

Case No. _____

In the Supreme Court of Nevada

JACUZZI, INC. doing business as JACUZZI
LUXURY BATH,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT of the
State of Nevada, in and for the County of Clark;
and THE HONORABLE CRYSTAL ELLER, District
Judge,

Respondents,

and

ROBERT ANSARA, as special administrator of
the ESTATE OF SHERRY LYNN CUNNISON,
deceased; ROBERT ANSARA, as special
administrator of the ESTATE OF MICHAEL
SMITH, deceased heir to the ESTATE OF SHERRY
LYNN CUNNISON, deceased; and DEBORAH
TAMANTINI, individually and heir to the Estate
of SHERRY LYNN CUNNISON, deceased,

Real Parties in Interest.

Electronically Filed
Oct 05 2021 04:13 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**PETITIONER'S APPENDIX
VOLUME 10
PAGES 2251-2500**

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9	Plaintiffs' Reply in Support of Plaintiffs' Renewed Motion to Strike Defendant Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath's Answer for Repeated, Continuous and Blatant Discovery Abuses on Order Shortening Time	01/29/19	4 5	922–1000 1001–1213
17	Plaintiffs' Reply in Support of Their Motion for Reconsideration Re: Plaintiffs' Renewed Motion to Strike Defendant Jacuzzi, Inc.'s Answer and Motion for Clarification Regarding the Scope of the Forensic Computer Search	06/14/19	8	1779–1790
67	Plaintiffs' Reply to: (1) Defendant Jacuzzi, Inc. dba Jacuzzi Luxury Bath's Brief Responding to Plaintiffs' Request for Inflammatory, Irrelevant, Unsubstantiated, or Otherwise Inappropriate Jury Instructions; and (2) Defendant FirstStreet For Boomers & Beyond, Inc., AITHR Dealer, Inc., and Hale Benton's Objections to Plaintiffs' Demand for Certain Jury Instructions and Rulings on Motions in Limine Based on Court Striking Jacuzzi's	11/10/20	28	6906–6923

	Answer Re: Liability			
63	Plaintiffs' Response to Defendant Jacuzzi Inc. d/b/a Jacuzzi Luxury Bath's Objections to Plaintiff's [sic] Proposed "Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath's Answer as to Liability Only" Submitted October 9, 2020	10/20/20	27	6713–6750
56	Plaintiffs' Response to Defendant Jacuzzi's Notice of Waiver of Phase 2 Hearing and Request to Have Phase 2 of Evidentiary Hearing Vacated	09/21/20	27	6562–6572
25	Plaintiffs' Supplement to Motion to Expand Scope of Evidentiary Hearing	08/20/19	9	2242–2244
30	Recorder's Transcript of Evidentiary Hearing – Day 1	09/16/19	17	4011–4193
58	Recorder's Transcript of Evidentiary Hearing – Day 1	09/22/20	27	6574–6635
31	Recorder's Transcript of Evidentiary Hearing – Day 2	09/17/19	17 18	4194–4250 4251–4436
32	Recorder's Transcript of Evidentiary Hearing – Day 3	09/18/19	18 19	4437–4500 4501–4584
36	Recorder's Transcript of Evidentiary Hearing – Day 4	10/01/19	19	4596–4736
21	Recorder's Transcript of Hearing Pursuant to Defendant Jacuzzi's Request Filed 6-13-19, Defendant Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath's Request for Status Check; Plaintiffs' Motion for Reconsideration Re: Plaintiffs' Renewed Motion to Strike Defendant Jacuzzi, Inc.'s Answer and Motion for Clarification Regarding the Scope of the Forensic Computer Search	07/01/19	8	1887–1973
52	Recorder's Transcript of Pending Motions	06/29/20	27	6509–6549

61	Recorder's Transcript of Pending Motions	10/05/20	27	6639–6671
94	Recorder's Transcript of Pending Motions	07/14/21	32 33	7893–8000 8001–8019
90	Reply in Support of “Countermotion to Clarify Issues that the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial”	06/30/21	32	7862–7888
50	Reply to Plaintiffs’ (1) response to Jacuzzi’s Objections to Proposed Order, and (2) Opposition to Jacuzzi’s Motion to Clarify the Parameters of Any Waiver of Attorney-Client Privilege	06/24/20	26 27	6495–6500 6501–6506
3	Second Amended Complaint	05/09/16	1	24–33
4	Third Amended Complaint	01/31/17	1	34–49
10	Transcript of All Pending Motions	02/04/19	5 6	1214–1250 1251–1315
20	Transcript of Proceedings – Defendant Jacuzzi, Inc.’s Request for Status Check; Plaintiffs’ Motion for Reconsideration Regarding Plaintiffs’ Renewed Motion to Strike Defendant Jacuzzi, Inc.’s Answer and Motion for Clarification Regarding the Scope of the Forensic Computer Search	07/01/19	8	1794–1886
74	Transcript of Proceedings: Jury Instructions	12/21/20	29	7119–7171
68	Transcript of Proceedings: Motion to Strike	11/19/20	28 29	6924–7000 7001–7010
71	Transcript of Proceedings: Motions in Limine: Jacuzzi’s Nos. 1, 4, 13, 16, and 21/First Street’s No. 4; Jury Instructions	12/07/20	29	7050–7115

CERTIFICATE OF SERVICE

I certify that on October 5, 2021, I submitted the foregoing
“Petitioner’s Appendix” for filing *via* the Court’s eFlex electronic filing
system. Electronic notification will be sent to the following:

Benjamin P. Cloward
RICHARD HARRIS LAW FIRM
801 South Fourth Street
Las Vegas, Nevada 89101

Attorneys for Real Parties in Interest

I further certify that I served a copy of this document by mailing a
true and correct copy thereof, postage prepaid, at Las Vegas, Nevada,
addressed as follows:

The Honorable Crystal Eller
DISTRICT COURT JUDGE – DEPT. 19
200 Lewis Avenue
Las Vegas, Nevada 89155

Respondent

/s/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP

1 subsequent stage or proceeding in this action or any other action, and (2) the right to object on
2 any and all grounds, at any time, to any other discovery proceeding involving or relating to the
3 subject matter of these disclosures.

4 Jacuzzi reserves the right to supplement or amend its disclosures before trial based on
5 continuing investigation, if appropriate. All of the disclosures set forth below are made subject
6 to the above comments and qualifications.

7 The following disclosures are made based on the information reasonably available to
8 Jacuzzi as of the date of this disclosure, and represent Jacuzzi's good faith effort to identify
9 information pertaining to the allegations of Plaintiffs' Second Amended Complaint. If Plaintiffs
10 further define the scope of their defect investigation, research and analysis will supply additional
11 facts and documents, add meaning to known facts, all of which may in turn lead to substantial
12 additions or changes to this disclosure.

13 **A. THE NAME, AND IF KNOWN, THE ADDRESS AND TELEPHONE NUMBER**
14 **OF EACH INDIVIDUAL LIKELY TO HAVE INFORMATION DISCOVERABLE**
15 **UNDER RULE 26(b), INCLUDING FOR IMPEACHMENT OR REBUTTAL,**
16 **IDENTIFYING THE SUBJECTS OF THE INFORMATION**

17 In accordance with Rule 16.1(a)(1)(A), Jacuzzi is presently aware of the following
18 individuals who may possess responsive information concerning the circumstances surrounding
19 the incident, and the nature of Plaintiff's injuries:

20 **CASE SPECIFIC WITNESSES**

- 21 1. Robert Ansara, as Special Administrator of the
22 Estate of Sherry Lynn Cunnison, **and as Special**
23 **Administrator of the Estate of Michael Smith, Deceased heir**
24 **to the Estate of Sherry Lynn Cunnison**
25 c/o Benjamin P. Cloward, Esq.
26 RICHARD HARRIS LAW FIRM
27 801 S. Fourth Street
28 Las Vegas, NV 89101

Mr. Ansara is a Plaintiff in this matter and is believed to have information as to the
allegations set forth in the Second Amended Complaint, claimed damages and the circumstances
of the subject incident.

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2. Michael Smith, individually, and heir to the
Estate of Sherry Lynn Cunnison
c/o Benjamin P. Cloward, Esq.
RICHARD HARRIS LAW FIRM
801 S. Fourth Street
Las Vegas, NV 89101

Mr. Smith is a Plaintiff in this matter and is believed to have information as to the allegations set forth in the Second Amended Complaint, claimed damages and the circumstances of the subject incident.

3. Deborah Tamantini, individually, and heir to the
Estate of Sherry Lynn Cunnison
c/o Benjamin P. Cloward, Esq.
RICHARD HARRIS LAW FIRM
801 S. Fourth Street
Las Vegas, NV 89101

Mr. Tamantini is a Plaintiff in this matter and is believed to have information as to the allegations set forth in the Second Amended Complaint, claimed damages and the circumstances of the subject incident.

4. Corporate Representative(s)
First Street for Boomers & Beyond, Inc.
c/o **Philip Goodhart, Esq.**
Michael C. Hetey, Esq.
Meghan M. Goodwin, Esq.
THORNDAL, ARMSTRONG, DELK
BALKENBUSH & EISINGER
1100 East Bridger Avenue
Las Vegas, NV 89101

First Street for Boomers and Beyond, Inc. is a Defendant/Cross-Defendant in this matter. The Corporate Representative(s) for First Street for Boomers and Beyond, Inc. is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

5. Corporate Representative(s)
Aithr Dealer, Inc.
c/o **Philip Goodhart, Esq.**
Michael C. Hetey, Esq.
Meghan M. Goodwin, Esq.
THORNDAL, ARMSTRONG, DELK
BALKENBUSH & EISINGER
1100 East Bridger Avenue
Las Vegas, NV 89101

Aithr Dealer, Inc. is a Defendant/Cross-Defendant in this matter. The Corporate Representative(s) for Aithr Dealer, Inc. is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

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6. Corporate Representative(s)
Homeclick, LLC
c/o Michael E. Stoberski, Esq.
Daniela Labounty, Esq.
OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
9950 West Cheyenne Avenue
Las Vegas, NV 89129

Homeclick, LLC is a Defendant/Cross-Claimant/Third Party Plaintiff/Cross-Defendant in this matter. The Corporate Representative(s) for Homeclick, LLC. is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

7. Corporate Representative(s)
Budds Plumbing
c/o Joseph P. Garin, Esq.
LIPSON, NEILSON, COLE,
SELTZER & GARIN, P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, NV 89144

Budds Plumbing is a Defendant/Cross-Claimant/Cross-Defendant in this matter. The Corporate Representative(s) for Budds Plumbing is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

8. William Budd
Budds' Plumbing
c/o Joseph P. Garin, Esq.
LIPSON, NEILSON, COLE,
SELTZER & GARIN, P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, NV 89144

William Budd is a Defendant/Cross-Claimant/Cross-Defendant in this matter. Mr. Budd is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

9. Corporate Representative(s)
The Chicago Faucet Company
c/o Scott R. Cook, Esq.
Jennifer L. Micheli, Esq.
KOLESAR & LEATHAM
400 South Rampart Boulevard, Suite 400
Las Vegas, NV 89145

The Chicago Faucet Company is a Third-Party Defendant in this matter. The Corporate Representative(s) for The Chicago Faucet Company is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

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10. Corporate Representative(s)
Bestway Building & Remodeling, Inc.
c/o Elizabeth Skane, Esq.
Dione C. Wrenn, Esq.
SKANE & WILCOX LLP
1120 Town Center Drive, Suite 200
Las Vegas, NV 89144

Bestway Building & Remodeling, Inc. is a Defendant/Cross-Defendant/Cross-Claimant in this matter. The Corporate Representative(s) for Bestway Building & Remodeling, Inc. is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

11. Corporate Representative(s)
Jacuzzi Inc.
c/o **Vaughn A. Crawford**
Morgan T. Petrelli
SNELL & WILMER L.L.P.
3883 Howard Hughes Pkwy, Suite 1100
Las Vegas, NV 89169

Jacuzzi Inc. is a Defendant/Cross-Defendant in this matter. The Corporate Representative(s) for Jacuzzi Inc. is expected to testify regarding the Walk-In Bathtub at issues in this litigation.

12. Hale Benton
c/o **Philip Goodhart, Esq.**
Michael C. Hetey, Esq.
Meghan Goodwin, Esq.
THORNDAL, ARMSTRONG, DELK
BALKENBUSH & EISINGER
1100 East Bridger Avenue
Las Vegas, NV 89101

Hale Benton is a Defendant in this matter. He is expected to testify as to the facts and circumstances surrounding the circumstances of the subject incident.

13. Designated Representative and/or
Custodian of Records for
Clark County Coroner
1704 Pinto Lane
Las Vegas, NV 89106

The Designated Representative and/or Custodian of Records for Clark County Coroner is expected to testify regarding its investigation into Plaintiff's injuries and the circumstances surrounding the incident.

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14. Timothy Dutra, M.D., Coroner
Kristen Peters, Coroner Investigator
Daniel S. Isenschmid, Ph.D., D-ABFT, Forensic Toxicologist
Clark County Coroner
1704 Pinto Lane
Las Vegas, NV 89106

Dr. Dutra, Kristen Peters, and Dr. Isenschmid are expected to testify regarding Plaintiff's injuries and the circumstances surrounding the incident.

15. Designated Representative and/or
Custodian of Records
Decedent's Treating Medical Providers

The Designated Representative and/or Custodian of Records from Decedent's Treating Medical Providers are expected to testify as to Decedent's condition, care, treatment provided to Decedent.

