

MOLD ASSESSMENT SAMPLING REPORT

090506CBB3567
Exhibit #8, Page 1 of 3

Initial Investigation of

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

Lake Charles, LA

February 21, 2009

**Prepared for:
Habitat for Humanity
Calcasieu Area, Inc.
3551 Ave C
Lake Charles, LA 70615**

**Performed by:
BOOTH ENVIRONMENTAL SERVICES, LLC
P.O. Box 7931
Lake Charles, LA 70606-7931
337-474-7325**

Note: The original copy is a "bad copy". This is not a scanning issue.

090506CBB3567
Exhibit #8, Page 2 of 3

SUMMARY REPORT

SUMMARY

Booth Environmental Services, LLC (BES) was retained by Habitat for Humanity to conduct an initial Mold Assessment for a building located at (b)(3):CPSA Section 25(c) Lake Charles LA. This assessment was performed in accordance with acceptable practices in use by the mold assessment industry at this time. It is understood that the client is interested in assessing several portions of this property.

Pertinent information gathered during this sampling effort was evaluated and analyzed. This report presents a professional opinion of the conditions, conclusions and recommendations.

Limitations and Exceptions

The client should understand that uncertainty is not eliminated. No survey can wholly eliminate uncertainty regarding the potential for the presence or absence of mold in connection with a property. The completion of an appropriate level of investigation is intended to reduce, but not eliminate, uncertainty regarding the presence or absence of mold in connection with a property.

The assessment was conducted on [redacted] at [redacted] Lake Charles, LA. The assessment was performed in accordance with acceptable practices in use by the mold assessment industry at this time. It is understood that the client is interested in assessing several portions of this property.

The weather was very clear, mild. The resident was concerned with a number of discolorations in the home and with the quality of air being delivered from the air conditioning system. All spots of concern were reviewed in the field and, in general, the appropriate distribution and identification of mold was determined.

- There are numerous locations of small spots of discoloration in the home which had caused alarm for the resident. These were ranging from one to six inches in size. These were investigated and observed by the inspector. None of

the areas reviewed had the normal or typical appearances of fungal growth at the time of the inspection. There were no areas of excessive moisture located during the inspection. Numerous other 'typical' areas which might support mold growth were investigated with no success.

2. Four surface samples were taken of suspect areas, which included the air filter and a filter placed into the air vents which was blackened over time. All samples were examined using 300 power microscopic lenses. None of these samples were found to host fungal like growth. Several did have traces of soot from combustion, although not in great quantities.
3. There is no explanation for the dark spots on the TV in the building that BES can offer. This was a unique condition. If it could be opened up and sampled with a swab sample, the material could be tested.

CONCLUSIONS / RECOMMENDATIONS

BES has performed a Mold Assessment Sampling project in conformance with the above scope and limitations for the subject property located at the subject site. It is our conclusion that darkened areas was not mold and that there is not a fungal problem at this residence. While there was some soot particles present, the overall concentration of soot was not considered to be high. Soot is normally present to some extent in urban environments.

PRINTED IN U.S.A.

GENERAL REPAIR ORDER



ACT ELECTRONICS

3817 Kirkman Street
LAKE CHARLES, LA 70607
337-474-4851

Fax 337-474-3219

REPAIR ORDER

005464

090506CBB3567

Exhibit #9, Page 1 of 1

NAME (b)(3):CPSA Section 25(c)		DATE RECEIVED 2-25-09
ADDRESS		MODEL NO. 42HL167
CITY LA		SERIAL NO. AM3620425

APPLIANCE TOSHIBA LCD TV		WARRANTY	SERIAL NO.
REPAIRED IN	ESTIMATE	DELIVERY	C.O.D.
<input type="checkbox"/> HOME <input type="checkbox"/> SHOP		<input type="checkbox"/> OURS <input type="checkbox"/> PICK UP	<input type="checkbox"/> CHG. 49

CUSTOMER COMPLAINT: **BLACK, CLOUDY LOOK IN PICTURE**

QTY	DESCRIPTION	PRICE
1	LCD PANEL	2450.00
	SHOP MATERIALS	1200

MAJOR LABOR PERFORMED OPENED TV & FOUND BLACK SOOT INSIDE; SOOT IS INSIDE LCD PANEL; NEEDS NEW LED PANEL - NOT COST EFFECTIVE TO REPAIR	TOTAL PARTS MATERIAL	
	TAX	
	LABOR	300.00
	PICK UP, DELIVERY OR SERVICE CALL	100.00
	TAX	257.58
TOTAL (C.O.D.)		319.58

OWNER'S SIGNATURE INDICATES SATISFACTORY PERFORMANCE OR SET AT TIME OF DELIVERY OR COMPLETION OF REPAIRS BY HOME. SIGNATURE

GUARANTEE: ALL WORK PERFORMED BY QUALIFIED TECHNICIANS. ALL MATERIALS USED IN REPAIR OF THIS UNIT ARE OF FIRST QUALITY AND GUARANTEED FOR A PERIOD OF NINETY DAYS AFTER DATE OF REPAIR.

LEONARD KNAPP, JR.
(a Professional Law Corporation)
P. O. Box 1665 / 1109 Pithon Street
Lake Charles, LA 70602-1665
Phone: (337) 439-1700 / Telecopier: (337) 436-2403
Internet: knappk@bellsouth.net

March 5, 2009

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

As you know, I represent Habitat for Humanity: Calcasieu Area, Inc.

Habitat has thoroughly investigated your allegations. When you first complained about the water heater, we replaced it and made certain that all of the connections were properly installed. When we returned the original water heater to the manufacturer, they reported that there was absolutely nothing wrong with it.

You appeared to have continued problems, so we examined the air conditioning unit thoroughly. It does not appear to be the source of any problem at this time. HFH has learned that rather than a 2 ton unit being installed, a 3 ton unit was installed. After talking with various air conditioning experts however, it is our conclusion that the fact that you have additional tonnage for the use of your home, is not the source of any problem. We just overpaid the air conditioner installer. It is important, however, for you regularly to change the air filter on that unit.

Because we were concerned about the possibility of mold, we also brought in an expert on mold and had the various areas which you pointed out tested. I sent you a copy of his report indicating that he found no dangerous mold.

Most recently you have made a complaint about the newly installed water heater, but we had plumbers and appropriate experts examine that water heater, and have been advised that it is properly installed and working properly and not emitting any carbon monoxide and is perfectly safe.

In looking at your home, the best explanation which we have for your problem is the numerous candles which you have around your home which are causing soot which can get into your air conditioning unit and be circulated thus causing the blackening effect which you observe. It is our recommendation that you refrain from burning any candles in your home.

March 5, 2009
Page 2

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Exhibit #10, Page 2 of 2

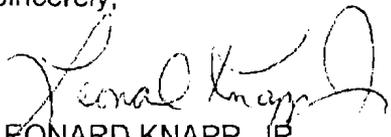
We have exhausted our investigation into what may be the problem in your home. If you have a specific expert who after examining your home identifies a more specific problem, or concern in your home, I would be happy to discuss that with them and yourself.

Because you voluntarily moved out of the home, I am willing to recommend to the Board that we allow you up to two months forbearance, that is, the monthly payments for up to two months would be deferred to the end of your payment term. They would still be due, just added on to the end of your term.

If you desire me to approach the Board, I will do so. HFH and yourself must then enter into a formal agreement to change the terms to reflect the additional payments at the end of the term.

Please do not hesitate to contact me if you have any additional experts who raise a concern regarding your home and we will be happy to discuss that with you.

Sincerely,


LEONARD KNAPP, JR.
(a Professional Law Corporation)

LK,jr/jb

cc: Habitat for Humanity: Calcasieu Area, Inc.

090506CBB3567
Exhibit #11, Page 1 of 1

Messages | Addresses | Settings

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

Mail

Inbox > Email Message

Folders [manage]

Inbox (9)

Drafts

Sent Mail

My Folders [hide]

Spam (1,476)

Trash (136)

Mailbox Usage

You are using 4% of
your mailbox (82,751
KB out of 2,000,000 KB)

Reply Reply All Forward Delete Spam Phishing New Filter
Detail Printable View

Prev |
Next

Move to: Drafts OK

Date: Wednesday, March 18, 2009 4:10 PM

From: Dawn Daniels-McNear <DDaniels-McNear@habitat.org>

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

To: [Redacted]

Subject: Re: Letter of complaint

Size: 7 KB

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

Thank you for submitting your written complaint to the US Support Center. Habitat for Humanity International will not be pursuing this concern any farther as we have received written confirmation from the affiliate's legal representation stating that they have been working with you on the issue and feel that they have uncovered the root of the issue.

As stated in the lawyer's letter it is imperative that you remain in contact with the affiliate as well as Mr. Leonard Knapp, Jr. (affiliate legal representation) as he has stated that he will approach the Board if that needs to happen and that he will speak with any additional experts who raise concerns regarding your home.

Dawn M. Daniels McNear
Support Specialist
US Support Center
1-800-Habitat ext. 5114

Do Your Best and Let God do the Rest!!!

Medical Records
Confidential



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WARNING

AN INDIVIDUAL/AGENCY WHO PROVIDED INFORMATION FOR THIS REPORT CONSIDERS THE DATA TO BE CONFIDENTIAL OR RESTRICTED. PLEASE PROCESS THIS MATERIAL IN A CAREFUL AND PRUDENT MANNER.

U.S. CONSUMER PRODUCT SAFETY COMMISSION	
NOTICE OF INSPECTION	
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
<p>Notice of Inspection is hereby given pursuant to:</p> <ul style="list-style-type: none"> • Flammable Fabrics Act (15 U.S.C. 1191 <i>et seq.</i>); • Federal Trade Commission Act (15 U.S.C. 41 <i>et seq.</i>); • 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 <i>et seq.</i>)] and/or • Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)). <p>Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.</p>	
<p>5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED.</p> <p>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.</p>	
<p>6. FREEDOM OF INFORMATION REQUIREMENTS</p> <p>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.</p>	
<p>7. SIGNATURE (Authorized CPSC Official)</p>	

GenSet

Sulphur • New Roads

3708 Hwy 27 South
Sulphur, LA 70665
(337)583-9338
Fax (337)583-2296

090506CBB3567
Exhibit #15, Page 1 of 1

DATE: 4/28/09

To: Julie Giordana

From: Bill Ramsey

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

Re:

**Lake Charles, LA.
"Ghosting Issues"**

Julie,

As per our conversation this morning about the "ghosting issue" at (b)(3):CPSA Section 25(c), let me assure you that the so called "Chinese drywall" was not used in this house or any houses that our company has drywalled. We purchase Temple drywall that is made in McQueeney, Texas.

I would be more than happy to take a look at the issue to determine what the problem may be. Please feel free to call me to set up a time to look at the issue.

**Sincerely,
Bill Ramsey**

Toole, Shana

From: Julie Giordano [julie@hfhca.org]
Sent: Monday, May 25, 2009 2:12 PM
To: Toole, Shana
Cc: Julie Giordano; Lenn Knapp
Subject: Re: (b)(3):CPSA Section 25(c)

090506CBB3567
Exhibit #17, Page 1 of 2

Shana,

I apologize for the delay in responding to you, and it was nice to meet you as well. I wanted to confirm that Habitat for Humanity: Calcasieu Area, Inc. is not sure what the source of the problem is, but we are diligently seeking to find the problem.

The air-conditioning system has not been identified to be the problem, but we have sealed the box in the return air-conditioning closet recently. We have had numerous specialist assessing the home and we are continuing to move toward a final resolution.

If you have any further questions, our attorney that consults our board will be glad to assist you. Mr. Lenn Knapp has taking the lead on this homeowner and he can be reached at knapplk@bellsouth.net or 337.439.1700.

Thank you,

Julie Giordano

Julie Giordano
Executive Director
Habitat for Humanity: Calcasieu Area, Inc.
Lake Charles, La. 70602

Work: 337-497-0129
Fax: 337-497-0470
julie@hfhca.org
www.hfhca.org

Quoting "Toole, Shana" :

Hi Julie,

It was a pleasure meeting you yesterday. I received the invoice for the purchase of the drywall used in the above referenced residence. I am writing to request the records (installation, maintenance, service, etc.) you have on file regarding the air-conditioning system in this residence. I remember you mentioning during our conversation that you believe the source of the problems the resident is experiencing in her home is related to the air-conditioning system. The records can be mailed, emailed, or faxed. Thanks for your cooperation in this matter. Let me know if you have any questions or concerns.

Sincerely,

Shana Toole

US Consumer Product Safety Commission

26755 James King Road

Hammond, LA 70403

Voice-225/567-3937

Fax- 866/517-6864

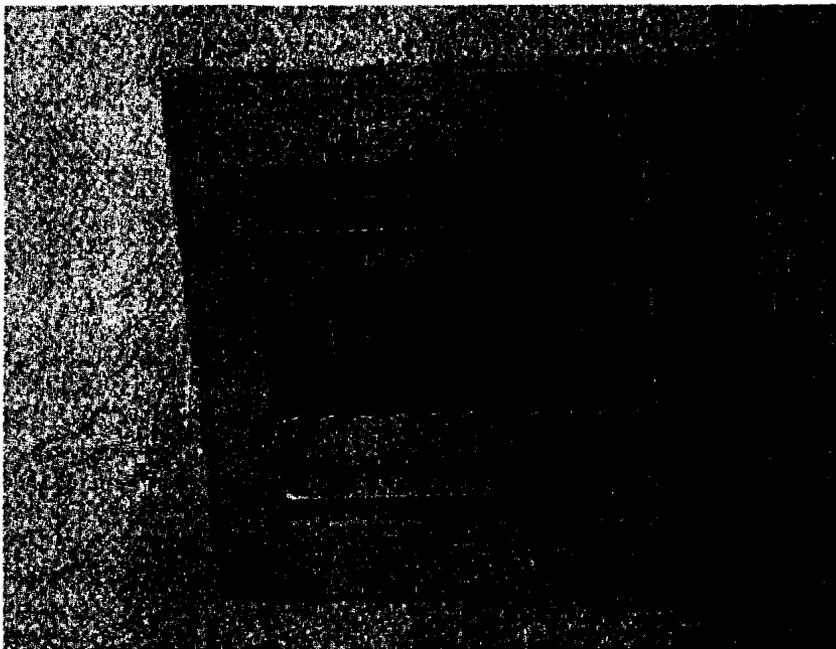
stoolef@cpsc.gov

090506CBB3567 Exhibit #17, Page 2 of 2

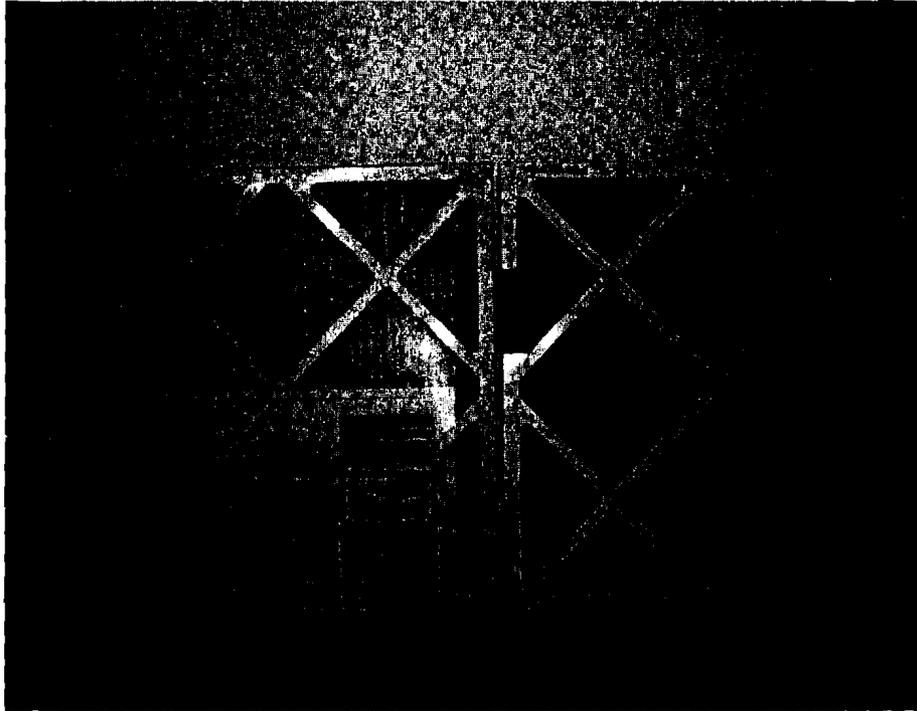
*****!!! Unless otherwise stated, any views or opinions expressed in this e-mail (and any attachments) are solely those of the author and do not necessarily represent those of the U.S. Consumer Product Safety Commission. Copies of product recall and product safety information can be sent to you automatically via Internet e-mail, as they are released by CPSC. To subscribe or unsubscribe to this service go to the following web page: <https://www.cpsc.gov/cpsclist.aspx> *****!!!



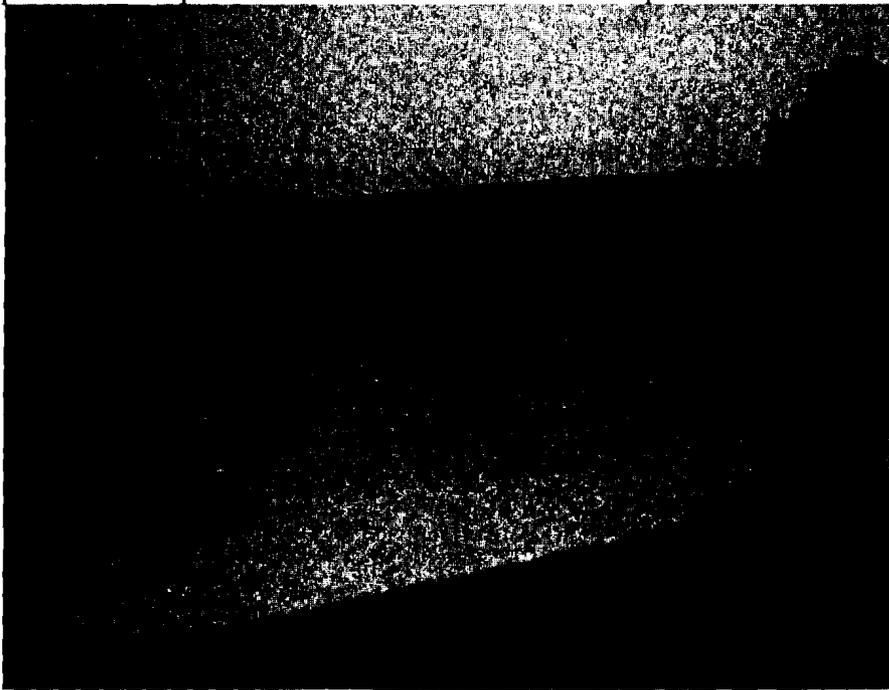
090506CBB3567 Photo #1 shows a view of the exterior of the involved residence.



090506CBB3567 Photo #2 shows a view of the ceiling vent in the utility room of the involved residence. The black residue/soot the complainant reported in her residence is visible on this vent, as well as others in the residence.



090506CBB3567 Photo #3 –the filter on the right side of the photo had been placed in the a/c return air closet for approximately 3 days. A new filter is located on the left of the photo and was placed next to the “used” filter for comparison.



090506CBB3567 Photo #4 shows a view of the black soot that had settled on top of a curio cabinet located in the dining room of the involved residence.



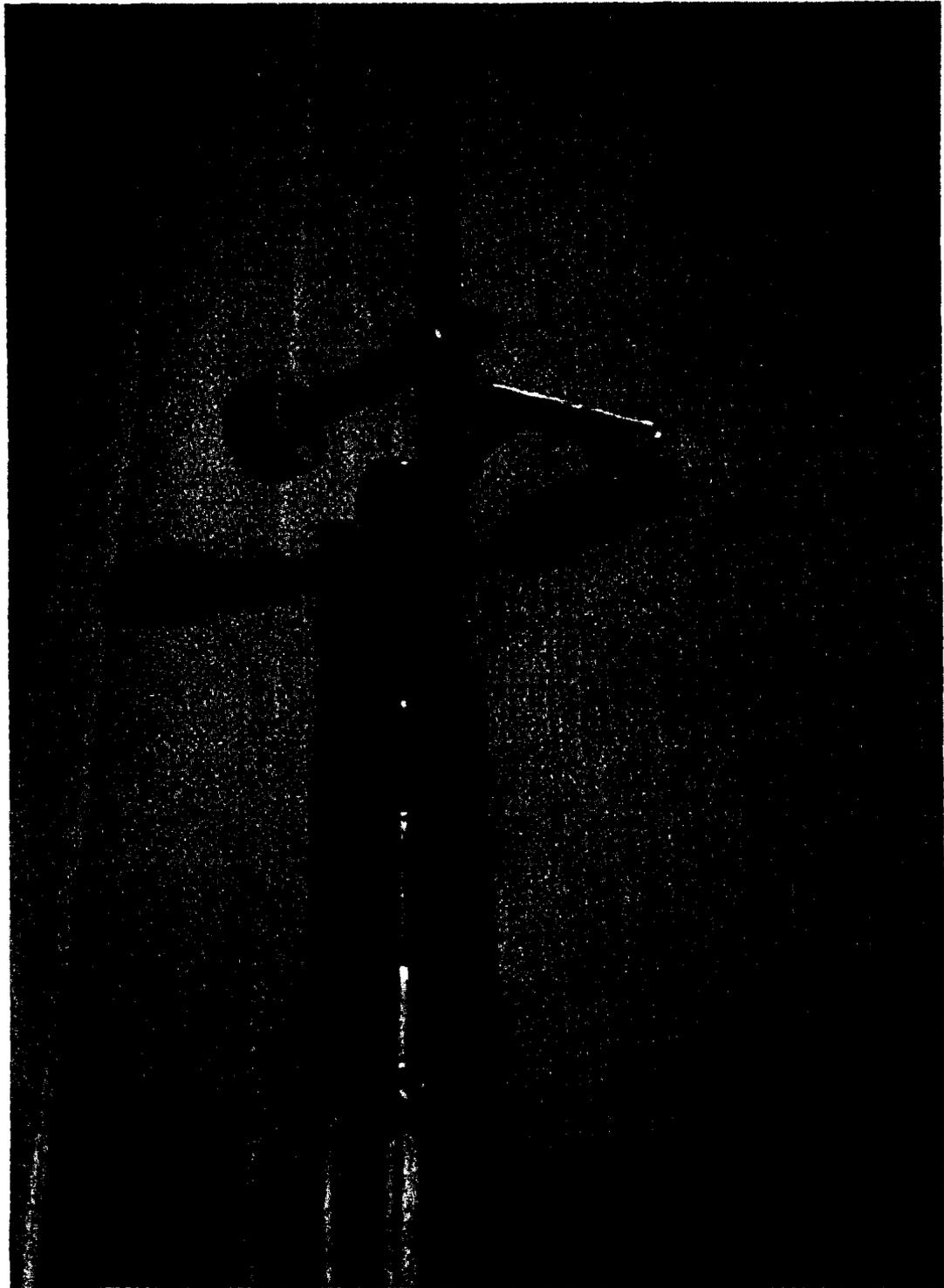
090506CBB3567 Photo #5 shows a view of cheese cloths that had been placed and left in vents in the involved residence for 7 days. A new cheese cloth was placed in the photo for comparison. The cheese cloths appear to have absorbed the black soot/residue while in the vents.



090506CBB3567 Photo #6 shows a partial view of the attic in the involved residence that contains blown in cellulose insulation. The complainant believes the insulation is being sucked into the air-conditioning system and may be the source of the black soot in her residence.



090506CBB3567 Photo #7 shows a view of a light switch located in the master bedroom of the residence. The cover plate was removed in order to examine the copper in the light switch. The copper did not appear to contain any black residue. Several light switches were checked and none were found to have blackened copper.



090506CBB3567 Photo #8 shows a view of a door hinge/stop in the involved residence. The door hinge/stop did not have any evidence of pitting or corrosion. This door hinge/stop is representative of the other door hinges in the residence.

U.S. Consumer Product Safety Commission

AUTHORIZATION FOR RELEASE OF NAME

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

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

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

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

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

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

name to the manufacturer and to the public.

