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RESUME OF : I. LAWRENCE KALTMAN

KALTMAN DEVELOPMENT GROUP: SEPTEMBER 1987- PRESENT:

SINCE ITS CREATION KDG HAS BEEN ACTIVE IN BUILDING SINGLE-FAMILY HOUSING PROJECTS IN LOS ANGELES COUNTY AS WELL AS PROVIDING CONSTRUCTION MANAGEMENT AND CONSULTING SERVICES TO DEVELOPERS, BUILDERS, HOMEOWNERS ASSOCIATIONS, INSURANCE COMPANIES, NON-PROFIT FOUNDATIONS / SPONSORS AND FINANCIAL INSTITUTIONS. KDG ALSO PROVIDES SERVICES IN INVESTIGATIONS OF PROPOSED AS WELL AS EXISTING PROJECTS, FORENSIC ARCHITECTURE, EXPERT CONSULTING IN CONSTRUCTION DEFECT LITIGATION, PROJECT REVIEWS OF PLANS AND SPECIFICATIONS, AND CONSTRUCTION MONITORING.

TOGAWA SMITH MARTIN RESIDENTIAL: APRIL 2007-PRESENT

DIRECTOR OF CONSTRUCTION ADMINISTRATION

URBAN WEST COMMUNITIES: AUGUST 1973 - SEPTEMBER 1987:

VICE PRESIDENT, HOUSING AND DEVELOPMENT; DIRECTOR OF OPERATIONS.

<u>GUARANTEED PRODUCTS, INC</u>. APRIL 1973-AUGUST 1973 DIRECTOR OF MODULAR HOUSING

LARWIN COMPANY, DECEMBER 1970 - APRIL 1973 ASSISTANT DIRECTOR OF RESEARCH AND DEVELOPMENT; STAFF ARCHITECT.

TECHNOLOGY CONSORTIUM INC., 1968-70

PRINCIPAL. MODULAR HOUSING DESIGN AND CONSTRUCTION

VAN BOURG & NAKAMURA ARCHITECTS, 1967-68

STAFF ARCHITECTURAL DRAFTSMAN WHILE ATTENDING UNIVERSITY OF CALIFORNIA, BERKELEY.

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CITY OF OAKLAND REDEVELOPMENT AGENCY, 1966-67

STAFF ARCHITECT.

SELF-EMPLOYED ARCHITECTURAL DESIGNER AND DRAFTSMAN, 1964-67

FREELANCE WORK WHILE ATTENDING UNIVERSITY OF CALIFORNIA, BERKELEY

DEGREE: BACHELOR OF ARCHITECTURE, 1968, UNIVERSITY OF CALIFORNIA, BERKELEY

LICENSED ARCHITECT, STATE OF CALIFORNIA, 1971

LICENSED "B" BUILDING CONTRACTOR, STATE OF CALIFORNIA, 1988

SPEAKER AT PACIFIC COAST BUILDERS CONFERENCE ON THE SUBJECT OF CONSTRUCTION DEFECTS AND BUILDER LIABILITY: 1992 AND 1993

SPEAKER FOR CALIFORNIA REAL ESTATE INSPECTORS ASSOCIATION (CREIA)

EXTENSION FACULTY, CALIFORNIA STATE UNIVERSITY, DOMINGUEZ HILLS: 1997 TO THE PRESENT "CONSTRUCTION PROJECT MANAGEMENT", "COST ESTIMATING AND BIDDING", "PLAN READING"

MEMBER: AMERICAN INSTITUTE OF ARCHITECTS www.aiasfv.org

MEMBER OF BOARD OF DIRECTORS AIA/SFV CHAPTER

LKRESSIM.DOC, REV. TO 01.28.2014

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I. LAWRENCE KALTMAN

PROJECTS LISTING:

KALTMAN DEVELOPMENT GROUP PROJECTS: 1987 - PRESENT:

- 1. **10 SINGLE FAMILY:** WESTHAVEN, AGOURA HILLS, HOMES FROM 3400 S.F. TO 4000 S.F. ON HALF-ACRE LOTS.
- 2. **27 Single Family:** WESTHAVEN, OAK HOLLOW, AGOURA, HOMES FROM 3400 S.F. TO 4000 S.F.; EXTENSIVE LAND DEVELOPMENT OPERATIONS TO CREATE THE BUILDING PADS; COMPLETED IN JULY, 1989.
- 3. 5 SINGLE FAMILY: WESTHAVEN, ENCINO; LARGE (4600 S.F.) HOMES PRICED IN THE \$1,000,000 RANGE.
- 4. CONDOMINIUM REMODEL AT SIERRA TOWERS, BEVERLY HILLS.
- 5. **PROJECT / CONSTRUCTION MANAGEMENT** FOR A CUSTOM HOME, MALIBU.
- 6. **ARCHITECTURE, PROJECT / CONSTRUCTION MANAGEMENT** FOR REPAIRS TO A CONDOMINIUM BUILDING IN WEST LOS ANGELES.
- 7. ARCHITECTURE AND CONSTRUCTION MANAGEMENT FOR A SINGLE FAMILY RESIDENCE ADDITION / REMODEL LOCATED IN SHERMAN OAKS.
- 8. **ARCHITECTURE AND CONSTRUCTION MANAGEMENT** FOR CONSTRUCTION DEFECT REPAIRS AT A 14-UNIT CONDOMINIUM PROPERTY LOCATED IN PASADENA.
- 9. **ARCHITECTURE AND CONSTRUCTION MANAGEMENT** FOR CONSTRUCTION DEFECT REPAIRS AT A 30-UNIT CONDOMINIUM PROPERTY LOCATED IN SYLMAR, CALIFORNIA.
- 10. **ARCHITECTURE AND CONSTRUCTION MANAGEMENT** FOR A SINGLE FAMILY RESIDENCE ADDITION / REMODEL LOCATED IN MAR VISTA, CALIFORNIA.
- 11. **ARCHITECTURE** FOR A 6-BED RESIDENTIAL CARE FACILITY FOR BRAIN DAMAGED CLIENTS, CORBIN HOUSE, RESEDA, CALIFORNIA
- 12. **ARCHITECTURE** FOR REMODELING **FIVE** 6-BED RESIDENTIAL CARE FACILITIES FOR DEVELOPMENTALLY DISABLED CLIENTS, T.E.R.I., INC., OCEANSIDE, CALIFORNIA