16. Designated Representative and/or
Custodian of Records for
Palm Eastern Cemetery
7600 S. Eastern Avenue
Las Vegas, NV 89123
(702) 464-8500

The Designated Representative and/or Custodian of Records for Palm Eastern Cemetery is expected to testify regarding the services provided, including associates costs, and other issues.

17. Designated Representative and/or
Custodian of Records for
Medic West Ambulance
9 W. Delhi Avenue
North Las Vegas, NV 89032
(702) 650-9900

The Designated Representative and/or Custodian of Records for Medic West Ambulance is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

18. Carlos Fonseca, Paramedic
Brennan Demille, EMT Intermediate
Jimmy Chavez, Paramedic
Luke Crawford, EMT Intermediate
Jenna Lamperti, EMT Intermediate
Jacob Stamer, EMT
Jesse Blanchard, Paramedic
Victor Montecerin, Paramedic
Medic West Ambulance
9 W. Delhi Avenue
North Las Vegas, NV 89032
(702) 650-9900

Paramedics and EMTs of Medic West Ambulance are expected to testify as to

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Decedent's condition, care and treatment provided to Decedent.

19. Designated Representative and/or
Custodian of Records for
Sunrise Hospital & Medical Center
3186 S. Maryland Parkway
Las Vegas, NV 89109
(702) 731-8000

The Designated Representative and/or Custodian of Records for Sunrise Hospital & Medical Center is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

20. Muhammad A. Syed, M.D.
James Walker, M.D.
Kitty Ho Cain, M.D.
Lindsey C. Blake, M.D.
Holman Chan, M.D.
Hany F. Ghali, M.D.
Sayed Z. Qazi, M.D.
Muhammad Bhatti, M.D.
Wayne Jacobs, M.D.
Yekaterina Khronusova, M.D.
Mark Vandenbosch, M.D.
Chris J. Fischer, M.D.
Shirin Rahman, M.D.
Sean D. Beaty, M.D.
Joshua Owen, M.D.
Rafael Valencia, M.D.
David P. Gorczyca, M.D.
Dean P. Berthoty, M.D.
Robert N. Berkley, M.D.
Daniel D. Lee, M.D.
Shameyel Roshan, D.O.
Richard A. Schwartz, M.D.
Ronald F. Sauer, Jr., D.O.
Arjun V. Gururaj, M.D.
Nicolaos Tsiouris, M.D.
Warren Wheeler, M.D.
Gyorgy Varsanyi, M.D.
David Silverberg, M.D.
Douglas M. Sides, M.D.
Sunrise Hospital & Medical Center
3186 S. Maryland Parkway
Las Vegas, NV 89109
(702) 731-8000

The above-referenced Decedent's Treating Medical Providers at Sunrise Hospital & Medical Center are expected to testify as to Decedent's condition, care and treatment provided to Decedent.

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- 1 21. Designated Representative and/or
2 Custodian of Records for
3 Clark County Fire Department
 575 East Flamingo Rd.
 Las Vegas, NV 89119

4 The Designated Representative and/or Custodian of Records for Clark County Fire
5 Department is expected to testify as to Decedent's condition, care and treatment provided to
6 Decedent.

- 7 22. Paramedic Nicholas Stahlberger
8 Paramedic Raymond LeClair
 Clark County Fire Department
 575 East Flamingo Rd.
 Las Vegas, NV 89119

9 Paramedics Nicholas Stahlberger and Raymond LeClair of Clark County Fire Department
10 are expected to testify as to Decedent's condition, care and treatment provided to Decedent.

- 11 23. Officer Matthew Scanlon
12 Officer Kevin Lemire
13 Officer Matthew Shake
14 Officer Keith Bryant
15 Officer Shakeel Abdal-Karim
16 Officer B. Venpamel
17 Sergeant Dana Pickerel
18 Sergeant Allen Larsen
19 Las Vegas Metro Police Department
20 400 S. Martin Luther King Blvd.
21 Las Vegas, NV 89106

22 Police Officers from Las Vegas Metro Police Department are expected to testify as to
23 Decedent's condition and as to the facts and circumstances surrounding the circumstances of the
24 subject incident.

- 25 24. William Lewis
26 5354 Camden Avenue
27 Las Vegas, NV 89122

28 William Lewis called 911 for wellness check on Plaintiff in 2007 is also the person who
called 911 regarding the subject incident. Mr. Lewis is expected to testify as to the facts and
circumstances surrounding the 911 calls.

- 29 25. Michael Zuvar
30 746655 Willow Drive
31 Doyle, CA 96109
32 775-560-7791

33 Michael Zuvar is expected to testify regarding the removal of the subject walk-in tub
34 after the incident and as to the facts and circumstances surrounding the subject incident.

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- 1 26. Michael Showalter
2 5500 Celestial Way
3 Citrus Heights, CA 95610
4 831-595-1015 (cell)
5 916-903-7186 (home)

6 Michael Showalter is expected to testify as to the facts and circumstances surrounding the
7 subject incident.

- 8 27. Frederick J. Tanenggee, M.D.
9 HealthCare Partners
10 129 West Lake Mead, Suite 10
11 Henderson, NV 89015
12 (702) 565-1007

13 Dr. Tanenggee is expected to testify as to Decedent's condition, care and treatment
14 provided to Decedent.

- 15 28. Benjamin Muir, M.D.
16 Michael Carducci, M.D.
17 HealthCare Partners Nevada
18 700 E. Warm Springs Road, Suite 110
19 Las Vegas, NV 89119
20 (702) 318-2400

21 The above-referenced Decedent's Treating Medical Providers are expected to testify as to
22 Decedent's condition, care and treatment provided to Decedent.

- 23 29. Designated Representative and/or
24 Custodian of Record for
25 HealthCare Partners Nevada
26 700 E. Warm Springs Road, Suite 110
27 Las Vegas, NV 89119
28 (702) 318-2400

29 The Designated Representative and/or Custodian of Records for HealthCare Partners
30 Nevada is expected to testify as to Decedent's condition, care and treatment provided to
31 Decedent.

- 32 30. Designated Representative and/or
33 Custodian of Records for
34 Kindred Hospital Las Vegas-Flamingo
35 2250 E. Flamingo Road
36 Las Vegas, NV 89119
37 (702) 784-4300

38 The Designated Representative and/or Custodian of Records for Kindred Hospital Las
39 Vegas-Flamingo is expected to testify as to Decedent's condition, care and treatment provided to
40 Decedent.

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31. Sachit Das, M.D.
Robert M. Yeh, M.D.
Kindred Hospital Las Vegas-Flamingo
2250 E. Flamingo Road
Las Vegas, NV 89119
(702) 784-4300

The above-referenced Decedent's Treating Medical Providers at Kindred Hospital Las Vegas-Flamingo are expected to testify as to Decedent's condition, care and treatment provided to Decedent.

32. Designated Representative and/or Custodian of Records for
Premier Health & Rehab Center
f/k/a Southern Nevada Medical & Rehab Center
2945 Casa Vegas Street
Las Vegas, NV 89109
(702) 735-7179

The Designated Representative and/or Custodian of Records for Premier Health & Rehab Center f/k/a Southern Nevada Medical & Rehab Center is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

33. Designated Representative and/or
Custodian of Records for
Davis Funeral Homes & Memorial Park
6200 S. Eastern Avenue
Las Vegas, NV 89119
(702) 736-6200

The Designated Representative and/or Custodian of Records for Davis Funeral Homes & Memorial Park is expected to testify regarding the services provided, including associates costs, and other issues.

34. Personnel and/or
Custodian of Records for
Walgreens Pharmacy
4895 Boulder Highway
Las Vegas, NV 89121
(702) 898-5264

Personnel of Walgreens Pharmacy provided medications to Decedent and are expected to testify regarding medications and medical care provided, and any other relevant knowledge.

35. Designated Representative and/or
Custodian of Records for
Mountain View Hospital
3100 N. Tenaya Way
Las Vegas, NV 89128
(702) 962-5000

The Designated Representative and/or Custodian of Records for Mountain View Hospital

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is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

36. Designated Representative and/or
Custodian of Records for
Desert Springs Hospital
2075 E. Flamingo Road
Las Vegas, NV 89119
(702) 733-8800

The Designated Representative and/or Custodian of Records for Desert Springs Hospital is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

37. Prashant Bharucha, M.D.
Nakeisha Curry, M.D.
Randal Shelin, M.D.
Armen Hovanessian, M.D.
Desert Springs Hospital
2075 E. Flamingo Road
Las Vegas, NV 89119
(702) 733-8800

The above-referenced Decedent's Treating Medical Providers at Desert Springs Hospital are expected to testify as to Decedent's condition, care and treatment provided to Decedent.

38. Designated Representative and/or
Custodian of Records for
HealthCare Partners
9280 W. Sunset Road
Las Vegas, NV 89148
(702) 534-5464

The Designated Representative and/or Custodian of Records for HealthCare Partners is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

39. Othella A. Jurani-Suarez, M.D.
HealthCare Partners
9280 W. Sunset Road
Las Vegas, NV 89148
(702) 534-5464

Dr. Jurani-Suarez at HealthCare Partners is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

40. Designated Representative and/or
Custodian of Records for
Comprehensive & Interventional Pain Management
10561 Jeffreys Street, Suite 211
Henderson, NV 89052
(702) 990-4530

The Designated Representative and/or Custodian of Records for Comprehensive &



Interventional Pain Management is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

41. Daniel Fabito, M.D.
Comprehensive & Interventional Pain Management
10561 Jeffreys Street, Suite 211
Henderson, NV 89052
(702) 990-4530

Dr. Fabito at Comprehensive & Interventional Pain Management is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

42. Michael Her, M.D.
1236 N. Magnolia Avenue
Anaheim, CA 92801
(714) 995-1000

Dr. Her is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

43. Designated Representative and/or
Custodian of Records for
Social Security Administration
4340 Simmons Street
North Las Vegas, NV 89032

The Designated Representative and/or Custodian of Records for the Social Security Administration is expected to testify as to the disability and retirement benefits provided to Decedent.

44. Designated Representative and/or
Custodian of Records for
Nevada Orthopedic
1505 Wigwam Parkway, #330
Henderson, NV 89074

The Designated Representative and/or Custodian of Records for Nevada Orthopedic is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

45. Designated Representative and/or
Custodian of Records for
Torrey Pines Rehabilitation
1701 South Torrey Pines Dr.
Las Vegas, NV 89146

The Designated Representative and/or Custodian of Records for Torrey Pines Rehabilitation is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

46. Designated Representative and/or
Custodian of Records for
Orthopedic Institute of Henderson
10561 Jeffrey's Street, Suite 230
Henderson, NV 89052



The Designated Representative and/or Custodian of Records for Orthopedic Institute of Henderson is expected to testify as to Decedent's condition, care and treatment provided to Decedent.

B. COPY OF, OR A DESCRIPTION BY CATEGORY AND LOCATION OF, ALL DOCUMENTS, DATA COMPILATIONS, AND TANGIBLE THINGS THAT ARE IN THE POSSESSION, CUSTODY, OR CONTROL OF THE PARTY AND WHICH ARE DISCOVERABLE UNDER RULE 26(b)

Per rule 16.1(a)(1)(B), Jacuzzi hereby discloses the following documents, electronically stored information, and tangible things:

	DOCUMENT DESCRIPTION	BATES NO.
1.	Installation and Operation Instructions Manual, Jacuzzi 5229 Walk-In Bathtub Series, 2013	JACUZZI 000001-20
2.	DWO Geberit Installation Manual, 2012.	JACUZZI 000021-22
3.	DWO Geberit Pin Drawing for Fitting No. 241.789.21.1. Subject to Protective Order. Will be produced upon entry of appropriate Protective Order. Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI 000023
4.	MT31 Geberit Installation Instructions	JACUZZI 000024-27
5.	Commercial General Liability Declarations for Policy GL 509-47-59 (redacted)	JACUZZI 000028-31
6.	No Records Declaration received from Las Vegas Fire and Rescue pursuant to Jacuzzi's Subpoena	JACUZZI000032-33
7.	Records received from Palm Eastern Cemetery pursuant to Jacuzzi's Subpoena	JACUZZI000034-77
8.	Records received from Medic West Ambulance pursuant to Jacuzzi's Subpoena. (According to ChartSwap, pages bates numbered JACUZZI000083-87 are part of the PCR and contain the patient's name, and were intentionally left blank).	JACUZZI000078-87
9.	Records and photographs received from Clark County Coroner / Medical Examiner's Office pursuant to Jacuzzi's Subpoena	JACUZZI000088-118
10.	Medical records received from Sunrise Hospital & Medical Center pursuant to Jacuzzi's Subpoena	JACUZZI000119-1311
11.	Photographs produced by Las Vegas Metropolitan Police Department in response to Jacuzzi's subpoena	JACUZZI001312-1319

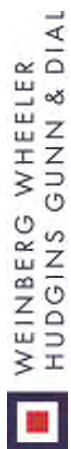
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	DOCUMENT DESCRIPTION	BATES NO.
12.	Officer's Report from Las Vegas Metropolitan Police Department in response to Jacuzzi's subpoena	JACUZZI001320-1321
13.	911 Logs and audio file from Las Vegas Metropolitan Police Department in response to Jacuzzi's subpoena	JACUZZI001322-1325
14.	Sunrise Hospital and Medical Center radiology records in response to Jacuzzi's subpoena	JACUZZI001326-1327
15.	Las Vegas Metro Police Department 911 records in response to Jacuzzi's 2 nd subpoena	JACUZZI001328-1332
16.	Sunrise Hospital and Medical Center billing records in response to Jacuzzi's subpoena	JACUZZI001333-1348
17.	Drawing LW19000_Shell FS5229 RH Walk In (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001349
18.	Drawing LW32827_Grab Bar Assembly (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001350
19.	Drawing LW47000RevD_SHL T&D FS 5229 RH SLN (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001351-1352
20.	Drawing LW48000RevB_SHL Bond FS 5229 RH (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001353-1354
21.	Drawing LX22000_Piping Suction (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001355
22.	Drawing LX24000B_Piping Discharge (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001356-1357
23.	Drawing LX25000_Piping Airline (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001358
24.	Drawing LX26000A_Piping Blower (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001359-1360
25.	Drawing LX27000_Two Pt Quarter Turn Door Latch (Will be produced upon entry of a Protective Order)	JACUZZI001361-1368