5-12-09
(Date)

Exhibit #20, Page 1 of 1
090506CBB3567

Task No. 090506CBB3567

Date: 06/04/09

STATUS OF MISSING DOCUMENT (S)

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

- 1. HVAC records
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Date: 06/04/09 **Investigator No:** 9096

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

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1 (b)(3):CPSA Section 25(c)		(WORK) Unknown	
3		ST LA	ZIPCODE 70601
4a. EMAIL ADDRESS Unknown (b)(3):CPSA Section 25(c)		4b. INCIDENT CITY Lake Charles	
5. DESCRIBE INCIDENT INCLUDING DATA ON INJURIES Consumer stated that she moved into the house in 2006 but she smelled the horrible odor from November, 2008. Consumer said the - cont -		ST LA	ZIPCODE 70601
6. DATE OF INCIDENT(S) 11/15/2008 11.18.08	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 41 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 Chinese drywall	
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Unknown Unknown		12. MODEL, SERIAL #'S, DATE OF MFR Mod# Unknown	
ISSUE 29 04/17/2009		13. DEALER'S NAME, ADDRESS & PHONE Habitat For Humanity Unknown Unknown Unknown	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:		15. PRODUCT PURCHASED NEW DATE PURCHASED 06/15/2006 AGE 2 Y	
		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: None	
17. HAVE YOU CONTACTED THE MANUFACTURER? NO 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. H0940202A	
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1876	
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE jik 04/16/2009	

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

(b)(3):CPSA Section 25(c)	(HOME)	(WORK)	
		Unknown	
	ST	ZIPCODE	
	LA	70601	
4a.EMAIL ADDRESS	4b.INCIDENT CITY	ST	ZIPCODE
Unknown	Lake Charles	LA	70601

5.DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES

Consumer stated that she moved into the house in 2006 but she smelled the horrible odor from November, 2008. Consumer said the
- cont -

6. DATE OF INCIDENT(S) 11/15/2008	7.IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 41 Y/F AND DESCRIBE INJURY See Narrative	8.IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME None RELATIONSHIP None
--------------------------------------	--	---

9.DESCRPTION OF PRODUCT chinese drywall	10.BRAND NAME Chinese drywall
--	----------------------------------

11.MFR/DISTRIBUTOR NAME, ADDR. & PHONE Unknown Unknown	12.MODEL, SERIAL #'s, DATE OF MFR Mod# Unknown ISSUE 29 04/17/2009	13.DEALER'S NAME, ADDRESS & PHONE Habitat For Humanity Unknown Unknown Unknown
--	---	--

14.WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15.PRODUCT PURCHASED NEW DATE PURCHASED 06/15/2006 AGE 2 Y	16.DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: None
--	---	--

17.HAVE YOU CONTACTED THE MANUFACTURER? NO 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. H0940202A
23.FOLLOW-UP ACTION		24.PRODUCT CODE(S) 1876
25.DISTRIBUTION		26.ENDORSER'S NAME & TITLE jik 04/16/2009

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0940202A

Narrative Continued

wiring from the electrical outlet and silverware is corroded.
Consumer had been experiencing sick symptom like" headaches,
respiratory problems, sore throat, dry throat and nausea.
Consumer said when she leaves the house she feels much better.
No further information.

Distributor Phone #:

CPSC Source: BOOKS

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

I Maria Charles am writing to inform your company on the problems I've been having. After a 15 day out of town trip. Returning home on Nov 18, 2008 after entering my home I noticed a grayish white (soot) residue thru my entire home inside my 42" flat screen TV, walls, inside cabinets, and and unpleasant odor along with grayish residue inside of all electrical sockets (habitat for humanity says it's a candle). April 8 I noticed my vocal is discoloring turning yellow and appears to be that mold is starting to surface. I've been having electrical issues.

March 11, 2009 I have been advised to remove myself out of the home.

April 18, 2009 I went to check on my home. April 19, 2009 I went to Lake Charles Memorial ER. due to eye red, close, irritated. The April 20, I went to see a Eye Doctor @ The Eye Clinic. Doctor patch left eye. April 23, 09 went back to eye doctor eye infected, red and inflame and redness doctor gave another type of eye drop for infection

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 belief.

(b)(3) CPSA Section 25(c)	4. 24. 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.

090506 CBR 3567

TempleInland

C. Morris Davis
General Counsel
Direct: 512.434.3703
Fax: 512.434.8051
E-mail: MorrisDavis@TempleInland.com

July 31, 2009

U.S. Consumer Product Safety Commission
4430 East West Highway
Bethesda, Maryland 20814-4408

Attention: Todd A. Stevenson
Director – Office of the Secretary
Division of Information Management
Office of Information and Technology

Re: FOIA Requests 09-F-00427, 09-F-00495, 09-F-00512 and 09-F-00825: Chinese Drywall, Gypsum Board, Wallboard, Plasterboard or Sheetrock / Complaints, Reported Incidents, Investigations of Incidents and Commission Investigation Records – Commission's Notice to Temple-Inland Regarding Potential Release of Records

Dear Sir:

Thank you for the notice regarding the potential release of records.

After review of the records enclosed within your notice, we do not believe that the records are responsive to the request made to the Commission. We note that the request specifically referred to "Chinese Drywall / Wallboard" and studies related to Chinese wallboard and sulfur compounds from Chinese drywall. Similar statements are found in each of the requests to the Commission.

The records in question make clear that Chinese drywall is not involved. Rather, all of the information included states that the drywall was manufactured in the United States. Therefore, we believe it is clear that the records mentioning Temple-Inland are not responsive in any way to any of the several requests you have received.

Further, the investigative report concludes the gypsum wallboard was not the source of the problems raised by the claimant based upon the investigation by multiple parties including the U.S. Consumer Product Safety Commission Investigator, the builder Habitat For Humanity, and several service and repair vendors. The Investigator expressly found no evidence of corrosion, pitting or blackening of copper pipes and fixtures, and no sulfur or rotten egg odor, all of which are commonly present in complaints involving Chinese drywall. The black residue complained of by the homeowner was found to be soot, with various possibilities as to the possible sources including burning of candles, the water heater, and the air handling system. Never was the gypsum drywall identified as a potential source for the soot.

Temple-Inland

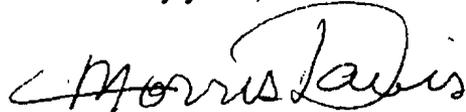
July 31, 2009
Page 2

If the records are released as being responsive to the requests, third parties may reach a conclusion that Temple-Inland is somehow involved with Chinese drywall and it will be required to respond with a showing that it is not involved with Chinese drywall. This seems to create an unwarranted involvement of Temple-Inland if the Commission's investigation and other records are released as being responsive to a Chinese drywall inquiry.

Temple-Inland requests that the information not be released as responsive to the request.

If we may supply further information, please do not hesitate to contact the undersigned.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "C. Morris Davis".

C. Morris Davis
General Counsel

CMD/mt

090427CWE8203

The complainant was initially contacted by telephone on 4/27/09. He and his wife were interviewed on-site on 5/7/09. Note: The complainant is the Fire Chief in his parish. The retailer where the involved drywall was purchased was visited on 5/14/09. The complainant's wife stated she would obtain the family's medical records and forward them to this Investigator. Attempts to obtain the medical records were unsuccessful.

The complainant is a 50-year-old male. He and his 49-year-old wife live with their two children, a 21-year-old male, and an 11-year-old female in a two story home they purchased in October of 2006. (See Photo #1) The home had been damaged during Hurricane Katrina. The complainant stated that the interior of the residence had been "gutted" down to its wood studs when they purchased the home. The complainant described the home as having 2,300 square feet of living space. Two of the three bedrooms have carpet flooring. The remainder of the home has either ceramic tile or wood flooring. The home is equipped with natural gas and electric services. The following appliances are natural gas fueled appliances: dryer, oven, water heater, and fireplace. The home is equipped with smoke detectors, which are hard-wired and have a battery back-up. The home is not equipped with a fire sprinkler system. A fire extinguisher is present. The home's electrical wiring was replaced during the renovation of the residence.

The complainant stated that renovations on the residence began in October 2006. The involved product, drywall, was purchased by the complainant, from a building supply store in April of 2007. The complainant stated that one of his co-worker's wives worked at the building supply store, which sold him the drywall at a discounted price due to the drywall having some minor damage. The complainant stated that he was given a quote of \$7.00 per sheet of drywall, plus he would be given 10% more drywall than he ordered since the drywall was damaged. The complainant stated that he was out of town when the drywall was delivered to his home and he was unaware that the drywall had been imported from China. According to the complainant's wife, during the delivery of the drywall, she noted that it created a lot of dust in the residence as it was being unloaded from the delivery truck.

The complainant stated that when he returned home and discovered that the drywall was imported from China, he was very upset. He stated that he had been under the impression that he was buying sheetrock, not drywall, and that it would be American made. The complainant stated that due to him purchasing the drywall from a company which employed a co-worker's wife, he did not want to cause trouble by returning the drywall. He stated that he did not want to cause tension in the workplace. Note: He provided a copy of a quote he had gotten from the building supply store for the drywall, which is dated 3/12/07. He also provided a copy of the invoice for the drywall he received, which is dated 4/17/07. In addition, he provided a copy of his cancelled check, dated 4/20/07, for the purchase of the drywall. (Quote, invoice, and cancelled check are attached as Exhibit #2.)

The complainant stated that the involved drywall was hung in December of 2007, by a group of volunteers that had come down from New York. The volunteers were a group

090427CWE8203

of firefighters that were in the area to help rebuild homes that had been damaged during Hurricane Katrina. (See Photo #17) The complainant stated that the involved drywall was floated in January of 2008. It was painted in February of 2008, by himself and family members. He stated that he noticed right away that the drywall "sucked up" primer and paint during the process. Note: The complainant's wife stated that even before the involved drywall was hung and painted, she noticed an unusual odor in the residence, while it was being stored in the residence during renovations. (See Photo #16) She attributed the odor to the surrounding area/neighborhood, which had been flooded during Hurricane Katrina. Both the complainant and his wife described the odor as a musty or sulphur odor. The complainant stated that the odor is more noticeable when the weather is warm and humid. He also stated that the odor is more prevalent in the dining room and upstairs bathroom. (Note: During the on-site, this Investigator was aware of a faint odor of sulfur.)

The complainant stated that his family moved into the newly renovated home in April of 2008. He stated that approximately 6 months ago (November 2008) his family began experiencing symptoms ranging from headaches to nose bleeds. The complainant stated that he experiences an after taste/bad taste in his mouth when he is at the residence. He also stated that he experiences dry mouth when he is at home. He stated that he doesn't experience the after taste or dry mouth when he away from the residence.

He stated his 49-year-old wife has been suffering from insomnia nightly for the past 2-3 months and has experienced sinus problems in the last 6 months, which have required medical treatment on two occasions. The complainant's wife stated that her sinus problems/symptoms improve when she is away from the residence during the day, while she is away at work. She stated the symptoms return shortly after she returns to the residence.

The complainant stated that his 11-year-old daughter has experienced 4-5 nosebleeds since January of 2009. He stated that she has been experiencing headaches on a weekly basis. The complainant's wife stated that in April of 2009, the 11-year-old developed hives all of her body. The 11-year-old was treated by a physician, who did not determine what was causing the hives.

The complainant's 21-year-old son has also experienced sinus problems in the last 6 months. He has been treating his sinus problems with over the counter medications.

The complainant stated that their family pet, a Siamese cat, who is less than a year old, has begun throwing up daily in the last 4-5 weeks. He stated that she has also become sluggish in the last couple of weeks. She has not been treated by a veterinarian.

The complainant stated that he first noticed problems in his home in September of 2008. He stated that he noticed the metal poles on his ceiling fans in the living room of the residence were rusting in several places. (See Photo #2) He stated that he attributed the rusting on the poles as poor quality and also, from the residence being hot and humid from a lack of electricity for a week during a recent Hurricane (Gustav). He stated that

090427CWE8203

during the same time he noticed rusting on the doorstops and hinges in the bathrooms. (See Photo #5)

He stated that approximately 6 months ago (November 08), he noticed the faucets and shower heads, which have a brushed chrome finish, were beginning to rust and showed signs of pitting. (See Photo #3 and #4)

He stated that two months ago (March 09), the battery operated electronic scale, which is kept in the upstairs bathroom, quit functioning. In addition, four battery operated clocks located in various rooms of the home (kitchen, dining room) have either quit working altogether, or have do not keeping accurate time. One of the clocks, which is located in the kitchen area of the home, has a black residue on it (it is constructed of brass) and also has signs of pitting on it. (See Photo #7)

On May 1, 2009, the air-conditioning unit for the downstairs level, which is located in a closet in the dining room of the home, quit cooling the downstairs of the residence. A technician determined the evaporator coils on the home's downstairs air-conditioning unit were leaking and needed to be replaced. (See Photo #11, #12, #13) He did not determine what had caused the coils to corrode and leak. The evaporator coils were replaced on 5/12/09. (See Photo #14) The complainant stated that the technician told him that his evaporator coils were the worst he had seen based on the age of the coils.

On May 4, 2009, the complainant stated that his daughter's electrical hair straightener quit working. He stated that it had been used and stored in the master bathroom since April of 2008, where it seemed the odor was most prevalent and where he has gotten the highest reading for hydrogen sulfide.

The complainant's wife stated that she noticed her silver jewelry was tarnishing at a faster rate than normally would be expected. (See Photo #6) The complainant stated that he placed two silver half dollars in the upstairs duct work to see how quickly they would tarnish. He stated that after two weeks in the duct, they had tarnished enough to where they were no longer silver in color, but had taken on a black hue.

The complainant stated that the copper wiring in the receptacles and light switches in his residence have turned black. (See Photo #19-20) He stated that a receptacle in the living room tripped the circuit breaker when it was used. He stated that he has not experienced any other electrical problems in the residence; however he feels that it is only a matter of time before other electrical components in his home are affected by the drywall.

The complainant stated that during March of 2009, he saw a newscast about problems homeowners were having in their homes, which was being linked to drywall which had been imported from China. The complainant stated that it was then that he realized all of the problems he was having stemmed from the drywall, which covered 85% of the walls and ceilings in his residence. (note: the remaining 15% accounted for the green board he used in the utility room, bathroom, and kitchen areas of the residence, and for the ceiling in the living room, in which American made sheetrock was used.)

The complainant stated that he has not contacted the building supply store where the involved drywall was purchased. He stated that he was able to obtain a piece of tape which contains the name of the drywall from a friend whom purchased drywall from the same building supply store at the same time he purchased his. (Apparently the drywall was sold by the truckloads and the complainant and his friend received drywall from the same truckload and his friend removed the tape and saved it.) The complainant was able to provide photos of labeling he had taken during the renovation of his home. Labeling shows the involved drywall was made in China.

The complainant stated that for the past several weeks he has been testing the air in his home with a meter (GasBadge Plus) that measures the amount of hydrogen sulfide in the air. He stated that he has gotten readings between 0.5 and 1.1 in the bathrooms of the residence. The complainant stated that he clips the meter to the shower curtain in the bathroom to capture readings. During the on-site, the complainant demonstrated use of the meter. (He stated that the meter was last calibrated approximately 4 weeks ago.) The complainant turned the warm water faucet on and let it run, allowing the bathroom to become humid. Approximately 15-20 minutes later we entered the bathroom with the meter, which within two minutes began showing readings, with the highest reading being 0.8 ppm (parts per million) in the bathroom. The complainant said that apparently the drywall releases hydrogen sulfide when humidity is introduced.

The complainant stated that he not only feels the involved drywall poses a health hazard, but a safety hazard. He stated that he knows it is only a matter of time before he experiences problems with the appliances and receptacles in his home. He stated that he had a contractor give him a quote as to the cost of replacing the drywall. He stated that the quote was around \$113,000. He stated that he is not in the financial position to pay to replace the drywall at this time. He stated that he and his family have no other place to live in the meantime. He stated that his entire community has been affected by the imported drywall, due to the fact the community was in the rebuilding stage following Hurricane Katrina and used the imported drywall during the rebuilding phase of the parish.

On 5/27/2009, the complainant emailed this Investigator test results from a sample of drywall that had been obtained from his home on April 3, 2009. The complainant explained that he had consulted with an attorney regarding the drywall on April 2, 2009, and the attorney had contracted with a testing firm to test his drywall. The test results state in part, "The strontium test results were 0.23% strontium by weight, which is 6.1 times higher than the US Dry wall test sample. This sample tested positive for strontium sulfide inclusions. These can react with moisture in the air to produce hydrogen sulfide gas. This sample tested positive for organic reduced sulfur compounds, including t-butyl mercaptan, at 97.1 ng released per gram of drywall, and carbon disulfide, at 166 ng released per gram of drywall. This carbon disulfide level is higher than even most Chinese drywall samples tested. *** This sample tests positive for sulfide-releasing materials, in essentially the same fashion as our other Chinese drywall samples. This sample also had a large number of iron sulfide particles. This type of particle is very

090427CWE8203

similar to the strontium sulfide particles found in this and in other samples. It is commonly found in coal mining wastes. ***" (See Exhibit #3)

PRODUCT IDENTIFICATION

- **TYPE:** Chinese Drywall (4'x12'x1/2")
- **BRAND:** TAHIE
- **MODEL:** 4' X 12' X 1/2"
- **MANUFACTURER:** Unknown
- **RETAILER/SUPPLIER:** Interior Exterior Building Supply, P.O. Box 4002, New Orleans, LA 70178 (Shipped out of this branch location: 1701 South Lane, Mandeville, LA 70471)
- **INSTALLER:** (Finished hanging and floated drywall) Javier Stubbs, 5248 Faulkner Drive, Darrow, LA 70725, 225/205-8668
- **COST:** \$7.00 per sheet

Labeling

Labeling located on the involved drywall states in part, "MADE IN CHINA MEETS OR EXCEEDS ASTM *** STANDARD". Labeling printed on the tear away tape and edges of the involved drywall states in part, "Taihe".

SAMPLES COLLECTED

None

ADDITIONAL INFORMATION

The retailer where the complainant had purchased the involved drywall was visited on 5/14/09. A Notice of Inspection was issued and credentials were shown to Ben Diano, Jr., Branch Manager. The reason for the visit was explained and a copy of the invoice and shipping records for the involved drywall was requested. Mr. Diano explained that the records are not maintained at this location, but at their corporate office located in New Orleans, LA. Mr. Diano also explained that the firm was currently in litigation involving drywall on a similar case and that he could not provide any information. Attempts to obtain the invoice and shipping records were unsuccessful.

ATTACHMENTS

- 1) Identity of Respondents (1 Page)
- 2) Copy of Quotes/Invoice/Check (3 Pages)
- 3) Test Results (1 Page)
- 4) Photos 1-20
- 5) Notice of Inspection (1 Page)
- 6) Signed Authorization for Release of Name Form (1 Page)

090427CWE8203

7) Missing Documents (1 Page)

IDENTITY OF RESPONDENTS

- Thomas and Lauren Stone, Complainants
2316 Gallant Drive
Chalmette, LA 70043
504/884-2877
Initially contacted by telephone on 4/27/09. He and his wife were interviewed on-site on 5/7/09.
- Interior Exterior Building Supply
1701 South Lane
Mandeville, LA 70471
Ben Diano, Jr., Branch Manager
Visited on-site on 5/14/09

FROM

(MON) MAR 12 2007 13:37/ST. 13:37/NO. 7516082348 P 1

original Quote

Document: Order Acknowledgement - Quote Order

UFC Vendor Invoice Date Order #
000000 2600048-00
PO Date PO # Page #
03/12/07 Tommy Stone 1

Cust #: 3000

Bill To: CASH SALE NEW ORL RESIDENTIAL

Correspondence To: INTERIOR / EXTERIOR BUILDING SUPPLY
P. O. BOX 4002

NEW ORLEANS, LA 70178

Ship To: Tommy Stone 504-278-4275

Instructions
ADM***800***single***

Price Good til 5/31/07
Chalmette, LA 70043

Ship Point
NEW ORLEANS BRANCH

Via
DEL/OUR TRUCK

Shipped
Terms
NET 1

Product Ln#	And Description	UPC Item#	Quantity Ordered	Quantity B.O.	Quantity Shipped	Qty. UM	Unit Price	Price UM	Discount Multiplier	Amount (Net)
-------------	-----------------	-----------	------------------	---------------	------------------	---------	------------	----------	---------------------	--------------

price good until 5/31/07, no walk-up, material price good for normal delivery

1	41212R	00000	184			PC	285.00	MSF	0.00	2517.12
	4" X 12" X 1/2" REGULAR SHEETROCK		48SF/PC							
2	4812MR	00000	8			PC	350.00	MSF	0.00	89.60
	4" X 8" X 1/2" M/R GYP. BD.		32 SF							
3	002	00000	1			BG	250.00	MSF	0.00	39.17
	1 1/2" X 15" X 94" KRAFT		156.67 SF/BG							
4	006	00000	1			BG	310.00	MSF	0.00	38.39
	1 1/2" X 5/8" X 15" X 94" KRAFT		107.71 SF/BG							
5	090	00000	1			BG	350.00	MSF	0.00	37.33
	1/4" X 16" X 96" UNFACED		106.67 SF/BG							

Sheet rock only

* ACKNOWLEDGEMENT *

5 Lines Total

Qty Shipped Total 195

Total
Taxes
Invoice Total

~~2716.61
24.49
2761.10~~

CHALMERS

Document: Order Acknowledgement

Dist #: 5725

Bill To: CASH SALES - ABITA SPRINGS

Correspondence To: SUPERIOR
P. O. BOX 4982
NEW ORLEANS, LA 70176

Ship To: Tommy Stone

Instructions

pt1

Ship Total

MONROEVILLE BRANCH

Via

DEL/DUN

Chalmette, LA

Product Item And Description	UPC Item#	Quantity Ordered	Quantity B.O.	Quantity Shipped	Qty. UM	Unit Price	Price	Discount Multi
---------------------------------	--------------	---------------------	------------------	---------------------	------------	---------------	-------	-------------------

Container Board
add extra damage
stone 183
bouzaies 183

1 41212	80000	188	0	188	PC	145.83330	MSF	
4' X 12' X 1/2" REGULAR SHEETROCK 48SF/PC								

extra has been given because of being container board

ACKNOWLEDGEMENT

1 Lines Total

Qty Shipped Total 188

Total

Taxes

Invoice Total

Clk # 2018

STATE UNIVERSITY OF NEW YORK
BINGHAM

5014

DATE 10-27-77

1096

Account of Steven Rading & Family
Account of Steven Rading & Family

GULF COAST BANK
& Trust Company

4783.00

FD-12

NOT NEGOTIABLE



DATE	10/27/77
AMOUNT	4783.00
MEMO	Account of Steven Rading & Family
SIGNATURE	[Signature]
INITIALS	[Initials]
PRINTED NAME	[Name]
ADDRESS	[Address]
CITY	[City]
STATE	[State]
ZIP	[ZIP]

The Law Offices of
Daniel E. Becnel, Jr.
106 West Seventh Street - P.O. Drawer H
Reserve, LA 70084

Dear Mr. Becnel,

I received the ALS test results for reduced sulfur compounds in drywall samples from 2316 Gallant. This is the Stone property in Chalmette, LA. We had previously received the strontium test results for this property.

The strontium test results were 0.23 % strontium by weight, which is 6.1 times higher than the US Dry wall test sample.

This sample tested positive for strontium sulfide inclusions. These can react with moisture in the air to produce hydrogen sulfide gas.

This sample tested positive for organic reduced sulfur compounds, including t-butyl mercaptan, at 97.1 ng released per gram of drywall, and carbon disulfide, at 166 ng released per gram of drywall. This carbon disulfide level is higher than even most Chinese drywall samples tested.

As tests are completed for other Chinese and US-made drywall samples, we will have further details.

This sample tests positive for sulfide-releasing materials, in essentially the same fashion as our other Chinese drywall samples.

This sample also had a large number of iron sulfide particles. This type of particle is very similar to the strontium sulfide particles found in this and in other samples. It is commonly found in coal mining wastes.