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- 13. **ARCHITECTURE** FOR A 6-BED RESIDENTIAL CARE FACILITY FOR DEVELOPMENTALLY DISABLED CLIENTS, NEW HORIZONS, RESEDA, CALIFORNIA
- 14. **ARCHITECTURE** FOR A 6-BED RESIDENTIAL CARE FACILITY FOR DEVELOPMENTALLY DISABLED CLIENTS, NEW HORIZONS, NORTH HILLS, CALIFORNIA
- 15. **ARCHITECTURE** FOR A 6-BED RESIDENTIAL CARE FACILITY FOR DEVELOPMENTALLY DISABLED CLIENTS, NEW HORIZONS, NORTH HILLS, CALIFORNIA
- 16. **ARCHITECTURE** FOR REMODELING FIVE 2-BED RESIDENTIAL CARE BUNGALOWS (AT AN EXISTING SITE) FOR DEVELOPMENTALLY DISABLED CLIENTS, VILLA ESPERANZA, PASADENA, CALIFORNIA
- 17. **ARCHITECTURE** FOR AN ACCESSORY BUILDING HOUSING AN ARTIST'S STUDIO, FOUR CAR GARAGE FOR RESTORATION OF CLASSIC AUTOS AND LIVING QUARTERS; SHERMAN OAKS, CALIFORNIA
- 18. **ARCHITECTURE AND CONSTRUCTION MANAGEMENT** FOR A 58 UNIT TOWNHOUSE CONDOMINIUM COMMUNITY LOCATED IN TARZANA, CALIFORNIA
- 19. **ARCHITECTURE** FOR THE REMODELING AND REFURBISHING OF A 13,000 SF TEACHING AND CARE FACILITY FOR TLC FOR THE BLIND, RESEDA, CALIFORNIA
- 20. **ARCHITECTURE** FOR REMODELING A 6-BED RESIDENTIAL CARE FACILITY FOR BLIND AND DEVELOPMENTALLY DISABLED CLIENTS, TLC FOR THE BLIND, WEST HILLS, CALIFORNIA
- 21. **ARCHITECTURE** FOR REMODELING OF A FOUR UNIT APARTMENT BUILDING FOR USE BY DEVELOPMENTALLY DISABLED CLIENTS, H.O.M.E. INC., HAYWORTH, WEST LOS ANGELES
- 22. **ARCHITECTURE** FOR REMODELING OF A FIVE UNIT APARTMENT BUILDING FOR USE BY DEVELOPMENTALLY DISABLED CLIENTS, H.O.M.E. INC., GREENFIELD, WEST LOS ANGELES
- 23. **ARCHITECTURE** FOR REMODELING OF A FIVE UNIT APARTMENT BUILDING FOR USE BY DEVELOPMENTALLY DISABLED CLIENTS, H.O.M.E. INC., KELTON, WEST LOS ANGELES
- 24. **ARCHITECTURE** FOR REMODELING OF A FOUR UNIT APARTMENT BUILDING FOR USE BY DEVELOPMENTALLY DISABLED CLIENTS, H.O.M.E. INC.,MILITARY, WEST LOS ANGELES
- 25. **ARCHITECTURE FOR THE RECONSTRUCTION** OF THE EXTERIOR OF AN EXISTING CONDOMINIUM COMPLEX IN WEST LOS ANGELES
- 26. **ARCHITECTURE** AND **CONSTRUCTION MANAGEMENT** FOR A SINGLE FAMILY RESIDENCE ADDITION / REMODEL LOCATED IN PACIFIC PALISADES, CALIFORNIA.
- 27. **ARCHITECTURE FOR REMODELING** OF **SIX** DUPLEX BUILDINGS FOR USE BY DEVELOPMENTALLY DISABLED CLIENTS, H.O.P.E. INC., LONG BEACH