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	DOCUMENT DESCRIPTION	BATES NO.
1		
2	Copies produced to Plaintiff via electronic mail on 1/30/18.	
3	26. Drawing LX62000_Door Assembly (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001369
4		
5	27. Drawing LX82000_Skirt Access Panel (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001370
6		
7	28. Drawing LX91827A_Handle_Sub (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001371
8		
9	29. Door Life Cycle (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001372-1375
10		
11	30. ETL Certification Listing (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001376-1441
12		
13	31. IAPMO Certification Listing (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001442-1446
14		
15	32. IAMPO Lab Test Report ASTM F 462-79 (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001447-1449
16		
17	33. WIT Tub Standards Certificate of Listing	JACUZZI001450-1454
18		
19	34. 2011 National Electrical Code	JACUZZI001455-1471
20		
21	35. 2012 Uniform Mechanical Code	JACUZZI001472-1479
22		
23	36. 2012 Uniform Plumbing Code	JACUZZI001480-1493
24		
25	37. Clark County Building Code	JACUZZI001494-1587
26		
27	38. Jacuzzi's Manufacturing Agreement with First Street For Boomers & Beyond, Inc., which is related to the subject Jacuzzi® Walk-In Bathtub (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001588-1606
28		
	39. Drawing 4486000B_Label Bath Safety (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001607

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 WEINBERG WHEELER
HUDGINS GUNN & DIAL

	DOCUMENT DESCRIPTION	BATES NO.
1		
2	40. Drawing BA35000A_Label Lift Here (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001608
3		
4	41. Drawing N261000B_Label No Wrench (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001609
5		
6	42. Drawing R958000F_Label Caution Union (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001610
7		
8	43. 270244 Order Acknowledgement (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001611-1612
9		
10	44. Jacuzzi 270244 Invoice 68325423 (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001613
11		
12	45. SEFL Southeastern Freight Lines Invoice 180106252 (Will be produced upon entry of a Protective Order) Copies produced to Plaintiff via electronic mail on 1/30/18.	JACUZZI001614-1617
13		
14	46. Social Security Administration records in response to Jacuzzi's request for Release of Information	JACUZZI001618-1620
15		
16	47. Certificate of Custodian of Records of No Records for Torrey Pines Rehabilitation in response to Jacuzzi's Subpoena	JACUZZI001621
17		
18	48. Comprehensive & Interventional Pain Management records in response to Jacuzzi's Subpoena	JACUZZI001622-1811
19		
20	49. Orthopedic Institute of Henderson records in response to Jacuzzi's Subpoena	JACUZZI001812-2036
21		
22	50. Certificate of Custodian of Records of No Records for Davis Funeral Homes & Memorial Park in response to Jacuzzi's Subpoena	JACUZZI002037
23		
24	51. Certificate of Custodian of Records of No Records for Premier Health & Rehab Center f/k/a Southern Nevada Medical & Rehab Center	JACUZZI002038
25		
26	52. Nevada Ortho and Spine records in response to Jacuzzi's Subpoena	JACUZZI002854-2911
27		
28	53. Documents regarding other incidents of personal injury or death in walk-in tubs from 2008 to present produced in compliance with Discovery Commissioner's direction at July 20, 2018 hearing	JACUZZI002912-002991

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1		DOCUMENT DESCRIPTION	BATES NO.
2		produced to Plaintiff on August 17, 2018. The	
3		production should not be regarded as a waiver to the	
4		documents and information's relevance or	
5		admissibility.	
6	54.	Email correspondence with FirstStreet regarding	JACUZZI002992-004521
7		walk-in tub development and marketing from	
8		January 1, 2008-February 21, 2014. The production	
9		includes some native files.	
10	55.	FirstStreet Installer Completion Training document.	JACUZZI004522-004533
11	56.	Jacuzzi Brand Guidelines	JACUZZI004534-004577
12	57.	Jacuzzi Engineering Drawing LW17000.	JACUZZI004578-004579
13		(Confidential – Subject to Protective Order)	
14	58.	Jacuzzi Engineering Drawing LW17000B.	JACUZZI004580-004581
15		(Confidential – Subject to Protective Order)	
16	59.	Jacuzzi Engineering Drawing LW17000C.	JACUZZI004582-004583
17		(Confidential – Subject to Protective Order)	
18	60.	Jacuzzi 5229 Walk-In Bath Series – Installation and	JACUZZI004584-004603
19		Operation Manual LX64000B – 05/2013	
20	61.	Jacuzzi 5229 Walk-In Bath Series – Installation and	JACUZZI004604-004625
21		Operation Manual LX64000C – 04/2014	
22	62.	Jacuzzi 5229 Walk-In Bath Series – Installation and	JACUZZI004626-004649
23		Operation Manual LX64000D – 10/2015	
24	63.	Jacuzzi 5229 Walk-In Bath Series – Installation and	JACUZZI004650-004673
25		Operation Manual LX64000E – 04/2017	
26	64.	Jacuzzi 5229 Walk-In Bath Series – Installation and	JACUZZI004674-004695
27		Operation Manual PT13000A – 1/2018	
28	65.	Warranty claim and other documents produced in	JACUZZI004696-004716
		compliance with Discovery Commissioner's and	
		District Court's direction. The production should not	
		be regarded as a waiver to the documents and	
		information's relevance or admissibility.	
	66.	Jerre Chopper communications. The production	JACUZZI004717-004724
		should not be regarded as a waiver to the documents'	
		and information's relevance or admissibility.	
	67.	Correspondence from Audrey Martinez regarding	JACUZZI004725-004726
		theft of laptop computer and photograph of vehicle	
		damage. The production should not be regarded as a	
		waiver to the documents' and information's	

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WEINBERG WHEELER
HUDGINS GUNN & DIAL



	DOCUMENT DESCRIPTION	BATES NO.
	relevance or admissibility.	
68.	Email correspondence regarding P. Herman. Confidential information has been redacted. See enclosed Privilege Log. The production should not be regarded as a waiver to the documents' and information's relevance or admissibility.	JACUZZI004727-005033
69.	Email correspondence regarding marketing. Confidential information has been redacted. See enclosed Privilege Log. The production should not be regarded as a waiver to the documents' and information's relevance or admissibility.	JACUZZI005034-005188
70.	K. Bachmeyer email and other correspondence. The production should not be regarded as a waiver to the documents' and information's relevance or admissibility.	JACUZZI005190-5270
71.	Email correspondence regarding customer complaints regarding slipperiness. Confidential information has been redacted. See enclosed Privilege Log. The production should not be regarded as a waiver to the documents' and information's relevance or admissibility.	JACUZZI005271-5688
72.	SalesForce records regarding Customer complaints regarding slipperiness. The production should not be regarded as a waiver to the documents' and information's relevance or admissibility.	JACUZZI005689-5722

As Discovery is continuing, Jacuzzi reserves the right to supplement the disclosures as necessary.

C. A COMPUTATION OF ANY CATEGORY OF DAMAGES CLAIMED BY THE DISCLOSING PARTY, MAKING AVAILABLE FOR INSPECTION AND COPYING AS UNDER RULE 34 OF THE DOCUMENTS OR OTHER EVIDENTIARY MATTER, NOT PRIVILEGED OR PROTECTED FROM DISCLOSURE, ON WHICH SUCH COMPUTATION IS BASED, INCLUDING MATERIALS BEARING ON THE NATURE AND EXTENT OF INJURIES SUFFERED

Jacuzzi does not allege any damages as required by Rule 16.1(a)(l)(C). Plaintiffs have the burden of proving damages. Jacuzzi disputes liability and, to the extent it is necessary and appropriate, Jacuzzi contests Plaintiffs' damages. Jacuzzi will seek its costs and attorneys' fees to the extent permitted by law.

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1 **D. FOR INSPECTION AND COPYING AS UNDER RULE 34 ANY INSURANCE**
2 **AGREEMENT UNDER WHICH ANY PERSON CARRYING ON AN**
3 **INSURANCE BUSINESS MAY BE LIABLE TO SATISFY PART OR ALL OF A**
4 **JUDGMENT WHICH MAY BE ENTERED IN THE ACTION OR TO**
5 **INDEMNIFY OR REIMBURSE FOR PAYMENTS MADE TO SATISFY THE**
6 **JUDGMENT AND ANY DISCLAIMER OR LIMITATION OF COVERAGE OR**
7 **RESERVATION OF RIGHTS UNDER ANY SUCH INSURANCE AGREEMENT**

8 Pursuant to Rule 16.1(a)(1)(D), Jacuzzi produces the attached declaration page for its
9 insurance agreement applicable to this claim, which will be adequate to satisfy any possible
10 judgment in this case.

11 Dated this 26th day of July, 2019.

12 WEINBERG, WHEELER, HUDGINS,
13 GUNN & DIAL, LLC

14 /s/ D. Lee Roberts, Jr., Esq.

15 D. Lee Roberts, Jr., Esq.
16 Brittany M. Llewellyn, Esq.
17 6385 South Rainbow Blvd., Suite 400
18 Las Vegas, Nevada 89118

19 *Attorneys for Defendant/Cross-Defendant*
20 *Jacuzzi Inc. doing business as*
21 *Jacuzzi Luxury Bath*

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WEINBERG WHEELER
HUDGINS GUNN & DIAL

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of July, 2019, a true and correct copy of the foregoing
DEFENDANT JACUZZI INC. DOING BUSINESS AS JACUZZI LUXURY BATH'S
EIGHTEENTH SUPPLEMENTAL DISCLOSURE STATEMENT was electronically **filed**
and served on counsel through the Court's electronic service system pursuant to Administrative
 Order 14-2 and N.E.F.C.R. 9, via the electronic mail addresses noted below, unless service by
 another method is stated or noted. A separate email will follow with a sharefile link of all
 documents produced within this disclosure:

Benjamin P. Cloward, Esq.
 RICHARD HARRIS LAW FIRM
 801 South Fourth Street
 Las Vegas, NV 89101
 Telephone: 702-444-4444
 Facsimile: 702-444-4455

Email: Benjamin@RichardHarrisLaw.com

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Attorneys for Defendant/Cross-Defendant
Jacuzzi Inc. doing business as
Jacuzzi Luxury Bath

/s/ Audra R. Bonney
 An employee of WEINBERG, WHEELER,
 HUDGINS, GUNN & DIAL, LLC

Cunnison v. Jacuzzi
Jacuzzi Privilege Log – 18th Supplement to 16.1
Case No. A-16-731244-C

BATES #	DATE	AUTHOR	RECIPIENT	DESCRIPTION	PRIVILEGE
JACUZZI 5675-5688	04/08/2015	Ron Templer	Audrey Martinez	Electronic mail re customer complaint	Attorney Client Privilege / Work Product

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 10/24/2012 3:10:24 PM
Subject: Chopper Letter
Attachments: Jerre Chopper Ltr 10-15-12.pdf

Here you go.

Mayra Lopez
Administrative Assistant



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2163 (o) 909.606.4270 (f)

This email and any attachments are confidential and may be legally privileged. If you are not the intended recipient, please notify the author by replying to this email message, and then delete all copies of the email on your system. If you are not the intended recipient, you must not disclose, distribute, copy, print or use this email in any manner. Email messages and attachments may contain viruses. Although we take precautions to check for viruses, we make no assurances about the absences of viruses. We accept no liability and suggest that you carry out your own virus checks.

002271

002271

JACUZZI005190

APEN 0023

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

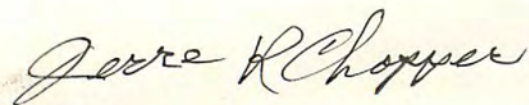
This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005191

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 10/31/2012 4:08:18 PM
Subject: Chopper Letters
Attachments: Jerre Chopper Ltr 10-15-12.pdf; Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf; Jerre Chopper Ltr_9-19-12.pdf

Here you go.

Mayra Lopez
Administrative Assistant



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2163 (o) 909.606.4270 (f)

This email and any attachments are confidential and may be legally privileged. If you are not the intended recipient, please notify the author by replying to this email message, and then delete all copies of the email on your system. If you are not the intended recipient, you must not disclose, distribute, copy, print or use this email in any manner. Email messages and attachments may contain viruses. Although we take precautions to check for viruses, we make no assurances about the absences of viruses. We accept no liability and suggest that you carry out your own virus checks.

002273

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JACUZZI005192

APEN 0025

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

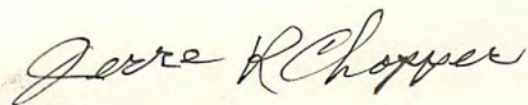
This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005193

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my *unpleasant experience* with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005194

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was “don’t worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

I called the Secretary of State and asked if AIHR was licensed to do business in Montana. They were not—I asked if Nick Fawkes dba was, not so. I asked if FirstSTREET was, not so. I called the Attorney General’s office and they had never heard about any of them. I called the Secretary of State in Colorado and they had never heard of them either. I called the City of Littleton (Joanne Ricca) and they knew nothing about that company at that address so they would send somebody out to check with the building owner. Later she reported that they did in fact rent so they were a legitimate tenant but there was no sign of activity around the place. She further reported that they were not registered with the city and had paid no business tax.