Very truly yours,

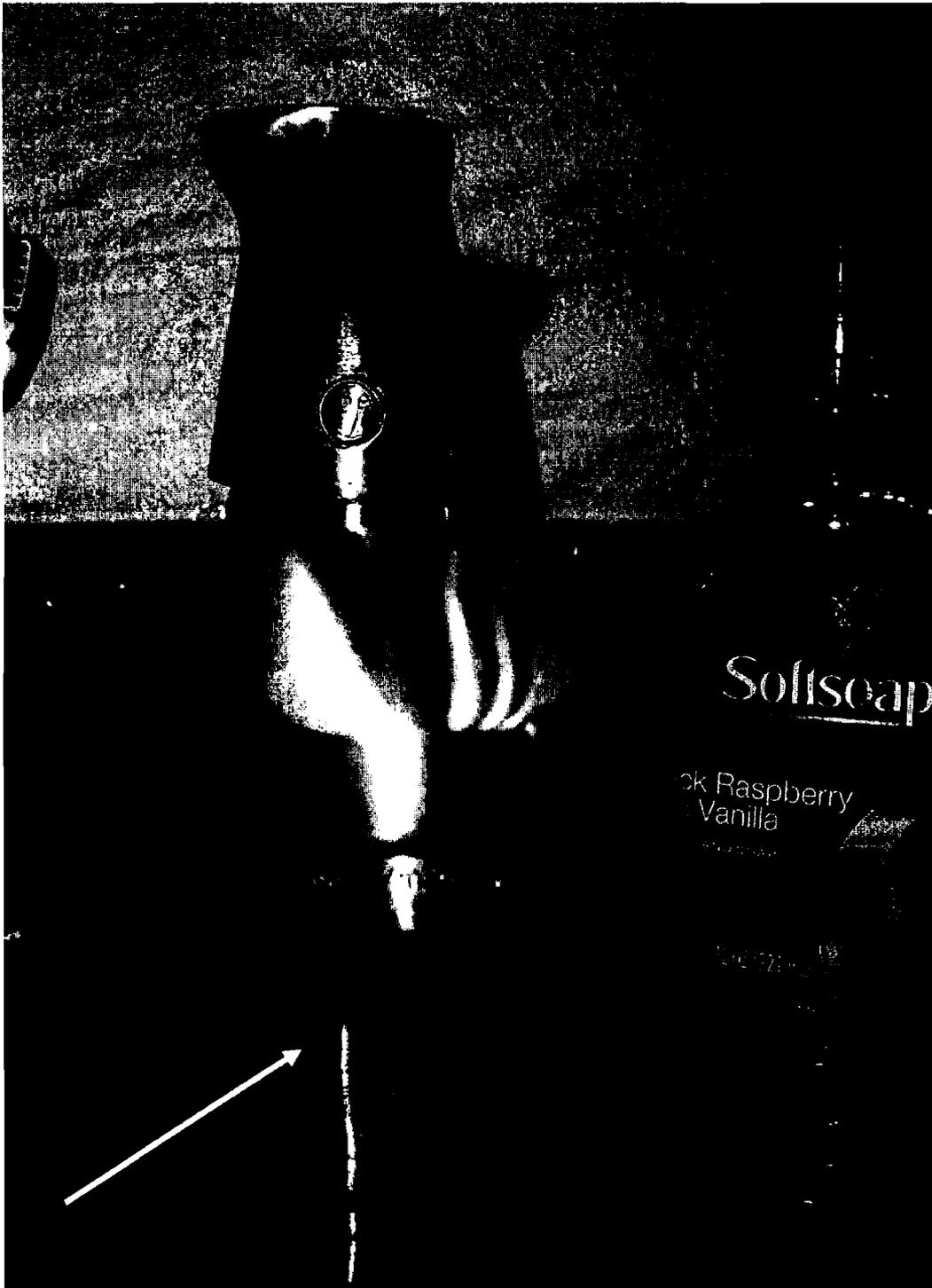
Marco Kaltofen
Boston Chemical Data corp.
www.labs.pro



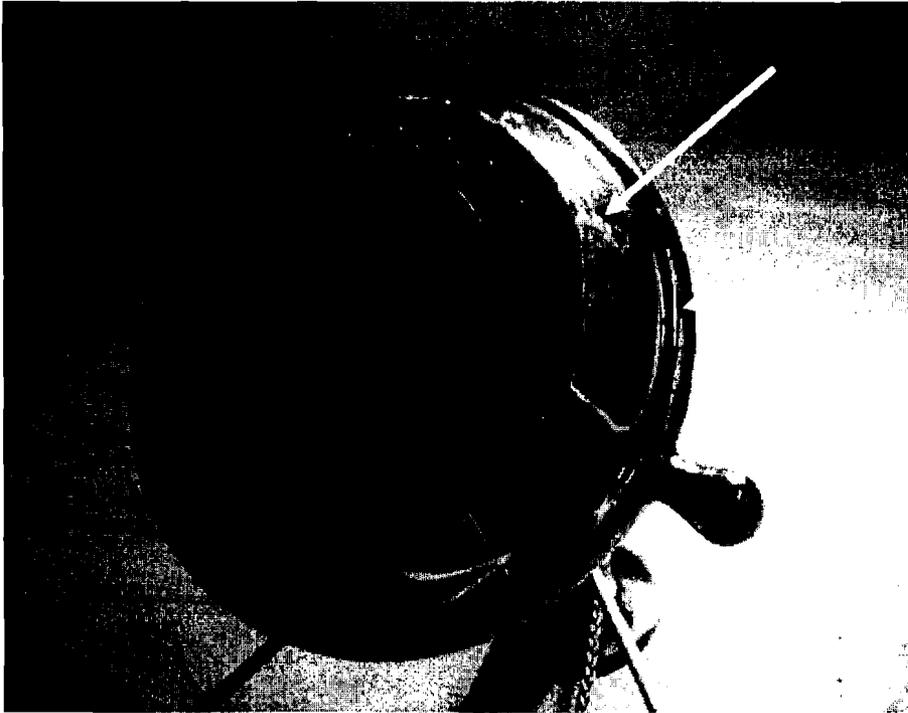
090427CWE8203 Photo #1 shows a view of the exterior of the residence.



090508CBB3573 Photo #2 shows a view of pitting and corrosion on the metal pole of a ceiling fan in the living room of the residence.



090508CBB3573 Photo #3 shows a view of the faucet in the upstairs bathroom of the residence. It has evidence of pitting and corrosion.



090508CBB3573 Photo #4 shows a view of the showerhead in the upstairs bathroom which also shows signs of pitting and corrosion.



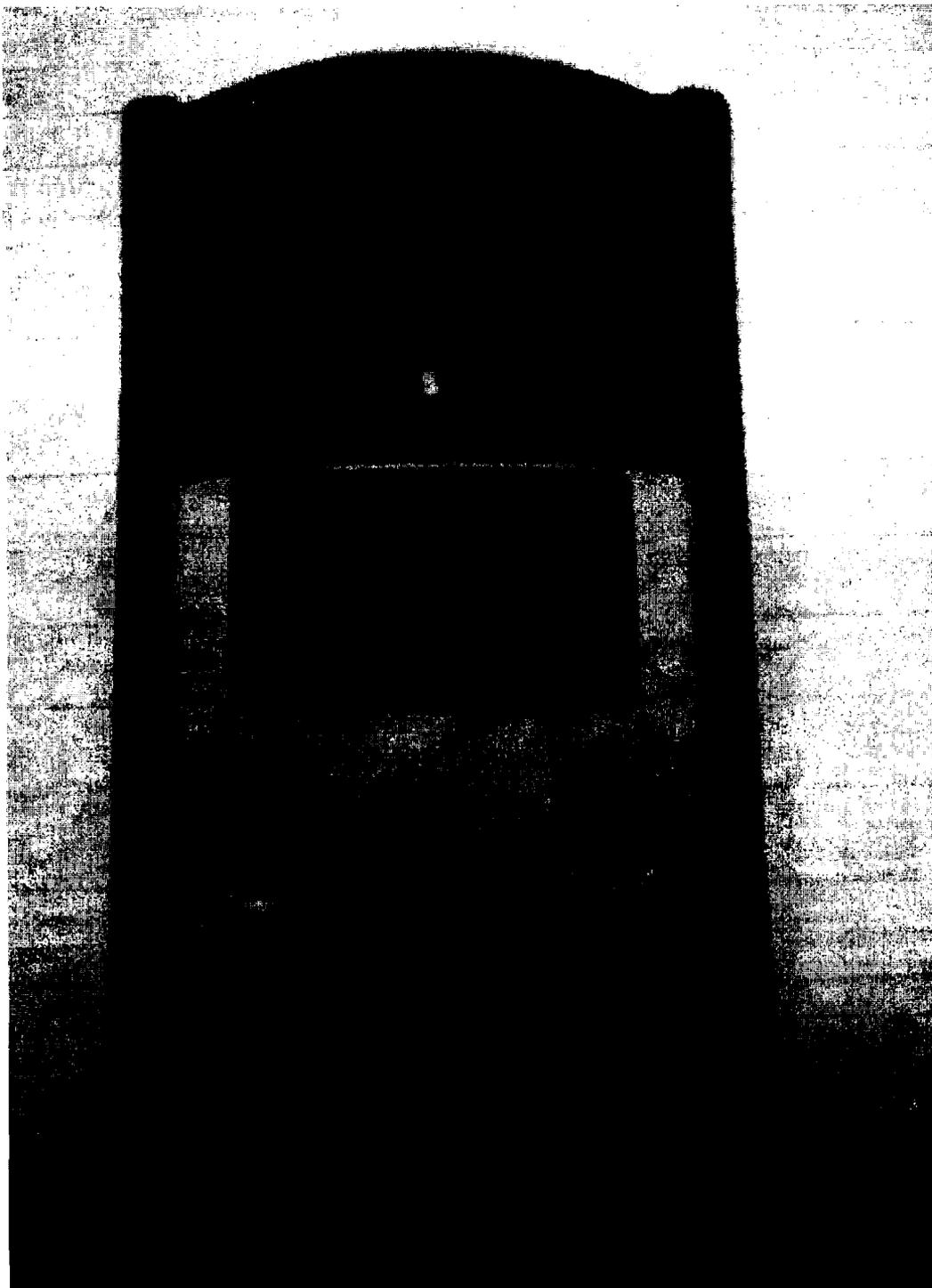
090508CBB3573 Photo #5 shows a close-up view of the door hinge/stop located in the master bathroom of the residence. The screw was "backed out" in an attempt to show the amount of corrosion on the screw.



090508CBB3573 Photo #6 shows a view of sterling silver earrings that have corrosion and tarnishing on their surface.



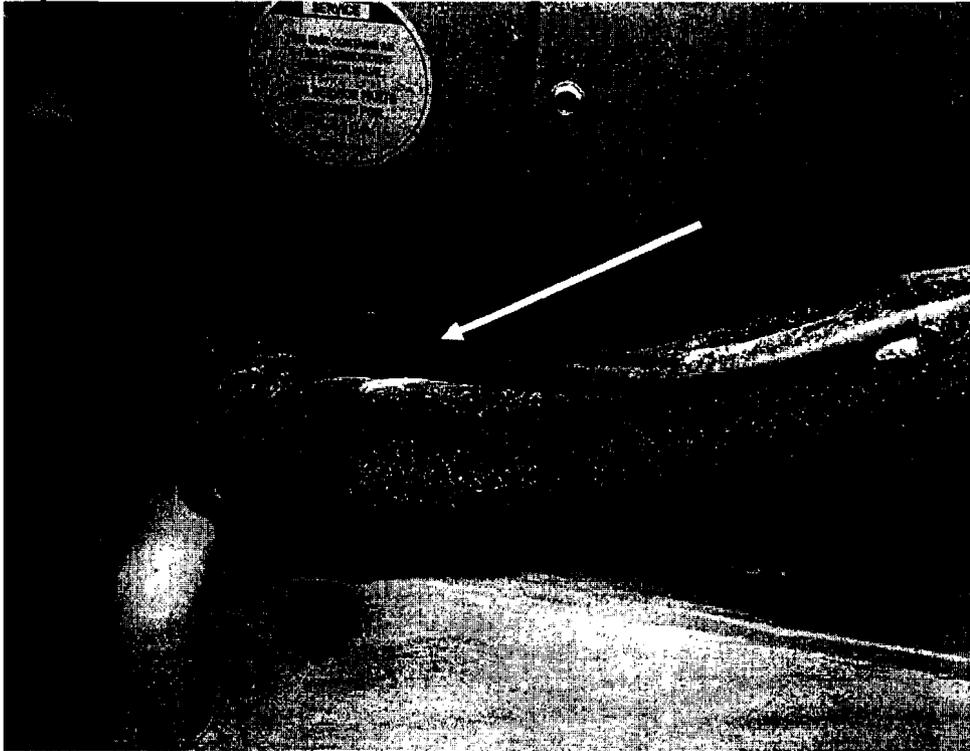
090508CBB3573 Photo #7 shows a view of corrosion on a brass fixture in the kitchen of the involved residence. The fixture is part of a brass clock, which also has black residue on it.



090508CBB3573 Photo #8 shows a view of the GasBadge Plus meter the complainant has been using to measure the amount of hydrogen sulfide in the air in his home. During this Investigator's visit, the complainant had a reading of 0.8 ppm in the master bathroom of the residence.



090508CBB3573 Photo #9 shows a view of corrosion on the gas tubing in the home's fireplace.



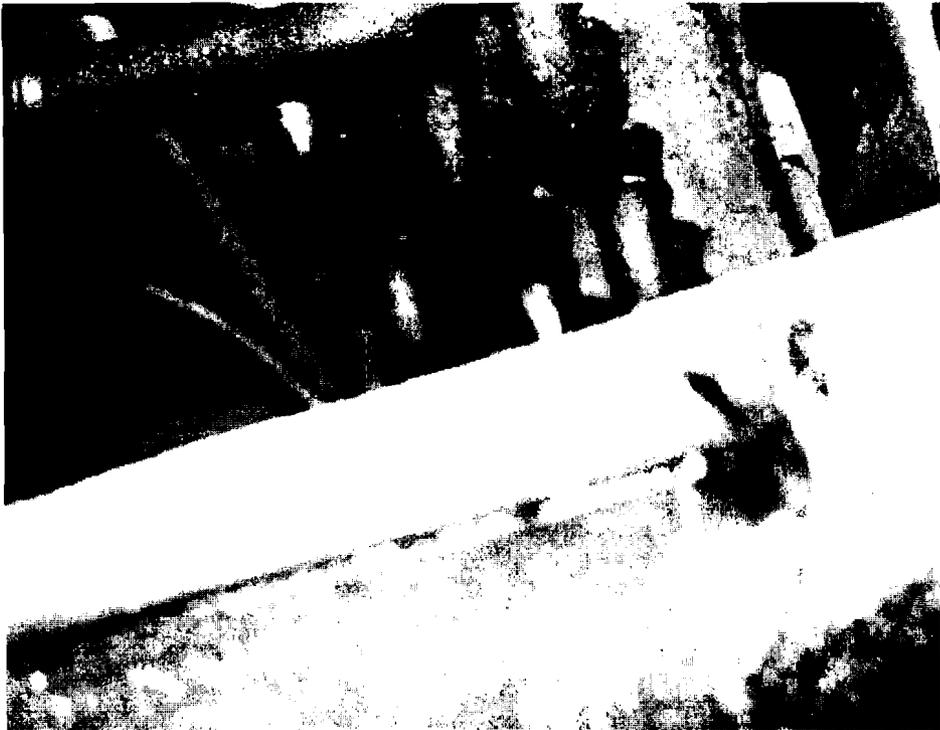
090508CBB3573 Photo #10 shows a view of copper tubing on the downstairs air-conditioning unit, which has blackened.



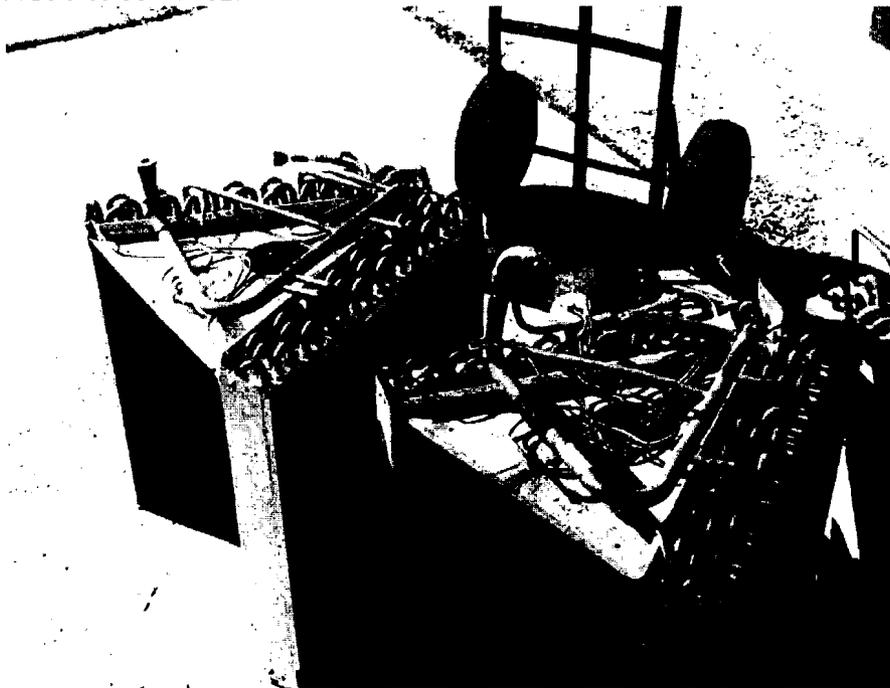
090508CBB3573 Photo #11 shows a view of the evaporator coils on the downstairs unit of the involved residence, which need to be repaired because the coils are leaking



090508CBB3573 Photo #12 shows a close-up view of the coils shown in Photo #11.



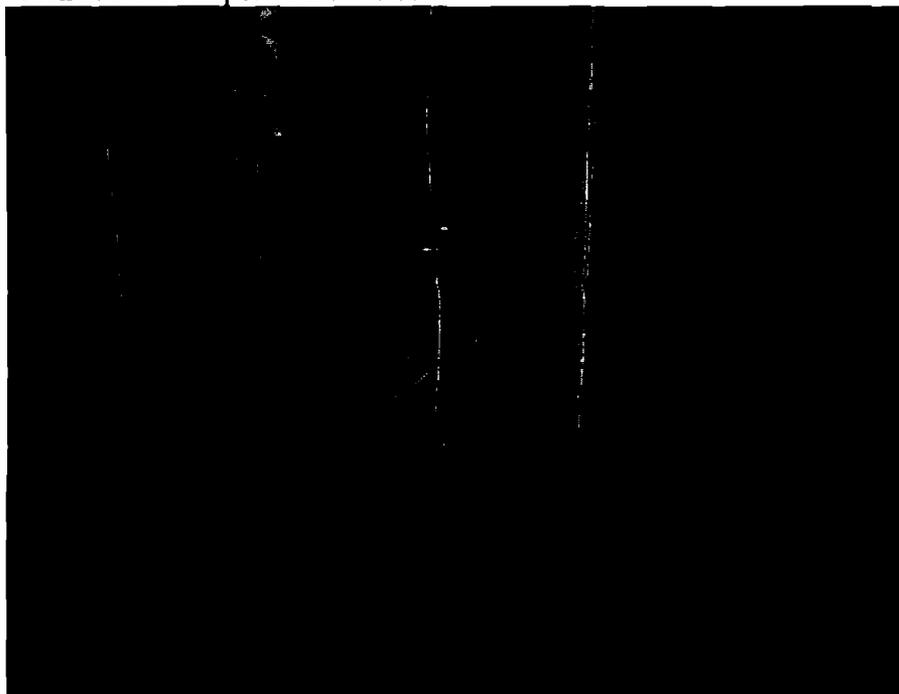
090508CBB3573 Photo #13 shows another close-up view of the evaporator coils shown in Photos 11 and 12.



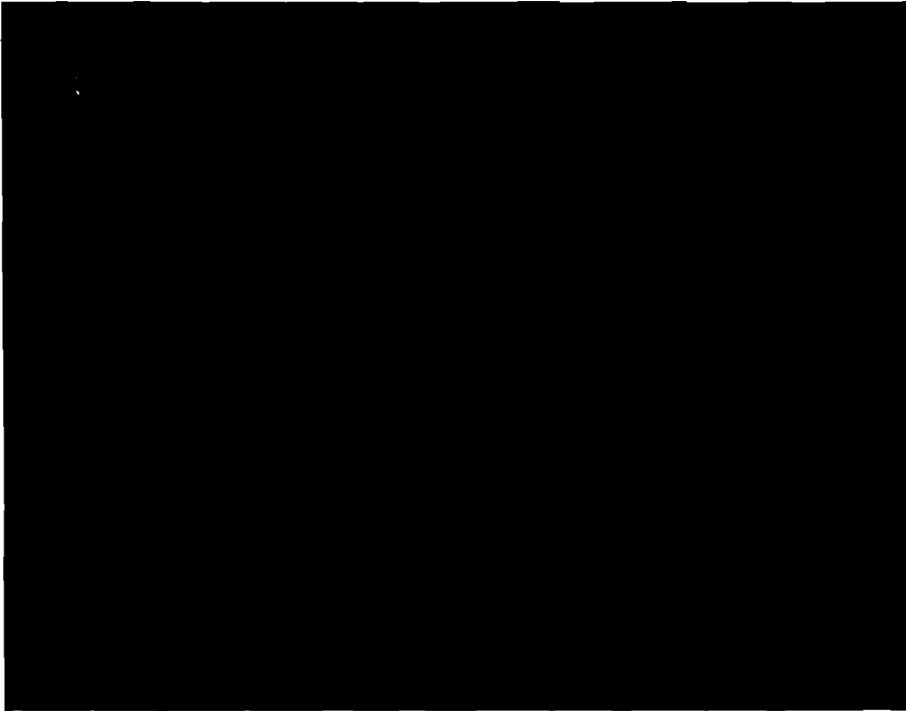
090508CBB3573 Photo #14 shows a view of the evaporator coils that were removed from the downstairs a/c unit, next to the new evaporator coils that were installed in the downstairs unit. Note the copper wire tubing has completely turned black on the evaporator coils that were removed from the involved unit.



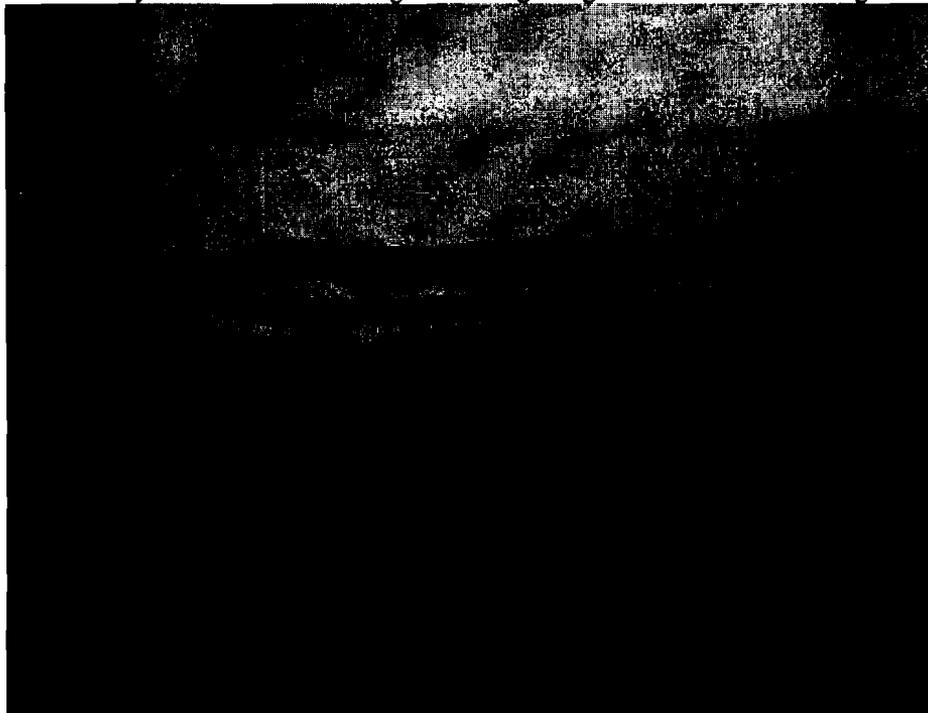
090508CBB3573 Photo #15 was provided by the complainant. It was taken during the renovation phase of the involved residence. Note the drywall stacked in the background, which had been imported from China.



090508CBB3573 Photo #16 was provided by the complainant. It was also taken by the complainant during the renovation phase of the involved residence. Labeling captured in the photo states in part, "MADE IN CHINA MEETS OR EXCEEDS ASTM *** STANDARD".



090508CBB3573 Photo #17 was provided by the complainant and is a view of the involved drywall in the initial stages of being hung in his residence during the renovation.



