

Dammon Engineering

From: Eduardo J Hernandez [ejhernandez01@hotmail.com]
Sent: Saturday, September 01, 2007 11:35 AM
To: dammoneng@bellsouth.net
Subject: FW: screw up

Pete I send this e-mail to LANCO. Please keep it for your knowledge and records. There are 2 other e-mails coming that will give you a good idea (and defense) on this issue. We have nothing to worry about. We just have to be tactical!!

Eddie

From: "Eduardo J Hernandez" <ejhernandez01@hotmail.com>
 To: loulanco@bellsouth.net
 CC: heidibhernandez@hotmail.com
 Subject: screw up
 Date: Fri, 31 Aug 2007 19:19:36 -0500

Lou

Keep in mind that i am in your corner but please watch the language/temper as I am concerned that we will all be going to the "same dance".....

It seems to me that we found the guilty person in all this mess as the QRC architect erroneously assumed that the hotel driveway was part of their property and kept it at the same grade as their parking lot. No one from our side ever gave them our elevations. Despite their insistence that we did provide them our elevations, they have never been able to produce that evidence. It is obvious that the city of Biloxi also overlooked this issue when permitting was issued to both projects without corrections, however, we got filling permits before applebees. I would have also expected (QRC & Gunn Const) that since they were utilizing the hotel (property) driveway/easement the architect/engineer/contractor would have assured their elevations.

I would also imagine that before a contract/agreement between QRC & Lanco was to be executed they would have done their homework & requested the information that they are now asking for..... It is obvious that they had a sense of urgency and that issue was not a significant one at that time. Who gave the go ahead to Lanco?

If I am going to be your date in this "dance", I am going to have to look into Etiquette classes for you.....what kind of corsage would you like 😊

Doc

PS-before doing anything radical please consider legal actions instead

From: Lou Lanza <loulanco@bellsouth.net>
 To: <ejhernandez01@hotmail.com>
 Subject: [Fwd: Fwd: FW: biloxi pics aug 2007]
 Date: Fri, 31 Aug 2007 15:19:31 -0500

>

> From: Michellewssw@aol.com
 > Date: 2007/08/30 Thu PM 07:06:44 EST

9/6/2007

> To: loulanco@bellsouth.net
> CC: c.potter@qrllc.com
> Subject: Fwd: FW: biloxi pics aug 2007
>
>
>
>
>
> ***** Get a sneak peek of the all-new AOL at
> <http://discover.aol.com/memed/aolcom30tour>
>
>

From: *Michellewssw@aol.com*
To: *loulanco@bellsouth*
CC: *c.potter@qrllc.com*
Subject: *Fwd: FW: biloxi pics aug 2007*
Date: *Thu, 30 Aug 2007 20:05:22 EDT*

Sir,

The facts are as follows;

- *You did construction work on property owned by QRC/Applebees'.
- *That work is substandard and requires the work of an engineer to design it, before it is constructed.
- * That work as it exists, presents a hazard to the public, is built in the public domain, and I am asking you to identify whom is responsible for it, if you know.
- * No work has ever been authorized to be constructed on the subject property owned by QRC that is not within the strict confines of the law, and is not first in compliance with all codes, standards and governing authorities.
- * QRC will bear no responsibility for construction means and/or events that bear a detriment to the public domain, cause an unsafe access to their restaurant, or are a hazard to the use by their patrons and employees..

And, sir, this is the one I do not know:
Who designed the work which you built on QRC property?

Thanking you for all of your assistance in advance,

Mark Wassweiler, NCARB

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From: "Lou Lanza" <loulanco@bellsouth.net>
To: <Michellewssw@aol.com>
CC: <ronnie_bla@msn.com>, <ejhernandez01@hotmail.com>, "Chris Potter" <c.potter@qrllc.com>, <fred@qrllc.com>, <dammoneng@bellsouth.net>
Subject: RE: FW: biloxi pics aug 2007
Date: Thu, 30 Aug 2007 17:41:15 -0500

Mark,

By all means.....especially regarding the asphalt parking lot of applebees.....(which Lanco did not construct)
...not certain what addition you're referring to....but please check into the situation....

