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May 6, 2010

James L. Richmond, Esq.
Deputy General Counsel and
Attorney for the Florida Building Commission
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

<u>VIA E-MAIL</u> AND FIRST CLASS MAIL

Re: Product Numbers FL13534 and 13535

Dear Mr. Richmond:

Please be advised that this firm represents Madena Nacional, S.A. a/k/a Sabana Windows, Inc. (hereinafter referred to as "Sabana Windows, Inc.") in connection with the approvals sought with reference to the above-referenced product numbers. This is written in response to your April 12, 2010 letter to Ted Berman, P.E., requesting that the interested parties submit information concerning the ownership of the materials submitted by Sabana Windows, Inc. to seek approvals for the subject products. Enclosed herewith as Exhibit "A" is a copy of the corporate documents evidencing that Madena Nacional, S.A. and Sabana Windows, Inc. are the same corporation and that the company is incorporated in Honduras.

Sabana Windows, Inc. is a windows and door manufacturer located in Honduras. The Miami-Dade Building Code requires all foreign manufacturers to obtain Notices of Acceptance and maintain a distributor in Florida. Accordingly, Sabana Windows, Inc. submitted its applications for various Notices of Acceptance including the requisite engineering designs and paid the various fees associated with the application. In addition, Sabana Windows, Inc. entered into a Distribution Agreement with Sabana Windows Corp. The two companies are separate and distinct entities and their relationship is governed by the two (2) Distribution Agreements which are attached hereto as Composite Exhibit "B" along with the translations.

Pursuant to the Distribution Agreements, no intellectual property, product or brand records in any district or international or domestic administrative or governmental entity are the property of Sabana Windows Corp. All property remains that of Sabana Windows, Inc., solely and exclusively. This provision includes the five (5) Notices of Acceptance obtained by Sabana Windows, Inc. from the Miami-Dade Building Code Compliance Office.

On or about June 30, 2009, Coastal Windows & Doors, Inc. ("Coastal") obtained a Final Judgment against Sabana Windows Corp. in Palm Beach County, Florida. Sabana Windows, Inc. was never included as a defendant in that action and Coastal has no judgment against Sabana Windows, Inc. In August of 2009, Coastal domesticated the judgment to Miami-Dade County, Florida and filed an action on the judgment. Coastal subsequently executed on the judgment and directed the Miami-Dade County Sheriff to seize five (5) Notices of Acceptance from the Miami-Dade Building Code Compliance Office belonging to Plaintiff under the guise and representation to the Sheriff that Sabana Windows, Inc. and Sabana Windows Corp. are the same company. As a result, the Sheriff seized the Notices and offered for sale Sabana Windows Corp.'s "rights, title and interest" in the Notices as evidenced by the Sheriff's Notice which is included herein as Exhibit "C." On January 6, 2010, the Sheriff sold Sabana Windows Corp.'s interest in the Notices of Acceptance to Mahogany Visions, LLC.

However, Sabana Windows Corp. had no right, title or interest in the Notices of Acceptance. Sabana Windows, Inc. was the sole owner of Notice of Acceptances which have been sold by the Sheriff. Sabana Windows, Inc. was the sole Applicant listed with the Miami-Dade Building Code Compliance Office, as evidenced by the Miami-Dade Building Code Compliance Office information for each Notice of Acceptance attached hereto as Composite Exhibit "D." Further, Sabana Windows Corp. had no involvement with the process to obtain the Notices beyond entering into the Distribution Agreement with Sabana Windows, Inc. All underlying submissions to the Miami-Dade Building Code Compliance Office are owned by Sabana Windows, Inc. Moreover, all materials used to obtains the Notices of Acceptance, as well as all technical materials (including test results, engineering drawings, engineering calculations and validation documents) submitted to the Florida Building Commission in connection with the subject products are individual intangible assets that are owned by my client and constitute intellectual property and proof of product manufacturing capabilities. All materials have been produced by third party firms retained by Sabana Windows, Inc., as maintained by the testing laboratory and the engineer of records and validated by Jesus Gonzalez as stated in his communications to the Florida Building Commission. Thus, Mahogany Visions, LLC, in essence, purchased nothing at the Sheriff's sale and as such, has no claim as to the underlying materials submitted to the Florida Building Commission that are owned by Sabana Windows, Inc.

Notable is also the fact that Mahogany Visions, LLC is not even the entity challenging the product approvals, but rather Coastal, who filed the Motion for Injunctive Relief in the Circuit Court of Miami-Dade County, Florida, to stop any approvals of these products, and who continues to challenge any approval with the Florida Building Commission. However, Coastal has no standing to challenge any product approvals as it is Mahogany Visions, LLC, and not Coastal, who purchased Sabana Windows Corp.'s alleged interest in the Notices of Acceptance at the Sheriff's sale. Coastal has absolutely no legal ownership or legal right to any of the underlying materials. Therefore, any argument made by Coastal must be disregarded. Additionally, Coastal has no legal right to attach any property of Sabana Windows, Inc. stemming from any claim or lawsuit. Rather, Coastal continues to tortiously

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interfere with Sabana Windows, Inc.'s right to pursue its ability to sell its product in Florida.

Accordingly, we maintain that Sabana Windows, Inc. continues to own the submitted materials and request that the Commission move forward with the approval of the subject products. We hope this information complies with your request and stand ready to assist you and the Florida Building Commission by providing any additional information you may need in order to resolve this issue.

Very truly yours.

ALLISON L. FRIEDMAN

Enclosure

cc: Ted Berman, P.E.