

ROBERTS & DURKEE, P.A.

ATTORNEYS AT LAW

H. CLAY ROBERTS
ROBERTS@RDLAWNET.COM

C. DAVID DURKEE
DURKEE@RDLAWNET.COM

MORRIS C. PROENZA (1940-1995)

ALHAMBRA TOWERS
PENTHOUSE I - SUITE 1603
121 ALHAMBRA PLAZA
CORAL GABLES, FLORIDA 33134

(305) 442-1700 TELEPHONE
(305) 442-2559 FACSIMILE
www.rdlawnet.com

October 5, 2009

Via Federal Express

Congressman Robert Wexler
2241 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Wexler:

Recently, your office contacted two victims of Chinese drywall, Mr. and Mrs. Tutin and Mr. and Mrs. Semrau, about the possibility of having the HUD Secretary come visit them. On behalf of these clients and all of the other victims of Chinese drywall, I want to thank you for your efforts to help these victims and for helping the HUD Secretary bring national awareness to this disaster.

As someone who is also trying to help victims of Chinese drywall, I want to bring two very important matters to your attention. These issues require action immediately or we may lose a valuable opportunity to help victims.

On October 21, 2009, the United States Consumer Product Safety Commission and its Chinese counterpart agency, the General Administration of Quality Supervision, Inspection, and Quarantine of the Peoples Republic of China (AQSIQ), are scheduled to meet in China. The last of these summits were in 2007 and covered a wide range of safety issues including, making sure manufacturers understood the necessity of meeting both voluntary standards and United States requirements, information exchanges on recalls and other pressing product safety matters, and training the Chinese government officials and manufacturers on CPSC requirements. This summit is designed to again focus on product safety. Through this summit the participants are supposed to ensure that U.S. importers and Chinese suppliers establish a comprehensive and systematic approach

to preventing and detecting safety hazards in consumer products, from product design, through manufacturing, and to the ultimate use of the product by the consumer.

This Summit is a perfect opportunity to make sure the tragedy of Chinese drywall is addressed. The story of Chinese drywall is a story that can teach us how a tragedy like this can happen; it can teach us how to improve our systems so that a tragedy like this will not happen again; and it can shed light on the most important aspect of product safety - making innocent victims of a defective and toxic product whole again. The CPSC should make sure that Chinese drywall is addressed during this summit and should seek assurances that the Chinese manufacturers of this defective drywall will avail themselves to Federal Court. We do not ask for assurances to pay damages, we are only asking to allow the victims of Chinese drywall to have their day in Court.

Therefore, on behalf of these victims, I urge you to utilize the unique power of the Governor and contact Chairwoman Inez Tenenbaum, the head of the Consumer Product Safety Commission, and demand that Chinese drywall be addressed during this summit and that the CPSC will demand that the manufacturers of this toxic, defective product avail themselves to the United States Federal Court system.

On another note, as a Florida Congressman, you are intimately familiar with how difficult it is to obtain homeowner's insurance. In fact, because of this difficulty, the state of Florida helped to establish Citizens Property Insurance Corporation. The so called "insuror of last resort." However, recently, the insuror of last resort acted in a manner that is nothing short of cruel.

I represent Mr. Ivory, a retired maintenance worker for Anheuser Busch, who owns a home in Punta Gorda. Mr. Ivory recently found out that his retirement home is infected with Chinese drywall. As a result, he placed his homeowners insurance on notice of this problem. Citizens has now denied the claim and has not paid Mr. Ivory for any of the damages he has incurred as a result of this problem. Further, he does not have the financial ability to correct this devastating problem. Now Citizens, the supposed insuror of last resort, has written Mr. Ivory basically stating that since he has not corrected the drywall problem, they will be unable to renew him next year. If Mr. Ivory will be unable to obtain insurance from Citizens, where will he turn?

Therefore, on behalf of Mr. Ivory and other victims around the state, we once again ask you to take a stand on this issue and pass protection so that insureds who have a Chinese drywall problem will not be dropped by Citizens.

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This letter is sent with a hope that you will take action for these victims. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "C. David Durkee". The signature is stylized with a large, looped initial "C" and a long, sweeping horizontal stroke at the end.

C. David Durkee

CDD;prl
Enclosure