Lou Lanza

From: Michellewssw@aol.com [mailto:Michellewssw@aol.com]
Sent: Thursday, August 30, 2007 4:21 PM
To: loulanco@bellsouth
Cc: c.potter@qrcllc.com
Subject: Fwd: FW: biloxi pics aug 2007

Sir,

I am the architect of record on the QRC/ Applebees' project.

Someone, I trust it is not you, as I am assuming you are not a licensed engineer in the State of Mississippi, has designed a substandard and unsafe 'addition to the property owned by QRC and operated as a restaurant. Practicing engineering or modifying engineering drawings is against State and I believe Federal law. I am assuming you would not do that.

You constructed it.

I have asked for the name or names of those professionals whom are responsible for its design and quality control.

If you are not capable of providing that information, I am obligated under State law to mandate a formal complaint as this work is a safety hazard on property owned by QRC, to the State Board of Professional Licensing, the Mississippi Attorney General, and the Biloxi Building Department.

I hope you can be of assistance so that this matter can be reasonably resolved quickly.

Thank you,

Mark Wassweiler, NCARB

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Dammon Engineering

From: Eduardo J Hernandez [ejhernandez01@hotmail.com]
Sent: Saturday, September 01, 2007 11:37 AM
To: dammoneng@bellsouth.net
Subject: FW: suggested response letter

FYI

From: "Eduardo J Hernandez" <ejhernandez01@hotmail.com>
 To: loulanco@bellsouth.net
 CC: ronnie_bla@msn.com
 Subject: suggested response letter
 Date: Fri, 31 Aug 2007 22:22:46 -0500

Lou,

I would his answer as follows: (also make sure that this goes up high in QRC corporate)

Mr. Wassweiler,

I would have imaged that since you are **ultimately** responsible for the QRC architectural/engineering Biloxi project, that you would have been informed, made aware of, and involved in all our meetings, discussion and correspondences between Mr. Potter, QRC attorneys, and your contractor with respect to this issue. The answer to your question should be in their records (as they should also be in yours). I will assume that it was you who reviewed and approved the site plan at Biloxi. You (or whoever did), made a major mistake to assume that the hotel driveway was part of your property and calculated the driveway elevation to your parking area and street, failing to recognize that it is the hotel and not QRC, who owns the property (easement). The elevation issues that were **early identified and communicated to your contractor and Mr. Potter**, could have been easily resolved (at no expense to you since you dig dirt out) at the time in which dirt work was initiated at your site (our permits and filling was already in place). I also find it out of the "standard of practice" that this has become an issue now when we are requesting for our agreement to be honored. Who was in charge of reporting to you and/or QRC of any discrepancies or concerns? If you and Mr. Potter were so concerned about the safety of your clients and so discouraged with our services, why didn't we ever receive a correction notice? I will strongly suggest that before you start asking for documentation from my office, check with yours, Mr. Potter and Gunn Construction first.

Where did your parking area elevations come from? Why did your contractor not perform the job that was requested of us? Did you or have you ever visited the site? Is the senior QRC management team aware of all the issues? Are you and/or Mr. Potter creating a "smoke screen" so QRC upper management will not realize your mistakes and over budget?

I hope that you can appreciate my frustration and my efforts to be eloquent

Sincerely,

Lou Lanza

From: Michellewssw@aol.com
 To: loulanco@bellsouth.net, c.potter@qrcllc.com, ejhernandez01@hotmail.com
 CC: fred@qrcllc.com, glenn@qrcllc.com, dkillbrew@bakerdonelson.com, cpost@bakerdonelson.com, KGuttshall@qrcllc.com
 Subject: Re: FW: 8/30/07
 Date: Fri, 31 Aug 2007 17:01:45 EDT

Mr. Lanza,

To repeat sir, I am the architect or record for QRC/Applebees'. (Mark Wassweiler) I am not and will not threaten you. There is not any need or gain.