090508CBB3573 Photo #18 shows a view of the brand name "Taihe", which was printed on the tear away tape on the edge of the drywall.



090427CWE8203 Photo #19 shows a view of a receptacle located in the dining room of the residence whose copper ground wire has blackened.



090427CWE8203 Photo #20 shows a view of another receptacle located in the dining room of the residence whose copper wire has also blackened.

U.S. CONSUMER PRODUCT SAFETY COMMISSION
NOTICE OF INSPECTION

1. DATE 7/11/79	3. FROM (Area Office and Address) Cincinnati, Ohio
2. TIME A.M. P.M.	

4. TO	A. NAME AND TITLE OF INDIVIDUAL Branch Mgr.
	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.

7. SIGNATURE (Authorized CPSC Official)

U.S. Consumer Product Safety Commission

AUTHORIZATION FOR RELEASE OF NAME

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

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

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

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

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

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



(Signature)

(Date)

5/7/09

Exhibit #7, Page 1 of 1
090427CWE8203

Task No. 090427CWE8203

Date: June 4, 2009

STATUS OF MISSING DOCUMENT (S)

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

1. Medical Records
2. _____
3. _____
4. _____
5. _____

Date: June 4, 2009 **Investigator No:** 9096

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

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT Thomas Stone		2. PHONE NO. (HOME) 504-884-2877	(WORK) unknown
3. STREET ADDRESS 2316 Gallant Dr.		4. CITY Chalmette	ST ZIPCODE LA 70043
4a. EMAIL ADDRESS		4b. INCIDENT CITY Chalmette	ST ZIPCODE LA 70043

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES
 Consumer believes the drywall product poses a health and safety hazard.
 - cont -

6. DATE OF INCIDENT(S) 04/20/2008	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 11 Y/F AND DESCRIBE INJURY nose bleeds	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME Nikki RELATIONSHIP daughter
--------------------------------------	---	---

9. DESCRIPTION OF PRODUCT drywall	10. BRAND NAME Tahie
--------------------------------------	-------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR unknown
	13. DEALER'S NAME, ADDRESS & PHONE Interior Exterior Building Supply 1701 S. Lane Mandeville, LA 20471 985-809-7069

ISSUE 30
04/20/2009

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 11/07/2007 AGE 1Y
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: no

17. HAVE YOU CONTACTED THE MANUFACTURER? NO 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) jft/HL	22. DOCUMENT NO. H0940206A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1876
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE jft 04/17/2009	

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0940206A**Narrative Continued**

4/10/08 Consumer said after moving into the home the daughter began to experience nose bleeds and the wife and son have experienced sinus problems. Consumer have noticed various problems in the home that he believes are associated with the drywall used to construct the inside of the home. Consumer said he is experiencing rusting on 2 metal ceiling fan post, corroding and rusting on bathroom fixtures, shower heads and faucets are corroding and pitting and door hinges and door stops in the bath rooms are rusting. Consumer who is a fire chief says that the home has measured for high levels of Hydrogen sulfide.

No further information.

Vict #	Sex	Age	Name	Relationship
2	F	49 Y	Lauren	wife
3	M	21 Y	Chad	son

Vict #	Victim Injury Description
2	sinus problem
3	sinus problem

Distributor Phone #:**CPSC Source: NEW**



CPS 4600(1) CLEARED for PUBLIC

NO MFRS/PRVTL BLS OR PRODUCTS IDENTIFIED

EXCEPTED BY: PETITION RULEMAKING ADMIN. PRCDG

WITH PORTIONS REMOVED

11/0/09
325-And
Page

1. Task Number 090504CBB1673		2. Investigator's ID 2248		EPIDEMIOLOGIC INVESTIGATION REPORT
3. Office Code 810	4. Date of Accident YR MO DAY 2006 07 01	5. Date Initiated YR MO DAY 2009 05 05		
6. Synopsis of Accident or Complaint UPC A 37 year old male, his wife (33) and 3 children (ages 8, 10, & 16) moved into a new home in June 2006. It was reported that Chinese drywall in the home has caused a number of health issues (sinus problems, headaches, fatigue, red eyes, nose bleeds, itching, sleep apnea). Appliances have ceased to function. Blackening and discoloration of copper pipes and metal fixtures throughout the home have been observed. Corrosion within the AC unit is evident. Long term health risks and financial burden of repairing the home is still of concern. Exhibits 10, 11, 12, 13 added 6/5/09				
7. Location (Home, School, etc) 1 - HOME		8. City MIAMI		9. State FL
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 381 - Air Conditioners		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 37		13. Sex 1 - Male		14. Disposition 1 - Injured, not Hosp.
15. Injury Diagnosis 68 - Poisoning		16. Body Part(s) Involved 85 - ALL OF BODY		17. Respondent 1 - Victim/Complainant
18. Type of Investigation 1 - On-Site		19. Time Spent (Operational / Travel) 16 / 2		
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal <input type="radio"/> Yes for Manuf. Only				
24. Review Date 05/29/2009		25. Reviewed By 9001		26. Regional Office Director Dennis R. Blasius
27. Distribution Blasius, Dennis; Rose, Blake; Woodard, Dean			28. Source Document Number I0930544A	

This in-depth-investigation was initiated as follow-up to a consumer complaint which reported that the consumer and his wife recently discovered that the home which they had purchased nearly 2 years ago was built with Chinese drywall. It was reported that several members of the family are experiencing some or all of the following symptoms associated with the drywall: sinus problems, headaches, fatigue, red eyes, nose bleeds, itching, and sleep apnea. It was further reported that several of the appliances have sustained damage and some have ceased to function. The consumer reported it due to the serious health concerns.

Information contained in this investigation was obtained from the consumer and his wife during an on-site visit to the home. During this visit, the consumer's wife signed the authorization to release name form (see Exh. 2).

The home is a 1727 square foot 2-story townhouse with 3 bedrooms and 2 bathrooms, made with wood studs and tiled throughout. It was purchased new in May of 2006. The home is occupied by the consumer, his wife and their 3 children; 8 year old girl, and 2 boys, ages 10 and 16. The family moved into the home in June of 2006. No modifications were made other than the repainting of the interior walls throughout. No drywall has been replaced or repaired at any time.

The consumer and his wife reported that as soon as they moved into the home they detected an unidentifiable odor. It was thought for months to have been the smell of new home materials. The odor persists presently and was described by the consumer as the smell of humidity or smoke (though no smoke has ever been observed). The odor has been mostly detected in the downstairs area of the home and became more noticeable to them during the spring of this year (2009). The consumer stated that they were not present during the painting of the interior walls, thus no odors were detected prior to them moving into the home.

It was also reported that as early as July of 2006, they began to feel ill at different times of the day and night. The children also reported to the consumer that they too were feeling ill. The following is a list of physical symptoms felt by each member of the family:

Health Effects

Adult, female (33) - headaches, sinus problems, irritated eyes/skin, coughing, insomnia.

Adult, male (37) - sleep apnea (diagnosed), headaches, irritated eyes/skin, insomnia, shortness of breath, numbness in all extremities, ankle pain.

Child, female (8) - headaches, irritated eyes/skin, numbness in legs, asthma.

Child, male (10) - insomnia, nose bleeds, headaches.

Child, male (16) - headaches, sinus problems, runny nose, irritated eyes/skin, coughing, insomnia.

The consumer confirmed that all symptoms mentioned above are felt at all times while in the home, yet intensify during the evening and bed time hours. The consumer himself (adult male) is under medical treatment for the sleep apnea. The 10 year old boy has also been treated for the frequent nose bleeds. Medical reports were requested but have not yet been received.

The consumer confirms that all symptoms either lessen or cease after they have been out of the home for several hours. As a result, the family has been evacuating the home on weekends and renting in local hotels.

The consumer reports that several appliances have been damaged. The following is a list of appliances effected and their current conditions:

Appliances Effected

Air conditioner - cools, but freezes, coil rotted. (coil has not been replaced or repaired) A leak has occurred as a result which caused part of the ceiling to collapse. Pieces of the ceiling were removed to prevent further damage and a bucket of water now rests in the living room downstairs to catch the water droplets (see Exh. 6, pg.2-4).

Refrigerator- stopped working, was replaced

Microwave – stopped working, replaced 3 times...still not functioning properly

2006 Not
Respon
sive **television (megapixel)** – copper wiring burned, resulting in blurred view (see Exh. 1).

2005 Not
Respon
sive **television** – stopped working (not repaired)(a third model TV is also not working)

Ceiling fan –stopped working (not repaired)

The consumer contacted an air conditioning technician who provided a letter regarding the current condition of the ac unit. The letter was requested but has not yet been obtained.

According to the consumer, there has been no fire or smoke in the home. No flickering lights or faulty outlets were either reported or observed. The smoke alarms are in working condition.

This investigator took photographs of observed corrosion as described and pointed out by the consumer (see Exh. 6). Several sink copper pipes and a shower head were observed with discoloration and blackening. Corrosion and rust was observed within the air conditioning unit (see Exh. 6, pg. 25-27). Evidence of tarnishing was observed on jewelry and a set of metal dumbbells (see Exh. 6, pgs. 30-32). Corrosion was also observed on batteries used in remote controls (see Exh. 6, pgs. 33-34).

Contact with Builder

The consumer reported that the builder contacted them in February in order to perform an air quality assessment. The assessment was performed by toxicologists and hygienists hired by the builder. Results of this assessment were obtained and included as Exhibit 4.

The builder's division president came to the family's residence on 4/28/09 and provided them with a proposed work authorization agreement (see Exh. 5). According to the consumer, the builder has offered to move the entire family to another nearby home of equal size (rent-free) for a period of 4-5 months until all existing drywall is removed and replaced. The consumer has yet to make a decision as to whether or not he will agree with the proposed offer.

The family still resides in the home and at present expressed their uncertainty as to how they will resolve the situation. They continued to express concerns over current and long term health risks and the financial burden this has caused.

It should be noted that during this visit, several neighbors appeared at the residence and voiced their concern over Chinese drywall in their home and the possible health risks and current symptoms they were experiencing. This investigator provided them with appropriate contact information for the CPSC and urged them to report their concerns accordingly.

This investigator conducted an internet search of the building company's website and results are included in Exhibit 8.

An internet search of the residence county property information was conducted and results are shown in Exhibit 7.

Investigator Observations

During this visit this investigator detected an odor which appeared to smell like burning metal. This visit was primarily conducted on the back yard patio. The odor was present in the patio as well. Approximately 20 minutes into the interview, this investigator began to feel itchy/watery eyes and a scratchy throat accompanied by a sudden unexplained headache and dizziness. This persisted throughout the interview and did not cease until over an hour after leaving the residence.

It should also be noted that the toxicology report finds "no detections" of sulfur compounds in samples collected from the residence (see Exh. 4, pg. 2). However, the builder still offers a proposal to replace and repair the property (see Exh. 5).

PRODUCT INFORMATION

The product is suspected to be Chinese drywall.

*** It should be noted that the drywall was not observed in its original state thus its origin or brand could not be confirmed.**

ATTACHMENTS

- EXHIBIT 1** Contact Sheet
- EXHIBIT 2** Authorization to Release Name Form
- EXHIBIT 3** Lennar Homes Southeast Fl. Division, President's Business Card
- EXHIBIT 4** Environ Corp. Toxicology Report
- EXHIBIT 5** Lennar's proposed work authorization agreement
- EXHIBIT 6** Photographs
- EXHIBIT 7** Missing Document Form
- EXHIBIT 8** Miami-Dade Property Information
- EXHIBIT 9** Lennar Homes Contact Information

Exhibits 10, 11, 12,13 added 6/5/09 - DBW

EXHIBIT 10 – Copies of Emails on damaged appliances/responses/deliveryreceipt.

EXHIBIT 11 – Microwave Receipts/Tech Information

EXHIBIT 12 – Recent Letter from Lennar and New Work Order Agreement

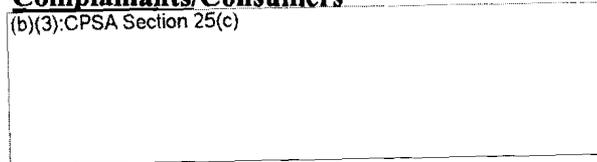
EXHIBIT 13 – Email (Questions/Responses) from Florida Dept. of Health

EXHIBIT 1 **CONTACT SHEET**

RESPONDENTS

1) **Complainants/Consumers**

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

A large rectangular box with a thin black border, used to redact information. It is positioned below the text "(b)(3):CPSA Section 25(c)".

*interviewed during on-site home visit 5/5/09

2) **Lennar Homes**
Vice President of Construction
Phil Serrate

Address: 730 NW 107th Ave.

Miami, Fl 33172

Telephone: (305)559-1951 Ext. 2025

Fax: (305)229-6605

*above individual was not contacted

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 help identify and resolve product safety concerns.

We routinely forward this information to manufacturers and other factors to inform them of the availability of their product to recall or to be repaired. We also give the information to others to provide information about product problems. Manufacturers need the individual's name to determine what additional information they should gather about the product.

Would you please indicate on the bottom of this page whether you wish your name disclosed, your name? If you request that your name remain confidential, we will do our best to honor that request. Other consumers will not see your preference, please give your name and date in the enclosed enclosure.

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)

5-5-09

Signature

Phil Serrate
View Profile of Contributor

Senior Sales & Fundraising
757 N.W. 107th Avenue
Suite 302
Miami, FL 33172
Phone: 305-332-9511 Ext 2025
Fax: 305-228-6510



phil.serrate

ENVIRON

March 5, 2009

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

Miami, Florida 33186

RE: Preliminary Evaluation in Association with Heating, Ventilating and Air
Conditioning (HVAC) Component Issues
Project Location: Lezama Residence
Project Address: 12960 S.W. 133rd Terrace, Miami, Florida 33186

Dear M

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

Lennar Corporation and its affiliates (Lennar) have retained expert toxicologists and industrial hygienists from ENVIRON International Corporation (ENVIRON) to perform an air quality assessment at your residence. As you know, on February 24, 2009, ENVIRON conducted a preliminary evaluation of your residential property. ENVIRON's preliminary evaluation was undertaken in conjunction with Lennar Homes' inspection of the heating, ventilating and air conditioning (HVAC) system in your home.

This preliminary evaluation consisted of, among other things, the following: (1) a walkthrough of the residence, which confirmed the presence of black surface accumulations on select HVAC system components; (2) the measurement of indoor and outdoor air using a calibrated direct reading hydrogen sulfide analyzer (three readings higher than the outdoor level were recorded indoors); and (3) the collection of two air samples from locations within the residence (Sample 022409-L1 from the dining room and Sample 022409-L2 from the master bedroom), and one sample of ambient air from outdoors (Sample 022409-L3) for subsequent laboratory analysis.

With the direct-reading instrument, readings of 1 part per billion by volume (ppbv) were obtained in the kitchen and master bathroom. A reading of 2 ppbv was obtained in the master bathroom. In the three other rooms tested (front/dining room, living room, and 2nd floor bedroom-right), the readings were below the instrument sensitivity level (< 1 ppbv), as was the outdoor air reading.

The collected air samples were individually labeled, documented by a chain of custody form, and shipped via overnight courier to an independent accredited laboratory (Air Toxics, Ltd.) for analysis using American Society for Testing and Materials (ASTM) Method D-5504 to test for the presence and concentration of eighteen sulfur compounds.

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

Page 2

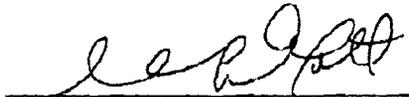
As you can see from the attached results, the laboratory has reported that "No Detections Were Found" for the 18 sulfur compounds in the samples collected in your residential property.

From the direct-reading instrument, the readings of < 1-2 ppbv for hydrogen sulfide in your home match common indoor and outdoor background levels. The outdoor level around your home on February 24, 2009 was below the instrument sensitivity level (< 1 ppbv). We routinely measure 1-2 ppbv of hydrogen sulfide outdoors. The reading of 2 ppbv in one room, particularly in light of the levels of 1 ppbv and below in five other rooms, does not reflect potential exposures in excess of common outdoor levels.

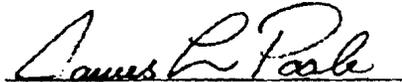
The measurement of 2 ppbv is also well below the level set by the U.S. Dept. of Health and Human Services, Agency for Toxic Substances and Disease Registry for long-term residential exposures (20 ppbv). Accordingly, ENVIRON has determined that there is no indication that the conditions identified in your residential property would result in adverse human health outcomes.

ENVIRON appreciates the opportunity to be of assistance in this regard. Should you have any questions and/or comments concerning the information provided, please do not hesitate to contact us.

Sincerely,



Robert P. DeMott, PhD, DABT
Principal Toxicologist



James L. Poole, PhD, CIH
Sr. Industrial Hygiene Manager

Encl: Attachment 1: Lczama - Laboratory Results



AN ENVIRONMENTAL ANALYTICAL LABORATORY

WORK ORDER #: 0902533

Work Order Summary

CLIENT:	Environ International 10150 Highland Manor Drive Suite 440 Tampa, FL 33610	BILL TO:	Environ International 10150 Highland Manor Drive Suite 440 Tampa, FL 33610
PHONE:	813-628-4325	P.O. #	
FAX:	813-628-4983	PROJECT #	25-17572C Lennar SE
DATE RECEIVED:	02/25/2009	CONTACT:	Bryanna Langley
DATE COMPLETED:	02/26/2009		

<u>FRACTION #</u>	<u>NAME</u>	<u>TEST</u>	<u>RECEIPT VAC/PRES.</u>	<u>FINAL PRESSURE</u>
01A	022409-L1	ASTM D-5504	Tedlar Bag	Tedlar Bag
02A	022409-L2	ASTM D-5504	Tedlar Bag	Tedlar Bag
03A	022409-L3	ASTM D-5504	Tedlar Bag	Tedlar Bag
04A	Lab Blank	ASTM D-5504	NA	NA
05A	LCS	ASTM D-5504	NA	NA

CERTIFIED BY:

Laboratory Director

DATE: 02/26/09

Certification numbers: CA NELAP - 02110CA, LA NELAP/LELAP- A130763, NJ NELAP - CA004
NY NELAP - 11291, UT NELAP - 9166389892, AZ Licensure AZ0719

Name of Accrediting Agency: NELAP/Florida Department of Health, Scope of Application: Clean Air Act,
Accreditation number: E87680, Effective date: 07/01/08, Expiration date: 06/30/09

Air Toxics Ltd. certifies that the test results contained in this report meet all requirements of the NELAC standards

This report shall not be reproduced, except in full, without the written approval of Air Toxics Ltd.

180 BLUE RAVINE ROAD, SUITE B FOLSOM, CA - 95630
(916) 985-1000 . (800) 985-5955 . FAX (916) 985-1020



AN ENVIRONMENTAL ANALYTICAL LABORATORY

LABORATORY NARRATIVE
ASTM D-5504
Environ International
Workorder# 0902533

Three 1 Liter Tedlar Bag samples were received on February 25, 2009. The laboratory performed the analysis of sulfur compounds via ASTM D-5504 using GC/SCD. The method involves direct injection of the air sample into the GC via a fixed 2.0 mL sampling loop. See the data sheets for the reporting limits for each compound.

Receiving Notes

There were no receiving discrepancies.

Analytical Notes

Ethyl Methyl Sulfide and n-Butyl Mercaptan coelute with 3-Methyl Thiophene.

Definition of Data Qualifying Flags

Seven qualifiers may have been used on the data analysis sheets and indicate as follows:

B - Compound present in laboratory blank greater than reporting limit.

J - Estimated value.

E - Exceeds instrument calibration range.

S - Saturated peak.

Q - Exceeds quality control limits.

U - Compound analyzed for but not detected above the detection limit.

M - Reported value may be biased due to apparent matrix interferences.

File extensions may have been used on the data analysis sheets and indicates as follows:

a-File was requantified

b-File was quantified by a second column and detector

r1-File was requantified for the purpose of reissue



AN ENVIRONMENTAL ANALYTICAL LABORATORY

**Summary of Detected Compounds
SULFUR GASES BY ASTM D-5504 GC/SCD**

Client Sample ID: 022409-L1

Lab ID#: 0902533-01A

No Detections Were Found.

Client Sample ID: 022409-L2

Lab ID#: 0902533-02A

No Detections Were Found.

Client Sample ID: 022409-L3

Lab ID#: 0902533-03A

No Detections Were Found.



AN ENVIRONMENTAL ANALYTICAL LABORATORY

Client Sample ID: 022409-L1

Lab ID#: 0902533-01A

SULFUR GASES BY ASTM D-5504 GC/SCD

File Name:	b022512	Date of Collection: 2/24/09
Dil. Factor:	1.00	Date of Analysis: 2/25/09 10:12 AM

Compound	Rpt. Limit (ppbv)	Amount (ppbv)
Hydrogen Sulfide	4.0	Not Detected
Carbonyl Sulfide	4.0	Not Detected
Methyl Mercaptan	4.0	Not Detected
Ethyl Mercaptan	4.0	Not Detected
Dimethyl Sulfide	4.0	Not Detected
Carbon Disulfide	5.0	Not Detected
Isopropyl Mercaptan	4.0	Not Detected
tert-Butyl Mercaptan	4.0	Not Detected
n-Propyl Mercaptan	4.0	Not Detected
Thiophene	4.0	Not Detected
Isobutyl Mercaptan	4.0	Not Detected
3-Methyl Thiophene/n-Butyl Mercaptan/Ethyl Methyl Sulfide	4.0	Not Detected
Diethyl Sulfide	4.0	Not Detected
Dimethyl Disulfide	4.0	Not Detected
Tetrahydrothiophene	4.0	Not Detected
2-Ethylthiophene	4.0	Not Detected
2,5-Dimethylthiophene	4.0	Not Detected
Diethyl Disulfide	4.0	Not Detected

Container Type: 1 Liter Tedlar Bag



AN ENVIRONMENTAL ANALYTICAL LABORATORY

Client Sample ID: 022409-L2

Lab ID#: 0902533-02A

SULFUR GASES BY ASTM D-5504 GC/SCD

File Name:	b022513	Date of Collection: 2/24/09
Dil. Factor:	1.00	Date of Analysis: 2/25/09 10:33 AM

Compound	Rpt. Limit (ppbv)	Amount (ppbv)
Hydrogen Sulfide	4.0	Not Detected
Carbonyl Sulfide	4.0	Not Detected
Methyl Mercaptan	4.0	Not Detected
Ethyl Mercaptan	4.0	Not Detected
Dimethyl Sulfide	4.0	Not Detected
Carbon Disulfide	5.0	Not Detected
Isopropyl Mercaptan	4.0	Not Detected
tert-Butyl Mercaptan	4.0	Not Detected
n-Propyl Mercaptan	4.0	Not Detected
Thiophene	4.0	Not Detected
Isobutyl Mercaptan	4.0	Not Detected
3-Methyl Thiophene/n-Butyl Mercaptan/Ethyl Methyl Sulfide	4.0	Not Detected
Diethyl Sulfide	4.0	Not Detected
Dimethyl Disulfide	4.0	Not Detected
Tetrahydrothiophene	4.0	Not Detected
2-Ethylthiophene	4.0	Not Detected
2,5-Dimethylthiophene	4.0	Not Detected
Diethyl Disulfide	4.0	Not Detected

Container Type: 1 Liter Tedlar Bag



AN ENVIRONMENTAL ANALYTICAL LABORATORY

Client Sample ID: 022409-L3

Lab ID#: 0902533-03A

SULFUR GASES BY ASTM D-5504 GC/SCD

File Name:	b022514	Date of Collection: 2/24/09
Dil. Factor:	1.00	Date of Analysis: 2/25/09 10:50 AM

Compound	Rpt. Limit (ppbv)	Amount (ppbv)
Hydrogen Sulfide	4.0	Not Detected
Carbonyl Sulfide	4.0	Not Detected
Methyl Mercaptan	4.0	Not Detected
Ethyl Mercaptan	4.0	Not Detected
Dimethyl Sulfide	4.0	Not Detected
Carbon Disulfide	5.0	Not Detected
Isopropyl Mercaptan	4.0	Not Detected
tert-Butyl Mercaptan	4.0	Not Detected
n-Propyl Mercaptan	4.0	Not Detected
Thiophene	4.0	Not Detected
Isobutyl Mercaptan	4.0	Not Detected
3-Methyl Thiophene/n-Butyl Mercaptan/Ethyl Methyl Sulfide	4.0	Not Detected
Diethyl Sulfide	4.0	Not Detected
Dimethyl Disulfide	4.0	Not Detected
Tetrahydrothiophene	4.0	Not Detected
2-Ethylthiophene	4.0	Not Detected
2,5-Dimethylthiophene	4.0	Not Detected
Diethyl Disulfide	4.0	Not Detected

