



GSC LITIGATION STATEMENT:

GatorSkitch was recently named in litigation between the Jameson Place Condominium Association, Rockledge, Florida and D.R. Horton Inc. in an overreaching \$50,000,000 complaint for water intrusion through stucco. In the complaint GatorSkitch is the last of 43 listed defendants for 21 allegedly defective buildings. However, the GatorSkitch contract was for only three of these buildings and was limited to the review and seal of a D.R. Horton, reused prototype Townhome building design package for architectural code compliance and constructability only. It was an abbreviated scope of work that did not include planning, schematic design, design development or construction observation services. We were subconsultants to a structural engineering firm. Our agreement included a clause Limiting our Liability to \$12,560.

We were unaware of any concerns and given no opportunity to investigate the alleged deficiencies prior to receipt of the litigation documents. GatorSkitch was named in the last two of 83 counts. In our review of the construction documents we see no merit in the two complaints against GatorSkitch; Violation of Building Code (lack of sufficiently detailed drawings and stucco details which violate the (FBC) Florida Building Code and inspections and approval of deficient construction. (Inspections were not part of our contracted services) and Professional Negligence for architectural services not within professional standard of care and drawings insufficiently clear to illustrate all essential parts of the work.

The architectural drawings alone for this one prototype Townhome building total (55) 24" x 36" sheets out of the (97) total sheets for the project. There are the typically expected plans, elevations, building and wall sections, stair, door and window details. In addition, there are (2) architectural sheets devoted only to balcony construction, flashing and waterproofing and (6) additional architectural sheets of details focusing on prevention of water intrusion into the building. These details include stucco to masonry, stucco to stud walls, stucco flashing, control joints, underlayment application and lap details, stucco penetration details, stucco band and termination details of casing beads, weep screeds and drip edge details. There is even a detail that provides the sequence for membrane flashing installation at windows. Per the FBC, the details properly reference compliance with the American Society for Testing and Materials ASTM C-926 and C1063 for exterior stucco and associated lath installation. We cannot identify the alleged stucco detail that violates the building code. Our belief is that an objective third party professional opinion would find this detailed set of drawings to be well within the industry's professional standard of care and that the complaint is not the result of a design issue. It is likely the result of the installation process. The litigation has been turned over to our insurance carrier and associated legal counsel. Resolution is pending.

As of 8/31/2021 GatorSkitch has been released of any wrong doing via a Settlement Agreement and mutual release.

GatorSkitch has not been subject to any other legal action (including arbitration, administrative proceedings, etc.) or lawsuits during the last five years involving a client for claims in any amount. Furthermore, GatorSkitch has faced no other litigation in the 25 years we have been in business.