9/6/2007

I have asked you to identify the professional designer, i.e. architect or engineer, whom designed the work you installed on QRC property.

As previously notified your work on QRC property is an unsafe design,,,, and under my professional registration, I am obligated to protect the safety of the public domain, the basic interests of QRC, and my project. As I believe you understand, John McClain is the civil engineer for QRC/ Applebees'. He does not have any documents either, showing this work.

Please provide the name of the registered professional who designed this work. Please, let me make this clear, I do not care what you do for anyone else, but the referenced work is substandard in design is not acceptable on QRC property.

I must speak to that professional regarding the tripping and slipping hazards, of anybody who walks in the wrong places in this parking lot, that is, the property of QRC. QRC does not have an engineers drawing reflecting these 'improvement' that you made on QRC property.

Certainly, you know who that designer is and you understand the obligations of such.

Thanking you again, for your assistance, sir.

Mark Wassweiler, NCARB

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September 4, 2007

Mr. Mark Wassweiler, NCARB
MMW Architects, PC
912 E. Fairview Avenue
Montgomery, AL 36106

Re: LaQuinta/QRC

Dear Mr. Wassweiler,

As requested, our registered professional is Emmett G. "Pete" Dammon (985-649-5832) for the LaQuinta and Mr. Chuck Dammon is Dammon Engineering's representative for this project. We utilized the same design for QRC's paving/parking as that of the LaQuinta project, to assist QRC with the elevation errors they developed.

Mr. Wassweiler, we would imagine that since you are ultimately responsible for the QRC project, that back in early May 2007, you would have been informed, made aware of, and been involved in all the meetings, discussions, and correspondence between QRC representatives, QRC contractors and the LaQuinta team (owner, design engineer, owner's attorney and Lanco) regarding elevation deficiencies with the QRC design as it relates to the LaQuinta plans/elevations.

We can only assume it was you (or your agent) that reviewed and approved the site plan QRC utilized. Our review of your plans revealed a note requiring coordination with our previously established grades, this never occurred. We believe you also made a major mistake and/or were given erroneous information relating to the main entrance drive and adjacent parking. Please see the attached plans which depict QRC's property boundary and cross easement. The entrance drive, northside parallel parking spaces, rear western parking areas and drives belong to the hotel. QRC has a cross easement for these areas only, as illustrated.

The revisions and design requested/required for rear access and concrete parking spaces on QRC's property were discussed and approved by QRC's site representative in our May meeting, why you were not involved is beyond us. So, please refrain from accusing us of unauthorization, there were too many individuals present for the truth - not to be known.

Regarding QRC's refusal to pay our invoice, we find these primarily cosmetic related issues/excuses being employed by QRC, some 3+ months later, as a financial threat and smoke screen to escape their responsibility. Everyone involved knows the true sequence of events and timeless table; QRC's reluctance is verification of their project manager's unscrupulous nature. Your contentions of unsafe, public hazards, authorization and substandard are groundless with regards to the paving we performed for QRC. There may be some minor/punchlist items but one would think had any issues been so apparent, so unsafe, and so flagrant, that it would not

Mr. Mark Wassweiler, NCARB
September 4, 2007
Re: LaQuinta/QRC
Page 2

take 3+ months for QRC or any educated individual to comment. Just think about it. There has been nothing said, nothing written, nothing emailed...until it's time to pay the piper, why?

We can only reiterate and request you review ALL relative documentation and visit the site. Mr. Dammon has been kept up to speed...you will be well served to reserve your comments until such time as you have the opportunity to discuss all pertinent issues with him.

The major question for you is "who is in charge" of reporting to you the discrepancies/concerns/inconsistencies with QRC's tie-in to our facilities? You're welcome to discuss this matter also with Chuck Dammon.

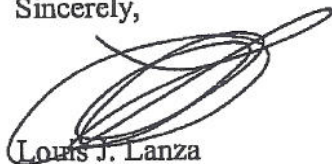
Our suggestion at this time is only for you to research the QRC's team records on this project's legal boundaries, modifications, visit the site, and construe your own conclusion. In the meantime, the LaQuinta project is still under construction and as such, QRC should be advised as to the legal ramifications of allowing public access to a construction area.