Container Type: 1 Liter Tedlar Bag



AN ENVIRONMENTAL ANALYTICAL LABORATORY

Client Sample ID: Lab Blank

Lab ID#: 0902533-04A

SULFUR GASES BY ASTM D-5504 GC/SCD

File Name:	b022503	Date of Collection: NA
Dil. Factor:	1.00	Date of Analysis: 2/24/09 10:34 PM

Compound	Rpt. Limit (ppbv)	Amount (ppbv)
Hydrogen Sulfide	4.0	Not Detected
Carbonyl Sulfide	4.0	Not Detected
Methyl Mercaptan	4.0	Not Detected
Ethyl Mercaptan	4.0	Not Detected
Dimethyl Sulfide	4.0	Not Detected
Carbon Disulfide	5.0	Not Detected
Isopropyl Mercaptan	4.0	Not Detected
tert-Butyl Mercaptan	4.0	Not Detected
n-Propyl Mercaptan	4.0	Not Detected
Thiophene	4.0	Not Detected
Isobutyl Mercaptan	4.0	Not Detected
3-Methyl Thiophene/n-Butyl Mercaptan/Ethyl Methyl Sulfide	4.0	Not Detected
Diethyl Sulfide	4.0	Not Detected
Dimethyl Disulfide	4.0	Not Detected
Tetrahydrothiophene	4.0	Not Detected
2-Ethylthiophene	4.0	Not Detected
2,5-Dimethylthiophene	4.0	Not Detected
Diethyl Disulfide	4.0	Not Detected

Container Type: NA - Not Applicable



AN ENVIRONMENTAL ANALYTICAL LABORATORY

Client Sample ID: LCS

Lab ID#: 0902533-05A

SULFUR GASES BY ASTM D-5504 GC/SCD

File Name:	b022502	Date of Collection: NA
Dil. Factor:	1.00	Date of Analysis: 2/24/09 10:02 PM

Compound	%Recovery
Hydrogen Sulfide	88
Carbonyl Sulfide	95
Methyl Mercaptan	93
Ethyl Mercaptan	106
Dimethyl Sulfide	97
Carbon Disulfide	81
Isopropyl Mercaptan	102
tert-Butyl Mercaptan	103
n-Propyl Mercaptan	106
Thiophene	96
Isobutyl Mercaptan	104
3-Methyl Thiophene/n-Butyl Mercaptan/Ethyl Methyl Sulfide	100
Diethyl Sulfide	97
Dimethyl Disulfide	96
Tetrahydrothiophene	98
2-Ethylthiophene	88
2,5-Dimethylthiophene	84
Diethyl Disulfide	87

Container Type: NA - Not Applicable

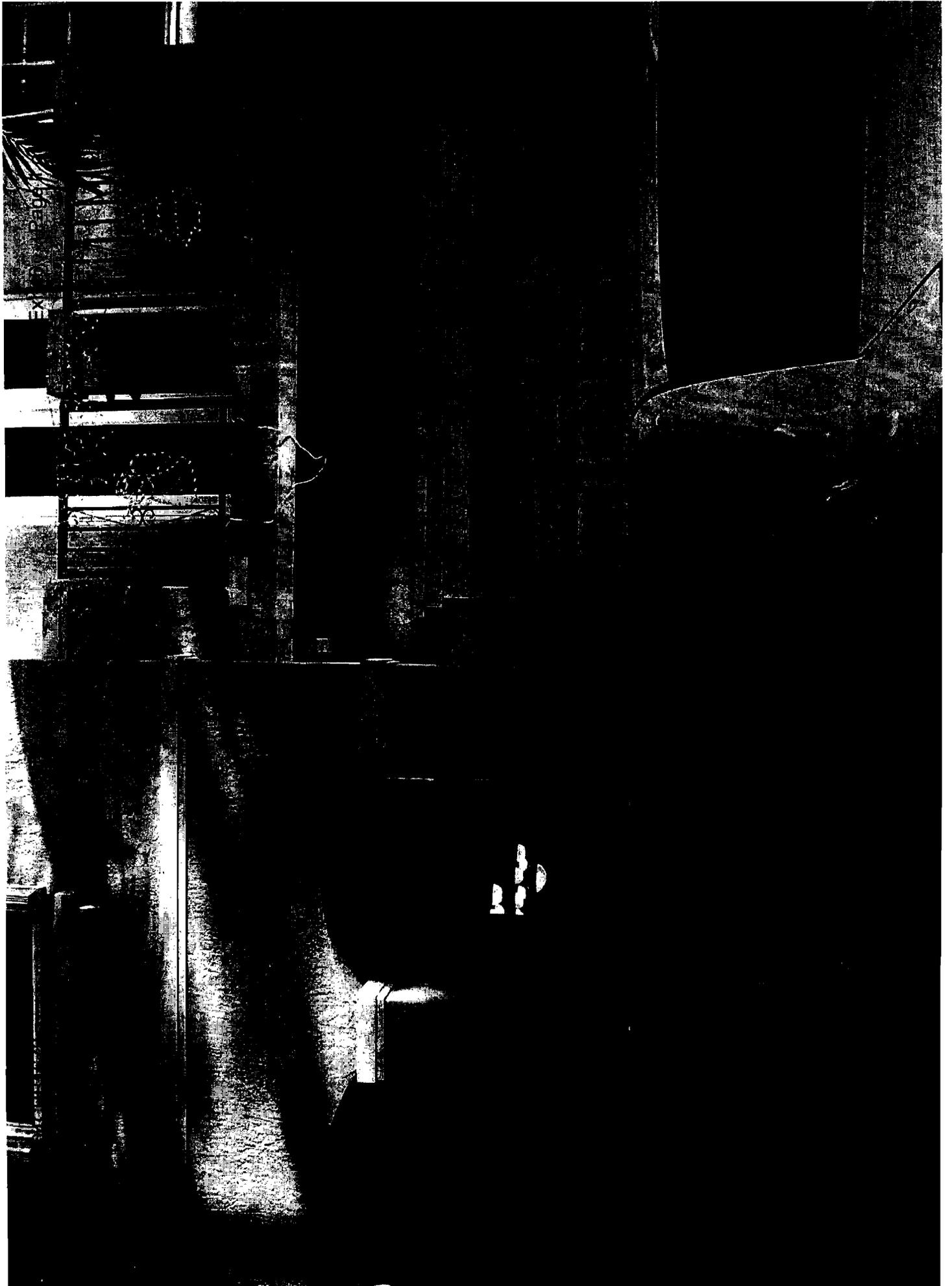
WORK AUTHORIZATION AGREEMENT

I. Scope of Work

The repair work at your Home will include the following:

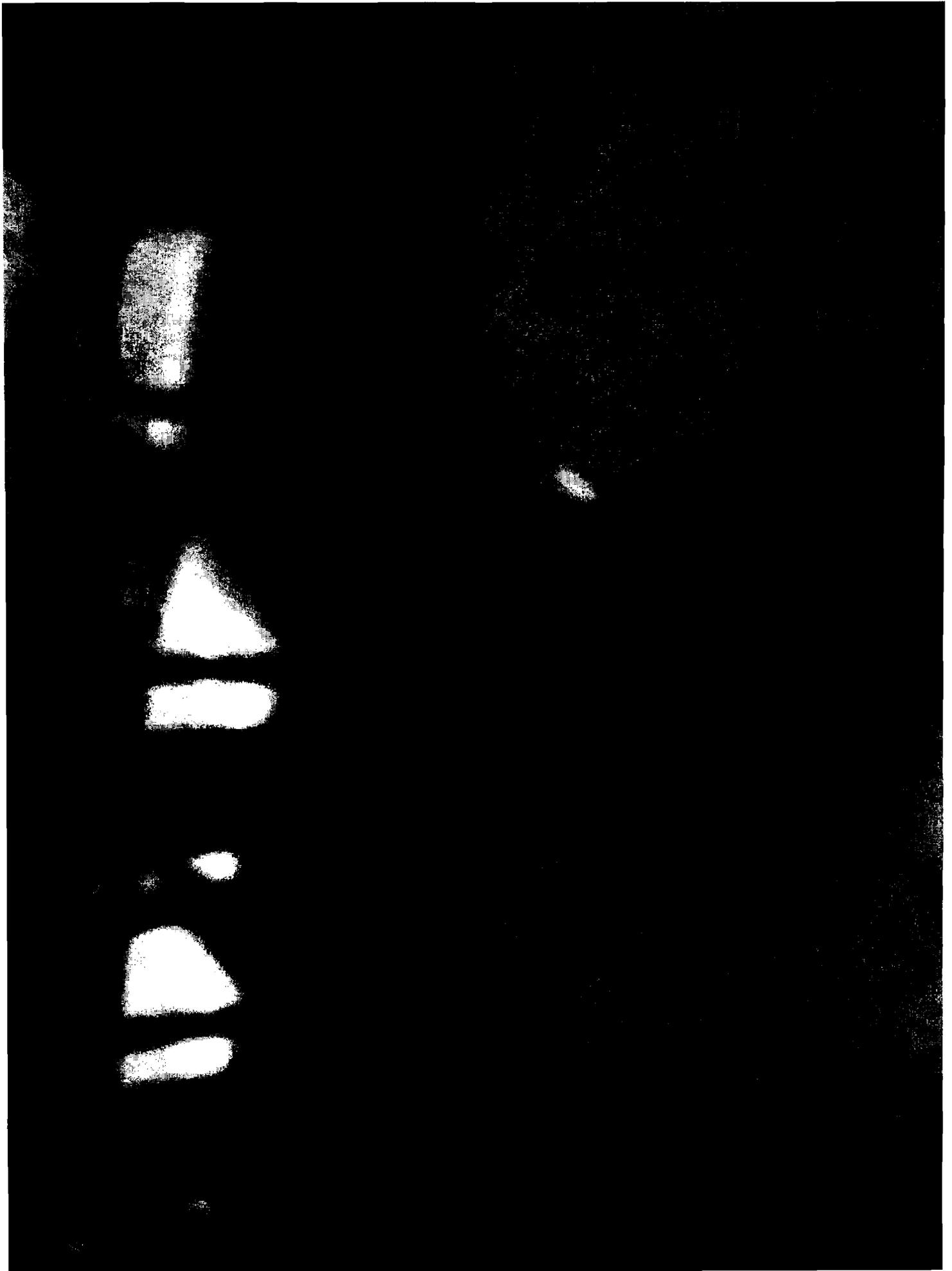
- Relocating you and your family to a comparable temporary residence pursuant to the terms and conditions set forth in our Sublease Agreement;
- Moving your furniture from your Home using a reputable insured moving company to your temporary residence and/or a secure storage facility;
- Removing and replacing all defective drywall in your Home;
- Repairing or replacing other affected building materials in your Home, including, **but not limited to**, affected HVAC systems, plumbing components, as well as affected electrical components, including affected wiring, switches, and receptacles;
- Finishing and painting all new drywall;
- Repairing or replacing, as necessary, all materials affected by the repair process in your Home, which may include but is not limited to flooring, wall coverings and tile, cabinets and countertops, sinks, toilets, bathtubs and shower enclosures, appliances, mirrors, lighting and plumbing fixtures, and wood trim and molding;
- HEPA vacuuming your Home to remove all construction dust;
- Cleaning and restoring your Home to pre-repair condition; and
- Moving your furniture and belongings back to your Home.

A supplemental description of the above-mentioned repair work, including detailed specifications and other special instructions, as agreed upon between you and Lennar, is set forth on a separate "Home Repair Specifications Sheet," which is incorporated herein.



090504CBB1678

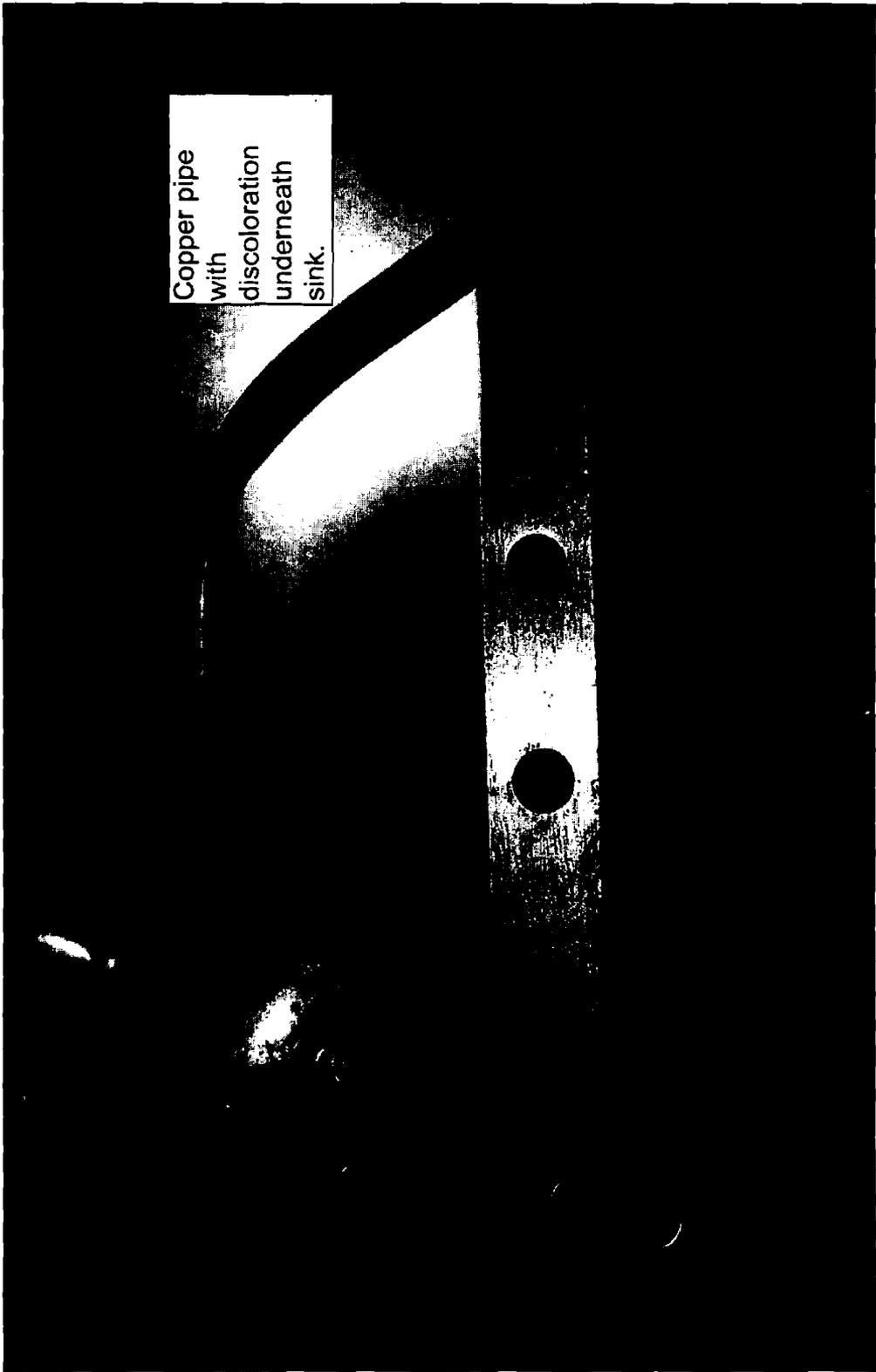
E



View of ceiling from first floor living room.



Copper pipe
with
discoloration
underneath
sink.



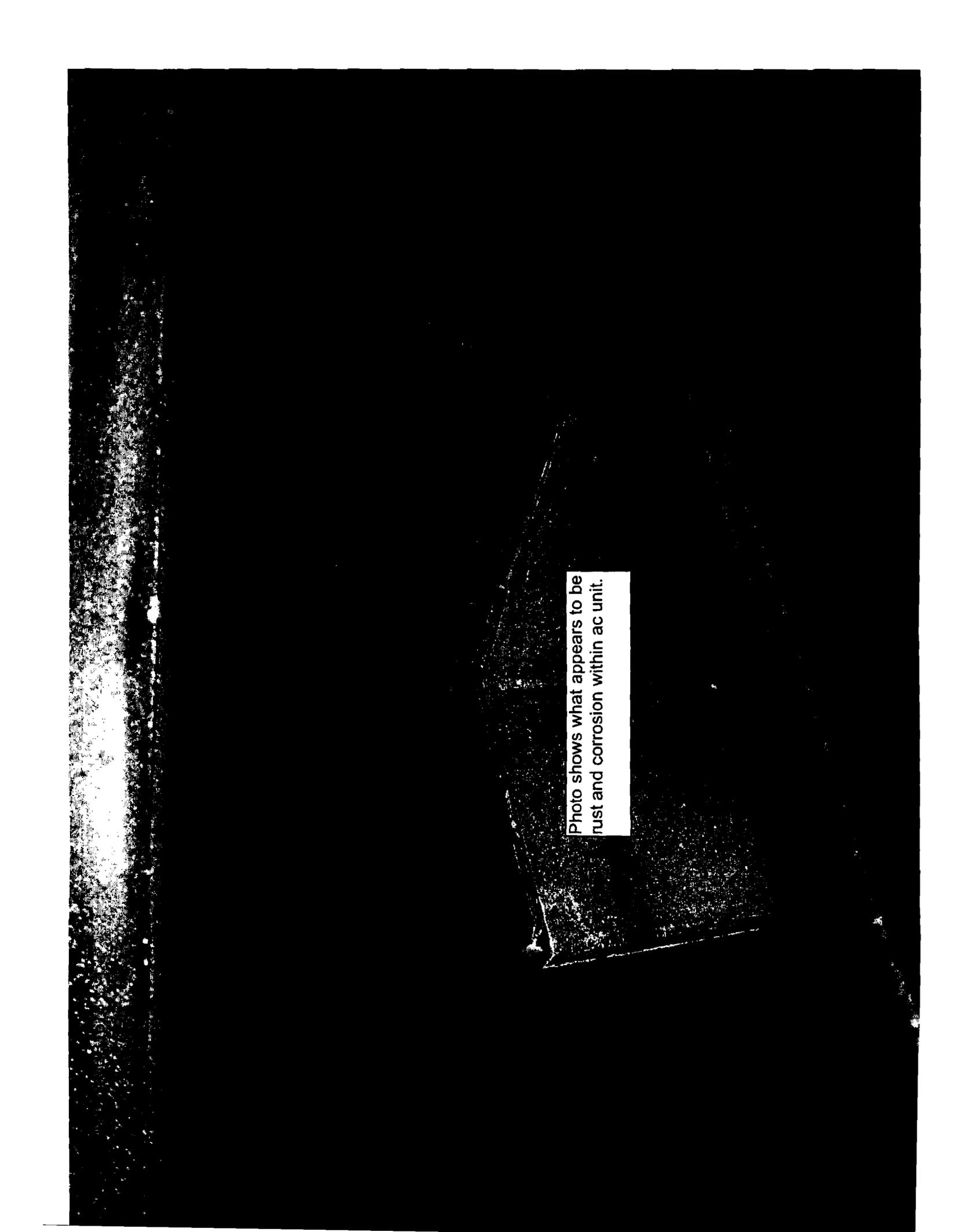
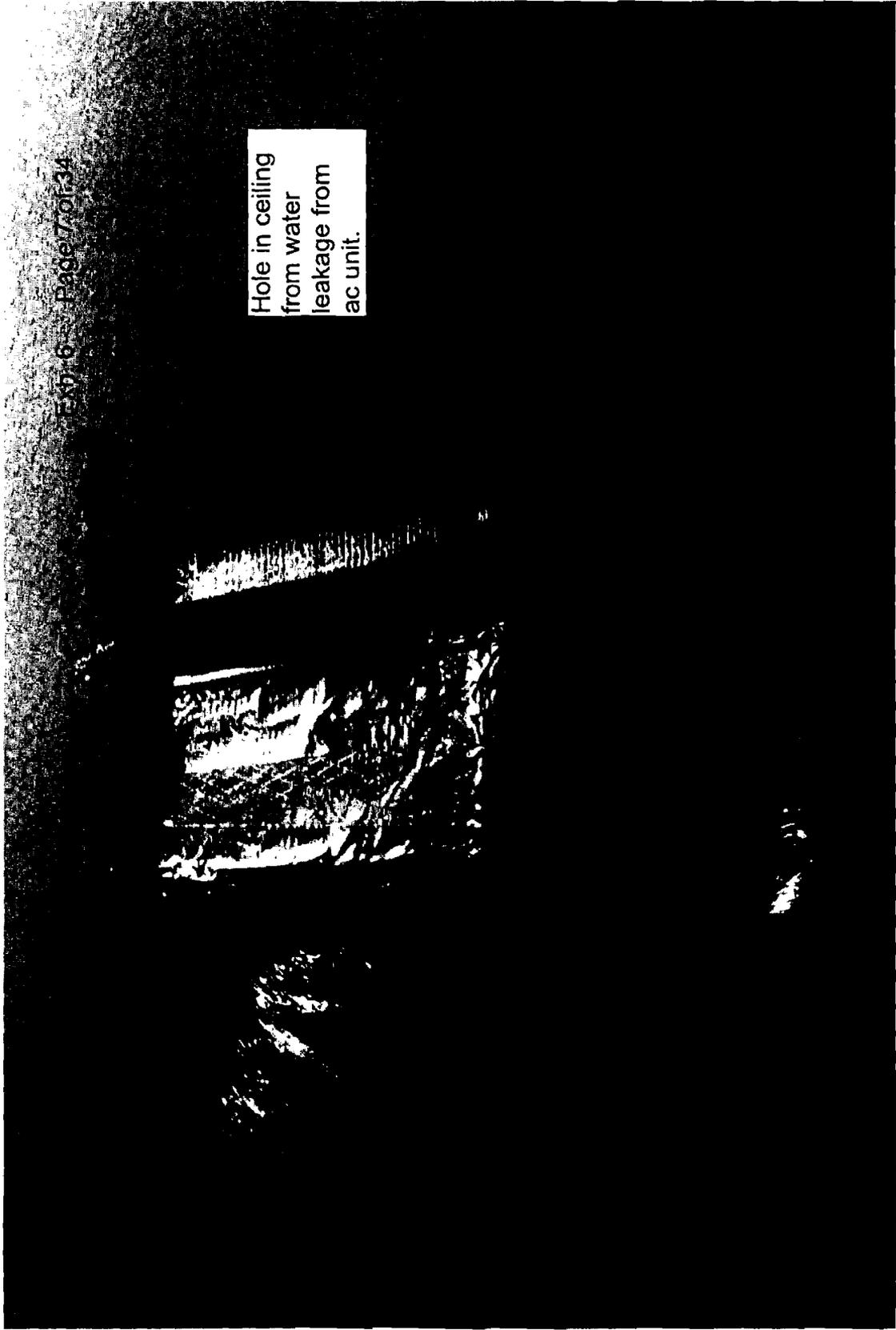
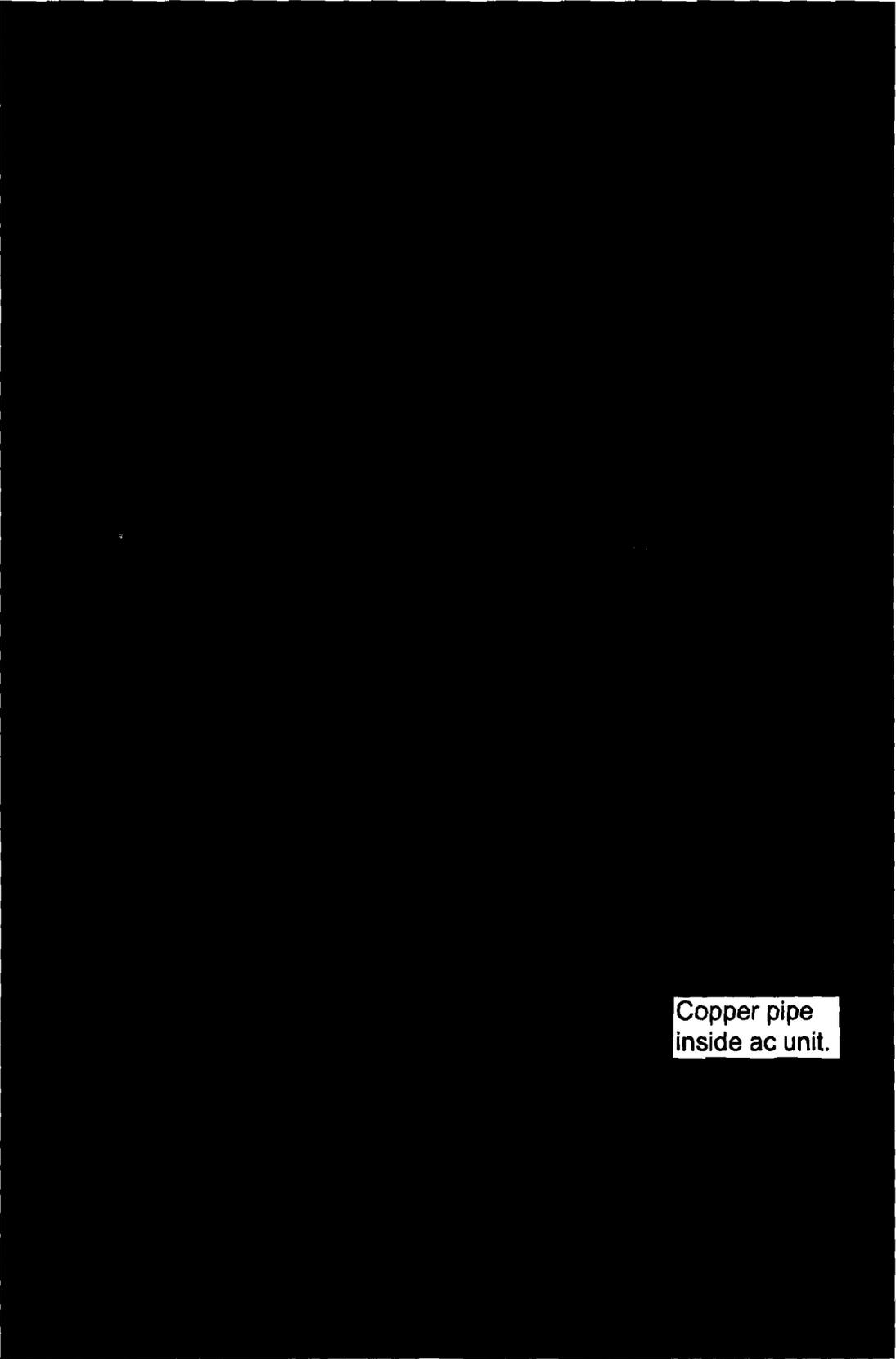