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- 28. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, MARIAN HOMES, ROWLAND HEIGHTS.
- 29. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, MARIAN HOMES, WEST COVINA.
- 30. **ARCHITECTURE** FOR REMODELING A 6-BED RESIDENTIAL CARE FACILITY FOR BLIND AND DEVELOPMENTALLY DISABLED CLIENTS, H.O.M.E. INC., GARDENA.
- 31. **ARCHITECTURE** FOR A 6-BED RESIDENTIAL CARE FACILITY FOR DEVELOPMENTALLY DISABLED CLIENTS, VALLEY VILLAGE, SYLMAR, CALIFORNIA
- 32. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, VILLA ESPERANZA, PASADENA.
- 33. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, VILLA ESPERANZA, THOUSAND OAKS.
- 34. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, MARIAN HOMES, ANAHEIM.
- 35. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A FOUR UNIT APARTMENT BUILDING FOR DEVELOPMENTALLY DISABLED CLIENTS, MARIAN HOMES, FULLERTON
- 36. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, HOME FOR GUIDING HANDS, LAKESIDE, CA
- 37. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, HOME FOR GUIDING HANDS, LAKESIDE, CA
- 38. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME IN BEL-AIR, CA, YOUNGBLOOD-CARNEY RESIDENCE, PRELIMINARY DESIGN
- 39. PRELIMINARY DESIGN OF A 70 UNIT PATIO HOME COMMUNITY IN PALM DESERT, CA;
- **40. ARCHITECTURE AND CONSTRUCTION MANAGEMENT** FOR A DECKING RECONSTRUCTION PROJECT AT A CONDOMINIUM ASSOCIATION IN THOUSAND OAKS, CA
- 41. ARCHITECTURE FOR AN ADDITION TO AND REMODEL OF A HOME IN VENTURA, CA
- 42. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, PROMISING FUTURES, EL CAJON, CA
- 43. **ARCHITECTURE FOR AN ADDITION TO AND REMODEL** OF A HOME FOR DEVELOPMENTALLY DISABLED CLIENTS, T.E.R.I., INC, OCEANSIDE,CA

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- 44. ARCHITECTURE FOR PRELIMINARY DESIGN OF A COMMERCIAL CENTER IN CALABASAS, CA, WEINTRAUB FS
- 45. ARCHITECTURE FOR A WOMEN'S SHELTER, RIDGECREST, CA
- 46. **ARCHITECTURE FOR A TWO NEW HOMES** FOR DEVELOPMENTALLY DISABLED CLIENTS, IN TORRANCE, CA, STAR INC.
- 47. **ARCHITECTURE AND CONSTRUCTION ADMINISTRATION FOR AN ADULT DAY CARE FACILITY** FOR DEVELOPMENTALLY DISABLED ADULTS; VALLEY VILLAGE; SUNLAND, CA.
- 48. ARCHITECTURE FOR A NEW DAY CARE CENTER FOR THERAPEUTIC LIVING CENTERS FOR THE BLIND; A 30,000+ SF FACILITY TO SERVICE DEVELOPMENTALLY DISABLED, BLIND CHILDREN AND SENIORS; RESEDA, CA.

IN ADDITION, SEE THE ATTACHED SUMMARY OF ON-GOING CASES AND PROJECTS ATTACHED HERETO.

URBAN WEST COMMUNITIES:

THE FOLLOWING IS A LIST OF PROJECTS WHICH I HAD RESPONSIBILITY FOR AS EITHER PROJECT MANAGER OR AS VICE PRESIDENT- DIRECTOR OF OPERATIONS. I HAD RESPONSIBILITY IN THE **DESIGN**, **PLANNING**, **DEVELOPMENT AND CONSTRUCTION** OF ALL OF THE PROJECTS SHOWN:

356 TOWNHOMES: STONEWOOD TOWNHOMES, SOUTH GATE
1078 TOWNHOMES: THE GARDENS, SAN PEDRO
300 SINGLE FAMILY: COUNTRY COURT TENNIS ESTATES, CHATSWORTH
67 SINGLE FAMILY: MAIN STREET, SANTA CLARITA VALLEY
200 SINGLE FAMILY: INDIAN HILLS, MISSION HILLS
170 MIXED TOWNS AND SINGLES: NORTHRIDGE GARDENS, NORTHRIDGE
31 LUXURY SINGLE FAMILY: COUNTRYSIDE, RANCHO PALOS VERDES
271 SINGLE FAMILY : HIDDEN VALLEY, NEWHALL (HILLSIDE)
2500 SINGLE FAMILY : CHANTECLAIR, THOUSAND OAKS
714 LUXURY SINGLE FAMILY: ESTATE COLLECTION, WEST HILLS
562 CONDOMINIUM TOWNHOUSES AND STACKED FLATS, PACIFIC RANCH, HUNTINGTON BEACH
200 SINGLE FAMILY AND TOWNHOUSES: THE GARDENS OF WALNUT CREEK, WALNUT CREEK,

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60 TOWNHOUSES: CHANTECLAIR, WALNUT CREEK, CALIFORNIA
260 TOWNHOUSES: THE GARDENS, SUNNYVALE
160 TOWNHOUSES: MAYFAIR, SUNNYVALE
90 TOWNHOUSES: RIVERBEACH, SEAL BEACH
200 SINGLE FAMILY: COUNTRYCOURT 2, TARZANA
150 HUD APARTMENTS: PALMDALE
171 HUD APARTMENTS: SAN BERNARDINO
125 HUD APARTMENTS: SAN FERNANDO VALLEY
150 HUD APARTMENTS: PLACENTIA

SHOPPING CENTER: TORRANCE TRAILER PARK: SEAL BEACH, CALIFORNIA SHOPPING CENTER: NORTHRIDGE GARDENS, NORTHRIDGE SHOPPING CENTER: GARDEN VILLAGE, SAN PEDRO

