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Appraisal Subcommittee

Federal Financial Institutions Examination Council

November 7, 2003

Allen Wells
Brown and Joseph, Ltd.
P.O. Box 59838
Schaumburg, IL 60159

Dear Mr. Wells:

We are in receipt of your October 15, 2003 letter alleging we have a past due account with Data Return in the amount of \$5,287.50. Please be advised of the following:

- We do not have a past due account with Data Return. In fact, we have never had an account with Data Return.

It appears that Divine Managed Services (“Divine”) transferred our terminated account to Data Return while Divine was going through bankruptcy proceedings last year. We terminated our contract with Divine for breach of contract prior to Divine’s transfer of accounts to Data Return. Therefore, any questions Data Return might have regarding our account should be directed to Divine.

We notified Divine by letter on January 29, 2002, of our intent to terminate our contract because Divine was in breach of contract. We exchanged correspondence and telephone conversations with Divine’s general counsel and other officials regarding the issue. Following Divine’s continued inability to meet the terms of its contract, we notified Divine on May 8, 2003, that we were terminating our contract as of May 31, 2003.

It appears that our account with Divine was terminated prior to Divine’s transfer of the account to Data Return. We received several telephone calls from Data Return employees and I talked with each person. I informed each caller of the Divine situation and informed them that the Appraisal Subcommittee did not have an account with Data Return. In one instance, we sent an entire packet of supporting documents to Data Return. We have enclosed copies of all of our correspondence with Divine for your convenience.

In closing, please be advised that we do not, nor have we ever had, an account with Data Return, and we do not owe any funds to Data Return. Please contact me if you have any questions.

Sincerely,

Ben Henson
Executive Director

Enclosures