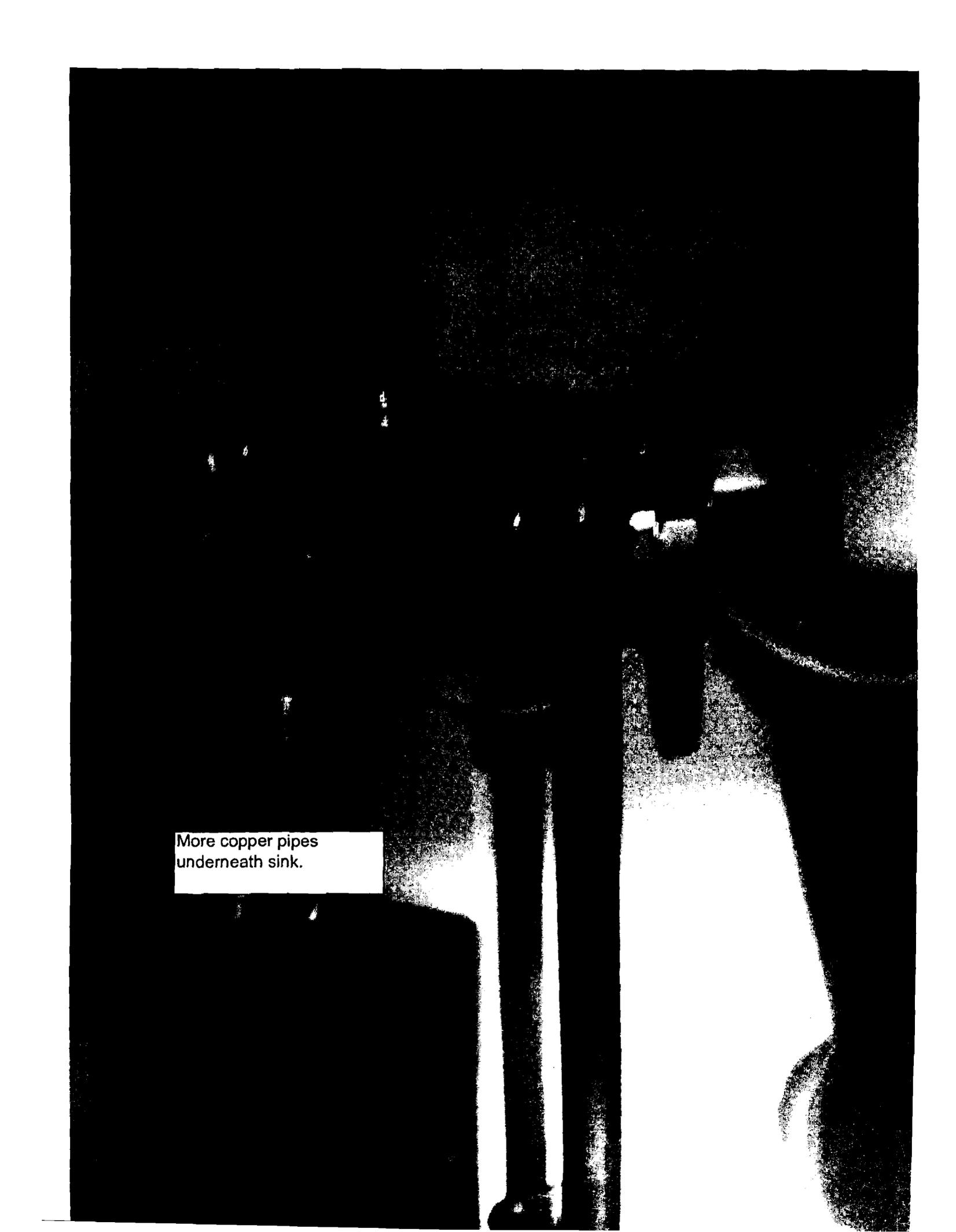
Photo shows what appears to be
rust and corrosion within ac unit.

Hole in ceiling
from water
leakage from
ac unit.





Copper pipe
inside ac unit.



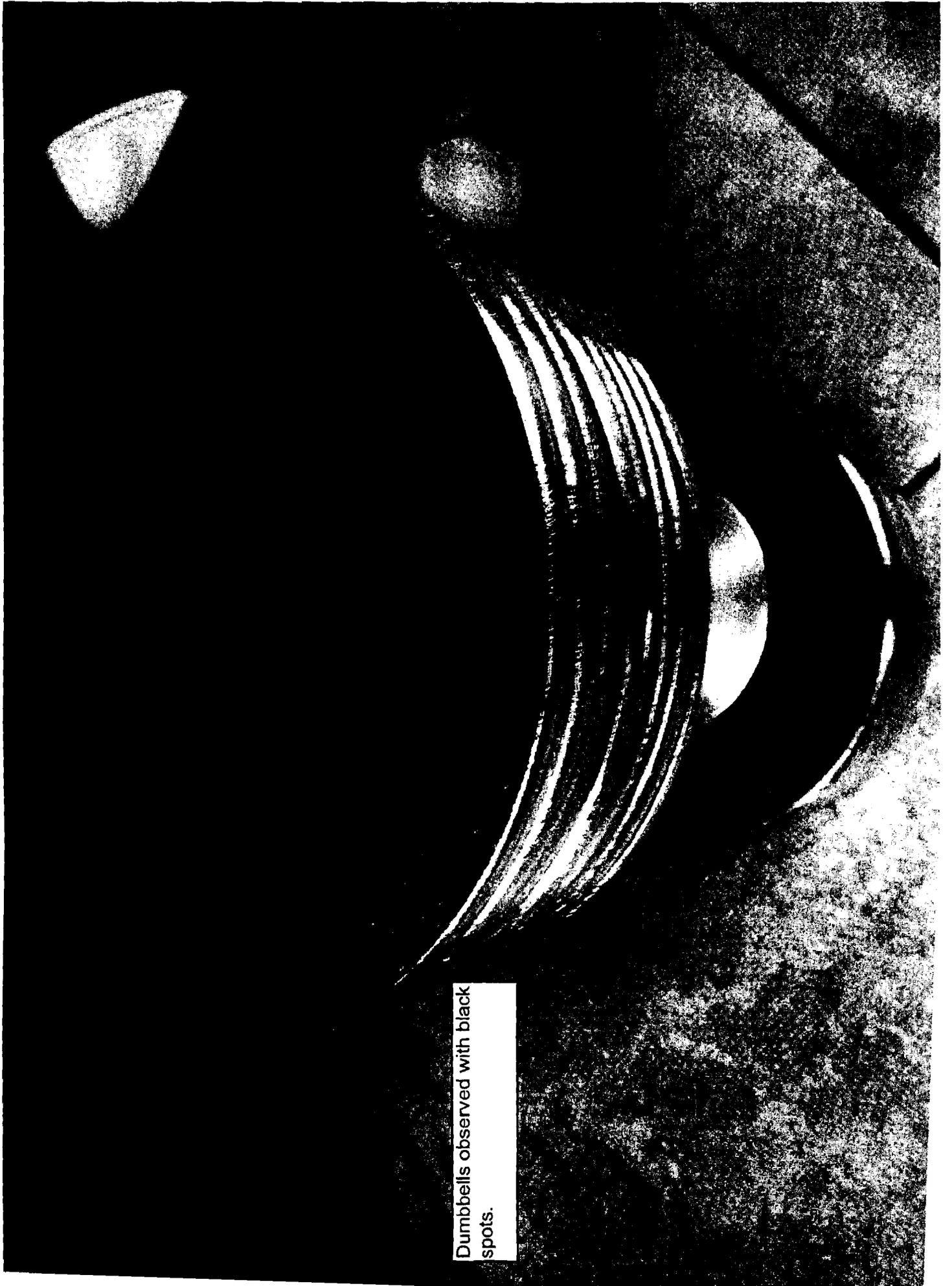
More copper pipes
underneath sink.

Per consumer, microwave continues to malfunction.

1997

Not
Responsiv TV appears blurry at all
times.

Dumbbells observed with black spots.



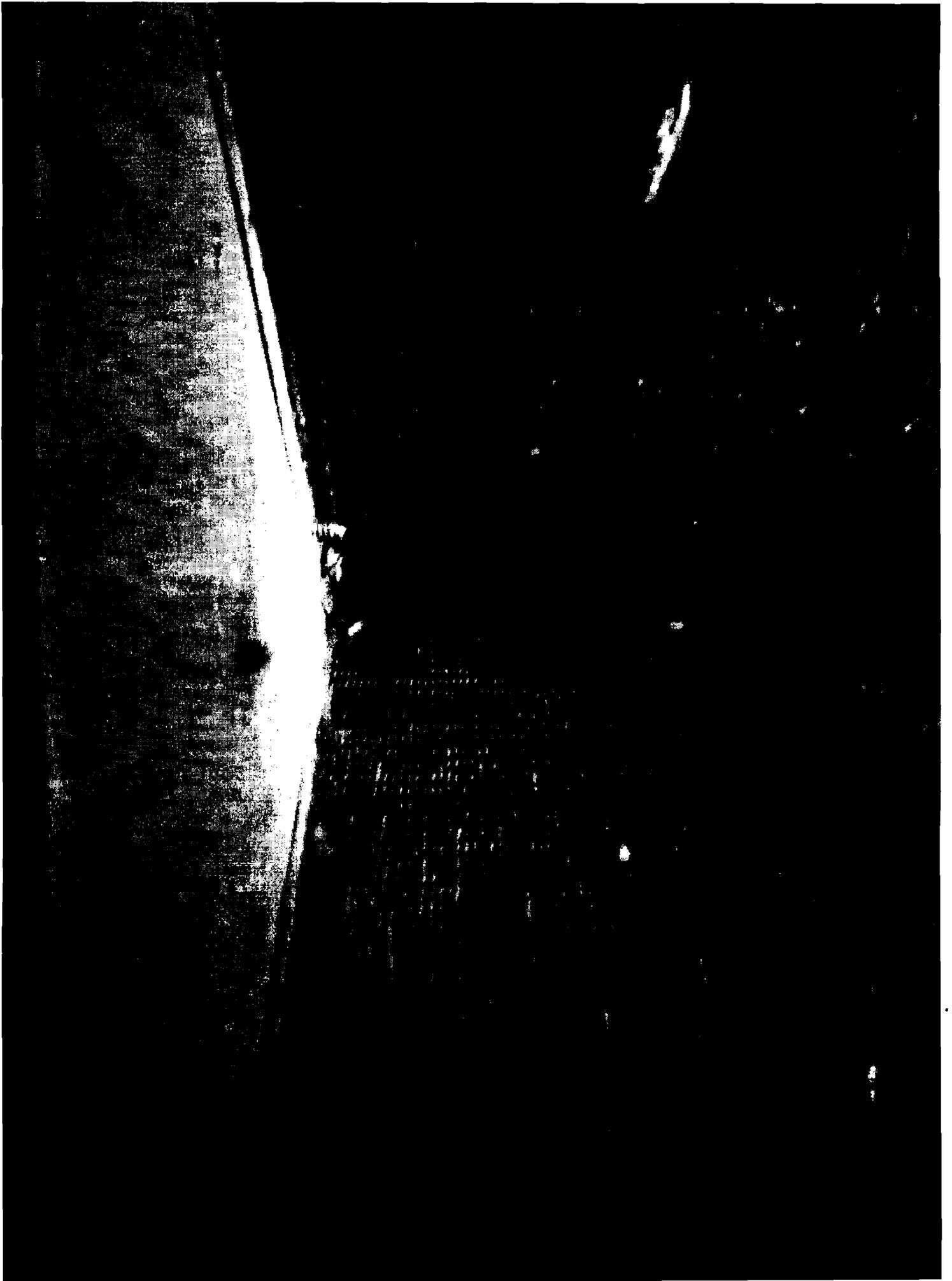
Tarnishing apparent on
dumbbells.

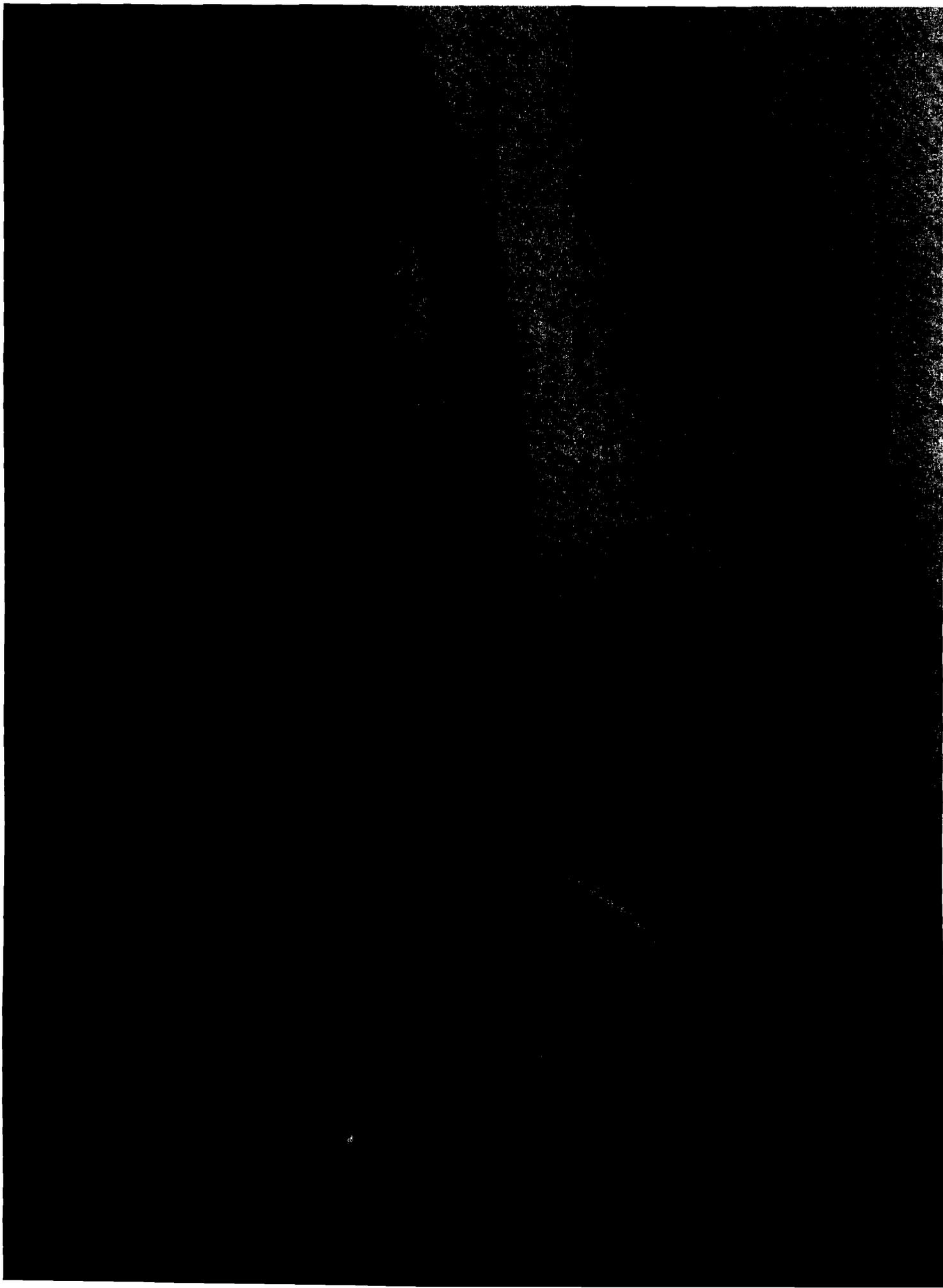




Outer rubber covering
copper wires within AC.

Copper wire observed within interior of AC unit. Blackening and discoloration observed.





Discoloration of shower
head observed.



More discoloration of copper wires
observed under sinks.



Discolored copper wires.



AC unit interior.



ALWAYS INSPECT HEATING
INSTALLATION TO VERIFY
HANDLING HAVE NOT
CONTACTED GROUNDED METAL
ALWAYS VERIFY BY MEASUREMENT
THERE IS NO CURRENT FLOW WHEN
HEATER IS DE-ENERGIZED.

Interior of AC unit observed.



Interior wiring of AC
unit.

Rust and corrosion
observed within interior of
AC unit.

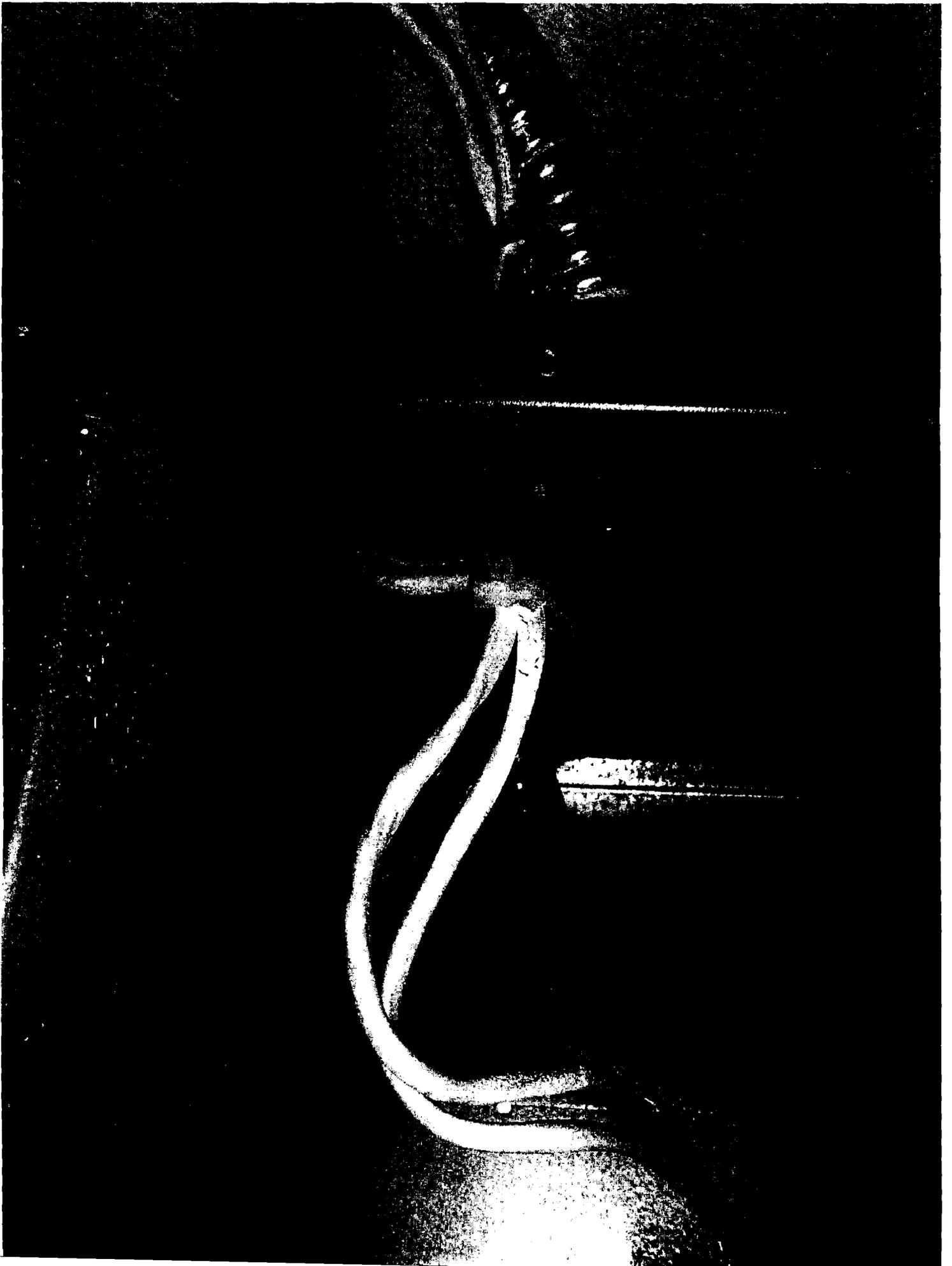
Rust observed within AC
unit.

WIRE DIAGRAM

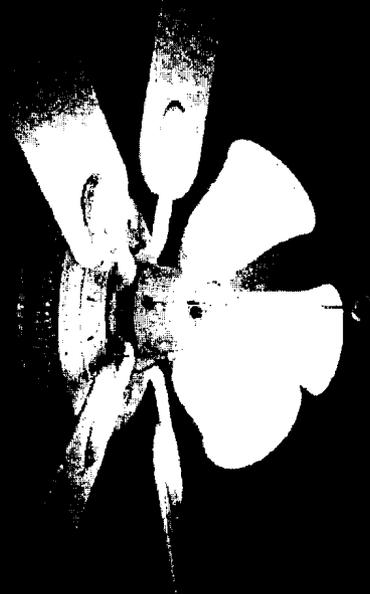


POWER
SYSTEM

AC unit observed with rust.