One Saturday morning I got a call from Mike Kirchner (employed by New England Facilities Management in Massachusetts) who asked if I was waiting for a tub. I said yes. He said he had received a tub with only the name Chopper/Hamilton. There was no work order and the surrounds had not been shipped. I told Mike what my investigation had turned up. He called the City of Littleton. So we really stirred up a hornet’s nest. Calls started coming in that I let go to the answering machine. I told Mike that I was going to run this past my attorney before I would take possession of the tub.

My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

On July 15 I mailed a check for \$4,850, half the balance owing, to AIHR along with a letter that the balance would be forthcoming when installation was complete provided the equipment functioned as represented to me, and provided DJ Electric and Mike Kirchner had been paid for services performed at this address.

On July 16 I got a call from Nick Fawkes who ranted and raved that I owed them money and they didn’t take payments, to go to the bank and get a loan and pay up. I told him installation was not complete and to talk to Mike. Then I went to Ravalli Bank and put a stop payment on any paperless transactions that came in for \$4,850 in case they got sneaky and tried to slip one through. The bank called yesterday to say that they had and the bank was returning it unpaid. (I have been getting calls yesterday and today with no identity and the caller hangs up.)

Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005195

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002277

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JACUZZI005196

APEN 0029

002277

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005197

APEN 0030

225 Hillcrest Drive
Hamilton, MT 59840
September 12, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

With time one discovers all kinds of things.

Your tub has no overflow as near as I can see. What happens when a senior experiences a medical emergency while in the tub and is unable to turn off the water?

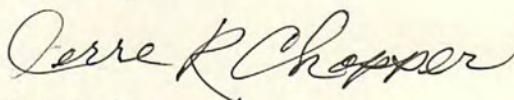
If this senior lives alone, it seems to me that it could be hours or even days before the victim is discovered. Running water over a period of time could literally demolish a house.

Not a very smart design.

In addition to my previous communications detailing sales and design, I believe all things considered, you are leaving yourselves quite vulnerable to litigation.

This tub sold to me by firstSTREET through their so-called dealer AIHR is a rip-off. I want the tub removed immediately at their expense and a refund of the money I have paid: \$9,850.

Yours truly,



Jerre R. Chopper

JACUZZI005198

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 12/11/2012 12:30:31 PM
Subject: FirstSTREET Customer Jerre Chopper
Attachments: Jerre Chopper Ltr 12-04-12.pdf

Kurt,

Attached is a letter from Jerre Chopper in which you were cc'd on. I have saved an electronic file of it. Let me know if you need anything.

Thank you,

Mayra Lopez
Administrative Assistant



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2163 (o) 909.606.4270 (f)

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002280

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JACUZZI005199

APEN 0032

December 4, 2012

Ms. Stacy L Hackney
First Street for Boomers and Beyond
1998 Ruffin Mill Road
Colonial Heights, VA 23834

Dear Ms. Hackney:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK-IN TUB
Model No: NQ80, Mfg. No: 128683 or 1206-03

Your letter of November 29 regarding the above is received. You claim to have no knowledge of any defect in the tub. This is hard to fathom since there have been several communications to Jacuzzi and in all instances Nick Fawkes and his co-horts have identified themselves as Jacuzzi.

However, I will attempt to enlighten you. I signed a contract with AIHR on June 28 and gave the salesman, John Brown, a check for \$5000. I was told the tub would be installed in 3-4 weeks. After some weeks I inquired and was told the installer would be Mike Kirchner in Big Fork. I e-mailed Nick Fawkes and pointed out that Big Fork was hundreds of miles from Hamilton and that Missoula was the nearest Metro—50 miles. The manner of Fawkes's reply sent up a red flag and I decided to do some investigation.

Inquiry with the Secretary of State disclosed AIHR was not registered or licensed to do business in Montana. Neither was Nick Fawkes dba AIHR, nor firstSTREET. The Colorado Secretary of State gave the same response. The City of Littleton reported them unknown. Someone was sent to the address. It was reported that they rented so were legitimate tenants; however there was no sign of activity and they had not registered with the city or paid any business tax.

I took the contract to my attorney, Royce McCarty, and he assured me that no court in Montana would honor a petition by an unlicensed company doing business here. He further told me that there was no law against price gouging.

Installation was arranged for August 13-14. On the 14th Mike said he did not have the material needed to complete installation. He would be back on the 20th. On the 15th a check for half the balance owing was sent to AIHR and told that the remainder would be forthcoming when tradesmen had been paid and that the tub delivered what was promised.

On the 16th Nick Fawkes called. He ranted and raved and demanded money. Clearly he was a man out of control and behaving like a jerk. Since I was already suspicious of him I went to the bank the check was drawn on and put a stop payment on any paperless transactions he might try

JACUZZI005200

to slip through. The bank reported that to be the case and it was returned unpaid. I also notified the bank that the \$5000 check was drawn on with the same message.

When installation was complete I attempted to use the tub and found that it in no way delivered what your advertisement led one to believe. After getting in the tub and turning on the water one waited until it filled—75 gallons was required to run the jets. When ready to get out one had to sit and wait for the tub to drain before opening the door. It was neither comfortable, convenient nor safe. For anyone suffering a medical emergency (I have a balance problem and periodic blackouts) there was no way to get out. The door opens inward and the pressure of the water would negate its opening.

There were several communications to Jacuzzi about design flaws and the risks associated, and I assumed (incorrectly it seems) those were being passed on to the proper people.

Meanwhile Nick Fawkes and his crowd kept up a relentless barrage of “gimme the money” and I stopped answering the phone. Boatwright Law was directed to let AIHR know that all further communication, in writing, from them was to go through that office.

Notice was posted with both the Montana and US Attorney Generals Office of Elder Fraud.

Finally on October 10 I filed a claim with the U.S. Consumer Product Safety Commission in Bethesda, MD and subsequently gave permission to have it entered into their database.

On October 18 the tub was removed from my premises by Mike Kirchner, for which I paid him \$700. On that date Mike said that he had never been paid for the original install. Apparently there was litigation pending between AIHR and New England Facilities Management—the company that had originally recruited him.

I believe that the \$5000 you have already collected from me should cover any expenses you have incurred. Further I believe that if a company of integrity believes in the product they peddle it offers a money back guarantee if not completely satisfied.

I have had to restore the bathroom and deal with all the distress this byzantine drama has caused.

Sincerely,

Jerre R. Chopper

Copy – Royce McCarty

Jennifer Lint

Kurt Bachmeyer ✓

JACUZZI005201

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 9/6/2012 12:03:37 PM
Subject: FirstSTREET Letters
Attachments: Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf

Kurt,

Here are the two letters received from Mrs. Chopper regarding her tub and FirstSTREET. Let me know if you need anything else.

Thank you,

Mayra Lopez

Assistant to Director, Customer Service



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2163 (o) 909.606.4270 (f)

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JACUZZI005202

APEN 0035

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my *unpleasant experience* with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005203

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was “don’t worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

I called the Secretary of State and asked if AIHR was licensed to do business in Montana. They were not—I asked if Nick Fawkes dba was, not so. I asked if FirstSTREET was, not so. I called the Attorney General’s office and they had never heard about any of them. I called the Secretary of State in Colorado and they had never heard of them either. I called the City of Littleton (Joanne Ricca) and they knew nothing about that company at that address so they would send somebody out to check with the building owner. Later she reported that they did in fact rent so they were a legitimate tenant but there was no sign of activity around the place. She further reported that they were not registered with the city and had paid no business tax.

One Saturday morning I got a call from Mike Kirchner (employed by New England Facilities Management in Massachusetts) who asked if I was waiting for a tub. I said yes. He said he had received a tub with only the name Chopper/Hamilton. There was no work order and the surrounds had not been shipped. I told Mike what my investigation had turned up. He called the City of Littleton. So we really stirred up a hornet’s nest. Calls started coming in that I let go to the answering machine. I told Mike that I was going to run this past my attorney before I would take possession of the tub.

My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

On July 15 I mailed a check for \$4,850, half the balance owing, to AIHR along with a letter that the balance would be forthcoming when installation was complete provided the equipment functioned as represented to me, and provided DJ Electric and Mike Kirchner had been paid for services performed at this address.

On July 16 I got a call from Nick Fawkes who ranted and raved that I owed them money and they didn’t take payments, to go to the bank and get a loan and pay up. I told him installation was not complete and to talk to Mike. Then I went to Ravalli Bank and put a stop payment on any paperless transactions that came in for \$4,850 in case they got sneaky and tried to slip one through. The bank called yesterday to say that they had and the bank was returning it unpaid. (I have been getting calls yesterday and today with no identity and the caller hangs up.)

Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005204

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002286

002286

JACUZZI005205

APEN 0038

002286

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005206

APEN 0039

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: Rowan, Bob
Sent: 10/25/2012 8:41:11 AM
Subject: FW: Chopper Letter
Attachments: Jerre Chopper Ltr 10-15-12.pdf

Bob –

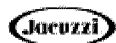
Sorry to bother you with this but she has contacted me again; this is the issue you were going to reach out to Dave Modena about as it directly involves the business practices of AIHR; specific personnel and the different state agencies she has contacted.....secretary of the state; attorney general's office and other local city agencies regarding their ability to conduct work in certain states.

If you would like for me to reach out to her and let her know Dave or a representative from AIHR will be contacting her I'd be more than happy to do that – I just don't have the answers for her with regards to AIHR and their business practices.

Regards,

Kurt Bachmeyer

Director of Customer Service



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From: Lopez, Mayra
Sent: Wednesday, October 24, 2012 3:10 PM
To: Bachmeyer, Kurt
Subject: Chopper Letter

Here you go.

Mayra Lopez

Administrative Assistant



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2163 (o) 909.606.4270 (f)

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JACUZZI005207

APEN 0040

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

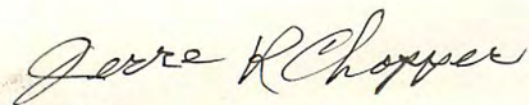
This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005208

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 9/28/2012 11:20:08 AM
Subject: Jerre Chopper Letters
Attachments: Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf; Jerre Chopper Ltr_9-19-12.pdf

Kurt,

Here are all the letters Mrs. Chopper has sent in. Let me know if you need anything else.

Thank you,

Mayra Lopez
Administrative Assistant



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002290

JACUZZI005209

APEN 0042

002290

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my *unpleasant experience* with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005210

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was “don’t worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

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One Saturday morning I got a call from Mike Kirchner (employed by New England Facilities Management in Massachusetts) who asked if I was waiting for a tub. I said yes. He said he had received a tub with only the name Chopper/Hamilton. There was no work order and the surrounds had not been shipped. I told Mike what my investigation had turned up. He called the City of Littleton. So we really stirred up a hornet’s nest. Calls started coming in that I let go to the answering machine. I told Mike that I was going to run this past my attorney before I would take possession of the tub.

My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

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Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005211

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002293

002293

JACUZZI005212

APEN 0045

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005213

APEN 0046

225 Hillcrest Drive
Hamilton, MT 59840
September 12, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

With time one discovers all kinds of things.

Your tub has no overflow as near as I can see. What happens when a senior experiences a medical emergency while in the tub and is unable to turn off the water?

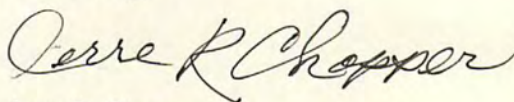
If this senior lives alone, it seems to me that it could be hours or even days before the victim is discovered. Running water over a period of time could literally demolish a house.

Not a very smart design.

In addition to my previous communications detailing sales and design, I believe all things considered, you are leaving yourselves quite vulnerable to litigation.

This tub sold to me by firstSTREET through their so-called dealer AIHR is a rip-off. I want the tub removed immediately at their expense and a refund of the money I have paid: \$9,850.

Yours truly,



Jerre R. Chopper

JACUZZI005214

From: Rowan, Bob <IMCEAEX-
_O=JACUZZI+20ORGANIZATION_OU=CHINO_CN=RECIPIENTS_CN=BROWAN@wwhgd.com>
To: Bachmeyer, Kurt
Sent: 10/26/2012 2:04:39 PM
Subject: Re: Chopper Letter

This has been in firstSTREET's hands Kurt – they let me know they have the ball, can you go ahead and let her know that?

Thanks,
Bob

Bob Rowan

President



13925 City Center Drive, Suite 200 / Chino Hills, CA 91709

909.247.2506 (o) 410.371.4524 (c)

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From: Kurt Bachmeyer <Kurt.Bachmeyer@jacuzzi.com>

Date: Thu, 25 Oct 2012 08:40:47 -0700

To: "Rowan, Bob" <bob.rowan@jacuzzi.com>

Subject: FW: Chopper Letter

Bob –

Sorry to bother you with this but she has contacted me again; this is the issue you were going to reach out to Dave Modena about as it directly involves the business practices of AIHR; specific personnel and the different state agencies she has contacted.....secretary of the state; attorney general's office and other local city agencies regarding their ability to conduct work in certain states.

If you would like for me to reach out to her and let her know Dave or a representative from AIHR will be contacting her I'd be more than happy to do that – I just don't have the answers for her with regards to AIHR and their business practices.

Regards,

Kurt Bachmeyer

Director of Customer Service



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2187 (o) 909.606.4270 (f)

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From: Lopez, Mayra

Sent: Wednesday, October 24, 2012 3:10 PM

To: Bachmeyer, Kurt

Subject: Chopper Letter

Here you go.

