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Hunter M. Klein

September 29, 2016

RE: Vista Pointe Townhome Association, Inc. v. Auto-Owners Ins. Co.

To Whom it May Concern:

Our firm represents the Vista Pointe Townhome Association in litigation related to its insurance policy number 134632-74061072-14 written by Auto-Owners Insurance Company. The litigation centers upon damages to Vista Pointe's roofs as the result of a storm that occurred on September 29, 2014. Vista Pointe filed a claim for damages with its insurance company, who performed an inspection, and subsequently issued payment for its Actual Cash Value determination, which totaled \$256,439.77. Vista Pointe maintains that additional amounts are owed and that Auto-Owners has unreasonably delayed or denied coverage and payment for the additional damages. The disputed scope relates to exterior damages, and cost and scope of damages to the properties' roofs. At this time, no claims are being made for interior damages.

Vista Pointe retained this law firm to pursue the additional amounts owed under its policy of insurance. Contained within that policy is a provision entitled "appraisal" which states that in the event of a disagreement between Vista Pointe and Auto-Owners, either party may demand the claim be submitted to the appraisal process. This means that Vista Pointe will designate an appraiser to act on its behalf, Auto-Owners will designate an appraiser to act on its behalf, and in the event the two cannot come to an agreement, they submit their differences to a third umpire. An agreement by any two of those three is binding on both Vista Pointe and Auto-Owners as to the amount of the loss.

We are currently in the appraisal process. Both Vista Pointe and Auto-Owners have named their appraisers, but they have not yet inspected the property and an umpire has not been selected. Prior to the start of the appraisal process counsel for Vista Pointe and Auto-Owners executed an agreement governing appraisal, which contained a provision stating that the appraisers will exercise all due diligence to complete appraisal within 90 days. The agreement also restricts the communications that parties may have with their appraisers, so at this point our information is limited.

Unfortunately we cannot give any assurances or representations regarding the outcome of the appraisal or the litigation. It is possible that the panel will award significant additional amounts

of money, or it is also possible that the panel will award no additional amounts of money. If additional amounts are awarded, then Vista Pointe may be able to obtain additional damages from Auto-Owners for any delay, however we are a ways away from that determination.

Due to attorney client privilege issues, this is the extent of the information we are permitted to disclose at this time. If you have any additional questions, please don't hesitate to contact us.

Very truly yours,



Hunter M. Klein