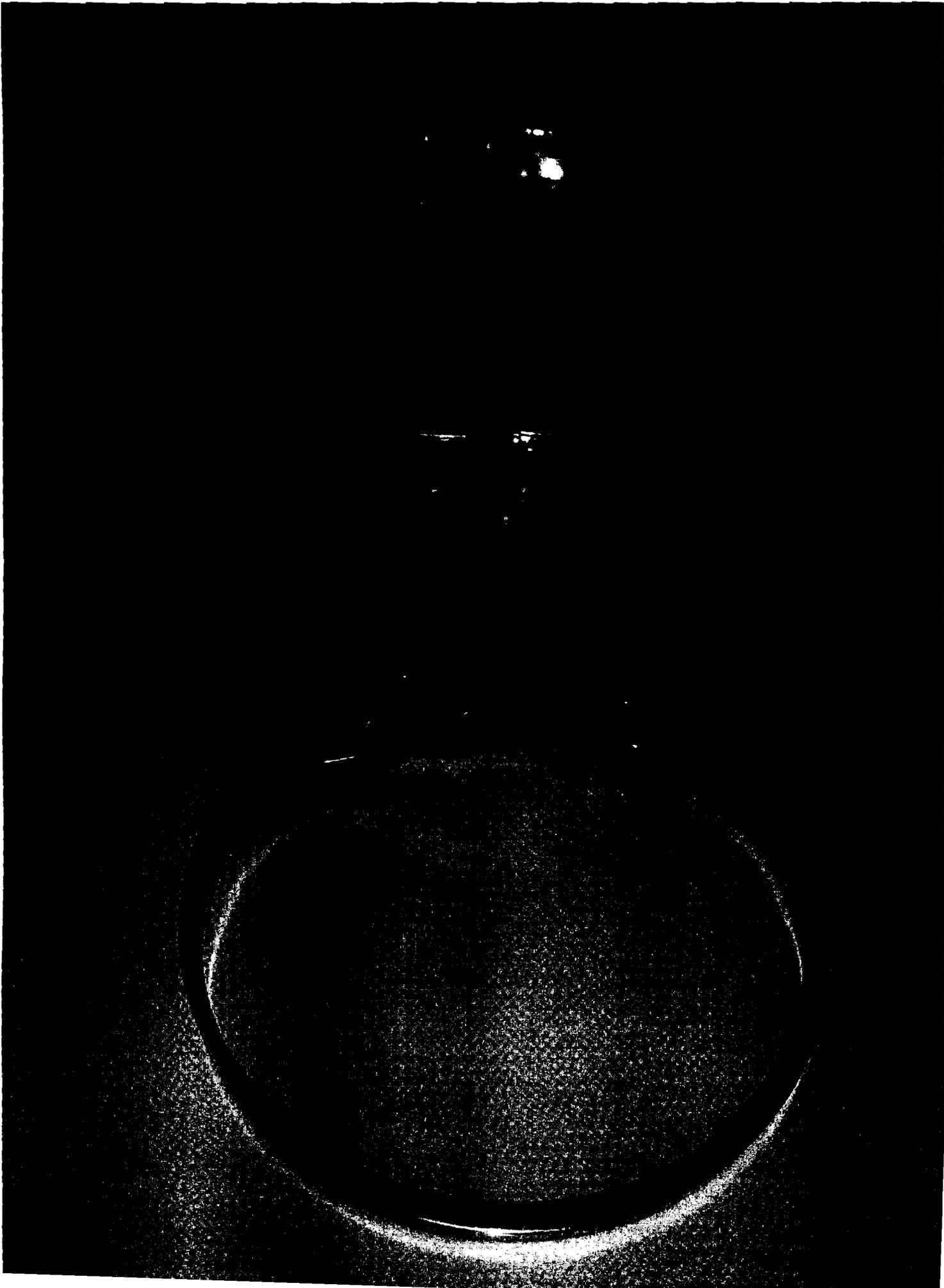


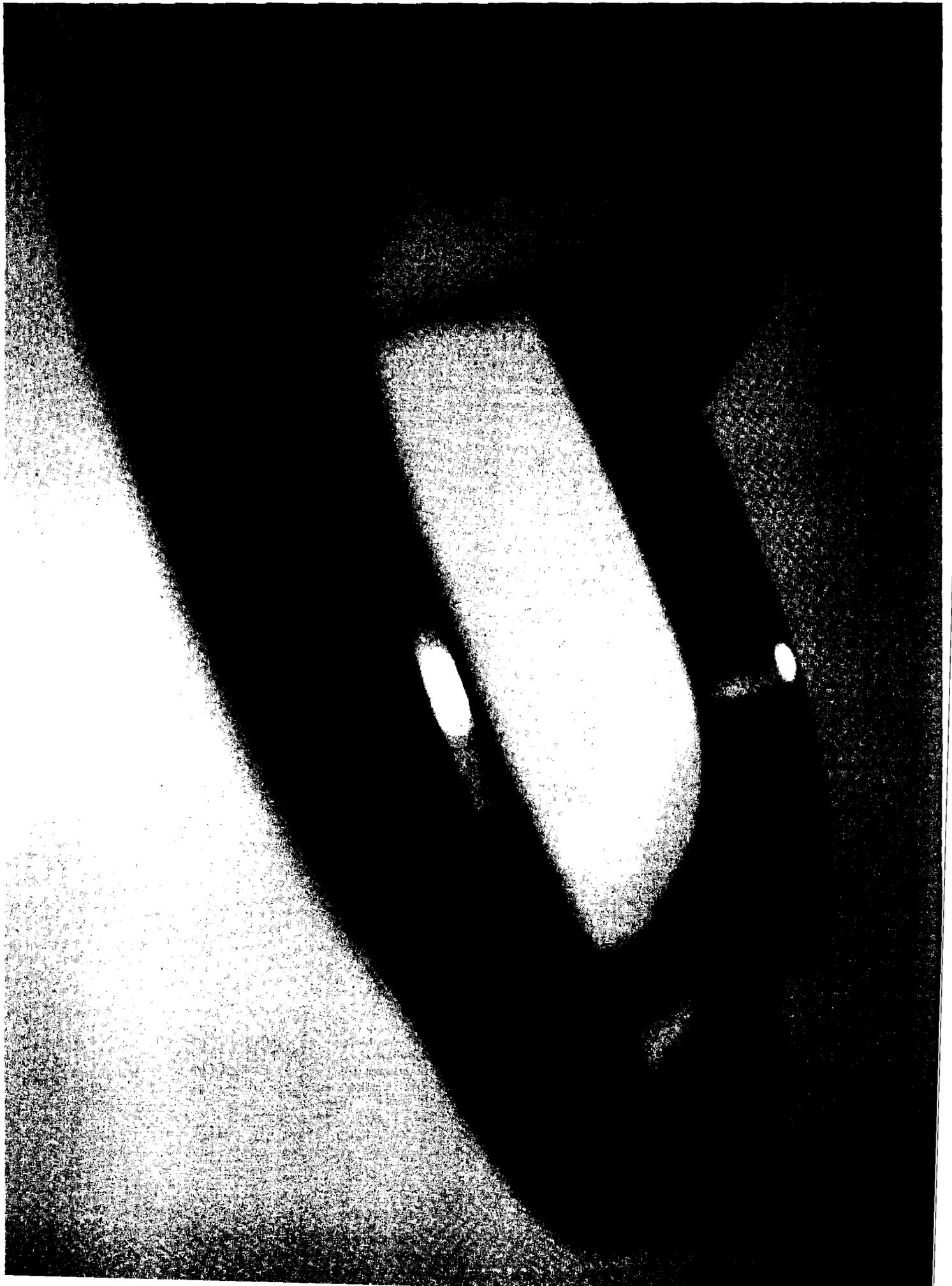
Ceiling fan not
working, light fixture
works.



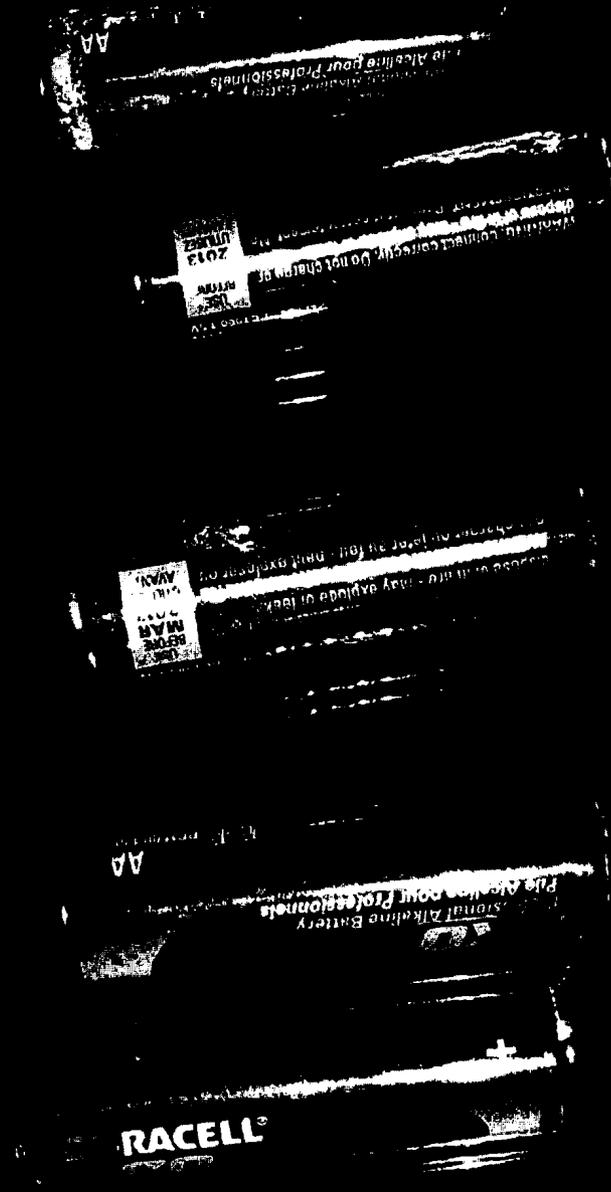
Jewelry observed with black
tarnish.







Batteries observed with corrosion.



无未

PC

USE
BEFORE

AA

090504CBB1673 Exh. 7

Task No. 090504CBB1673

Date: May 28, 2009

STATUS OF MISSING DOCUMENT (S)

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

1. Medical Reports

2. Letter from Air Conditioning Technician

3.

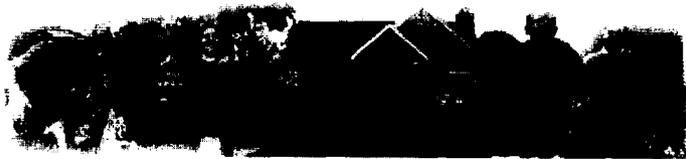
4.

5.

Date: May 28, 2009 **Investigator No:** 2248

Regional office: CFIEF **Supervisor No:** 9001

My Home



miamidade.gov

ACTIVE TOOL - SELECT



Show Me:

Property Information

Search By:

Select Item

Text only

Property Appraiser Tax Estimator

Summary Details:

Folio No.:	30-5914-105-0600
Property:	(b)(3):CPSA Section 25(c)
Mailing Address:	
	MIAMI FL 33183

Property Information:

Primary Zone:	3700 MULTI-FAMILY
CLUC:	0010 RESIDENTIAL-TOWNHOUSE
Beds/Baths:	3/2
Floors:	0
Living Units:	1
Adj Sq Footage:	1,747
Lot Size:	1,800 SQ FT
Year Built:	2008
Legal Description:	COURTS AT TUSCANY WEST PB 184-061 T-21864 LOT 2 BLK 9 LOT SIZE 1800 SQFT FAU 30 5914 000 0180 OR 22559-3996 0804 2 (103)

Sale Information:

Sale O/R:	24816-3412
Sale Date:	5/2006
Sale Amount:	3325,990

Assessment Information:

Year:	2008	2007
Land Value:	\$0	\$0
Building Value:	\$0	\$0
Market Value:	\$259,700	\$259,700
Assessed Value:	\$259,700	\$259,700

Taxable Value Information:

Year:	2008	2007
Appplied Exemption/ Taxable Value:		
Applied Exemption/ Taxable Value:		
Regional:	\$0/\$259,700	\$0/\$259,700
County:	\$0/\$259,700	\$0/\$259,700
School Board:	\$0/\$259,700	\$0/\$259,700

Additional Information:

Click here to see more information for this property:
Community Development District
Community Redevelopment Area
Empowerment Zone
Enterprise Zone
Land Use
Urban Development Boundary
Zoning
Non-Ad Valorem Assessments

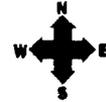


Digital Orthophotography - 2007

0 108 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



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| [My Neighborhood](#) | [Property Appraiser](#)

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If you experience technical difficulties with the Property Information application, or wish to send us your comments, questions or suggestions please email us at [Webmaster](#).

Web Site
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090504CBB1673

Exh. 9 Page 1 of 2



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 [ESG/ANG](#)

FIND A HOME

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Advanced Search

MA
NJ
ND
DE

WHAT DO YOU CALL
55 YEARS OF HOMEBUILDING EXPERIENCE?

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REAL ESTATE

YOUR PAYMENTS WILL BE MADE

RENEWAL

LENNAR

CONTACT US

Greatest Home Memories Contest

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[Lennar Cares](#) | [Lennar on Fortune 500](#) | [Lennar on Wall Street Journal](#) | [Lennar on Yahoo!](#) | [Lennar on Wikipedia](#)

Lennar is the leading builder of quality new homes in the most desirable real estate markets across the nation. Our home plans demonstrate our commitment to our customers by showcasing outstanding new home construction and a dedication to excellence in homebuilding. Every new home for sale offers the simplicity of included options featured in our model homes and inventory homes.

Lennar builds new homes for sale in 17 different states in some of the finest markets in the nation including:

Arizona: Phoenix Tucson	Delaware: Millsboro	Maryland: Baltimore Eastern Shore MD/DC Metro	New Jersey: Edison Township Mays Landing Monroe Township Rockaway Township Warrenton Weehawken Woolwich Township	South Carolina: Charleston Charlotte Greenville Myrtle Beach
California: Bakersfield Fresno/Central Valley Los Angeles/Valencia Orange County Palm Springs/Coachella Riverside County Sacramento San Bernardino San Diego San Francisco/Bay Area	Florida: Clearmont FL/Lauderdale Jacksonville/St. Augustine Lakeland Melbourne/Palm Bay Miami Naples/Ft. Myers Orlando Sarasota/Manatee Tampa Treasure Coast/Palm Beach	Massachusetts: Boston Minnesota: Minneapolis/St. Paul Nevada: Las Vegas Reno	New York: Rockland County North Carolina: Charlotte Raleigh Pennsylvania: Lancaster York County	Texas: Austin Dallas/Ft. Worth Houston San Antonio Virginia: Southern Virginia VA/DC Metro
Colorado: Colorado Springs Denver	Illinois: Chicago			

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Lennar is the leading builder of quality new homes. The Logic of Lennar offers the simplicity of included options as featured in our model homes and inventory homes. Our home plans demonstrate our commitment to our customers by showcasing outstanding new home construction and a dedication to excellence in homebuilding.

090504CBB1673

Exh. 9 Page 2 of 2



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The Many Ways to Contact Us

Find a New Home Our Internet New Home Consultants can answer your questions and help you find the home and community that fits your needs.

Secure a Mortgage Our UAMC Home Loan Advisors can answer your questions, find a mortgage that suits your needs and help you start the pre-qualification process.

Questions About Your Home Ask about items related to your current Lennar Home.

Customer Care / Warranty Submit questions or warranty requests to our Customer Care Associates in your local market.

Corporate Customer Care / Warranty Our Corporate Team is here to assist you if you need.

Realtors Get information on our communities and our Realtor Co-op programs.

Business Partners Submit information and inquiries about doing business with our Company.

Land for Sale Send us information on land you have available.

Careers Find out about employment opportunities with Lennar.

Investor Relations/Stockholders Get more detailed information about Lennar Corporation.

Webmaster Let us know of any difficulties you encounter with our website and provide us feedback.

Sign up For Email Updates

Get the latest [MIR](#) updates and opportunities. [Sign up](#) to get your copy!

Lennar is the leading builder of quality new homes in the most desirable real estate markets across the nation. Our home plans demonstrate our commitment to our customers by showcasing outstanding new home construction and a dedication to excellence in homebuilding. Every new home for sale offers the simplicity of included options featured in our model homes and inventory homes.

[Home](#) | [Contact Us](#)

Lennar builds new homes for sale in 17 different states in some of the finest markets in the nation including:

- | | | | | |
|---|--|--|---|---|
| <p>Arizona:
Phoenix
Tucson</p> <p>California:
Bakersfield
Fresno/Central Valley
Los Angeles/Valencia
Orange County
Palm Springs/Coachella
Riverside County
Sacramento
San Bernardino
San Diego
San Francisco/Bay Area</p> <p>Colorado:
Colorado Springs
Denver</p> | <p>Delaware:
Millsboro</p> <p>Florida:
Clermont
FL Lauderdale
Jacksonville/St. Augustine
Lakeland
Melbourne/Palm Bay
Miami
Naples/Ft. Myers
Orlando
Sarasota/Manatee
Tampa
Treasure Coast/Palm Beach</p> <p>Illinois:
Chicago</p> | <p>Maryland:
Baltimore
Eastern Shore
MD/DC Metro</p> <p>Massachusetts:
Boston</p> <p>Minnesota:
Minneapolis/St. Paul</p> <p>Nevada:
Las Vegas
Reno</p> | <p>New Jersey:
Edison Township
Mays Landing
Monroe Township
Rockaway Township
Warehown
Weehawken
Woolwich Township</p> <p>New York:
Rockland County</p> <p>North Carolina:
Charlotte
Raleigh</p> <p>Pennsylvania:
Lancaster
York County</p> | <p>South Carolina:
Charleston
Charlotte
Greenville
Myrtle Beach</p> <p>Texas:
Austin
Dallas/Ft. Worth
Houston
San Antonio</p> <p>Virginia:
Southern Virginia
VA/DC Metro</p> |
|---|--|--|---|---|

IDI 090504CBB1673

Addendum:

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

Attachment:

EXHIBIT 10 – Copies of Emails on damaged appliances/responses/delivery receipt.

EXHIBIT 11 – Microwave Receipts/Tech Information

EXHIBIT 12 – Recent Letter from Lennar and New Work Order Agreement

090504CBB1673

Exh. 10 Page 1 of 10

Delivered-To: (b)(3):CPSA Section 25(c)
 Received: by 10.70.109.9 with SMTP id nycsz01889wxc;
 Fri, 14 Dec 2007 16:18:37 -0800 (PST)
 Received: by 10.141.79.12 with SMTP id g12mc2328768rv1.182.1197677917238;
 Fri, 14 Dec 2007 16:18:37 -0800 (PST)
 Return-Path: <US_CTS_Ownership@dell.com>
 Received: from ausc60ps301.us.dell.com (ausc60ps301.us.dell.com [143.166.148.206])
 by mx.google.com with ESMTP id b8s11709786rvf.2007.12.14.16.18.36;
 Fri, 14 Dec 2007 16:18:37 -0800 (PST)
 Received-SPF: pass (google.com: domain of US_CTS_Ownership@dell.com designates 143.166.148.206 as permitted sender) client-ip=143.166.148.20
 Authentication-Results: mx.google.com; spf=pass (google.com: domain of US_CTS_Ownership@dell.com designates 143.166.148.206 as permitted sen
 Date: Fri, 14 Dec 2007 16:18:37 -0800 (PST)
 X-IronPort-AV: E=Sophos;i="4.24.170,1196661600";
 d="scan'208";a="451281860"
 Message-ID: <21319679.1197677915770.JavaMail.SYSTEM@smtp-out.us.dell.com>
 From: US_CTS_Ownership@dell.com
 To: evelyn.rey@gmail.com
 Subject: Dell Inc. Case #182364198 Team DEL014 Email #-58262941-# Confirmation
 Mime-Version: 1.0
 Content-Type: text/plain
 Content-Transfer-Encoding: 7bit

Dear EVELYN REY,

Thank you for contacting Dell's Technical Support. It was a pleasure working with you to resolve the issue you had with your system.

Case # 182364198
 Dispatch # 097863657

In order to perform the necessary repairs to your system, we have made arrangements to have your system returned to the repair depot for ser
 Per our conversation, Dell will be shipping a box to send the system to the repair depot. There will be an instruction sheet for packaging
 Once you have the system packaged for shipping, please call the number listed on the instruction sheet to arrange for pickup by DHL. Be sur
 If you need further assistance with case # 182364198, you may contact your case owner via email. Simply reply to this email. Do Not change t

- 1.) Best time to reach you
- 2.) Include phone number
- 3.) Include your case # 182364198 in the email message
- 4.) Brief description of the current state of your issue

For all new issues, please contact a live Dell Consumer Hardware Warranty Support agent by going to <http://support.dell.com/chat>. An easy &
 Not sure when your system warranty expires? Interested in looking up your system warranty expiration dates go to <http://support.dell.com/sup>

Time really flies. Don't let your system's warranty lapse and risk costly repairs and downtime.
 Call 1-800-999-3355 Press 1 to enter an extension and
 Dial extension 7244331
 To extend or upgrade your original warranty and service contract terms today!

Visit the Dell Community Forum, where Dell users of all skill levels come together to ask questions, share experiences, and learn at <http://>
 Dell Support Tool

Dell Support 3 is a complimentary, automated upgrade and notification system for your computer that offers you software updates and informat
 Get the Dell Support Tool at www.support.dell.com/DSPhone

NOTE: Dell Support 3.0 is for Microsoft Windows XP only.

In an effort to continuously improve your customer service experience Dell randomly surveys our customers. You may receive one of these surv
 For expedited service to our premium tech agents please use YOUR express service code when calling Dell tech support at 1-800-624-9896. Your
 For expedited service to our premium tech agents please use YOUR express service code when calling Dell tech support at 1-800-624-9896. Your

Respectfully,

Roni
 01170606

090504CBB1673

Exh. 10 Page 2 of 10

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

Delivered-
 Received: [redacted] 205wxd;
 Fri, 11 Jan 2008 12:46:31 -0800 (PST)
 Received: by 10.100.214.15 with SMTP id m15mr7706378ang.0.1200084391790;
 Fri, 11 Jan 2008 12:46:31 -0800 (PST)
 Return-Path: <US_XPS_Ownership@dell.com>
 Received: from ausc60pc101.us.dell.com (ausc60pc101.us.dell.com [143.166.85.206])
 by mx.google.com with ESMTTP id c14si5425022ana.21.2008.01.11.12.46.31/
 Fri, 11 Jan 2008 12:46:31 -0800 (PST)
 Received-SPF: pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted sender) client-ip=143.166.85.206;
 Authentication-Results: mx.google.com; spf=pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted send
 X-IronPort-AV: E=Sophos;i="4.24.273,1196661600";
 d="scan'208";a="530927934"
 Message-ID: <23787304.1200084391217.JavaMail.processcm@AUSAMERKANAAPP7>
 Date: Fri, 11 Jan 2008 14:46:31 -0600 (CST)
 From: US_XPS_Ownership <US_XPS_Ownership@dell.com>
 To: Evelyn Rey <evelyn.rey@gmail.com>
 Subject: Re: Dell Inc. Case #182364198 Team OKCXP5001 Email #-59841297-# Confirmation (KMM61426354I57L0KM)
 Mime-Version: 1.0
 Content-Type: text/plain; charset=iso-8859-1
 Content-Transfer-Encoding: 7bit
 x-mailer: KANA Response 9.1.0.35

Thank you for contacting the Dell XPS Ownership Team.
 Your tracking number is #91509047464 shipped via DHL. You can track your shipment from DHL's Website: <http://track.dhl-usa.com//TrackByNbr.a>

Original Message Follows:

Hi,
 I'm still waiting for the box to arrive, in order to send my laptop for repair.
 Just to confirm my address is 11410 N Kendall Drive Suite # 107-109 Miami Fl, 33176.

Thanks,
 evelyn

On Jan 7, 2008 10:23 PM, <US_XPS_Ownership@dell.com> wrote:

Dear EVELIN REY,

Thank you for contacting Dell Technical Support. It was a pleasure working with you to resolve the issue you had with your system.

The following information relates to your recent call.

Case #182364198
 Service Call / Dispatch Reference #098633820

In order to perform the necessary repairs to your system, we have made arrangements to have your system returned to the repair depot. Per ou

If you need a status update on this service, please go to <http://support.dell.com>,

1. Log in to "My Account"
2. Click "My Order Status"
3. Click "My Support" and select "Service Call Status"
4. Enter either your Service Tag or Service Call /Dispatch Reference # or to obtain current status

If you need further assistance with case #182364198, you may contact Dell via email or telephone.

