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April 22, 2010

National Apartment Association  
Kevin H. Brown  
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John McDermott, Esq.  
Legal Counsel NAA  
4300 Wilson Boulevard, Su 400  
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W. Michael Semko  
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Attorney for Abad Case NAA Amicus  
Scott Clark, Esq.  
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3008 North 44<sup>th</sup> Street  
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Dear Mr. Brown, Mr. McDermott, Mr. Semko and Mr. Clark,

I am writing you today to inform you that you have a serious problem on your hands with regard to your Amicus Curiae Brief that you all submitted on August 31, 2009 in the case of Mason et al, v. Wasatch Property Mgmt Inc, et al. CA-CV 2008-0162, Ca-Cv No. 2008-0165 Court of Appeals, Arizona, Division One. This case is commonly referred to as the ("Abad Case").

The reason for this is that you cited to "A Scientific View of the Health Effects of Mold" US Chamber of Commerce as a purportedly legitimate scientific reference for the courts to consider when making their ruling in the case.

The problem is, the Chamber paper is fraud according to one of its listed authors.

According to one of the listed authors, who is the only physician named as authoring it, he did not actually co-author it and had no knowledge he and thus his University of California imprimatur were named in authorship of the US Chamber's "Scientific View". Add to this, the paper was actually penned by two owners of VeriTox, Inc. They were paid by the Manhattan Institute think-tank to write it, specifically so that it could be made accessible to judges.

Two VeriTox owners, who are listed as "A Scientific View" authors on the Chamber publication are serving as expert witnesses for the defense in the Abad Case. They do not disclose on their curriculum vitae that they are the authors of the purportedly scientific reference you gave the Arizona court in support of their expert opinions.

This is a very serious matter when large political action committees submit amicus briefs that are provably frauds on the courts and contrary to the attorneys' involved true understanding of the matter. They may be called "friend of the court" briefs, but this one is a friend to no one. Should the court take your amicus into consideration and find for the defense; no one wins when it is easily provable your amicus does not support what you know to be true. Personally, if I owned Traveler's Insurance, I would be thinking about now, "with friends like this, who needs enemies?"

Your amicus is a friend to no one. The implications go beyond one litigation. What you are doing when you promote the false concept that **"In a report entitled, 'A Scientific View of the Health Effects of Mold', a panel of scientists, including toxicologists and industrial hygienists stated that years of intense study have failed to produce any causal connection between exposure to indoor mold and adverse health effects.'** is send a message to your members that there is no real need to worry about liability for illnesses caused by water damaged and poorly maintained apartment complexes.

What you are doing with this message is setting your members up to get sued themselves out of ignorance while aiding to cause unsafe housing for apartment dwellers. As such, I strongly urge you to withdrawl your amicus from the Abad litigation.

Attached is a notarized letter to Dr. Andrew Saxon, UCLA (retired), who is the listed co-author of the Chamber's "Scientific View". He claims under oath he had no knowledge he was listed as authoring and deems your purportedly substantive scientific reference (and now legal document) for the Arizona Appellate Court to consider as a reason to support a defense finding *"a nonscientific piece that has my name on it"*.

Thank you for your assistance to correct this serious matter with the implications being adverse to the health and safety of the US public; and having the potential to aid in causing more unnecessary litigation in the future by promoting ignorance among the members of the NAA, based on a falicy in science found within your Amicus Curiae Brief.

Sincerely,



Mrs. Sharon Kramer

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