
From: BMG <[REDACTED]>
Sent: Wednesday, June 26, 2013 8:10 PM
To: Richard Kahn
Cc: J Epstein; Richard Barnett
Subject: Fwd: JB Henderson
Attachments: AR Aging, 6-26-13, 7-17 AM.pdf; Untitled attachment 00043.htm

Rich
It seems JBH have not received payment

Brice Gordon

[REDACTED]
St=ney, NM 87056

Ph: [REDACTED]
<=iv>

Begin forwarded message:

From: Dorian Atwater <<mailto:[REDACTED]>>
Date: June 26, 2013, 1:55:18 PM M=T
To: "Brice Gordon" [REDACTED]
[REDACTED]
Subject: FW: JB Henderson

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Good afternoon Brice,

I'm sorry to inform=you that Henderson Const. is not able to continue to support your eff=rt regarding the Cooling Tower work. Per this e-mail below from Richard, we have as of today 6/26/13, not receive any monies as Richard refers to. <=:p>

Ironically this morning I w=s reviewing my A/R, which I've attached a copy of Henderson'= A/R log dated this morning, at 7:17 AM, MST. When I reviewed my A/R and seen that we had not received this draft, I had also left a V/M for Ric=ard as noted at 7:15 AM, MST, this morning.

I apologize for the inconvenience that this may cause you, but I've been instructed by Henders= owners, that we cannot continue to support Zorro until we are made whole regarding our A/R. As another stipulation going forward, once we are made whole, we need to have a plan in place with some type of guarantee of payments, at a minimum of 30 days or less from invoice date. <=:p>

I hope you understand and look forward to any questions that you might have regarding this matter.

Sincerely,

Dorian

From: Richard Kahn [REDACTED]
Sent: Friday, June 21, 2013 3:33 PM
To: Dorian Atwater
Subject: Re: JB Henderson [REDACTED]

please check with your bank as I sent 8,827.25 on 6/1/2013 after we spoke

my commitment was that you would be paid within 30 days not 1 week - we should discuss
ok to proceed with cooling tower work

I keep trying to call you at [REDACTED] and keep getting busy signal

can you please provide me with all your contact information
thank you and have a nice weekend

ps- I am free to talk anytime to resolve any other outstanding issues monday from 9am - 6pm est

Richard Kahn

[REDACTED] r,
New York, New York 10022



On Jun 21, 2013, at 8:52 AM, Dorian Atwater wrote:

Good morning Richard,

I wanted to follow up, as i= has been several days now since I sent the e-mail below, regarding credit t= Zorro and new balance remaining for overdue payment.

=

Because I've not he=rd back from you, I'm somewhat unclear what the status is of your r=view and approval/disapproval of information that we have sent you and status if not approved, what issues are still unclear or if OK, status of p=ymnt?

As we discussed last w=ek , I believe that your commitment going forward was to pay within a week f= any outstanding invoices, it there wasn't an issue. Based on the below information regarding credit owed to Zorro, my expectation was=that because I've not heard back from you, that payment would be fo=th coming timely.

If you could help me with s=atus of Henderson's proposed credit and final payment, so we can pu= this to bed and move forward.

Also Brice has contacted He=derson regarding and scheduling cooling tower work at Zorro, but as we agre=d, and listed below as one of our conditions to continue to perform work for Zorro, Henderson would need your approval prior to movi=g forward with any new work. At this point I'm having our team pull=off moving forward on this project until we hear back from you. I've copied Brice on this e-mail, so I'm considering this is Henderson's formal notice that work on cooling tower projec= is at a stop.

Thank you for your immediat= response regarding both payment and approval to work on cooling project...=span>

Dorian <=:p>

From: Dorian Atwater
Sent: Monday, June 1=, 2013 3:16 PM
To: 'Richard Kahn';=Aaron J. Armijo
Cc: 'bellaklein Kle=n'; 'Darren Indyke'; Aaron J. Armijo; Susan Sawyer; Jim Eichhorst; 'Brice G=rdon'; John Stroud; 'Zorro Ranch'; Jeanette Sanmann
Subject: RE: JB Hen=erson

Good afternoon Richard,

I think we are down to the b=ttom of all the outstanding issues, per the attached Invoice and history.</=pan>

It seems that there is a li=tle less credit from Invoice # 24102, as it seems that these invoices were f=r material purchased, (please see Inv. 24102, Inv. Detail, (2 ea. items for a total of \$152.76), and the 2 receipts from Home D=pot , totaling \$152.76), and not for gas. We are also furnishing a new JB H=nderson Construction , Invoice & Payment History for your review also.<=span>

If you agree with this info=mation, the total now due is \$9,015.08, which should close out this final A=R. With this said, we should be able to move forward with what I have proposed as the new processes below, and implementation of=new and better communication between Zorro and JB Henderson Const .<=:p>

Thank you Richard again for=all your help and time in this matter, along with looking forward to a rene=ed relationship between both parties.

