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September 11, 2012

VIA FACSIMILE TRANSMISSION & MAIL

Denise Francois, Esquire
Hodge & Francois
1340 Taarneberg
St. Thomas, V.I. 00802
(Fax No [REDACTED])

RE: EPSTEIN, et al. v. FANCELLI PANELING, INC.

Dear Attorney Francois:

My Associate, Michele Baker, just concluded a conversation with Mr. Fancelli and his French Attorney regarding your letter to me dated September 10, 2012, which we forwarded to them yesterday. Mr. Fancelli's comments pertaining to the discussion you referenced therein differs in several respects.

"[REDACTED]" called Mr. Fancelli speaking French, but he could hear someone in the background providing her with instructions in English. She was suggesting settlement without the participation of lawyers. He insisted on seeing the work in place first and the participation of his attorneys for purposes of settlement. She requested a settlement number from him and he wanted to discuss it with his attorneys first. [REDACTED] was having difficulty in providing her call back numbers in French and Mr. Fancelli told her in English to give the numbers in that language.

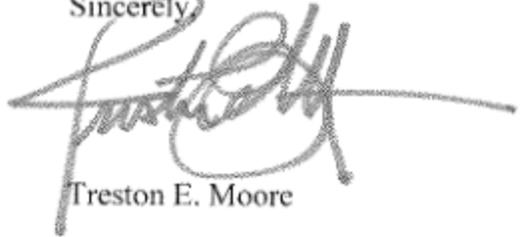
At that juncture, Mr. Epstein took over the conversation, surprised that Mr. Fancelli spoke some English (Mr. Fancelli is more comfortable in conducting business in his best language, French). Mr. Epstein again suggested meeting without lawyers to talk settlement and Mr. Fancelli again reiterated the need to evaluate the work in place first and the need for his lawyers to participate in settlement discussions. Mr. Epstein said the work was now to his satisfaction, that there was nothing to see that was wrong and that he would send Mr. Fancelli the pictures reflecting this. Mr. Fancelli does not want pictures, he wants the work inspected and evaluated by our expert.

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Mr. Fancelli agreed to meet with him when Mr. Epstein came to France in October, but with his lawyer. Mr. Fancelli did not agree to the cancellation of the scheduled inspection and understood it to be a required part of our continuing mediation. You are aware that our expert, Mr. Francesco Guerrazzi, made several changes to his professional commitments to arrange for this trip from Russia to St. Thomas and he has an engagement in Dubai thereafter. He will be unable to return to St. Thomas in the foreseeable future, to Defendant Fancelli Paneling, Inc.'s, substantial prejudice.

As you can see from the foregoing, we do not agree that the inspection was canceled through any agreement between our Clients (and without the participation of Mr. Molyneux), but that it is a unilateral attempt on the part of your Clients. As matters now stand, Messrs. Guerrazzi and Edelman are expected to arrive on the 13th to meet the vessel you agreed to provide at the AYH pier on the morning of the 14th for transportation to and from Mr. Epstein's property and to have sufficient opportunity to carefully inspect the subject work for use in mediation, settlement and/or the litigation of this action.

Sincerely,



Treston E. Moore

cc: Peter Edelman, Esq.
Jean Francois Guyot, Esq.
Fancelli Paneling, Inc.
A. Jeffrey Weiss, Esq.