If you choose to use email, please reply to this email, and include the following information:

1. Preferred method of contact (phone or e-mail)
2. Best time to reach you
3. Include phone number if phone is preferred method of contact

For any new issues please contact Dell Technical Support by sending an email from the following web page <http://support.dell.com> or via the

For expedited service to our premium tech agents please use YOUR express service code when calling Dell tech support at 1-800-232-8544. Your

Respectfully,

Michael
 Rep ID 01150170
 Resolution Specialist
 Dell Technical Support

--
 Evelyn.M.Rey

090504CBB1673

Exh. 10 Page 3 of 10

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

Delivered-To: evelyn.rey@gmail.com
 Received: by 10.70.30.12 with SMTP id d12cs411422wxd;
 Mon, 7 Jan 2008 19:23:56 -0800 (PST)
 Received: by 10.65.252.13 with SMTP id e13mr43879143qbs.84.1199762635703;
 Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 Return-Path: <US_XPS_Ownership@dell.com>
 Received: from ausc60pcl01.us.dell.com [ausc60pcl01.us.dell.com [143.166.85.206]]
 by mx.google.com with ESMTTP id f13si13306117qba.20.2008.01.07.19.23.55;
 Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 Received-SPF: pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted sender) client-ip=143.166.85.206;
 Authentication-Results: mx.google.com; spf=pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted send
 Date: Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 X-IronPort-AV: E=Sophos;i="4.24.255,1196661600";
 d="scan'208";a="524298201"
 Message-ID: <12508720.1199762634823.JavaMail.SYSTEM@smtp-out.us.dell.com>
 From: US_XPS_Ownership@dell.com
 To: evelyn.rey@gmail.com
 Subject: Dell Inc. Case #182364198 Team OKCXPS001 Email #-59841297-# Confirmation
 Mime-Version: 1.0
 Content-Type: text/plain
 Content-Transfer-Encoding: 7bit

Dear EVELIN REY,

Thank you for contacting Dell Technical Support. It was a pleasure working with you to resolve the issue you had with your system.

The following information relates to your recent call.

Case #182364198
 Service Call / Dispatch Reference #098633820

In order to perform the necessary repairs to your system, we have made arrangements to have your system returned to the repair depot. Per ou

If you need a status update on this service, please go to <http://support.dell.com>,

1. Log in to "My Account"
2. Click "My Order Status"
3. Click "My Support" and select "Service Call Status"
4. Enter either your Service Tag or Service Call /Dispatch Reference # or to obtain current status

If you need further assistance with case #182364198, you may contact Dell via email or telephone.

If you choose to use email, please reply to this email, and include the following information:

1. Preferred method of contact (phone or e-mail)
2. Best time to reach you
3. Include phone number if phone is preferred method of contact

For any new issues please contact Dell Technical Support by sending an email from the following web page <http://support.dell.com> or via the

For expedited service to our premium tech agents please use YOUR express service code when calling Dell tech support at 1-800-232-8544. Your

Respectfully,

Michael
 Rep ID 01150170
 Resolution Specialist
 Dell Technical Support

090504CBB1673

Exh. 10 Page 4 of 10

Delivered-To: (b)(3):CPSA Section 25(c)
 Received: by 10.70.30.12 with SMTP id d1zcs41rzzwkd;
 Mon, 7 Jan 2008 19:23:56 -0800 (PST)
 Received: by 10.65.252.13 with SMTP id e13mr43879143qbs.84.1199762635703;
 Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 Return-Path: <US_XPS_Ownership@dell.com>
 Received: from ausc60pc101.us.dell.com (ausc60pc101.us.dell.com [143.166.85.206])
 by mx.google.com with ESMTTP id f13s113306117qba.20.2008.01.07.19.23.55;
 Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 Received-SPF: pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted sender) client-ip=143.166.85.206;
 Authentication-Results: mx.google.com; spf=pass (google.com: domain of US_XPS_Ownership@dell.com designates 143.166.85.206 as permitted send
 Date: Mon, 07 Jan 2008 19:23:55 -0800 (PST)
 X-IronPort-AV: E=Sophos;i="4.24,255,1196661600";
 d="scan'208";a="524298201"
 Message-ID: <12508720.1199762634823.JavaMail.SYSTEM@smtp-out.us.dell.com>
 From: US_XPS_Ownership@dell.com
 To: evelyn.rey@gmail.com
 Subject: Dell Inc. Case #182364198 Team OKCXPS001 Email #-59841297-# Confirmation
 Mime-Version: 1.0
 Content-Type: text/plain
 Content-Transfer-Encoding: 7bit

Dear EVELYN REY,

Thank you for contacting Dell Technical Support. It was a pleasure working with you to resolve the issue you had with your system.

The following information relates to your recent call.

Case #182364198
 Service Call / Dispatch Reference #098633820

In order to perform the necessary repairs to your system, we have made arrangements to have your system returned to the repair depot. Per ou

If you need a status update on this service, please go to <http://support.dell.com>,

1. Log in to "My Account"
2. Click "My Order Status"
3. Click "My Support" and select "Service Call Status"
4. Enter either your Service Tag or Service Call /Dispatch Reference # or to obtain current status

If you need further assistance with case #182364198, you may contact Dell via email or telephone.

If you choose to use email, please reply to this email, and include the following information:

1. Preferred method of contact (phone or e-mail)
2. Best time to reach you
3. Include phone number if phone is preferred method of contact

For any new issues please contact Dell Technical Support by sending an email from the following web page <http://support.dell.com> or via the

For expedited service to our premium tech agents please use YOUR express service code when calling Dell tech support at 1-800-232-8544. Your

Respectfully,

Michael
 Rep ID 01150170
 Resolution Specialist
 Dell Technical Support

090504CBB1673

Exh. 10 Page 5 of 10

(b)(3):CPSA Section 25(c) d3e40

X-Gmail-R
Delivered: by 10.07.117.77 with SMTP id 670026...
Mon, 25 Sep 2006 06:33:51 -0700 (PDT)
Received: by 10.90.34.9 with SMTP id h9mr1264753agh;
Mon, 25 Sep 2006 06:33:51 -0700 (PDT)
Return-Path: <ANSWERCTR@exchange.appl.ge.com>
Received: from ext-nj2ut-12.online-age.net [ext-nj2ut-12.online-age.net [64.14.54.245]]
by mx.gmail.com with ESMTMP id 6si2642308wrl.2006.09.25.06.33.50;
Mon, 25 Sep 2006 06:33:51 -0700 (PDT)
Received-SPF: neutral (gmail.com: 64.14.54.245 is neither permitted nor denied by best guess record for domain of ANSWERCTR@exchange.appl.ge
Received: from int-nj2ut-2.online-age.net [int-nj2ut-2.online-age.net [3.159.237.71]]
by ext-nj2ut-12.online-age.net [8.13.6/8.13.6/20051114-SVVS-TLS-DNSBL] with ESMTMP id k8PDXmXo003855
for <evelyn.rey@gmail.com>; Mon, 25 Sep 2006 09:33:49 -0400
Received: from AP3EXVW01APPLGE.appl.ge.com [int-nj2ut-2.online-age.net [3.159.237.71]]
by int-nj2ut-2.online-age.net [8.13.6/8.13.6/20050510-SVVS] with SMTP id k8PDXilg028441
for <evelyn.rey@gmail.com>; Mon, 25 Sep 2006 09:33:48 -0400
Message-Id: <200609251333.k8PDXilg028441@int-nj2ut-2.online-age.net>
Received: from 3.130.163.181 by AP3EXVW01APPLGE.appl.ge.com (InterScan E-Mail VirusWall NT); Mon, 25 Sep 2006 09:33:44 -0400
Received: from exchange.appl.ge.com (AP1CEM01CIGE.appl.ge.com [3.130.161.104]) by AP3EXBH01APPLGE.appl.ge.com with SMTP (Microsoft Exchange
id S3JT6YPF; Mon, 25 Sep 2006 09:33:44 -0400
From: ANSWERCTR@exchange.appl.ge.com
To: evelyn.rey@gmail.com
Subject: AT20060924_0000000107 Operating an appliance or understanding an appliance feature
Date: Mon, 25 Sep 2006 09:33:42 -0400
MIME-Version: 1.0
Content-type: text/plain; charset=Windows-1252
Content-Transfer-Encoding: quoted-printable
X-Mailer: Cisco E-Mail Manager NT; Build: CEM-5.0.0711-B-711

Please include the following line in all replies.
Tracking number: AT20060924_0000000107

Hello Evelin,

Thank you for contacting GE Appliances. I am happy to assist you.=20

I am sorry to hear about this unfortunate experience. We recognize this-20
as an opportunity to work with you to resolve this issue and welcome your=
=20
feedback.=20

We would like to thoroughly understand your situation and feel that can=20
be best accomplished by speaking to you directly. The GE Internet=20
Response Team is able to assist with information on product features, use=
=20
and care of your appliances, and basic trouble shooting. GE Consumer=20
Relations is the management advisory team that has the authority to=20
address any concerns you have experienced with our products and services. =
=20

Please call the Consumer Relations office on their priority number at=20
1-888-348-7563, M-F, 8am-6pm, EDT to discuss your concerns. In addition, =
=20
I am forwarding this email to them.=20

We truly hope this matter can be resolved to your satisfaction.

Sincerely,=20

Jodie
GE Internet Response Team

> --- (b)(3):CPSA Section 25(c)
> From: ANSWERCTR@exchange.appl.ge.com
> Sent: Sep 24, 2006 1:03:48 PM EDT
> To: ANSWERCTR@exchange.appl.ge.com
>=20
> Ename=09-09: ANSWERCTR@exchange.appl.ge.com
> Mailsubject=09-09: Operating an appliance or understanding an appliance f=
eature
> First Name=09-09: Evelin
> Last Name=09-09: Rey
> Street Address=09-09: 12960 sw 133 terrace
> City=09-09: miami
> State=09-09: FL
> Zip Code=09-09: 33186
> Country=09-09: United States
> Phone=09-09: 305-253-9979
> Fax=09-09: --
> EMail Address=09-09: evelyn.rey@gmail.com
> Model Number=09-09: JVM1631WJ03
> Serial Number=09-09: AL902769U
> Installation Date=09-09: -20
> Comments=09-09: This is my second issue with your product is the last mon=
th. back on August I complaint of lack of customer service from your part =
case#5679904.
> I believe it's totally unacceptable that for a brand new microwave unit I =
have to call every month to get it repair, and that I have to be on the pho=
ne with your customer service line to make sure the technician have order t=
he piece for the unit, which I believe this have not being done jet.

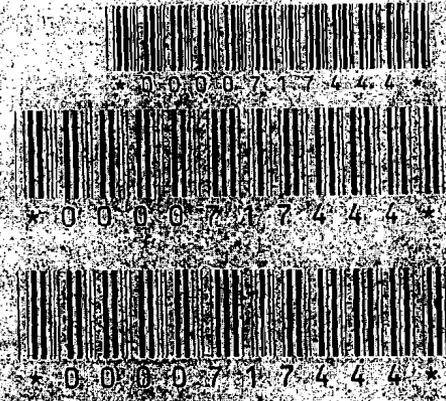
090504CBB1673

Exh. 10 Page 6 of 10

> On saturday 09/16 a tech came to my house to see what was wrong and he told me that for saturday September 23 will be ready.....I'm still waiting.
> I have not received a phone call from nobody, I have not received the fed-ex deliver as I was told from your customer service Rep.
> I love the microwave and would hate being without it, since I work full time and have three teenaged soon the microwave makes my life much easier. = Please let me hear from a supervisor or manager regarding this unfortunate = situation I dont'n feel like wait another three weeks to have fix like happened the last time.
> I can be reach at 305-253-9979 after 4:45pm
>=20
>=20
>=20

Order Number: MIA17444RIS
 Date Printed: 7/10/2007
 Date Open: 05/30/2007
 Store Name: Servicert
 BRANDSMART SERVICE CORPORATION
 3381 SW 42nd Street
 Hollywood FL 33312
 Phone: (305) 824-5444
 Sales Person: Woldyne Ellis Aime
 Customer: CEZAMA JUAN
 12960 SW 133RD TERRACE
 MIAMI FL 33186
 Primary Phone: (305) 345-4553
 Alternate Phone:

Repair Order



Product Name	Brand	Model	SerialNo	Invoice	Date of Purchase	Extended Warranty Number
Plasma	SAMSUNG	HPS4253XXAA	B15G6CML50679967050		8/11/2006	

Customer Complaint: P/LC DISTORTED

Charges Summary		Parts Summary				
Type	Fee	Qty	Part Number	Description	Price	Extended
Labor	Not Responsive					
	Sub Total				\$0.00	
	Tax				\$0.00	
	Total				\$0.00	
	Deposit				\$0.00	
	Amount Due				\$0.00	

DELIVER

Special Instructions and Order History	
Date	Instructions
05/30/2007 13:53	CUSTOMER AWARE OF VERBAL
05/30/2007 13:53	MSI AWARE UNIT HAS TO BE ACCESSIBLE
06/09/2007 10:44	1/m
06/17/2007 15:27	TECH REPORT... y board: p/o
06/23/2007 11:30	1/m sch for 07/03/07
06/29/2007 10:56	1/m
07/03/2007 14:53	TECH REPORT... p/usch for 7-10...per tech orlando bk p/uhady tech of date
07/09/2007 15:22	MS OKRM... VIA ADDRESS
07/10/2007 13:13	CREW REPORT... COMPLETE P/U CUST STATED THAT THERE IS A BLACK LINE ACROSS SCREEN
07/11/2007 18:14	D34
07/13/2007 08:13	p/v to billing dept
07/13/2007 10:20	1/m ON XAM STATING DELON TUES

Service Performed
07/13/2007 08:03 REPAIR BUTHER CIR OK

Customer Claim Check

Order Number: MIA17444RIS
 Product: Plasma
 Brand: SAMSUNG
 Model: HPS4253XXAA
 Serial Number: B15G6CML506795E

BRANDSMART SERVICE CORPORATION
 3381 SW 42nd Street
 Hollywood FL 33312
 (305) 824-5444



Legal Statements:
 I understand that I am responsible for any charges against my units repair that are not covered (cabinet part physical damage, cleanings, consumable items) by the manufacturer of this unit or by my extended warranty company and I agree to pay an estimate fee of \$30.00 / \$50.00 if I decide to refuse the repairs myself. I also understand that all deposits / estimate fees are non-refundable and that I will be responsible for storage fees the amount of \$1.00 per day if I do not claim my item within 30 days of notification.

Please read carefully, initial one of the statements below, and sign:

I request a written estimate.

I do not request a written estimate as long as the repair costs do not exceed \$..... The shop may not exceed this amount without my written or oral approval.

I do not request a written estimate.

Signed: _____ Date: _____

*Equipment can only be picked up with this claim check

REPLACED TV

OUTSIDE



3426273

RECEIPT 0043426273 06/11/08
 Home Depot U.S.A. *****
 16051 SOUTH DIXIE HIGHWAY
 MIAMI FL 33157
 (786) 242 6200

MAURICIO JIRON
 12960 SW 133 TERR
 MIAMI FL 33196
 (786) 242 6200

Sold by: JIRON, MAURICIO CASH PRICE 13.43
 13:43
 21 DONALD JOHNSON

JVM1540DM WOW 1 188.88
 1.5CUFT/950WATT/TL300MM EA
 Warranty Parts 12 months Labor 12 months
 In Home Service 0 DAY RETURN
 SERVIC EXTEND WARRA 1 0.00 0.00
 0 DAY RETURN
 APPL/SOLD/MAURICIO JIRON

FOR SERVICE, DELIVERY, or SALES CALL:
 (786) 242 6200

***** TOTAL PIECES 1 *****

Sales Amount: 188.88
 Sales Tax: 13.22
 Total: 202.10

[Signature]
 CHANGE

RETURN/REFUND POLICY
 COURSE! If you are not satisfied with your purchase, you may return it for a full refund within 90 days of purchase. If you are not satisfied with your purchase, you may return it for a full refund within 90 days of purchase. If you are not satisfied with your purchase, you may return it for a full refund within 90 days of purchase.

MICROWAVE

Not Responsive

REFRIGERATOR
 Model No: GSS22JETAWW
 Serial No: GL244153
 Installation Date: 6/29/2008
 Reason for Service: 27/PANEL IS NOT RESPONDING /115/NOISES

Contract Number:
 Labor: \$ 0.00
 FREEZER EVAPORATOR FAN \$ 69.95
 Home Call Charge \$ 69.95
 Total Labor \$ 69.95

Parts:

Qty	Part #	Unit Price	Total Price
1	WRG0X10074	92.40	0.00
1	MOTOR DC EVAP FAN		0.00
1	FREEZER EVAPORATOR FAN		0.00
Total Parts			\$ 0.00
Total Amount:			\$ 69.95
Subtotal			\$ 0.00
Tax			\$ 69.95
Total Amount			\$ 69.95
Amount Paid:			\$ 69.95

Card #: XXXX-XXXX-XXXX-2630
 Expire Date: 6/30/2010
 Approval Code: 033952

THANK YOU FOR USING GE CONSUMER SERVICE! PLEASE VISIT OUR WEBSITE AT WWW.GEAPPLIANCES.COM

Signature:

Not Responsive

MICROWAVE / REFRIGERATOR

March 5, 2009

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

Miami, Florida 33106

RE: Preliminary Evaluation in Association with Heating, Ventilating and Air Conditioning
(HVAC) Component Issues
Project Location: Lezama Residence
Project Address: 12960 S.W. 133rd Terrace, Miami, Florida 33186

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

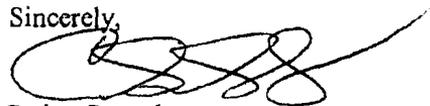
I am Lennar's Division President in Southeast Florida. As you know, on February 24, 2009, ENVIRON International Corporation ("ENVIRON") conducted a preliminary evaluation of your home. Lennar selected ENVIRON because of their long-standing reputation as experts in the fields of human health and environmental risk assessment. We have tremendous confidence in their testing procedures and in the veteran scientists with whom we have been working.

Enclosed for your review are the results of the air quality assessment performed at your home, along with a letter from ENVIRON which provides you with some additional information. As you can see from the attached letter, ENVIRON has concluded that there is no indication that the conditions identified in your home would have any human health effects.

Based on our ongoing investigation, we believe that certain drywall installed in your home by an independent contractor may contain naturally occurring sulfur that has produced low levels of sulfur-containing gas. We are continuing to actively investigate and pursue this matter on your behalf. Please know that we continue to stand by our homes and are fully committed to resolving these issues. We are working as quickly as possible to find a long-term solution that will be the least disruptive to you and your family.

Please contact me at your earliest convenience so that we can discuss these issues further. Again, we apologize for any inconvenience.

Sincerely,


Carlos Gonzalez

cc: Cosmo Perez
Bob DeMott, PhD
Jamie Poole, PhD





WORK AUTHORIZATION AGREEMENT

I. Scope of Work

The repair work at your Home will include the following:

- Relocating you and your family to a comparable temporary residence pursuant to the terms and conditions set forth in our Sublease Agreement;
- Moving your furniture from your Home using a reputable insured moving company to your temporary residence and/or a secure storage facility;
- Removing and replacing all defective drywall in your Home;
- Repairing or replacing other affected building materials in your Home, including, **but not limited to**, affected HVAC systems, plumbing components, as well as affected electrical components, including affected wiring, switches, and receptacles;
- Finishing and painting all new drywall;
- Repairing or replacing, as necessary, all materials affected by the repair process in your Home, which may include but is not limited to flooring, wall coverings and tile, cabinets and countertops, sinks, toilets, bathtubs and shower enclosures, appliances, mirrors, lighting and plumbing fixtures, and wood trim and molding;
- HEPA vacuuming your Home to remove all construction dust;
- Cleaning and restoring your Home to pre-repair condition; and
- Moving your furniture and belongings back to your Home.

A supplemental description of the above-mentioned repair work, including detailed specifications and other special instructions, as agreed upon between you and Lennar, is set forth on a separate "Home Repair Specifications Sheet," which is incorporated herein.

IDI 090504CBB1673

Addendum:

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

Attachment:

EXHIBIT 13 – Email (Questions/Responses) from Florida Dept. of Health

Morelli-Linen, Renee

From: (b)(3):CPSA Section 25(c)
Sent: Thursday, June 04, 2009 11:15 AM
To: Morelli-Linen, Renee
Subject: Fwd: Drywall made in China (May 09 HSE 21 R) (NRR)

Rene,

This is the response from the DOH.

Thanks

----- Forwarded message -----

From: <Clark_Eldredge@doh.state.fl.us>
Date: Wed, May 27, 2009 at 12:50 PM
Subject: (b)(3):CPSA Section 25(c) China (May 09 HSE 21 R) (NRR)
To: (b)(3):CPSA Section 25(c)

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

I apologize for the significant delay in responding to your email. I thought I had replied to your email since it is similar to others I had received. A recent check of emails proved otherwise. To answer your questions:

1.- Is this remodeling and rip out of the drywalls is legal?
A. - Only normal building code and permitting requirements apply at this time.

2.-Where are those toxic material are going to be throwed?
A. - Currently there are no identified hazards specific to this drywall that would limit its disposal. All drywall is known to release hydrogen sulfide gas as it decomposes in a landfill. The Department of Environmental Protection currently recommends that dedicated loads of drywall be disposed in a class 1 landfill with a gas collection system to control the release of hydrogen sulfide. Direct additional questions of disposal to DEP Solid Waste section (<http://www.dep.state.fl.us/waste/>).

3.-The men working inside the house are not using any safety precautions including personal protective equipment... It is safe for those men?
A. - Currently there are no identified hazards specific to this drywall that would require any special personal protection gear. Workers should be using appropriate protection practices for any normal demolition/remodeling project. We have requested a National Institute for Occupational Safety and Health to perform a Health Hazard Evaluation (<http://www.cdc.gov/niosh/hhe/>) specifically to answer this concern.

4. An strong smells is getting out of that house, it is normal and safe? There is currently no data to answer that question. All air testing we have received related to day time indoor levels of the drywall do not represent any acute health risk. You are generally able to smell reduced sulfur cases at concentrations a hundred times lower than those where the concern for acute health risks begin. Of course this does not mean that the these activities could not create transient levels of the gases which exceed the most conservative safety levels. That is one of the questions to be addressed in the Health Hazard Evaluation.

Sincerely,

Clark Eldredge
Radon and Indoor Air Program
Florida Department of Health
Phone: (850)245-4288
Fl Toll Free: (800)543-8279

FDOH Mission: Promote, protect and improve the health of all people in Florida.

Please take a moment to tell us how we are doing...

http://www.surveymonkey.com/s.aspx?sm=xZrJf55HcEzlgNNifmk8Q_3d_3d

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

(b)(3):CPSA Section 25(c)
From: [Redacted]
Sent: Wednesday, May 13, 2014, 10:00 AM
To: zzzz Feedback, HSE
Subject: Information - Drywall made in China

Dear Sir,

I live in a community with many houses tested and diagnosed with Chinese Drywall. a house located in 12984 SW 133Terr , is currently been under construction, the house have the infected drywalls, and I have few simple questions that I need some answers for my tranquility.

- 1.- Is this remodeling and rip out of the drywalls is legal?
- 2.-Where are those toxic material are going to be throwed?
- 3.-The men working inside the house are not using any safety precautions including personal protective equipment... It is safe for those men?
4. An strong smells is getting out of that house, it is normal and safe?

I would like to know if the constructor is aware of all the problems is causing the construction in our community.

Thank you for your consideration in this matter.

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

Doc No: 10930544A

Issue: 26

03/24/2009

03/20/2009 21:28:17

Name = (b)(3):CPSA Section 25(c)
Address =
City = M
State = I
Zip = 33
Email =
Telepho
Name of

Victim's Address =

Victim's City =

Victim's State =

Victim's Zip =

Victim's Telephone =

Incident Description = I recently discovered that the house that I bought two years ago was build with chinese drywalls, my family and self presents multiple simptoms related to having this poisons drywalls.

My wife have new sinus problems, headaches, fatigue, red eyes, depression. my son constantly is having nose bleed, headaches, red eyes, body iching and I was recently diagnosed with sleep apnea. Beside all the problem the house is encounter, new A/C broke down, 3 TV's broke down, microwave replaced twice, refrigerator broke, fans, computers, cell phones, jewelry damage.

This is a serius safety issue we are confronting ad we need immediate help from the state, and nation. we are dozens of families with same issues and we need help to get this problem resolve as soon as possible, our helath is in danger.

My family is getting sick every single day more and more and we need someone to get involve and help us immediately.

Victim's age at time of incident =

Victim's sex =

Date of incident = 03/2009

Product involved = Chinese drywall installed by Lenar Homes Builders

Product brand name/manufacturer = Lennar Homes

Manufacturer street address = Lennar Homes - Tuscany Village Kendall Florida

Place where manufactured (City and State or Country) = Miami Florida

Product model and serial number, manufacture date =

Product damaged, repaired or modified = no

If yes, before or after the incident =

Description of damage, repair or modification =

Date product purchased =

Product involved still available = yes

Have you contacted the manufacturer = yes

If not, do you plan to contact them =

Name Release = Do not release name