

**From:** J <jeevacation@gmail.com>

**To:** Richard Kahn <[REDACTED]>

**Subject:** Re: GSJ Storage

**Date:** Sat, 27 Oct 2018 13:48:20 +0000

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I will not engage any further in this banter. we paid for a working system , that never worked. your liability extends further than storage as you are well aware. . so I suggest you proposal gives us what we paid for. or we will need to pursue options that will undoubtedly result in significant dollars damages to you . we would hope to avoid this . Your liability is clear. Sending me the cost of a new turnkey system is bad faith.

On Sat, Oct 27, 2018 at 9:20 AM Richard Kahn <[REDACTED]> wrote:

Richard Kahn  
HBRK Associates Inc.  
575 Lexington Avenue, 4th Floor  
New York, NY 10022

tel [REDACTED]

fax [REDACTED]

cel [REDACTED]

Begin forwarded message:

**From:** Brian Prosolar <[REDACTED]>

**Subject:** Re: GSJ Storage

**Date:** October 27, 2018 at 9:18:26 AM EDT

**To:** Richard Kahn <[REDACTED]>

It's been stated repeatedly that the storage portion is the issue and all other components are performing as designed and intended.

My conversation with Mr. Epstein indicated as such and our continued efforts have shown this to be the case. In fact, the recent exchanges are principally driven by the report in which we've found 30% of the Aquion battery stacks have failed.

Our conversation the day before yesterday was also centered around storage composition.

Additionally the warranty you refer to is specific to the Aquion batteries, if we are using the final invoice as the contract.

Brian Walden  
ProSolar America, llc  
Director of Operations  
c. [REDACTED]

On Oct 27, 2018, at 8:51 AM, Richard Kahn <[REDACTED]> wrote:

its very simple brian. we paid you for a working system. you have the obligation to replace fully at your cost as it never worked properly from day one. the additional money we paid for your attempts to fix will be added to any litigation claims plus damages of course. So as to be crystal clear again: The total expense to replace the system is yours and yours alone. If you want to send us a check for all money paid to you to date including purchase and maintenance that could be an alternative.

Richard Kahn  
HBRK Associates Inc.  
575 Lexington Avenue, 4th Floor  
New York, NY 10022  
Tel [REDACTED]  
Fax [REDACTED]  
Cell [REDACTED]

On Oct 27, 2018, at 8:07 AM, Brian Prosolar <[REDACTED]> wrote:

Good Morning Richard,

Last night I received another response, this time using a Lithium Ion battery. We are currently revising our contract and estimate template so please consider this a "turn key" quote for the storage component of the generation and primary distribution system. If you decide that this is the configuration you wish to move towards, a formal quote and contract will be finalized. The lump sum cost to replace the Aquion salt water batteries with a 300+kwh Lithium Ion composition storage system is \$410,205.28. This includes all integration and communications for a "turn key" product with a 3-4 month lead time. The Tesla PowerPack is an option that is considerably less per Kwh but the lead time is unknown and has been discussed as a year or longer.

In an effort to ensure we are interpreting the warranty of the Aquion system to your satisfaction, please share your thoughts. The invoice that was relayed used language copied from Aquion literature and states 5 years 3 years prorated. We want nothing more than to foster a good relationship and, without admission of culpability, are attempting to stand by the manufacturers claim.

Regards,

Brian Walden  
Director of Operations, USVI/ BVI  
Prosolar America, Llc.  
[REDACTED]

On Fri, Oct 26, 2018 at 12:36 PM Richard Kahn <[REDACTED]> wrote:

brian just to reiterate, you warrantied a system and we are not interested in offsets. you told me earlier this week we would receive a proposal.  
please be advised that there will be significant damages added to our claim if you think this is the way we need to go..

HBRK Associates Inc.  
575 Lexington Avenue 4th Floor  
New York, NY 10022  
tel [REDACTED]  
fax [REDACTED]

cell [REDACTED]

On Oct 26, 2018, at 12:14 PM, Brian Prosolar <[REDACTED]> wrote:

Morning Richard,

I'm awaiting a vendor response concerning a Lithium Ion storage option but have received some preliminary information I'd like to share.

There is a Nickel Iron battery option which has been the mainstay for the the Nissan Leaf and other electric vehicles.

This has a 30+ year life expectancy (11,000 Cycles @ 80% depth of discharge) and is compatible with all of the supporting infrastructure i.e. SMA inverters. chargers, etc.. Unfortunately there is a 4 month lead time for delivery.

The initial "turn key" cost analysis for this system is \$347,958.00. This is prior to any offsets. I'll continue to pursue options but appreciate any feedback as we move forward.

Regards,

Brian Walden  
Director of Operations, USVI/ BVI  
Prosolar America, Llc.  
[REDACTED]

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Brian Walden  
Director of Operations, USVI/ BVI  
Prosolar America, Llc.  
[REDACTED]

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Florida: (888) 462-5005

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