Mayra Lopez

Administrative Assistant



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JACUZZI005216

APEN 0049

From: Rowan, Bob <IMCEAEX-
_O=JACUZZI+20ORGANIZATION_OU=CHINO_CN=RECIPIENTS_CN=BROWAN@wwhgd.com>
To: Bachmeyer, Kurt
Sent: 9/7/2012 9:05:36 AM
Subject: Re: FirstSTREET Letters

Interesting that same person sent 2 separate letters complaining about 2 different issues. Nonetheless, I'll forward to firstSTREET.

One thing you and I didn't catch up on was the lady in NY that contacted customer service and got a confusing message – did we ever talk about this one? want to make sure when customers call our people have the correct response.

Bob Rowan

President



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From: Kurt Bachmeyer <Kurt.Bachmeyer@jacuzzi.com>

Date: Thu, 6 Sep 2012 20:11:19 -0700

To: "Rowan, Bob" <bob.rowan@jacuzzi.com>

Subject: FW: FirstSTREET Letters

Bob –

I just received these.....little behind on all the mail received while away last week. I was thinking of contacting her but wondered whether I should just send this to Norm (call him) and have him deal directly with all her concerns. Let me know.....I don't like passing the buck but the majority of these issues are not ours. I understand her disappointment of waiting for the water to rise in the tub and then drain afterward but that's how this unit is designed and the only way to improve that would be to increase the pressure of water to fill the unit and then a drain that empties it in a quicker fashion. Not sure where she got the information regarding the price all our people know never to quote pricing. Look forward to your insight.

Regards,

Kurt Bachmeyer

Director of Customer Service



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From: Lopez, Mayra

Sent: Thursday, September 06, 2012 12:04 PM

To: Bachmeyer, Kurt

Subject: FirstSTREET Letters

Kurt,

Here are the two letters received from Mrs. Chopper regarding her tub and FirstSTREET. Let me know if you need anything else.

Thank you,

Mayra Lopez

Assistant to Director, Customer Service

JACUZZI005217



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JACUZZI005218

APEN 0051

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: Rowan, Bob
Sent: 9/28/2012 11:46:35 AM
Subject: RE: Jerre Chopper
Attachments: @

This message has been archived. [View the original item](#)

Bob –

This is one that you were going to discuss with Dave and have him respond to.

Kurt Bachmeyer

Director of Customer Service

www.jacuzzi.com

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From: Rowan, Bob
Sent: Friday, September 28, 2012 10:07 AM
To: Bachmeyer, Kurt
Su

Attachments:

image002.jpg

(3 KB)

image003.gif

(2 KB)

JACUZZI005219

PLACEHOLDER - ZERO KB FILE:

Name: @

002301

002301

From: Jerre Chopper <3tippy47@bresnan.net>
To: Bachmeyer, Kurt
Sent: 11/5/2012 4:10:35 PM
Subject: Re: Walk in Tub

I have never received any communication from First Street. The only thing directed my way was unceasing calls from that Shyster Nick Fawkes dba AIHR, to "gimme the money" The calls didn't stop until I hired another attorney who directed all communication go through that office.

The tub was removed from my premises on October 18 by the original installer from Big Fork, MT. for which I paid him \$700.

In case you are not as yet aware, I have filed a complaint with the U.S. Consumer Product Protection Commission in Bethesda, MD. My complaint will be posted on line. This tub is neither comfortable, convenient, safe or affordable. How you ever got mixed up with an outfit like First Street who caters to the oldster crowd is hard to comprehend. Needless to say the name Jacuzzi has lost its luster in my sphere of influence. This fiasco has been a costly error in judgement on my part and never again will I respond to a mass merchandising campaign.

Jerre Chopper

On Nov 5, 2012, at 1:26 PM, Bachmeyer, Kurt wrote:

Dear Jerre R. Chopper –

I apologize that you have not received a response from the First Street representatives; they have been notified of your dissatisfaction with regards to the sale; installation and ultimately the use of the unit. I have confirmed with our President of Jacuzzi that they will be responding to your concerns and issues as outlined in your letters. If you have not received a response from a First Street representative please let me know immediately.

Regards,

Kurt Bachmeyer

Director of Customer Service

<image001.jpg>

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JACUZZI005221

APEN 0054

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: '3tippy47@bresnan.net'
Sent: 11/5/2012 1:26:39 PM
Subject: Walk in Tub

Dear Jerre R. Chopper –

I apologize that you have not received a response from the First Street representatives; they have been notified of your dissatisfaction with regards to the sale; installation and ultimately the use of the unit. I have confirmed with our President of Jacuzzi that they will be responding to your concerns and issues as outlined in your letters. If you have not received a response from a First Street representative please let me know immediately.

Regards,

Kurt Bachmeyer
Director of Customer Service



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JACUZZI005222

APEN 0055

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: Martinez, Audrey; Reyes, Regina
CC: Baehr, Rich; Dentz, Connie; Rojas, Miguel
Sent: 7/27/2015 6:59:34 AM
Subject: RE: Turbo Drain and WIT

Audrey —

Just so I am clear here; if the installer botches the enlargement of the drain in some manner; cracks it or creates a structural issue with the tub we (Jacuzzi) are not liable for the damage, and any issues pertaining to replacement or repair would be handled by Norm and their installers. Is this correct?

Regards,

Kurt Bachmeyer
 Director of Warranty and Technical Services



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From: Martinez, Audrey
Sent: Monday, July 20, 2015 4:15 PM
To: Reyes, Regina
Cc: Baehr, Rich; Dentz, Connie; Bachmeyer, Kurt
Subject: Re: Turbo Drain and WIT

As I mentioned on the tracker call, Norm is scheduling installer training this week or next and I'll make sure your team is invited. In the meantime, please direct any questions from installers regarding the Turbo Drain to Norm or Todd Stout. Thank you.

Audrey Martinez

On Jul 20, 2015, at 2:33 PM, Reyes, Regina <Regina.Reyes@jacuzzi.com> wrote:

Hi Audrey

Can we schedule a time to meet to review and train on the Turbo drain? I'm sure it is not going to be a lengthy meeting something to bring CS and TS up to speed? Since you are traveling should I schedule for when you return or maybe you can provide some times that you will be available for a go to?

We received a call from an installer Nick Hamilton. He received a Turbo drain and says it doesn't fit. He is going to have to make the drain hole larger by enlarging the drain hole in the unit.

I tried to call him back to get more details – waiting on serial number.

Rich, is there anything other than the serial number I should ask for, i.e. pics etc?

JACUZZI005223

Regina Reyes
Consumer Service Manager



www.jacuzzi.com

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909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT

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JACUZZI005224

APEN 0057

002305

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 10/24/2012 3:10:24 PM
Subject: Chopper Letter
Attachments: Jerre Chopper Ltr 10-15-12.pdf

Here you go.

Mayra Lopez
Administrative Assistant



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JACUZZI005225

APEN 0058

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005226

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 10/31/2012 4:08:18 PM
Subject: Chopper Letters
Attachments: Jerre Chopper Ltr 10-15-12.pdf; Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf; Jerre Chopper Ltr_9-19-12.pdf

Here you go.

Mayra Lopez
Administrative Assistant



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002308

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JACUZZI005227

APEN 0060

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005228

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my unpleasant experience with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005229

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was "don't worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

I called the Secretary of State and asked if AIHR was licensed to do business in Montana. They were not—I asked if Nick Fawkes dba was, not so. I asked if FirstSTREET was, not so. I called the Attorney General's office and they had never heard about any of them. I called the Secretary of State in Colorado and they had never heard of them either. I called the City of Littleton (Joanne Ricca) and they knew nothing about that company at that address so they would send somebody out to check with the building owner. Later she reported that they did in fact rent so they were a legitimate tenant but there was no sign of activity around the place. She further reported that they were not registered with the city and had paid no business tax.

One Saturday morning I got a call from Mike Kirchner (employed by New England Facilities Management in Massachusetts) who asked if I was waiting for a tub. I said yes. He said he had received a tub with only the name Chopper/Hamilton. There was no work order and the surrounds had not been shipped. I told Mike what my investigation had turned up. He called the City of Littleton. So we really stirred up a hornet's nest. Calls started coming in that I let go to the answering machine. I told Mike that I was going to run this past my attorney before I would take possession of the tub.

My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

On July 15 I mailed a check for \$4,850, half the balance owing, to AIHR along with a letter that the balance would be forthcoming when installation was complete provided the equipment functioned as represented to me, and provided DJ Electric and Mike Kirchner had been paid for services performed at this address.

On July 16 I got a call from Nick Fawkes who ranted and raved that I owed them money and they didn't take payments, to go to the bank and get a loan and pay up. I told him installation was not complete and to talk to Mike. Then I went to Ravalli Bank and put a stop payment on any paperless transactions that came in for \$4,850 in case they got sneaky and tried to slip one through. The bank called yesterday to say that they had and the bank was returning it unpaid. (I have been getting calls yesterday and today with no identity and the caller hangs up.)

Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005230

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002312

002312

JACUZZI005231

APEN 0064

002312

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005232

225 Hillcrest Drive
Hamilton, MT 59840
September 12, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

With time one discovers all kinds of things.

Your tub has no overflow as near as I can see. What happens when a senior experiences a medical emergency while in the tub and is unable to turn off the water?

If this senior lives alone, it seems to me that it could be hours or even days before the victim is discovered. Running water over a period of time could literally demolish a house.

Not a very smart design.

In addition to my previous communications detailing sales and design, I believe all things considered, you are leaving yourselves quite vulnerable to litigation.

This tub sold to me by firstSTREET through their so-called dealer AIHR is a rip-off. I want the tub removed immediately at their expense and a refund of the money I have paid: \$9,850.

Yours truly,



Jerre R. Chopper

JACUZZI005233

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 12/11/2012 12:30:31 PM
Subject: FirstSTREET Customer Jerre Chopper
Attachments: Jerre Chopper Ltr 12-04-12.pdf

Kurt,

Attached is a letter from Jerre Chopper in which you were cc'd on. I have saved an electronic file of it. Let me know if you need anything.

Thank you,

Mayra Lopez
Administrative Assistant



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14525 Monte Vista Avenue / Chino, CA 91710
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002315

002315

JACUZZI005234

APEN 0067

December 4, 2012

Ms. Stacy L Hackney
First Street for Boomers and Beyond
1998 Ruffin Mill Road
Colonial Heights, VA 23834

Dear Ms. Hackney:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK-IN TUB
Model No: NQ80, Mfg. No: 128683 or 1206-03

Your letter of November 29 regarding the above is received. You claim to have no knowledge of any defect in the tub. This is hard to fathom since there have been several communications to Jacuzzi and in all instances Nick Fawkes and his co-horts have identified themselves as Jacuzzi.

However, I will attempt to enlighten you. I signed a contract with AIHR on June 28 and gave the salesman, John Brown, a check for \$5000. I was told the tub would be installed in 3-4 weeks. After some weeks I inquired and was told the installer would be Mike Kirchner in Big Fork. I e-mailed Nick Fawkes and pointed out that Big Fork was hundreds of miles from Hamilton and that Missoula was the nearest Metro—50 miles. The manner of Fawkes's reply sent up a red flag and I decided to do some investigation.

Inquiry with the Secretary of State disclosed AIHR was not registered or licensed to do business in Montana. Neither was Nick Fawkes dba AIHR, nor firstSTREET. The Colorado Secretary of State gave the same response. The City of Littleton reported them unknown. Someone was sent to the address. It was reported that they rented so were legitimate tenants; however there was no sign of activity and they had not registered with the city or paid any business tax.

I took the contract to my attorney, Royce McCarty, and he assured me that no court in Montana would honor a petition by an unlicensed company doing business here. He further told me that there was no law against price gouging.

Installation was arranged for August 13-14. On the 14th Mike said he did not have the material needed to complete installation. He would be back on the 20th. On the 15th a check for half the balance owing was sent to AIHR and told that the remainder would be forthcoming when tradesmen had been paid and that the tub delivered what was promised.

On the 16th Nick Fawkes called. He ranted and raved and demanded money. Clearly he was a man out of control and behaving like a jerk. Since I was already suspicious of him I went to the bank the check was drawn on and put a stop payment on any paperless transactions he might try

JACUZZI005235

to slip through. The bank reported that to be the case and it was returned unpaid. I also notified the bank that the \$5000 check was drawn on with the same message.

When installation was complete I attempted to use the tub and found that it in no way delivered what your advertisement led one to believe. After getting in the tub and turning on the water one waited until it filled—75 gallons was required to run the jets. When ready to get out one had to sit and wait for the tub to drain before opening the door. It was neither comfortable, convenient nor safe. For anyone suffering a medical emergency (I have a balance problem and periodic blackouts) there was no way to get out. The door opens inward and the pressure of the water would negate its opening.

There were several communications to Jacuzzi about design flaws and the risks associated, and I assumed (incorrectly it seems) those were being passed on to the proper people.

Meanwhile Nick Fawkes and his crowd kept up a relentless barrage of "gimme the money" and I stopped answering the phone. Boatwright Law was directed to let AIHR know that all further communication, in writing, from them was to go through that office.

Notice was posted with both the Montana and US Attorney Generals Office of Elder Fraud.

Finally on October 10 I filed a claim with the U.S. Consumer Product Safety Commission in Bethesda, MD and subsequently gave permission to have it entered into their database.

On October 18 the tub was removed from my premises by Mike Kirchner, for which I paid him \$700. On that date Mike said that he had never been paid for the original install. Apparently there was litigation pending between AIHR and New England Facilities Management—the company that had originally recruited him.

I believe that the \$5000 you have already collected from me should cover any expenses you have incurred. Further I believe that if a company of integrity believes in the product they peddle it offers a money back guarantee if not completely satisfied.

