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April 26, 2012

VIA EMAIL 

Mr. Bart Wolterman
Mr. Rex Wolterman
Virgin Islands Gunité Pools
25 America-Anchorage Condos
St. Thomas, USVI 00802

Re: Little St. James Island

Gentlemen:

Accompanying this email is a sampling of photographs of the Flagpole Pool taken after you unscrupulously exacted even more money from my clients for your botched attempt to correct your own defective work. Additional photographs of both the Flagpole Pool and the Main Pool are being compiled for formal legal actions against you.

Even this relatively small sampling of photographs provides clear examples of the extensive discoloration and shockingly uneven color throughout the Flagpole Pool and incontrovertible proof of your dismal failure to properly perform your contractual obligations. Combined with the additional photographic evidence of the defects throughout both pools and documentation of your extensive misconduct in this case, they will readily establish ample grounds for L.S.J., LLC and Mr. Epstein to recover substantial damages from you, including, but not limited to, recovery of approximately \$400,000 already paid to you, substantial costs to correct your defective work, and costs of unnecessary construction directly attributable to your misconduct. Moreover, my clients intend to seek punitive damages to deter you from subjecting others to the pervasive pattern of deceit and other egregious misconduct endured by my clients in this case.

You have one last opportunity to set this matter right with my clients before Mr. Epstein's litigation attorneys take this matter over and it is out of my hands completely. Given your failed efforts at remediation, at this time only an offer of monetary compensation would be acceptable. You have ten (10) days within which to forward to me your best offer to adequately compensate L.S.J., LLC and Mr. Epstein for their damages, failing which we will proceed as previously advised.

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This letter is without prejudice to the rights and claims of L.S.J., LLC and Mr. Epstein against Bart Wolterman, Rex Wolterman, Virgin Islands Gunité Pools and their affiliates, all of which rights and claims are hereby expressly reserved.

Sincerely,

Darren K. Indyke