LKPROJ.DOC REV TO 11.27.2K9

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DEPOSITIONS, TRIAL TESTIMONY, CASES AND PROJECTS

CURRENT TO NOVEMBER, 2009

KALTMAN DEVELOPMENT GROUP (KDG) HAS UNDERTAKEN THE CASES AND PROJECTS NOTED BELOW AS AN INVESTIGATOR AND REPORTER OF FACTS AND/OR AS AN ARCHITECT. AS TO THE LEGAL CASES AND INSURANCE APPRAISALS, IT MUST BE NOTED THAT KDG'S ASSIGNMENT TO A CASE IS GENERALLY THROUGH PLAINTIFF OR DEFENSE ATTORNEYS, NOT BY OR FROM THE PLAINTIFF OR THE DEFENDANT. DEFENDANTS ARE USUALLY REPRESENTED BY INDEPENDENT ATTORNEYS ENGAGED BY AN INSURANCE COMPANY WITH WHICH THE DEFENDANT HAS OR HAD COVERAGE FOR THE CASE IN QUESTION. ALL OF KDG'S WORK WITH REGARD TO LEGAL CASES IS UNDER THE SUPERVISION AND DIRECTION OF THE INDEPENDENT ATTORNEY; KDG HAS NO DIRECT CONTACT WITH THE INSURANCE COMPANY(S) INVOLVED. KDG HAS FUNCTIONED, ON DIFFERENT CASES, BOTH AS PLAINTIFF'S EXPERT AS WELL AS DEFENSE EXPERT WITH THE SAME INSURANCE COMPANIES. AS A FINDER AND REPORTER OF FACT, KDG HAS NO OBLIGATION OF LOYALTY TO AN INSURANCE COMPANY OR INDEPENDENT ATTORNEY OTHER THAN ITS OBLIGATION TO FIND AND PRESENT THE FACTS OF THE CASE AND TO REACH CONCLUSIONS AND OPINIONS BASED ON THOSE FACTS.

NOTE: ITALICS INDICATE A COMPLETED FILE

1. CRYSTAL RANCH. DEPOSITIONS AS A PERCIPIENT WITNESS FOR URBAN WEST COMMUNITIES CONCERNING THE CRYSTAL RANCH MATTER. CONTRACT ISSUE. 1990 +/-

2. THE ESTATE COLLECTION, WEST HILLS. TRIAL TESTIMONY AT A JAMS TRIAL ACTING AS A PERCIPIENT WITNESS FOR URBAN WEST COMMUNITIES CONCERNING A CONTRACT ISSUE WITH A GRADING CONTRACTOR. 1992 +/-

3. TRIAL TESTIMONY AS AN EXPERT WITNESS AT A BANKRUPTCY TRIAL IN FEDERAL COURT, SANTA ANA. WITNESS FOR CREDITOR, SOUTHERN CALIFORNIA SAVINGS AND LOAN. TESTIFIED AS TO FEASIBILITY AND CONSTRUCTION PROCESS ISSUES. 1994

4. TRIAL TESTIMONY AT A JAMS PROCEDURE CONCERNING AN INSURANCE SETTLEMENT ISSUE BETWEEN THE INSURED AND THE INSURER. TESTIFIED ON BEHALF OF THE INSURER. 1994

5. LE PARC, SIMI. DEPOSITION AS AN EXPERT IN A CONSTRUCTION DEFECT SUIT. DEFENDING THE FRAMER. DEPOSITION TAKEN 12/18/95. CASE SETTLED DURING TRIAL. 1995

6. CATALPA. DEPOSITION AS AN EXPERT IN A REAL ESTATE DISPUTE CASE ON BEHALF OF THE DEFENDANT, RUIZ V. CENTURY 21; 12/19/95. TESTIMONY IN COURT 1/2/96. CASE COMPLETE. 1996

7. 611 PACIFIC STREET, SANTA MONICA. TRIAL TESTIMONY AS AN EXPERT IN A CONSTRUCTION DEFECT AND REAL ESTATE DISPUTE, ON BEHALF OF THE DEFENDANT, 12-19/20-95, FANCHER V MCHUGH. 1996

8. LAWLER STREET. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. CASE SETTLED DURING MEDIATIONS.

9. 5TH STREET, GLENDALE. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. CASE SETTLED DURING MEDIATION.

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10. PACIFIC GARDENS, GARDENA. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. TESTIFIED AT A PROVE-UP HEARING AT SOUTH BAY SUPERIOR COURT; DEFAULT JUDGMENT AGAINST DEVELOPER APPROVED.

11. VILLA MONTERA. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. DEPOSITIONS GIVEN. SETTLED, 1998

12. GARVEY HILL HOA. LIABILITY DISPUTE BETWEEN NEIGHBORING PROPERTIES, ON BEHALF OF THE PLAINTIFF. CASE SETTLED PRIOR TO TRIAL.

13. LEXUS, BEVERLY HILLS. INSURANCE SETTLEMENT DISPUTE ON BEHALF OF THE INSURER. CASE DISMISSED

14. ARMAN V. BEVERLY HILLS. PUBLIC LIABILITY DISPUTE. FORENSIC ARCHITECT AND EXPERT WITNESS ON BEHALF OF THE CITY OF BEVERLY HILLS. CASE SETTLED BEFORE TRIAL.

15. ATLANTIC FAIROAKS. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. CASE SETTLED DURING MEDIATION.

16. CALRITZ. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. DEPOSITIONS GIVEN. CASE SETTLED.

17. 4310 CAHUENGA. CONSTRUCTION DEFECT SUIT ON BEHALF OF A SUBCONTRACTOR DEFENDANT. CASE SETTLED BEFORE TRIAL

18. TARZANA FALLS. INSURANCE APPRAISAL, EXPERT CONSTRUCTION CONSULTANT ON BEHALF OF THE INSURER. APPRAISAL COMPLETED.

19. WESTCREEK. CONSTRUCTION DEFECT SUIT, ON BEHALF OF SEVERAL SUBCONTRACTORS. CASE SETTLED BEFORE TRIAL

20. ROSS V. SPIRTZ. HOMEOWNER DISPUTE OVER VIEWSHED. TRIAL TESTIMONY GIVEN 3/6/96.

21. HARTSOOK HOA. CONSTRUCTION DEFECT SUIT ON BEHALF OF THE PLAINTIFF. CASE SETTLED, 1998.

22. MARKEL v. FELIX CONSTRUCTION CONSTRUCTION DEFECT SUIT. DEFENSE ON BEHALF OF DECKING SUBCONTRACTOR. CASE SETTLED IN MEDIATION.

