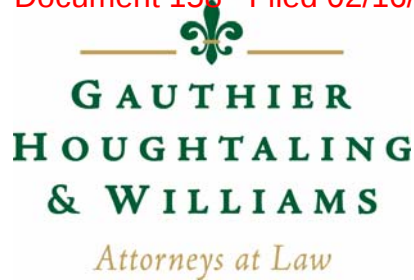


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February 16, 2015

**VIA ECF**

Honorable Gary Brown  
U.S. District Court, EDNY  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Raimey, et al v. Wright  
EDNY Docket #: 14-cv-00461-JFB-SIL

Dear Magistrate Brown:

During the telephone conference on February, 13 2015, defense counsel implied that Jeff Moore, the Senior VP of Claims for Wright International, participated in requesting a second report and was therefore always cognizant of the prior report. This conference and the upcoming hearing compels undersigned to disclose additional correspondence between Plaintiffs Liaison Counsel and former Defense Liaison Counsel.

In August of 2014, Plaintiff Liaison Counsel requested a meeting with Defense Liaison Counsel, Nielsen Carter & Treas (hereinafter NCT), to discuss the concern of fraudulent engineering reports in Hurricane Sandy. A face to face meeting was set on August 11, 2014 between undersigned, Brian Houghtaling, and NCT partners, John Carter and Bill Treas. At the meeting undersigned expressed that the expert reports upon which NCT were relying were produced by the same individuals behind fraudulently changed engineering reports in Katrina. NCT did not respond to our concerns and on Thursday, September 25, 2014, the parties entered mediation on the Ramey case. Jeff Moore attended the mediation and made statements at that mediation. Without disclosing these statements, the mediation ended with a dispute over defendant's compliance with the CMO.<sup>1</sup>

**Email communications of September 25, 2014 (Exhibit 1)**

After the first standstill was reached at mediation, the attached email communications (Exh. 1) were sent to NCT requesting that Wright comply with the CMO's set by this Court by

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<sup>1</sup> Plaintiff counsel recommends confidentiality of the mediation be waived.

turning over the prior report. Plaintiffs specifically disclosed that the engineer showed pages of a prior report to our client and requested that Wright disclose it pursuant to the CMO and “prior to the court's intervention.” There was no question that the CMO applied to such reports. Wright responded by denying knowledge of the report and stating that they would “ignore” such “innuendo” about a prior report. In the evening of September 25, undersigned reached NCT partner Bill Treas by phone and discussed had cell phone photos taken of the pages of a prior report, and again requested the initial report be produced prior to seeking judicial intervention.<sup>2</sup> Undersigned inquired as to how NCT could continue to rely upon a company that has a long legacy of forging reports. Bill Treas responded that he needed to consult with Gerald Nielsen before responding.

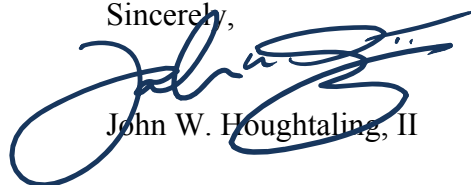
### **Correspondence of September 26, 2014 (Exhibits 2 and 3)**

The next morning on September 26, Gerald Nielsen wrote the attached letter (Exh. 2) to FEMA. Aside from mischaracterizing plaintiffs’ efforts, Mr. Nielsen demanded that plaintiffs immediately present any evidence of wrongdoing to the Judges of this Committee. In the letter Nielsen stated that if the appropriate authority “*would like to talk to me or my partners about any supposed knowledge that we might have about these occurrences, we are an open book. The appropriate person need only call us.*”

Undersigned wrote the attached response to FEMA clarifying the true chronology of events and attached a motion to comply with Mr. Nielsen’s demand to present the evidence to the Committee. In the same letter, undersigned requested that FEMA meet with Liaison Counsel to review evidence of fraudulent reports. (Exh. 3) On Friday February 13, 2015, (nearly five months after sending the letter to FEMA), FEMA finally responded to undersigned with an expressed desire to discuss the evidence of fraudulent reports.

Wright spent much of its defense arguing that Wright was unfairly surprised by a prior report, and no party considered the prior report covered by the CMO. Mr. Moore’s recent admission and the attached correspondence prove these arguments are a fabrication.

Sincerely,



John W. Houghtaling, II

JWH/mfp  
Enclosures

cc Honorable Cheryl Pollak  
Honorable Ramon Reyes, Jr.

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<sup>2</sup> The original photos in counsel's possession did not show a clip board, but rather depicted close ups of select pages and paragraphs of the reports. The hue on these photos was blue and they appeared to be laterally pixilated as if they depicted a computer screen. This led undersigned to believe initially, (in a good faith mistaken belief), that the photos were taken from a computer. After further consultation with Deborah Ramey and Bob Kaible undersigned learned that the photos of the report were of a clip board.