

Larry Latham
1824 Keenlan Dr
Hernando, MS 38632

6/05/06 10:55:01
BK 2 PG 211
DE SOTO COUNTY, MS
W.E. DAVIS, CH CLERK

TO: Bryon R Mobley
Attorney for Lien Holder
Walker, Brown & Brown, PA
PO Box 276
Hernando, MS 38632

DATE: June 3, 2006

Contents sent via registered letter via US Mail to

- Bryon Mobley at above address and
- Aqua Works Pools, Shawn Gary, Owner, 2400 Hwy 51S, Suite 1, Hernando, MS 38632

Response to: Notice of Construction Lien dated 4/26/06 on lien, postmarked 5/31/06

Mr Mobley:

I am enclosing supporting documentation which outlines both Aqua Works demands for final payment and my demands for completion of work as well as corrected billing. This has been previously supplied to Aqua Works as well as their then attorney Nowak and Neyman on 4/5/06. My first response was to Aqua Works mailed 1/4/06.

Aqua Works is in direct violation of the contract and is attempting to bill and collect for services not performed. I have outlined these in detail in my letter dated December 24, 2005, a copy of which is enclosed.

It appears that Aqua Works is attempting to commit fraud for continuing to bill for items that are a) not in the contract; b) for services or materials never received or performed. Again, this is outlined in detail in my letter dated 12/24/05.

The final billing I received from Aqua Works Pool attached to their letter dated November 23, 2005, clearly states balance owed \$3,620.95. Out of this several items were billed which were never provided or performed. Many items were listed as "Things Done at NO CHARGE". Now, Aqua Works Pools states my balance is \$7,695.95. I am being billed for items which I have never received an invoice for as well as services performed due to the careless workmanship of Aqua Works Pools which caused a leak, as well as items not received, nor approved by me. These are certainly not in any contract signed by me.

After 14 months of stress from dealing with my pool not being completed I will be contacting other contractors to finish the job. Once this is done I will be submitting an invoice to Aqua Works Pool for any difference above the correct balance left on my contract with them. If my pool fails the final inspection from the DeSoto County Code Enforcement (which is required) then I will be forced to contact an attorney.

Sincerely,

Larry Latham

C.C.
Mid-South Better Business Bureau
Consumer Protection Division of the Mississippi Attorney General's Office

Prepared By
Larry Latham
1824 Keenlan Dr, Hernando MS
38632
901-649-4981

STATE OF: MISSISSIPPI

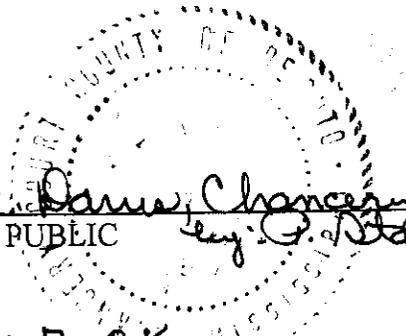
COUNTY OF: DESOTO

Personally appeared before me, the undersigned authority in and for the said County and State, on the 5th day of June, ~~2005~~ ²⁰⁰⁶

Within my jurisdiction the within named

Larry Latham, who acknowledged that

(he)(she) (they) executed the above and forgoing instrument.



W. E. Davis, Chancery Clerk
 NOTARY PUBLIC by: G. R. Stucky, D.C.
1-7-08
 MY COMMISSION EXPIRES

(SEAL)