
From: "kevin dean" <kjamesdean@yahoo.com>
To: "Ron Ferguson" <tricom1ron@aol.com>
Sent: Wednesday, March 30, 2005 1:26 PM
Attach: Bill Fisher[1].doc; Central Pointe.doc
Subject: Inadequate Letter

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KD

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**GOVERNMENT
EXHIBIT**

133

3:07-CR-0289-M

8/26/2005

KDAT

P. O. Box 200455
ARLINGTON, TX 76006

MARCH 28, 2005

BILL FISHER
ODYSSEY RESIDENTIAL CONSTRUCTION, L.P.
1200 THREE LINCOLN CENTRE
5430 LBJ FREEWAY
DALLAS, TX 75240

DEAR MR. FISHER

Per our conversation on Thursday 24th March we discussed how Dallas West Village could be brought back to life and future joint ventures would be formed. You expressed many concerns however Mr. Cottrell and myself assured you that what you were asking us to do could be accomplished. In return KDAT would be utilized as the HUB participant performing all Excavation and concrete scopes of work for Dallas West Village, Pecan Grove, (2) San Antonio Projects, (HHPI) Helping Hand Programs, Inc. would become the CDC participant and all fees associated with securing the approval of the Dallas West Village Project would be built into the construction scopes of work for Dallas West Village.

We also discussed a strategic alliance utilizing KDAT and HHPI on future 9% projects going forward. KDAT would like to partner with Odyssey Residential Construction, L.P. as a Mentor Protégé to pursue tax credit investments and other development opportunities. Odyssey's financial, legal, and real estate professionals would provide expertise in mentoring KDAT development team to provide extensive expertise in utilizing federal Section 42 housing tax credits; tax-exempt, mortgage-backed revenue bonds; as well as other city, state, and federal subsidies. KDAT would like to secure (4) four projects and maybe more if Odyssey is happy with our participation.

We offer a reliable, high-quality alternative to complete commercial and residential pavement installations in addition to providing that "much needed" DBE participation required in most local, state, and federally funded projects.

The company's management team includes professionally licensed and trained seasoned veterans with over 50 years experience in the following fields:

- *Maintenance Division*
- *Civil Division*
- *New Construction Division*
- *Construction Management Division*
- *Aviation Pavement Maint. Division*
- *Excavation Division*
- *Special Projects Division*
- *Staffing Services (manpower)*
- *Demo, Repair, Sealcoat, Stripe, Parking Lots*
- *Street/Curb & Gutter Paving*
- *Flat work Paving*
- *Project Inspections/Safety Management*
- *Airport Runway Paving & Repairs*
- *Dirt work, Lime stabilization & Storm drainage*
- *Negotiated DBE Participation*
- *24/7 Emergency Service*

We are an aggressive growth company. You can reach us at 469-733-1986.

Best Regards,

Kevin Dean
President

KDAT

ASPHALT & CONCRETE PAVING

P.O. Box 200455, Arlington, TX 76006

Phone: (469) 733-1986 • Fax: (972) 606-8781

March 23, 2005

TNL Construction
Attn: Ron Ferguson
2122 Country Club Dr., Ste180
Carrollton, TX 75006

Re: Central Pointe Church

Dear Mr. Ferguson,

In response to your letter concerning KDAT inadequate workmanship. I would like to make every effort to address your concerns.

1. Schedule and scope of work has been provided.
2. Cushion sand may not have been smoothed to the aesthetics of the eye but pictures will show concrete was placed to 4.0" - 4.5" thickness.
3. Improper forming for min. 6-inch curb height was corrected by placing 6" curb adjacent to the 4" sidewalk.
4. All rebar was lifted with chairs during placement of concrete. Due to concerns, chairs will be placed prior to pour. KDAT will make sure pictures are taken to verify.
5. KDAT did not install expansion joint (felt material) placed for new concrete poured against old/existing concrete. KDAT will caulk and seal those areas at owners request.
6. Expansion joints have been placed at the front of the building at 60' Intervals.
7. KDAT formed an opening with concrete at down spouts to be covered with grates by owner or TNL Construction.
8. KDAT is requesting the stucco contractors info to repair the (5) damaged spots damaged during the demo of the side walk. These spots were agreed upon with Milton from Ragon-Barnes.
9. KDAT needs more clarification on the relocation of the playground area.
10. Please provide a list of contacts for central pointe church.

Please follow-up with EJ Johnson if you have any questions with scheduling and scopes of work. His number is 469-853-5039.

Respectfully,

Kevin Dean