Please get with me if you h=ve any questions, otherwise we look forward to seeing this payment timely.<=span>

Have a great evening.

Dorian

From: Dorian Atwater
Sent: Thursday, Jun= 13, 2013 10:25 AM
To: 'Richard Kahn';=Aaron J. Armijo
Cc: bellaklein Klei=; Darren Indyke; Aaron J. Armijo; Susan Sawyer; Jim Eichhorst; 'Brice Gordo='; John Stroud; Zorro Ranch; Jeanette Sanmann
Subject: RE: JB Hen=erson

Good afternoon Richard,

First I want to thank you f=r your time and setting up and discussing areas of improvement needed by JB= for better communication lacking in the past with yourself and Zorro.

I'm going to try an= capture what we took down as bullets to help moving forward to improve com=unication and processes. I am responsible 100% for all issues to date, and implementing immediately remedies to make corrections. I would=look forward for you to get with me in the future, for whatever the reason,=if we continue to fail in any of the areas listed from our conversation and=this e-mail with proposed processes.

2. <=pan style="font-size:11.0pt;font-family:"Calibri","sans-se=if";color:#1F497D">Regarding your inquiry for Cottage Sink charge of \$643.67, as we discussed we have us=ually an average of 2 hours travel, so this subtracted from this \$643.67 is t=e real cost for this work performed. For this remaining cost, for the work p=rformed, our tradesperson was requested by Brice to perform a task, which took less than a day to acc=mplish, so while already on site, we were requested to change out a d=sposal and I believe a faucet on the sink in cottager Sink, as we were alre=dy on site, and as we discussed yesterday, we need to be very cost effective when we travel 2 hours to perform work an= not having to make several trips with a 2 hour charge for each trip to per=orm work. So we performed this addition work while was more that the origin=l task.

4. <=pan style="font-size:11.0pt;font-family:"Calibri","sans-se=if";color:#1F497D">Going forward, as discussed and agreed to by yourself and myself, prior to beginn=ng any work in the future, the following sequence will be maintained on any=project from cradle to grave so to speak;

b. An estimate will be sent to Mr. Gordon, along with yourself, to cover ei=her a Lump Sum or a T&M cost NTE estimate for SOW as requested by Mr. G=rdon. for review/ approval, negotiation, but work is not to be performed wi=hout your approval only.

5. <=pan style="font-size:11.0pt;font-family:"Calibri","sans-se=if";color:#1F497D">We did not work out process for emergency work to be performed if time is a pr=ority, so if you could forward your process so we have as a part of our pro=ess, approval and start of work, either immediately per Brice, or per appro=al process and by who, with back up of estimate? We did talk about this topic , this morning, but I♦=99m not sure I came away with a good understanding of what the process is i= case of an emergency, if you could clarify?

7. <=pan style="font-size:11.0pt;font-family:"Calibri","sans-se=if";color:#1F497D">Per our phone conversation this morning, along with Aaron's e-mai=, we are approved to move forward with Brice's request to respond t=is morning, regarding pump issue. Along with your approval of this em=rgency work this morning, this work will also include a sub performing work, we have your approval to start work on the Cooling T=wer replacement, in about a week or so, which you have our quoted price whi=h is a T&M not to exceed.

8. <=pan style="font-size:11.0pt;font-family:"Calibri","sans-se=if";color:#1F497D">Also per this morning's conversation, we will be forwarding an invoice f=r work preformed as requested by Brice, for June 12th, to furnis=a camera to do research on the inside of existing duct, to include rental o= camera.

I'm not sure that I=have covered all points discussed, but if not please get with me and I♦=99ll modify as needed. If I have miss stated any points mentioned, please also get with me with your comments so I can better explain, modify,=or you better understand and do not take issue with.

Thank you again for our ver= fruitful conversations and your time in these matters, moving forward with=a very much improved relationship/communication!

Have a great day and look f=rward to your response/s.

Dorian <=:p>

From: Richard Kahn [REDACTED]
Sent: Wednesday, Ju=e 12, 2013 12:23 PM
To: Dorian Atwater;=Aaron J. Armijo
Cc: bellaklein Klei=
Subject: JB Henders=n

Attached is summary deducting gasoline expense and ma=kup as we discussed

Please review and upon your approval I will wire fund= immediately (today or tomorrow)

In addition i have attached Bella Klein on email who handles all of our accounts payable

Her telephone is [REDACTED] Please send all invoices to an email we share:
[REDACTED]

I am glad that we worked thru our issues yesterday and looking forward to moving forward with our new understanding.</>

Thank you again for your time.

Richard Kahn

HBRK Associates Inc.=o:p>

[REDACTED]
New York, New York 10022
[REDACTED]

Begin forwarded message:

From: [REDACTED]

Date: June 12, 2013 11:38:19 AM EDT</=pan>

To: [REDACTED]

Subject: Message from KMBT_C253

Reply-To: [REDACTED]

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