I have had to restore the bathroom and deal with all the distress this byzantine drama has caused.

Sincerely,

Jerre R. Chopper

Copy – Royce McCarty

Jennifer Lint

Kurt Bachmeyer ✓

JACUZZI005236

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 9/6/2012 12:03:37 PM
Subject: FirstSTREET Letters
Attachments: Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf

Kurt,

Here are the two letters received from Mrs. Chopper regarding her tub and FirstSTREET. Let me know if you need anything else.

Thank you,

Mayra Lopez

Assistant to Director, Customer Service



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2163 (o) 909.606.4270 (f)

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JACUZZI005237

APEN 0070

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my unpleasant experience with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005238

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was "don't worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

I called the Secretary of State and asked if AIHR was licensed to do business in Montana. They were not—I asked if Nick Fawkes dba was, not so. I asked if FirstSTREET was, not so. I called the Attorney General's office and they had never heard about any of them. I called the Secretary of State in Colorado and they had never heard of them either. I called the City of Littleton (Joanne Ricca) and they knew nothing about that company at that address so they would send somebody out to check with the building owner. Later she reported that they did in fact rent so they were a legitimate tenant but there was no sign of activity around the place. She further reported that they were not registered with the city and had paid no business tax.

One Saturday morning I got a call from Mike Kirchner (employed by New England Facilities Management in Massachusetts) who asked if I was waiting for a tub. I said yes. He said he had received a tub with only the name Chopper/Hamilton. There was no work order and the surrounds had not been shipped. I told Mike what my investigation had turned up. He called the City of Littleton. So we really stirred up a hornet's nest. Calls started coming in that I let go to the answering machine. I told Mike that I was going to run this past my attorney before I would take possession of the tub.

My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

On July 15 I mailed a check for \$4,850, half the balance owing, to AIHR along with a letter that the balance would be forthcoming when installation was complete provided the equipment functioned as represented to me, and provided DJ Electric and Mike Kirchner had been paid for services performed at this address.

On July 16 I got a call from Nick Fawkes who ranted and raved that I owed them money and they didn't take payments, to go to the bank and get a loan and pay up. I told him installation was not complete and to talk to Mike. Then I went to Ravalli Bank and put a stop payment on any paperless transactions that came in for \$4,850 in case they got sneaky and tried to slip one through. The bank called yesterday to say that they had and the bank was returning it unpaid. (I have been getting calls yesterday and today with no identity and the caller hangs up.)

Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005239

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002321

002321

JACUZZI005240

APEN 0073

002321

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005241

APEN 0074

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: Rowan, Bob
Sent: 10/25/2012 8:41:11 AM
Subject: FW: Chopper Letter
Attachments: Jerre Chopper Ltr 10-15-12.pdf

Bob –

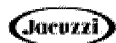
Sorry to bother you with this but she has contacted me again; this is the issue you were going to reach out to Dave Modena about as it directly involves the business practices of AIHR; specific personnel and the different state agencies she has contacted.....secretary of the state; attorney general's office and other local city agencies regarding their ability to conduct work in certain states.

If you would like for me to reach out to her and let her know Dave or a representative from AIHR will be contacting her I'd be more than happy to do that – I just don't have the answers for her with regards to AIHR and their business practices.

Regards,

Kurt Bachmeyer

Director of Customer Service



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2187 (o) 909.606.4270 (f)

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From: Lopez, Mayra
Sent: Wednesday, October 24, 2012 3:10 PM
To: Bachmeyer, Kurt
Subject: Chopper Letter

Here you go.

Mayra Lopez

Administrative Assistant



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710

909.247.2163 (o) 909.606.4270 (f)

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JACUZZI005242

225 Hillcrest Drive
Hamilton, MT 59840
October 15, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Kurt Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB
Model No. NQ80; Mfg. No. 128683 or 1206-03

This is my fourth communication to you. To date I have received no response. I deduce that you have no authority to speak for the company

Please provide the name of someone who does have that authority, mailing address, plus phone number, plus e-mail address.

Your tub in no way delivers what seniors are expecting from reading the advertisements put out by firstSTREET—it is misleading to say the least and false in many respects. Furthermore, this tub is a death trap for any senior experiencing a medical emergency while bathing. It should be recalled.

I have contacted the U.S. Consumer Product Safety Commission and I am having the tub removed at my own expense.

Sincerely,



3tippy47@bresnan.net
Jerre R. Chopper

JACUZZI005243

From: Lopez, Mayra </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MLOPEZ>
To: Bachmeyer, Kurt
Sent: 9/28/2012 11:20:08 AM
Subject: Jerre Chopper Letters
Attachments: Jerre Chopper Ltr_8-24-12..pdf; Jerre Chopper Ltr_9-01-12.pdf; Jerre Chopper Ltr_9-19-12.pdf

Kurt,

Here are all the letters Mrs. Chopper has sent in. Let me know if you need anything else.

Thank you,

Mayra Lopez
Administrative Assistant



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2163 (o) 909.606.4270 (f)

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002325

JACUZZI005244

APEN 0077

225 Hillcrest Drive
Hamilton, MT 59840
August 24, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

Your e-mail survey arrived this morning. It in no way describes my unpleasant experience with the people representing your product. Mine is buyer's remorse; I wish I had never heard of them.

This all began in late June when firstSTREET ran a full-page ad in Parade magazine that is inserted in the Sunday paper of almost all publishers. It gave an 800 number which I called and got a recording to leave a message. I didn't. However early Monday morning I received a call from Troy Brown in Denver that I later learned was a call center. He made an appointment with me to be called on by Larry Cinquemani who he said was the dealer rep for Montana and Idaho, for 11:30 a.m. on Thursday, June 28th. On that day he called to tell the rep that would be arriving would be John Brown and that he would be delayed beyond the appointed time as he was coming from quite a distance.

At 5:30 p.m. John Brown arrived. He was a likeable fellow who told me all about his family and showed me pictures of them. He said his normal territory was five states in the upper mid-west but that Cinquemani had quit the company and he had agreed to cover his territory. He gave me the pitch and I told him I would have to sleep on it. Then came the hard-sell. He said if I didn't sign his contract on that day, the tub would cost \$3,000 more. I was pretty sure I wanted the tub because I have osteoarthritis and a middle ear disturbance that causes balance problems/vertigo.

Mr. Brown whipped out a contract that read AIHR at 1460 W. Canal Court, Suite 202 in Littleton, Colorado. He said they were a dealer of firstSTREET. I signed the contract and gave him a check for \$5,000 dated July 10, drawn on State Farm Bank. I explained to him that this was a money-market slush fund and at the moment there were not sufficient funds in the account but that an automatic deposit would be made on the 7th or 8th. He agreed to hold the check until that date. He said installation would be in three to four weeks and that it must be done by a Jacuzzi trained tech for the warranty to be valid. He left my house at 7:30 p.m.

I got a call that DJ Electric would be here on July 9 to do the electrical and that DJ himself would do it. Two fellows showed up and I asked if they were Jacuzzi trained; they were not so I would not let them in the house. I talked to D. J. Lengyel and he assured me that they were well trained but he would come to the house to supervise if I would let them come in and get started. I did.

JACUZZI005245

After 2 weeks a called AIHR to inquire. I talked to Tracey Dierkens in Production. She said Mike Kirchner in Big Fork would be the installer. I e-mailed Nick Fawkes, General Manager at AIHR and told him that Big Fork was hundreds of miles from Hamilton and that surely they must have a trained Jacuzzi installer in Missoula that is the closest metro to Hamilton—50 miles. His reply was "don't worry, we will take good care of you. His manner of reply sent up a red flag and I decided to do some investigation.

I called the Secretary of State and asked if AIHR was licensed to do business in Montana. They were not—I asked if Nick Fawkes dba was, not so. I asked if FirstSTREET was, not so. I called the Attorney General's office and they had never heard about any of them. I called the Secretary of State in Colorado and they had never heard of them either. I called the City of Littleton (Joanne Ricca) and they knew nothing about that company at that address so they would send somebody out to check with the building owner. Later she reported that they did in fact rent so they were a legitimate tenant but there was no sign of activity around the place. She further reported that they were not registered with the city and had paid no business tax.

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My attorney told me that if AIHR was not licensed to do business in Montana no court would take the case if they decided to sue me. He looked at the contract and said they were probably legit—just inept. I told Mike I would take the tub and we made a date for August 13 to do a two-day install. On the 14th Mike ran out of materials to finish the job and said he would be back on the 20th.

On July 15 I mailed a check for \$4,850, half the balance owing, to AIHR along with a letter that the balance would be forthcoming when installation was complete provided the equipment functioned as represented to me, and provided DJ Electric and Mike Kirchner had been paid for services performed at this address.

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Just for your additional information I am adding some post scripts.

I have had occasion to talk to John Brown twice since he was here. The first time he was in Texas, the second time he was in Mississippi. It seems to me that for a guy whose territory is the upper mid-west he certainly gets around.

JACUZZI005246

In the course of our conversations Mike told me that AIHR had hired eight more salesmen and what they should be doing was hiring more installers. They want him to go to North Dakota to do installs on tubs they have sold (and have collected down-payments on) but have no one to do the installs.

It is obvious to me that in this combinations of partnerships the left hand doesn't know what the right hand is doing and that they never got their ducks lined up before they began mass marketing.

Before Mike Kirchner ever started the install I showed him the two checks I had made out to AIHR and why I did it. I told him AIHR couldn't sue me but I didn't want any mechanics liens put on my property.

In conclusion, I think your product is greatly over-priced.

It also occurs to me that perhaps the U.S. Attorney General's offices of Consumer Protection and Elder Fraud might be interested in knowing what I have described to you.

Yours truly,

A handwritten signature in cursive script that reads "Jerre R. Chopper". The signature is written in dark ink and is positioned above the printed name.

Jerre R. Chopper

002328

002328

JACUZZI005247

APEN 0080

002328

225 Hillcrest Drive
Hamilton, MT 59840
September 1, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

The name Jacuzzi is an old and respected name; a legend in its own time. It would be a shame to have that reputation tarnished. Besides the outrageous behavior and pricing of AIHR, I have now had time to use the tub. It is in no way satisfactory. I can't imagine what testing was done before production began.

There is no such thing as getting into and out of a hot bath. You walk in, close the drain, close and lock the door and turn on the water. You sit there and wait for 20+ minutes depending on pressure and however long the hot water holds out, while the tub fills enough to cover the jets. I don't know how many gallons it takes but it's a lot. If you don't have enough hot water to cover, you can't use them.

When you decide the bath is over you open the drain and wait while the tub drains so you can open the door and walk out. The only thing is you cannot safely walk out; the tub is wet, your feet are wet and the threshold is too high and slick. The only way to make a safe exit is by doing what commercial truck drivers are trained to do when exiting the cab of a big rig. You back out so you can use the grab bar for stability. You stand there chilled.

I do not like the tub and I resent the money I have already forked over (\$9,850) to these hawkers. A call to your factory discloses their price on this tub is \$6,501. My price was quoted as \$11,700. That is a high markup all things considered. What I want is my bath restored to a practical condition.

Yours truly,



Jerre R. Chopper

JACUZZI005248

APEN 0081

225 Hillcrest Drive
Hamilton, MT 59840
September 12, 2012

Mr. Kurt Bachmeyer
Director of Customer Service
Jacuzzi
14525 Monte Vista Ave.
Chino, CA 91710

Dear Mr. Bachmeyer:

SUBJECT: THE JACUZZI DESIGNED FOR SENIORS WALK IN TUB

With time one discovers all kinds of things.

Your tub has no overflow as near as I can see. What happens when a senior experiences a medical emergency while in the tub and is unable to turn off the water?

If this senior lives alone, it seems to me that it could be hours or even days before the victim is discovered. Running water over a period of time could literally demolish a house.

Not a very smart design.

In addition to my previous communications detailing sales and design, I believe all things considered, you are leaving yourselves quite vulnerable to litigation.

This tub sold to me by firstSTREET through their so-called dealer AIHR is a rip-off. I want the tub removed immediately at their expense and a refund of the money I have paid: \$9,850.

Yours truly,



Jerre R. Chopper

JACUZZI005249

From: Rowan, Bob </O=JACUZZI ORGANIZATION/OU=CHINO/CN=RECIPIENTS/CN=BROWAN>
To: Bachmeyer, Kurt
Sent: 10/26/2012 2:04:39 PM
Subject: Re: Chopper Letter

This has been in firstSTREET's hands Kurt – they let me know they have the ball, can you go ahead and let her know that?

Thanks,
 Bob

Bob Rowan
 President



13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
 909.247.2506 (o) 410.371.4524 (c)

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From: Kurt Bachmeyer <Kurt.Bachmeyer@jacuzzi.com>
Date: Thu, 25 Oct 2012 08:40:47 -0700
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: FW: Chopper Letter

Bob –

Sorry to bother you with this but she has contacted me again; this is the issue you were going to reach out to Dave Modena about as it directly involves the business practices of AIHR; specific personnel and the different state agencies she has contacted.....secretary of the state; attorney general's office and other local city agencies regarding their ability to conduct work in certain states.

If you would like for me to reach out to her and let her know Dave or a representative from AIHR will be contacting her I'd be more than happy to do that – I just don't have the answers for her with regards to AIHR and their business practices.

Regards,

Kurt Bachmeyer
 Director of Customer Service



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From: Lopez, Mayra
Sent: Wednesday, October 24, 2012 3:10 PM
To: Bachmeyer, Kurt

JACUZZI005250

Subject: Chopper Letter

Here you go.