23 ROCK SPRINGS VISTA HOA v. DEVELOPER. CONSTRUCTION DEFECT SUIT IN LAS VEGAS. PLAINTIFF ON BEHALF OF THE HOA.

24. CHYTEN RESIDENCE. CONSTRUCTION MANAGEMENT AND ADMINISTRATION ON BEHALF OF THE OWNER.

25. VISTA CATALINA HOA V. HEADLAND PROPERTIES. CONSTRUCTION DEFECT SUIT, LOS ANGELES. DEFENSE ON BEHALF OF THE FRAMING SUBCONTRACTOR. CASE SETTLED, 1998.

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26. BAYAN V. WATT INDUSTRIES. CONSTRUCTION DEFECT SUIT, LOS ANGELES. DEFENSE ON BEHALF OF THE DRYWALL SUBCONTRACTOR. CASE SETTLED.

27. REMODEL/ADDITIONS TO TWO HOMES FOR THE HANDICAPPED. ARCHITECTURAL COMMISSION. COMPLETED.

28. CITY OF BEVERLY HILLS, DEPARTMENT OF BUILDING AND SAFETY. CONSULTING ASSIGNMENT TO AID THE BUILDING DEPARTMENT TO IDENTIFY AND PROPOSE MITIGATION MEASURES FOR FLOOD AREAS OF THE CITY. ASSIGNMENT COMPLETED.

29. PALMER SAND CANYON. CONSTRUCTION DEFECT SUIT IN SANTA CLARITA. ON BEHALF OF THE PAINTING SUBCONTRACTOR. SETTLED AT MEDIATION.

30. VILLAGGIO V. BOLIN. CONSTRUCTION DEFECT SUIT IN SAN CLEMENTE. ON BEHALF OF THE FRAMING SUBCONTRACTOR. SETTLED.

31. VILLAGE AT SAN DIMAS V. BOLIN. CONSTRUCTION DEFECT SUIT IN SAN DIMAS. ON BEHALF OF THE FRAMING SUBCONTRACTOR. CASE SETTLED.

32. CHECKOR V. STATE FARM INSURANCE. AN INSURANCE APPRAISAL CASE. ON BEHALF OF STATE FARM INSURANCE.

33. MONTANA HOA V. SELBY. CONSTRUCTION DEFECT CASE. ON BEHALF OF THE DEVELOPER/BUILDER. CASE SETTLED IN MEDIATION.

34. HOLIDAY, INSURANCE APPRAISAL: EXPERT CONSTRUCTION CONSULTANT TO BERGER, KAHN, ET AL.

35. FITZMORRIS RESIDENCE: CONSTRUCTION DEFECT SUIT. ON BEHALF OF THE OWNER. CASE SETTLED.

36. MCKINLEY SCHOOL: CONSTRUCTION DEFECT SUIT. ON BEHALF OF WINDOW MANUFACTURER. SETTLED.

37. FAIROAKS HOA V. MILGARD/CENTRAL SCREEN: CONSTRUCTION DEFECT SUIT. ON BEHALF OF THE OWNERS. SETTLED.

38. WEISCHADLE v. SMITH: CONSTRUCTION DEFECT SUIT. ON BEHALF OF THE FRAMER. ASSIGNMENT COMPLETED.

39. MOUNTAINGATE PLAZA: CONSTRUCTION DEFECT SUIT. ON BEHALF OF THE FRAMER. SETTLED.

40. LAWLER STREET CONDO REPAIRS: ARCHITECTURAL REPAIR WORKING DRAWINGS AND PROJECT CONSTRUCTION MANAGEMENT ON BEHALF OF THE HOMEOWNERS. REPAIRS COMPLETED.

41. RAUMBERGER V. TRUCK INSUR.: ON BEHALF OF THE INSURANCE COMPANY TO DETERMINE LEGITIMATE COST OF REPAIR. CASE SETTLED PRIOR TO TRIAL.

42. MESA VISTA NORTH: CONSTRUCTION DEFECT SUIT. ON BEHALF OF THE FRAMER. CASE SETTLED, 1998

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43. EL TOVAR HOA: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE HOA.

44. NEW HORIZONS HOA V. BOLIN: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE FRAMER DEFENDANT. CASE COMPLETED.

45. ALLEGRO HOA V. WESTERN INSULATION: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE INSULATION SUBCONTRACTOR. CASE SETTLED.

46. SEAGATE VILLAS HOA v. 1450 LOCUST PARTNERS, L.P.: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE STUCCO SUBCONTRACTOR. CASE SETTLED.

47. G&G CONSTRUCTION: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE GENERAL CONTRACTOR. CASE SETTLED.

48. COOPER RENTAL UNIT, SHERMAN OAKS: CONSULTANT TO OWNER FOR RECONSTRUCTION DUE TO MAIN SEWER SYSTEM BACK-UP INTO PROPERTY. ASSIGNMENT COMPLETED.