We realize your commitment and responsibilities are with QRC and can only hope that you perform your professional duty in a manner consistent with industry standards, and not blindly through the QRC site representative's deceptive directives.

When you have all the relevant facts and data we would think you could at least appreciate and comprehend our frustrations. We stand ready to review any design improvements, suggested methods or recommendations from your office to assist with QRC's problems. Please contact Chuck Dammon and arrange a site meeting (of the minds).

Thank you for your time and we would definitely appreciate your direct involvement with this project. If you have any questions or comments, please feel free to contact me at (504) 733-8141.

Sincerely,



Louis J. Lanza

LJL/sl

Enclosures

CC: Dr. Hernandez
Ron Blair
Chuck Dammon

1694

Dammon Engineering Inc.

1095 Florida Ave.
Slidell, LA 70458
(985) 649-5832
Fax: (985) 641-5950

FAX COVER SHEET

CHANDRA
NICHOLSON

FAX NUMBER TRANSMITTED TO: 228-435-6179

TO: Ms. Chandra Nicholson

FROM: Pete Dammon

CLIENT/MATTER: LaQuinta Inn

REFERENCE: _____

DATE: 2/13/06 NO. OF PAGES INCLUDING COVER SHEET: 2

COMMENTS:

IF YOU EXPERIENCE ANY PROBLEMS RECEIVING THIS FAX, PLEASE CALL (985) 649-5832,
OR FAX (985) 641-5950

Dammon Engineering Inc.

1095 Florida Ave.
Slidell, LA 70458
(985) 649-5832
Fax: (985) 641-5950

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 228-388-7198

TO: Mr. Scott Delano

FROM: Pete Dammon

CLIENT/MATTER: LaQuinta Inn

REFERENCE: _____

DATE: ~~2/19/2006~~ 2/14/06 NO. OF PAGES INCLUDING COVER SHEET: 2

COMMENTS:

IF YOU EXPERIENCE ANY PROBLEMS RECEIVING THIS FAX, PLEASE CALL (985) 649-5832,
OR FAX (985) 641-5950

DAMMON ENGINEERING, INC.

dammonengineering.com

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CONSULTING

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STUDIES

ARCHITECTS

EXPERT WITNESS

1095 Florida Ave.
Slidell, LA 70458

P.O. Box 2830
Slidell, LA 70459

985-649-5832
FAX 985-641-5950

February 9, 2006

Ms. Chandra Nichols
Drainage Engineer
City of Biloxi

NICHOLSON

Via Facsimile: 228-435-6269

RE: La Quinta Motel
Cedar Lake Road

Dear Ms. Nichols,

Following our meeting a couple of weeks ago, and submission to you of drainage information, Scott Delano told me that you wanted the following information regarding the volume of water displaced by the motel.

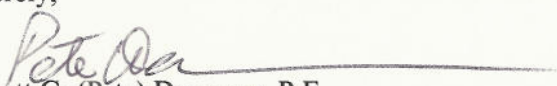
Calculations show that 24,927 c.f. of water is being displaced, assuming the pond is full up to elevation 45.85, which is more or less the natural top of the pond. Mr. Delano tells me that the pond is over two acres, so I used two acres as its area, calculating that the maximum increase in water height would be .286 ft. or 3.4 inches.

Actually, the water area recovered is on the property, and the area reclaimed is probably that which eroded over time into the pond.

We have looked to see if any other area on the property could be dug out to balance the volume reclaimed, but there just is not any.

I would appreciate your consideration of this matter.