Mayra Lopez

Administrative Assistant



www.jacuzzi.com

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JACUZZI005251

APEN 0084

From: Rowan, Bob </O=JACUZZI ORGANIZATION/OU=CHINO/CN=RECIPIENTS/CN=BROWAN>
To: Bachmeyer, Kurt
Sent: 9/7/2012 9:05:36 AM
Subject: Re: FirstSTREET Letters

Interesting that same person sent 2 separate letters complaining about 2 different issues. Nonetheless, I'll forward to firstSTREET.

One thing you and I didn't catch up on was the lady in NY that contacted customer service and got a confusing message – did we ever talk about this one? want to make sure when customers call our people have the correct response.

Bob Rowan
 President



13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
 909.247.2506 (o) 410.371.4524 (c)

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From: Kurt Bachmeyer <Kurt.Bachmeyer@jacuzzi.com>
Date: Thu, 6 Sep 2012 20:11:19 -0700
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: FW: FirstSTREET Letters

Bob –

I just received these.....little behind on all the mail received while away last week. I was thinking of contacting her but wondered whether I should just send this to Norm (call him) and have him deal directly with all her concerns. Let me know.....I don't like passing the buck but the majority of these issues are not ours. I understand her disappointment of waiting for the water to rise in the tub and then drain afterward but that's how this unit is designed and the only way to improve that would be to increase the pressure of water to fill the unit and then a drain that empties it in a quicker fashion. Not sure where she got the information regarding the price all our people know never to quote pricing. Look forward to your insight.

Regards,

Kurt Bachmeyer
 Director of Customer Service



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From: Lopez, Mayra
Sent: Thursday, September 06, 2012 12:04 PM

JACUZZI005252

To: Bachmeyer, Kurt
Subject: FirstSTREET Letters

Kurt,

Here are the two letters received from Mrs. Chopper regarding her tub and FirstSTREET. Let me know if you need anything else.

Thank you,

Mayra Lopez
Assistant to Director, Customer Service



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002334

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JACUZZI005253

APEN 0086

002334

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: Rowan, Bob
Sent: 9/28/2012 11:46:35 AM
Subject: RE: Jerre Chopper
Attachments: @

This message has been archived. [View the original item](#)

Bob –

This is one that you were going to discuss with Dave and have him respond to.

Kurt Bachmeyer

Director of Customer Service

www.jacuzzi.com

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From: Rowan, Bob
Sent: Friday, September 28, 2012 10:07 AM
To: Bachmeyer, Kurt
Su

Attachments:

image002.jpg

(3 KB)

image003.gif

(2 KB)

JACUZZI005254

PLACEHOLDER - ZERO KB FILE:

Name: @

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From: Dentz, Connie </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=02A9C74160194231944B2CC56F960A7A-CONNIE DENTZ>
To: Templer, Ron
CC: Bachmeyer, Kurt; Simetz, Nicole
Sent: 5/31/2017 12:14:39 PM
Subject: RE: URGENT RE: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)
Attachments: WIT Case Details Summary v2.xlsx

Ron,

Attached are the cases pulled from SFDC for the past 3 years related to the reasons listed below. Let me know if you have any additional questions.

Thanks so much!

Connie Dentz

Director, Customer & Consumer Services | Jacuzzi North America | 14525 Monte Vista Ave | Chino, CA, 91710
Office +1 909-247-2935 | Mobile +1 909-306-6193 | connie.dentz@jacuzzi.com

From: Templer, Ron
Sent: Wednesday, May 31, 2017 11:58 AM
To: Dentz, Connie <Connie.Dentz@jacuzzi.com>
Cc: Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>; Simetz, Nicole <nicole.simetz@jacuzzi.com>
Subject: RE: URGENT RE: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)

Please update me on status. **I need this information ASAP.**

Ron Templer
Corporate Counsel



www.jacuzzi.com
13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2073 (o)

From: Templer, Ron
Sent: Tuesday, May 30, 2017 7:53 AM
To: Dentz, Connie <Connie.Dentz@jacuzzi.com>
Cc: Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>; Simetz, Nicole <nicole.simetz@jacuzzi.com>
Subject: URGENT RE: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)

What is the status on this? I need the information asap.

Ron Templer
Corporate Counsel



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13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2073 (o)

JACUZZI005256

From: Templer, Ron
Sent: Friday, May 19, 2017 8:43 AM
To: Dentz, Connie <Connie.Dentz@jacuzzi.com>
Cc: Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>; Demeritt, William <William.Demeritt@jacuzzi.com>;
 Lovallo, Anthony <Anthony.Lovallo@jacuzzi.com>; Simetz, Nicole <nicole.simetz@jacuzzi.com>
Subject: Re: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)

The request is not limited to Ms. Cunnison or her tub. It covers complaints from anyone relating to the subject model (not actual unit) of tub.

Ron Templer

On May 19, 2017, at 8:13 AM, Dentz, Connie <Connie.Dentz@jacuzzi.com> wrote:

To add to Kurt's response, there are no CS cases in the salesforce system for this consumer showing any calls came in for support through my department.

Thanks so much!

Connie Dentz

Director, Customer & Consumer Services | Jacuzzi North America | 14525 Monte Vista Ave | Chino, CA, 91710
 Office +1 909-247-2935 | Mobile +1 909-306-6193 | connie.dentz@jacuzzi.com

From: Bachmeyer, Kurt
Sent: Thursday, May 18, 2017 7:07 AM
To: Templer, Ron <Ron.Templer@jacuzzi.com>; Dentz, Connie <Connie.Dentz@jacuzzi.com>; Demeritt, William <William.Demeritt@jacuzzi.com>
Cc: Lovallo, Anthony <Anthony.Lovallo@jacuzzi.com>; Simetz, Nicole <nicole.simetz@jacuzzi.com>
Subject: RE: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)

Ron –

After our discussion last night and review of the data regarding claims I see nothing that specifically mentions replacement of components in the field for any of the reason's they have proclaimed.

As we had discussed I believe these "claims" are more complaints or suggestions to improve the product and not reasons we would service the product in the field as there is no manufacture's defect or solution to address their concerns.

Let me know if I have addressed your question from a warranty/claim stand point.

Regards,

Kurt Bachmeyer
 Director of Warranty and Technical Services

<image001.jpg>
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002338

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From: Templer, Ron
Sent: Monday, May 08, 2017 6:55 AM
To: Bachmeyer, Kurt; Dentz, Connie; Demeritt, William
Cc: Lovallo, Anthony; Simetz, Nicole
Subject: Cunnison v. Jacuzzi (CONFIDENTIAL ATTORNEY CLIENT/WORK PRODUCT COMMUNICATION)

Attached are interrogatories and inspection demands sent to JLB by plaintiffs' counsel in the Las Vegas case. In case some of you have not responded to discovery previously, interrogatories are written questions seeking information about JLB and the facts of the lawsuit. Inspection demands seek the production of specified documents and other tangible items. These questions and demands are an integral part of the discovery process mandated by Nevada law, and JLB needs to respond in writing, under oath, within a specified amount of time.

I don't expect you have information responsive to most of the discovery, but I need all information you have responsive to the following:

- Interrogatory Nos. 11 and 12 - limit the responses to information related to the claims that have been asserted by plaintiffs, which are (1) the height of the tub walls, (2) doorway width, (3) inward v. outward opening door, and (4) grab handles.

Also, please send me whatever documents and tangible things you have that are responsive to the following inspection demand:

- Inspection Demand Nos. 8

Since we are under a time limit to respond to the discovery, please send me the responses and all responsive documents within the next 10 days. Let me know if you want to go over any of these discovery requests.

Ron Templer
Corporate Counsel

<image002.jpg>

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JACUZZI005259

APEN 0092

PLACEHOLDER - EXCEL

File Name: WIT Case Details Summary v2.xlsx

002341

002341

From: Jerre Chopper <3tippy47@bresnan.net>
To: Bachmeyer, Kurt
Sent: 11/5/2012 4:10:35 PM
Subject: Re: Walk in Tub

I have never received any communication from First Street. The only thing directed my way was unceasing calls from that Shyster Nick Fawkes dba AIHR, to "gimme the money" The calls didn't stop until I hired another attorney who directed all communication go through that office.

The tub was removed from my premises on October 18 by the original installer from Big Fork, MT. for which I paid him \$700.

In case you are not as yet aware, I have filed a complaint with the U.S. Consumer Product Protection Commission in Bethesda, MD. My complaint will be posted on line. This tub is neither comfortable, convenient, safe or affordable. How you ever got mixed up with an outfit like First Street who caters to the oldster crowd is hard to comprehend. Needless to say the name Jacuzzi has lost its luster in my sphere of influence. This fiasco has been a costly error in judgement on my part and never again will I respond to a mass merchandising campaign.

Jerre Chopper

On Nov 5, 2012, at 1:26 PM, Bachmeyer, Kurt wrote:

Dear Jerre R. Chopper –

I apologize that you have not received a response from the First Street representatives; they have been notified of your dissatisfaction with regards to the sale; installation and ultimately the use of the unit. I have confirmed with our President of Jacuzzi that they will be responding to your concerns and issues as outlined in your letters. If you have not received a response from a First Street representative please let me know immediately.

Regards,

Kurt Bachmeyer

Director of Customer Service

<image001.jpg>

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JACUZZI005261

APEN 0094

From: Bachmeyer, Kurt </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5B9F76C4E5D54DFEB7381A257689F31F-KURT BACHME>
To: Parry, Dennis; Davis, Megan
CC: Dominguez, Mike; Romero, Fabio
Sent: 3/19/2019 7:39:50 AM
Subject: RE: Walk-indoor hinge

Dennis –

Going through some e-mails and noticed you were looking for some data from me.....OOPS!!! What time frame and I'll see what I come up with.

Regards,

Kurt Bachmeyer
 Director of Warranty and Technical Services



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From: Parry, Dennis
Sent: Wednesday, February 13, 2019 5:18 AM
To: Davis, Megan <Megan.Davis@jacuzzi.com>; Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>
Cc: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>; Romero, Fabio <Fabio.Romero@jacuzzi.com>
Subject: RE: Walk-indoor hinge

Megan

Good Morning

Do you have any photos of the issue, this is the 5229 walking tub and we have not changed anything in manufacturing on the hinge or how it gets mounted. I talked to Cherry here and we do send out repair doors but we use the same jig as we have always. We need some feed back and photos of this issue in the field.

Kurt

Can someone see what the repairs are on the first street 5229 tubs that required a door change(number per month)?

Thanks
 DP

From: Dominguez, Mike
Sent: Tuesday, February 12, 2019 5:19 PM
To: Davis, Megan <Megan.Davis@jacuzzi.com>
Cc: Romero, Fabio <Fabio.Romero@jacuzzi.com>; Parry, Dennis <Dennis.Parry@jacuzzi.com>
Subject: Re: Walk-indoor hinge

Hi Megan,

I am out of the office this week on business travel. I won't be back into the office until Friday the 22nd.

JACUZZI005262

002343

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If you need a quicker answer please setup a call with Fabio Romero and Dennis Parry. They will keep me updated. If you can wait we can discuss on Friday when i get back into the office.

Thanks,

From: Davis, Megan <megan.davis@jacuzzi.com>
Sent: Tuesday, February 12, 2019 2:12 PM
To: Dominguez, Mike
Subject: RE: Walk-indoor hinge

Hi Mike,
 I wanted to follow up on this one. I want to make sure the CS department is aligned.

Thanks,
 Megan

From: Dominguez, Mike
Sent: Friday, February 08, 2019 2:39 PM
To: Davis, Megan <Megan.Davis@jacuzzi.com>
Subject: RE: Walk-indoor hinge

No worries Megan.

We did make a change to the hinge just recently but the part number hasn't change. can we discuss on Monday really quick on what you are experiencing out there so I can get Dennis on board.

I am available at 10am if that works for you.

Thanks,

From: Davis, Megan
Sent: Friday, February 08, 2019 1:44 PM
To: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>
Subject: Walk-indoor hinge

Hi Mike,
 I need some help. We have had several issues recent where we have replaced doors, but the hinges do not line up. Was there a part number change?
 This is for a 2016 LW45. The replacement door we shipped was LZ62959. They are stating the hinges are located in the wrong places (height wise).

Thank you,
 I am sorry, to bother you with such a small issue, but we now have 5 customers with mutable doors.

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JACUZZI005264

APEN 0097

From: Bachmeyer, Kurt </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5B9F76C4E5D54DFEB7381A257689F31F-KURT BACHME>
To: Parry, Dennis; Davis, Megan
CC: Dominguez, Mike; Romero, Fabio
Sent: 3/19/2019 7:55:04 AM
Subject: RE: Walk-indoor hinge
Attachments: FS5229 Door Hinge Data FY '19 DP 3.19.19.xls

Not a lot of data here....let me know if you want to include anything else.

Regards,

Kurt Bachmeyer
 Director of Warranty and Technical Services



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002346

From: Parry, Dennis
Sent: Tuesday, March 19, 2019 7:47 AM
To: Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>; Davis, Megan <Megan.Davis@jacuzzi.com>
Cc: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>; Romero, Fabio <Fabio.Romero@jacuzzi.com>
Subject: RE: Walk-indoor hinge

Kurt

Look at the last six months should be good.

Thanks
 DP

From: Bachmeyer, Kurt
Sent: Tuesday, March 19, 2019 10:40 AM
To: Parry, Dennis <Dennis.Parry@jacuzzi.com>; Davis, Megan <Megan.Davis@jacuzzi.com>
Cc: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>; Romero, Fabio <Fabio.Romero@jacuzzi.com>
Subject: RE: Walk-indoor hinge

Dennis –

Going through some e-mails and noticed you were looking for some data from me.....OOPS!!! What time frame and I'll see what I come up with.