49. CABRINI VILLAS TOWNHOMES, BURBANK: CONSULTANT ON STUCCO TO THE PARTY APPRAISER FOR THE INSURANCE COMPANY. CASE SETTLED.

50. VILLAMOURA HOA V. UDC HOMES: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE FRAMER DEFENDANT. CASE SETTLED.

51. APPRAISAL: PARTY APPRAISER ON BEHALF OF THE INSURANCE COMPANY. CASE SETTLED.

52. KRAKOVER RESIDENCE: ARCHITECT AND CONSTRUCTION MANAGER FOR AN ADDITION AND REMODEL OF THE KRAKOVER RESIDENCE. COMPLETED, 1998

53. PALMER WARNER CENTER: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE RAIN GUTTER CONTRACTOR, PAINTING CONTRACTOR AND SHOWER DOOR CONTRACTOR. CASE SETTLED.

54. THE BRENTWOOD: COST ESTIMATE FOR A CONSTRUCTION DEFECT SUIT ON BEHALF OF THE HOMEOWNERS ASSOCIATION. CASE SETTLED.

55. VILLA POINT HOA V. IRVINE CO.: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE RAIN GUTTER CONTRACTOR. CASE SETTLED.

56. MARINERS PARK VILLAGE: INSURANCE DISPUTE BETWEEN HOA AND INSURANCE COMPANY. CASE SETTLED.

57. CALIFORNIA MARQUIS HOA V. KAUFFMAN AND BROAD: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE FRAMER. CASE SETTLED.

58. ROSEBUD HOA V. VENTEK: FORENSIC ANALYSIS AND TRIAL TESTIMONY ON BEHALF OF THE HOMEOWNERS ASSOCIATION. JURY TRIAL. VERDICT IN FAVOR OF KDG'S CLIENT.

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- 256. RESEDA RANCH: DESIGN AND CONSTRUCTION DOCUMENTS FOR A SIX-BED GROUP HOME FOR DEVELOPMENTALLY DISABLED RESIDENTS
- 257. PARISHAN RESIDENCE: CONSTRUCTION EXPERT ON BEHALF OF THE OWNER OF A CONDOMINIUM DAMAGED BY WATER INTRUSION DUE TO BUILDING CONDITIONS
- 258. SIERRA HEIGHTS HOA: A CONSTRUCTION DEFECT COMPLAINT ON BEHALF OF THE HOMEOWNERS ASSOCIATION
- 259. 24 HYANNIS CT.: CONSTRUCTION DEFECT SUIT ON BEHALF OF THE INSTALLER OF PATIO PAVING

Carolyn Fisher

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260. BISHOP V. GOLAN: A CONSTRUCTION DEFECT SUIT ON BEHALF OF THE GENERAL CONTRACTOR IN THE REMODEL OF A CONDOMINIUM UNIT

- 261. CARAS: A SLIP AND FALL CASE
- 262. DK DONUTS, TUSTIN, CA: INSPECTION OF CONDITIONS AND DESIGN OF A REMODEL TO THE EXISTING DONUT SHOP TO ACCOMMODATE ADA REQUIREMENTS
- 263. KOVNER RESIDENCE: CONSTRUCTION EXPERT ON BEHALF OF THE WOOD FLOORING CONTRACTOR
- 264. PACIFIC SCHOOL, GLENDALE, CA.: CONSTRUCTION EXPERT ON BEHALF OF THE OVERHEAD DOOR INSTALLER
- 265. SOLIS V CRANMER: CONSTRUCTION EXPERT ON BEHALF OF THE OWNER/DEFENDANT OF A RENTAL PROPERTY IN HUNTINGTON BEACH, CA.
- 266. SOUTHLAND CONSTRUCTION: CONSTRUCTION EXPERT ON BEHALF OF THE GENERAL CONTRACTOR IN A ROOF FAILURE
- 267. SZE V. DAVIDSON: CONSTRUCTION EXPERT ON BEHALF OF THE SLIDING GLASS DOOR SUPPLIER
- 268. WOOD V. KRUER: CONSTRUCTION EXPERT ON BEHALF OF THE CONSTRUCTION MANAGER IN A CONSTRUCTION ACCIDENT CASE
- 269. ROSE AVE. GROUP HOME: DESIGN OF A REMODEL OF AN EXISTING HOME FOR USE AS A 4-BED GROUP HOME FOR DEVELOPMENTALLY DISABLED CLIENT/RESIDENTS
- 270. BAIRD AVE. GROUP HOME: DESIGN OF A REMODEL OF AN EXISTING HOME FOR USE AS A 6-BED GROUP HOME FOR DEVELOPMENTALLY DISABLED CLIENT/RESIDENTS

CASEHST.DOC REV. TO 6.13.2013

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TERMS OF ENGAGEMENT: SAMPLE CLIENT TBA ATTORNEY: TBA

NOW, THEREFORE:

KALTMAN DEVELOPMENT GROUP (KDG) SHALL UNDERTAKE THIS ASSIGNMENT BASED UPON THE FOLLOWING TERMS AND CONDITIONS.

SCOPE OF WORK:

THE SCOPE OF WORK SHALL INCLUDE BUT SHALL NOT BE LIMITED TO:

- 1) SITE VISITS,
- 2) MEETINGS WITH OTHER EXPERTS, ATTORNEYS, INSURANCE ADJUSTERS, ETC.,
- 3) DOCUMENT REVIEW,
- 4) PREPARATION OF PHOTO LOG(S), PREPARATION OF REPORTS AS REQUIRED,
- 5) PREPARATION FOR AND ATTENDANCE AT MEDIATIONS AND MEDIATION RELATED MEETINGS,
- 6) PREPARATION FOR AND ATTENDANCE AT DEPOSITIONS,
- 7) PREPARATION FOR AND ATTENDANCE AT TRIAL TO GIVE TESTIMONY,
- 8) AID ATTORNEY IN TRIAL PREPARATION,
- 9) ADDITIONS TO THE SCOPE AS REQUESTED BY CLIENT.