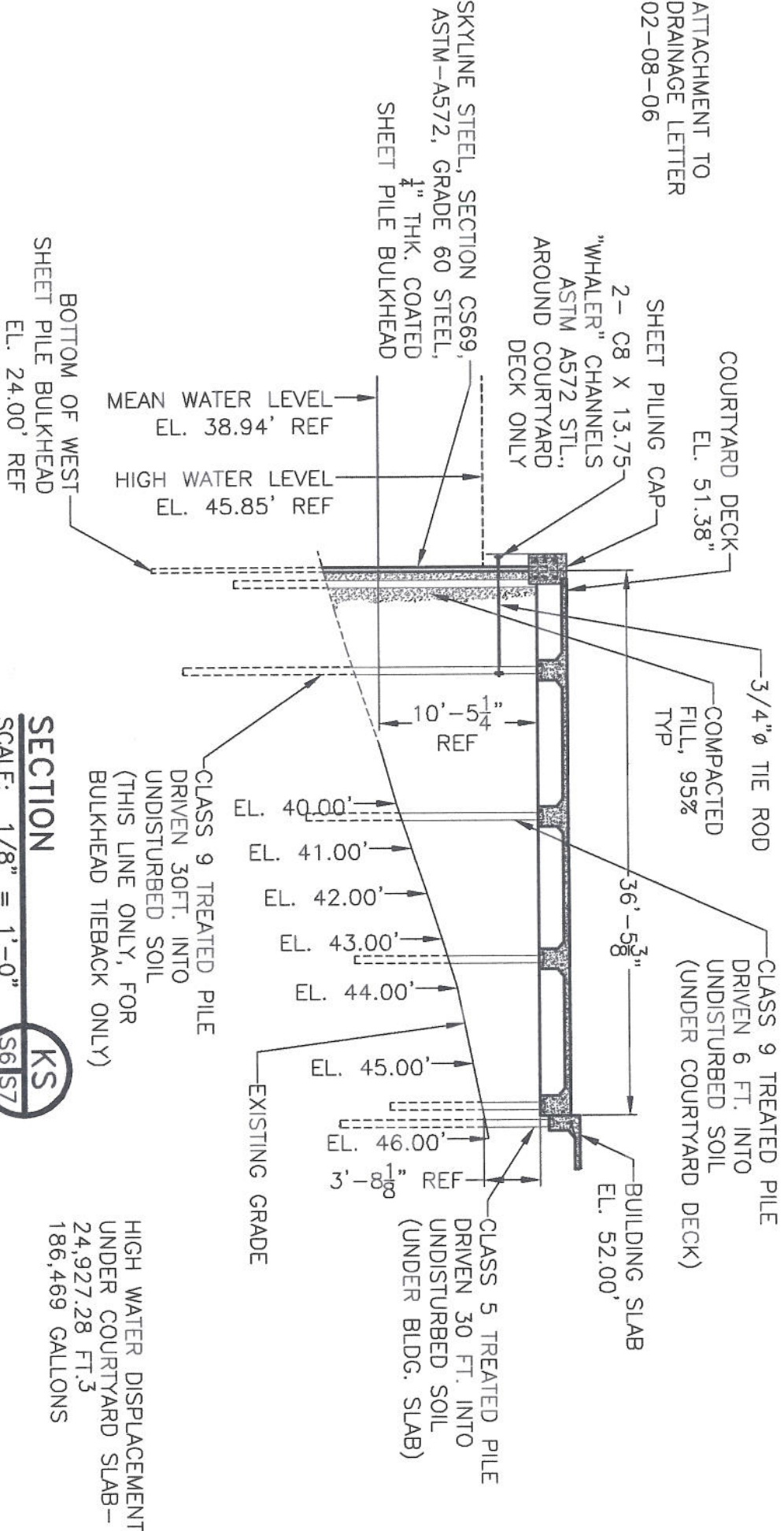
Sincerely,


Emmett G. (Pete) Dammon, P.E.

Attachment: Section KS

xc: Mr. Scott Delano

ATTACHMENT TO
DRAINAGE LETTER
02-08-06



SECTION
SCALE: 1/8" = 1'-0"



HIGH WATER DISPLACEMENT
UNDER COURTYARD SLAB--
24,927.28 FT.³
186,469 GALLONS