

DARREN K. INDYKE

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July 11, 2010

VIA EMAIL ([REDACTED])

Mr. Jean Pierre Fancelli
Fancelli Paneling
24 East 64th Street
New York, New York 10065

Re: Little St. James Office Woodwork

Dear Mr. Fancelli:

We received your email letter on Friday, July 9, 2010. Despite your claims to the contrary, the installation of the woodwork remains incomplete. A punch list of the remaining work to be completed will be provided to you on Monday, July 12, 2010. As I explained to you several times last week, we estimate the remaining work will require the services of two of your workman for a period of two days. It is the completion of the work that your office began, before it decided to leave in mid-job without notifying any personnel or staff of Mr Epstein.

Moreover, neither the color nor the finish of the woodwork conforms to that for which Mr. Epstein and L.S.J., LLC originally contracted. Your statement that my request for a color modification was "sudden" is astonishing, particularly in light of the fact that Mr. Epstein has repeatedly rejected both the color and the finish of the woodwork for over two years now. As you yourself conceded, months ago, Mr. Molyneux informed you of the need to restain and refinish the woodwork and, in fact, your workmen had already provided color samples and began modifying one of the columns in the office library. Mr. Epstein requires that would like you to complete the restaining for all of the woodwork, and will be there to personally supervise the staining and finishing in a similar manner. We will forward to you on Monday, July 12, 2010 photographs of the column, along with a more specific statement of the color and finish required.

We appreciate your commitment to "do whatever is reasonable and appropriate to satisfactorily resolve the situation." I understand that to mean that you realize that the cost will be borne by either you or molyneux, on completion of

this task you will receive a full release from Mr Epstein. However, As I already informed you and Christian last week, we believe that to restrain and refinish the woodwork will require the services of three of your finishers for a period of two to three weeks. ~~To the extent that any additional payment may be required to achieve the originally contracted color and finish, that is between you and Mr. Molyneux, and is not Mr. Epstein's or L.S.J., LLC's responsibility.~~

Although we would prefer to resolve this with you amicably, we have no desire to waste any further time and effort on this matter unless we have your assurance that the woodwork will be corrected as I have indicated above without additional charge to Mr. Epstein. And will begin within the next two weeks. If this is agreeable we will refrain from filing our complaint, if not Our Virgin Islands attorneys have already prepared a complaint against your firm and are prepared to file it tues, in the Virgin Islands. If you are not prepared to resolve this matter as I have indicated above, please provide us with the name and contact information of an attorney who will accept service of the complaint on your behalf.

I will call you and Christian on Monday to discuss this matter further.

Sincerely,

Darren K. Indyke