KDG WILL PERFORM ALL WORK IN ACCORDANCE WITH GENERALLY ACCEPTED PROFESSIONAL PRACTICE. NO OTHER WARRANTY, EXPRESS OR IMPLIED, IS MADE CONCERNING WORK PERFORMED UNDER THESE TERMS AND CONDITIONS, INCLUDING FINDINGS, RECOMMENDATIONS, SPECIFICATIONS, OR PROFESSIONAL ADVICE.

KDG WILL PROCEED DILIGENTLY WITH THE ASSIGNMENT AND WILL PROVIDE ITS REPORTS IN A TIMELY MANNER, EXCEPT FOR DELAYS OCCASIONED BY FACTORS BEYOND ITS CONTROL,

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OR WHICH WERE NOT REASONABLY FORESEEABLE, OR WHICH WERE INITIATED BY CLIENT.

WORK UNDER THESE TERMS AND CONDITIONS MAY BE TERMINATED UPON RECEIPT BY KDG OF TWO (2) DAYS WRITTEN NOTICE FROM CLIENT. KDG SHALL BE COMPENSATED FOR ANY EXPENSE OF TERMINATION INCLUDING BUT NOT LIMITED TO THE COST OF OTHER CONSULTANTS, LAB FEES, OTHER FEES AND TIME SPENT IN COMPLETING SUCH ANALYSES, RECORDS, AND REPORTS AS ARE REASONABLY NECESSARY TO PROTECT ITS PROFESSIONAL REPUTATION AND ADEQUATELY DOCUMENT THE WORK PERFORMED THROUGH TERMINATION. IN SUCH EVENT, KDG SHALL BE ENTITLED TO BILL AT THE HOURLY

RATES DEFINED IN THESE TERMS AND CONDITIONS FOR THE TIME REQUIRED TO EXECUTE AN ORDERLY TERMINATION OF THE PROJECT.

RATES AND CHARGES

A RETAINER FEE OF <u>TBD</u> DOLLARS (\$TBD) IS PAYABLE IN ADVANCE, AND WILL BE APPLIED TO THE FINAL INVOICE ONLY, WITH ANY UNUSED PORTION RETURNED WITH A FINAL ACCOUNTING.

WORK WILL BE PERFORMED ON A TIME AND EXPENSE BASIS. ANALYSIS, PREPARATION TIME, AND MEETINGS ARE BILLED AT \$225 PER HOUR. DEPOSITION TESTIMONY OR TESTIMONY IN COURT DURING TRIAL WILL BE BILLED AT \$450 PER HOUR WITH A FOUR-HOUR MINIMUM FOR EACH DAY OF TESTIMONY. THE MINIMUM SHALL APPLY REGARDLESS OF WHICH PARTY, PLAINTIFF OR DEFENSE, HAS NOTICED THE DEPOSITION OR TRIAL TESTIMONY. IN THE EVENT TESTIMONY IS REQUIRED BY CLIENT'S OPPONENT AND SUCH OTHER PARTY IS NOT LEGALLY OBLIGATED TO PAY THE MINIMUM DEFINED HEREIN ABOVE, THEN CLIENT SHALL BE RESPONSIBLE FOR THE REMAINDER OF TIME TO FILL THE FOUR HOUR MINIMUM.

STANDARD COSTS OF OFFICE OPERATION SUCH AS TELEPHONE CALLS, FACSIMILES, AND <u>SMALL</u> NUMBERS OF BLACK AND WHITE PHOTOCOPIES ARE NOT BILLED UNLESS THERE IS AN EXTRAORDINARY REQUIREMENT.

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REIMBURSABLE EXPENSES ARE BILLED AT COST AND INCLUDE BUT ARE NOT LIMITED TO PARKING COSTS, MILEAGE CHARGED AT \$0.50 PER MILE, REPRODUCTION COSTS AND OTHER EXTRAORDINARY DIRECT EXPENSES. COLOR COPIES PROVIDED BY KDG FROM ITS EQUIPMENT SHALL BE BILLED AT \$0.50 PER COPY. ANY DOCUMENTATION PROVIDED ON CD-ROM SHALL BE PROVIDED AT A COST OF \$35.00 PER CD-ROM.

TERMS OF PAYMENT

<u>STATEMENTS WILL BE PRESENTED AT THE BEGINNING OF EACH MONTH AND ARE DUE</u> <u>IMMEDIATELY UPON RECEIPT. OUTSTANDING BALANCES PAST DUE OVER THIRTY DAYS ARE</u> <u>SUBJECT TO A DELINQUENCY CHARGE OF ONE- PERCENT PER MONTH UNTIL PAID.</u> FAILURE TO ADD SAID DELINQUENCY CHARGE WILL NOT PRECLUDE ENFORCEMENT AT A LATER DATE.

KDG, WITHOUT LIABILITY, MAY WITHHOLD DELIVERY OF REPORTS AND OTHER DATA AND MAY SUSPEND PERFORMANCE OF ITS OBLIGATIONS TO CLIENT PENDING FULL PAYMENT OF ALL CHARGES. IF KDG FAILS TO SO SUSPEND PERFORMANCE, SUCH FAILURE WILL NOT PREJUDICE ITS RIGHTS TO DO SO AT ANY TIME IN THE FUTURE.

