

April 22, 2009

Senator Bill Nelson
United States Senate
716 Senate Hart Office Building
Washington, DC 20510

Dear Senator Nelson:

It was an honor to meet you in Cape Coral during your recent Chinese drywall fact-finding mission. Everyone appreciates your fight for much-needed legislative changes as well as for the ousting of the Consumer Product Safety Commissioner.

At this time, we have critical information about the Chinese drywall situation that you should consider forthwith. Whereas your proposed resolution currently reads that “it is the sense of the Senate that - (1) The Consumer Product Safety Commission should...(A) initiate a formal proceeding to investigate drywall imported from China during the period from 2004 through 2007,” our noted toxicologist, Dr. Richard Lipsey, has confirmed the presence of toxic Chinese drywall in homes that were built *as far back as 2001*. We expect to have the scientific test results in two weeks, and we will be happy to provide you with copies. In the meantime, I have enclosed photographs of the homes that were built in 2001 that depict the “Made in China” stamp, as well as other specific indicators of toxic Chinese drywall.

Senator, the scope of this tragedy is much greater than initially reported, and there are countless more victims all throughout Florida who need your assistance to receive the protection and compensation they rightfully deserve. These include the Tutin and Semrau families with whom you met during your recent Town Hall meeting in West Palm Beach. Their homes were built in 2001. Based on our test results and findings, we respectfully request that your proposed legislation include testing and/or relief for homeowners whose homes were built with drywall imported from China as of 2001. Please let us know how we can help share additional facts and information with you. As always, we are ready to assist you with this important mission.

Thank you once again for your efforts, and we look forward to hearing from you soon.

Sincerely,

C. David Durkee, Esq., Partner,
Roberts & Durkee, P.A.

Wayne S. Kreger, Esq., Partner
Milstein, Adelman & Kreger, LLP / MAK

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Enclosure