

TAB D

From: "Bob Kochan" <rkochan@forensic-analysis.com>
To: "Brian Ford" <brianford@yahoo.com>
Cc: "Randy Down" <rdown@forensic-analysis.com>; "Nellie Williams" <nwilliams@forensic-analysis.com>
Sent: Monday, October 17, 2005 7:51 PM
Subject: Re: Your conversation with Ms King at SF

Brian,

Thank you for the dialogue. I spoke with Lecky King late this afternoon and convinced her to give us another opportunity to examine the home and now by using published wind and water level data that was in yesterday's paper, revisit the loss and provide either the same opinion based on more detailed and technical data or to provide an amended opinion based on the newest data available.

We have an opportunity to earn their respect back by reworking the two contested reports. I admit when I did the peer review of this home loss, I wondered to myself how you found it to be a wind loss when so much of the structure appeared to be unaffected by the wind. We both have to admit that it looks very much like flood damage from the photos that you used in your report. Maybe you have others that would be more definitive of wind induced structural damage. I happened to be on the home site with Manny when he took those pictures just after he arrived into the area. I believed I convinced her that the house in his loss report actually lost most of its roof by the wind before the water arrived which caused the remaining standing structure to be so weakened that it had no chance to withstand the force of a 30 plus foot surge. She asked me questions about the roof and where it was found and I happened to be able to answer those questions because I spent some time on site. Thus she relaxed and is giving us a second chance. But that said, I want to have Manny reword that report so that it mentions more facts of what was found. It might even need a second trip to the site to secure better pictures of the debris field in the woods to the north of the house. As I recall that is where a recognizable portion of the home's roof rests.

Lastly, as a company practice I am suggesting that eye witness statements are no longer to be relied upon in the development of our opinions. They can surely be used in support of technical data that we can prove but unless specific evidence is available that corroborates the witnesses opinion, let's not use it.

By the way, Ms King also stated that in her opinion it is OK to say that we can not tell the specific initial causation of the loss. That is fine in theory, but in practice, if we don't provide them definitive answers to these hard questions then they will find someone who will which obviously doesn't benefit any of us.

I am calling for a 8:30 AM Central Time conference call between, you, Jack, Adam, Manny, Randy, Nellie and me to review the preceding info with everyone and to make sure we are all working from the same set of guidelines and unbiased criteria.

I will look forward to speaking to each of you then,

G'night,
Bob