ALL OUTSTANDING INVOICES MUST BE PAID BEFORE KDG WILL MAKE A DEPOSITION OR COURT APPEARANCE ON BEHALF OF THE SUBJECT CASE/PROJECT. KDG MAY WAIVE THIS REQUIREMENT AT IT'S DESCRETION. FAILURE TO INVOKE THIS PROVISION AT ANY TIME SHALL NOT PREVENT OR PRECLUDE KDG FROM INVOKING IT AT ANY ANOTHER TIME.

CLIENT SHALL PAY ALL COLLECTION EXPENSES, RELATED ATTORNEYS' FEES, AND ANY LEGAL COSTS INCURRED IN COLLECTION.

CLIENT AGREES THAT COMPENSATION FOR KDG'S SERVICES IS NOT CONTINGENT UPON THE PAYMENT TO, OR PERFORMANCE OF, ANY OTHER PARTIES, NOR IS COMPENSATION CONTINGENT UPON THE RESULTS OF KDG'S INVESTIGATION. FURTHERMORE, COMPENSATION IS NOT CONTINGENT UPON THE OUTCOME OF ANY LEGAL CASE(S), SUBSEQUENT COMMERCIAL DECISIONS, OR OBLIGATIONS TRANSFERRED TO NON-CONTRACTING PARTIES.

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CLIENT AND KDG AGREE AND ACKNOWLEDGE THAT FROM TIME TO TIME THERE MAY BE OTHER ENTITIES ENTERING THE CASE/PROJECT THAT SHARE THE RESPONSIBILITY TO PAY FOR KDG'S WORK IN ACCORDANCE WITH THIS AGREEMENT. CLIENT AGREES THAT IT WILL BE RESPONSIBLE TO INFORM KDG OF SUCH OTHER RESPONSIBLE ENTITIES AND PROVIDE APPROPRIATE INFORMATION TO KDG FOR PURPOSES OF CONTACT AND INVOICING. CLIENT AND KDG AGREE THAT KDG WILL MAKE ADJUSTMENTS IN ITS MONTHLY INVOICING AS CLIENT MAKES KDG AWARE THAT OTHER ATTORNEYS, INSURANCE COMPANIES OR OTHER RESPONSIBLE ENTITIES BECOME A PART OF THE CASE/PROJECT WHICH IS THE SUBJECT OF THIS AGREEMENT. CLIENT AND KDG ADDITIONALLY AGREE THAT CLIENT SHALL BE RESPONSIBLE TO PAY ANY INVOICE THAT KDG HAS FORWARDED TO ANY OTHER SUCH RESPONSIBLE ENTITY THAT HAS ENTERED THE CASE/PROJECT WHEN SUCH INVOICE(S) HAVE BEEN UNPAID FOR A PERIOD OF NINETY (90) DAYS AFTER SUBMISSION TO SUCH OTHER RESPONSIBLE ENTITY.

MISCELLANEOUS

KDG MUST APPROVE ANY EXPERT DESIGNATION PRIOR TO THAT DESIGNATION BEING FILED WITH THE COURT HAVING JURISDICTION.

KDG WILL HAVE NO LIABILITY IN THE EVENT OF AN UNFAVORABLE RESULT FOR CLIENT, UNLESS THERE HAS BEEN GROSS NEGLIGENCE ON THE PART OF KDG. KDG'S LIABILITY SHALL BE LIMITED TO THE GROSS AMOUNT IT HAS INVOICED AND RECEIVED FROM CLIENT IN THE PERFORMANCE OF THE WORK DESCRIBED HEREIN ABOVE. CLIENT ACKNOWLEDGES THAT BUT FOR THE FOREGOING LIMITATION ON LIABILITY, KDG WOULD NOT UNDERTAKE THIS ASSIGNMENT.

UNLESS OTHERWISE EXPRESSLY AGREED IN WRITING, ALL REPORTS, RECOMMENDATIONS, PROCEDURES, AND OTHER INFORMATION PROVIDED TO THE CLIENT UNDER THESE TERMS AND CONDITIONS ARE THE JOINT PROPERTY OF THE CLIENT AND KDG AND MAY BE USED WITHOUT RESTRICTION BY EITHER.

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SPECIALIZED FORMATS, SOFTWARE, METHODOLOGIES, OR OTHER PRODUCTS DEVELOPED BY KDG, ARE AND WILL REMAIN THE PROPERTY OF KDG. ANY USE THEREOF FOR SUBSEQUENT PROJECTS WITHOUT THE PRIOR WRITTEN CONSENT OF KDG IS STRICTLY PROHIBITED.

IN THE EVENT OF ANY DISPUTE OR LITIGATION REGARDING THE ENFORCEMENT OR INTERPRETATION OF ANY PROVISION OF THESE TERMS OF ENGAGEMENT, THE PREVAILING PARTY WILL BE ENTITLED TO RECOVER FROM THE OTHER PARTY ALL REASONABLE EXPENSES, INCLUDING ATTORNEYS' FEES AND COSTS, IN ADDITION TO ANY OTHER RELIEF GRANTED, WHETHER OR NOT SUIT IS BROUGHT OR JUDGMENT IS RENDERED.

DATE:

I. LAWRENCE KALTMAN FOR KALTMAN DEVELOPMENT GROUP

RECEIPT OF TERMS OF ENGAGEMENT

BY:

DATE

ENGAGE1.DOC REV. TO 11.27.2K9 ILK