Regards,

Kurt Bachmeyer
 Director of Warranty and Technical Services

JACUZZI005265

002346



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From: Parry, Dennis

Sent: Wednesday, February 13, 2019 5:18 AM

To: Davis, Megan <Megan.Davis@jacuzzi.com>; Bachmeyer, Kurt <Kurt.Bachmeyer@jacuzzi.com>

Cc: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>; Romero, Fabio <Fabio.Romero@jacuzzi.com>

Subject: RE: Walk-indoor hinge

Megan

Good Morning

Do you have any photos of the issue, this is the 5229 walking tub and we have not changed anything in manufacturing on the hinge or how it gets mounted. I talked to Cherry here and we do send out repair doors but we use the same jig as we have always. We need some feed back and photos of this issue in the field.

Kurt

Can someone see what the repairs are on the first street 5229 tubs that required a door change(number per month)?

Thanks

DP

From: Dominguez, Mike

Sent: Tuesday, February 12, 2019 5:19 PM

To: Davis, Megan <Megan.Davis@jacuzzi.com>

Cc: Romero, Fabio <Fabio.Romero@jacuzzi.com>; Parry, Dennis <Dennis.Parry@jacuzzi.com>

Subject: Re: Walk-indoor hinge

Hi Megan,

I am out of the office this week on business travel. I won't be back into the office until Friday the 22nd.

If you need a quicker answer please setup a call with Fabio Romero and Dennis Parry. They will keep me updated. If you can wait we can discuss on Friday when i get back into the office.

Thanks,

From: Davis, Megan <megan.davis@jacuzzi.com>

Sent: Tuesday, February 12, 2019 2:12 PM

To: Dominguez, Mike

Subject: RE: Walk-indoor hinge

Hi Mike,

I wanted to follow up on this one. I want to make sure the CS department is aligned.

Thanks,

Megan

JACUZZI005266

From: Dominguez, Mike
Sent: Friday, February 08, 2019 2:39 PM
To: Davis, Megan <Megan.Davis@jacuzzi.com>
Subject: RE: Walk-indoor hinge

No worries Megan.

We did make a change to the hinge just recently but the part number hasn't change. can we discuss on Monday really quick on what you are experiencing out there so I can get Dennis on board.

I am available at 10am if that works for you.

Thanks,

From: Davis, Megan
Sent: Friday, February 08, 2019 1:44 PM
To: Dominguez, Mike <Mike.Dominguez@jacuzzi.com>
Subject: Walk-indoor hinge

Hi Mike,
I need some help. We have had several issues recent where we have replaced doors, but the hinges do not line up. Was there a part number change?
This is for a 2016 LW45. The replacement door we shipped was LZ62959. They are stating the hinges are located in the wrong places (height wise).

Thank you,
I am sorry, to bother you with such a small issue, but we now have 5 customers with mutable doors.

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JACUZZI005267

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002349

002349

JACUZZI005268

APEN 0101

PLACEHOLDER - EXCEL

File Name: FS5229 Door Hinge Data FY '19 DP 3.19.19.xls

002350

002350

From: Bachmeyer, Kurt </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KBACHMEYER>
To: '3tippy47@bresnan.net'
Sent: 11/5/2012 1:26:39 PM
Subject: Walk in Tub

Dear Jerre R. Chopper –

I apologize that you have not received a response from the First Street representatives; they have been notified of your dissatisfaction with regards to the sale; installation and ultimately the use of the unit. I have confirmed with our President of Jacuzzi that they will be responding to your concerns and issues as outlined in your letters. If you have not received a response from a First Street representative please let me know immediately.

Regards,

Kurt Bachmeyer
Director of Customer Service



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2187 (o) 909.606.4270 (f)

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002351

002351

JACUZZI005270

APEN 0103

From: Martinez, Audrey
Sent: Monday, July 30, 2012 5:08 PM
To: 'DAVE MODENA'; 'SIMONA ROBERTSON'; 'rebekah.crawley@firstSTREETonline.com'; Baehr, Rich; Torres, Ray; Peetz, Chris; Bachmeyer, Kurt; Rowan, Bob; Frederickson, Don; NORM MURDOCK
Subject: Call Recap 73012
Attachments: Call Recap JLB firstSTREET 7302012.doc

Attached find notes from today's Weekly Tracking Call. Please advise and edits or omissions. Thank you!

Audrey Martinez
Marketing Manager- Aging In Place Bathing



www.jacuzzi.com
13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2582 (o) 909.762.3203 (c)

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firstSTREET/ Jacuzzi Call Recap

July 30, 2012

In Attendance:

Dave Modena
Rebekah Crawley
Norm Murdock
Simona Robertson
Chris Peetz
Rich Baehr
Don Frederickson
Ray Torres
Audrey Martinez

- Action Item Review
 - o JLB
 - Leave all action items open until completed- AM
 - Updated status of “spinning” faucets- RT
 - Vendor to change to metal adaptors in August to start shipping in September
 - o Current configuration not defective but can break with force
 - RT to determine what standard is for faucet torque.
 - Update on Phase 2 delivery- RT waiting on timeline from CTM on door
 - o FS Open Action Items
 - Certified Installer Program overview- NM
 - First phase- online certification program to include multiple modules
 - o To include on site water and function testing
 - o Testing to track comprehension
 - Second phase- On location hands on training
 - o Assisted by dealers and JLB service managers
 - o Suggested top WoW dealers be trained first
- Review of Weekly Tracker/ Hot Sheet
 - o Clarified contact at firstSTREET to best assist in cleaning up old incidents that we aren't getting a response on.
 - Monique for Denver
 - Simona for all others
 - o Set goal to resolve incidents within 30 days
- Product

002353

002353

JACUZZI005272

APEN 0105

002353

- o Shipping
 - 100% Complete and on time!
- o Phase 2 feedback
 - FS team expressed concern regarding space around door
 - RT committed to make door as large as possible and still function properly
 - Any changes to door should not affect delivery.
 - RT to send certification for anti slip floor to NM.
- Dealer Conference
 - o Phase 2 tub to be shipped tomorrow
 - Omni Interlocken Resort
Attn: Aging in The Home Remodelers/Nick Fawkes
500 Interlocken Blvd
Broomfield, CO 80021
 - o Presentation will start at 8:30
 - AM to review with Bob on 7/31/12
 - Jacuzzi history to include how FS partnership started- Tom/ Bob
 - Internet- Bob
 - Current tub update- Bob/ Ray
 - Phase 2 unveil- Bob/ Ray
 - Certified Installer Program- Norm
 - Installation training- Norm/ Ray

002354

002354

From: Torres, Ray
Sent: Thursday, June 27, 2013 8:24 AM
To: Martinez, Audrey
Cc: Bachmeyer, Kurt; Demeritt, William; Peetz, Chris; Baehr, Rich; Davis, Joseph N.
Subject: Emailing: Test various Non Skid Patterns for compliance to ASTM F-462 , 5229 slip resistance
Attachments: Test various Non Skid Patterns for compliance to ASTM F-462 .pdf; 5229 slip resistance.pdf

Audrey,

Here are the two test reports, one is our generic test on a shower pan which is the worst case sheet draw in thickness coefficient of friction .05.(.04 is the passing standard). This is the pattern we use as a master on all jacuzzi bottoms today. The second report is a deep draw on the 5229 walk in tub, the coefficient of friction is .10 double that of the pan which is exactly what we thought it would be. In fact I have never seen a .10 average in all my years. That is darn good!

Anyways, when you send out the reports only send page one which is the conclusion page. Do not send out the actual data as it sometimes with slick lawyers, (not picking on bill) could challenge results.

Anyways great news on the bottom. Where do I charge my fees?
Thanks
ray

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TEST REPORT

5001 East Philadelphia Street
Ontario, California – USA 91761-2816
Ph: 909.472.4100 | Fax: 909.472.4243
<http://www.iapmortl.org>

Report Number: 090-13130

Lab Project: 21924

Report Issued: June 26, 2013

Client: Jacuzzi Luxury Bath
14525 Monte Vista Ave
Chino, CA 91710

Contact: Mario Pakingan

Source of Samples: The sample was shipped to IAPMO R&T Lab from Jacuzzi Luxury Bath and received in good condition on June 25, 2013.

Date of Testing: June 25, 2013

Sample Description: Plastic Hydro-Massage Bathtub with Pressure Sealed Door

Models: LW50959

Scope of Testing: The purpose of the testing was to determine whether the sample tested of the Plastic hydro-massage bathtub w/pressure sealed door met the applicable requirements of ASTM F 462-79 (R2007) entitled, "Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities".

CONCLUSION: The sample tested of the plastic hydro-massage bathtub with pressure sealed door model LW50959 from Jacuzzi Luxury Bath, **COMPLIED** with the applicable requirements of ASTM F 462-79 (R2007).

By our signatures below we certify that all the testing and sample preparation for this report was performed under continuous, direct supervision of IAPMO Testing and Services, LLC, unless otherwise stated.

Tested By,

Reviewed by,

Lawrence S. Owens, Test Technician

Jeffrey Yu, MSEM, Manager - Fixture Testing

Primary Standards: ASTM F 462-79 (R2007). Sections Tested / Evaluated:

- 5.6 Characteristics of the Slip-Resistant Surface
- 8.6 Recording of Data

Note: The sections not mentioned/tested above were considered not applicable to the tested fixture.

Test Results: All tests and evaluations were conducted per the written procedures as specified in the standard.

ASTM F 462-79 (R2007)

5.6 Characteristics of the Slip-Resistant Surface – COMPLIED

The slip-resistant surfaces of the specimens tested covered the entire the bathing surface area to the extent of less than 2 inches to the radius of the bathing area.

8.6 Recording of Data – COMPLIED

Findings: The static coefficient friction was greater than the required minimum of 0.04. See results below.

Location	1	2	3	4	5	6	7	8	9
Slip Resistance Measured (Static Coefficient of Friction)	0.071	0.085	0.118	0.085	0.095	0.080	0.113	0.099	0.099

Photograph of Sample Tested:





Slip Resistant Surface

002358

002358

TEST REPORT

Ph: 909.472.4100 • Fax 909.472.4243 • Web: www.iapmo.org
5001 East Philadelphia Street • Ontario, California 91761-2816 - USA



Report Number: 90-10094

Report Issued: October 19, 2010 **Project:** 18237

Client: Jacuzzi
14525 Monte Vista Avenue
Chino, CA 91710 **Contact:** Mario Pakingan

Source of Samples: The sample was shipped to IAPMO R&T Lab from Jacuzzi, and received in good condition on October 15, 2010.

Date of Testing: October 18, 2010

Sample Description: Plastic shower bases:
Model: 60 x 34 ACRY
42 x 34 ACRY
36 x 36 ACRY

Scope of Testing: The purpose of the testing was to determine whether the samples tested of the plastic shower bases met the applicable requirements of Section 8.6 ASTM F 462-79 (R-2007) entitled, "Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities".

CONCLUSION: The samples tested of the plastic shower bases of models listed above, from Jacuzzi, **COMPLIED** with the requirements of Section 8.6 "Recording of Slip Resistance Test Data" of ASTM F 462-79 (R-2007), **EXCEPT** models: 42 x 34 ACRY; 60 x 34 ACRY.

By our signatures below, we certify that all the testing and sample preparation for this report was performed under continuous, direct supervision of IAPMO R&T Lab unless otherwise stated.

Tested By,

Danilo Mendiola, Test Technician

Reviewed By,

Sean Vuu, P.E., Manager, Specialty Project

Primary Standards: ASTM F 462-79 (R2007)

Sections Tested/Evaluated:

8.6 Recording of Slip Resistance test data

Test Results: All tests and evaluations were conducted per the written procedures as specified in the standard.

ASTM F 462-79 (R2007)

8.6 Recording of test data

Findings: the tested samples had the following slip resistance ratings:

- Model: 36 x 36 ACRY: 0.05 - COMPLIED
- Model: 60 x 34 ACRY: **0.02 – NOT COMPLIED**
- Model: 42 x 34 ACRY: **0.01 – NOT COMPLIED**

Criteria: the minimum requirement was 0.04.

002360

002360

From: Rojas, Miguel
Sent: Friday, October 07, 2016 3:21 PM
To: Bachmeyer, Kurt
Subject: First Street Script
Attachments: First Street Scrip.docx

Her it is. Let me know what you think.

Miguel Rojas
Regional Service Manager-Western Region



14525 Monte Vista Ave
Chino CA, 91710
Cell/MSG 909-904-7559
Office 909-247-2144
Fax 909-247-2551

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Q: Aroma Therapy does not work/they can never smell it

A: Does the Air blower turn on and bubbles go into the tub? Yes, the Cartridge needs to be replaced because the beads are dried or Aroma needs to be replaced. Eucalyptus is the strongest followed by Jasmine and Lavender in that order.

No? Check the breaker to the Blower and make sure the GFCI did not trip. Reset the GFCI.

GFCI is not tripped? Technician will be needed to evaluate the blower or push button

Q: Diverter Valve is too hard to switch

A: Yes? With the water turned off is the diverter easier to switch? Water pressure will be the issue. Please lower the water pressure by restricting the flow and closing the water lever to allow less resistance.

No? The diverter might need to be replaced. 90 day warranty on parts no labor

Q: Door is too hard to Latch Shut

A: Check to see if the door is hitting the striker plate

Yes? Tub is not installed correctly and will need to send out installer to level the Tub.

No? With the door open, try to open and close the latch by opening and closing the handle. Is the tension of the door latch is it easier to open? Yes then handle can be position differently to help make it easier for the user.

No? The door will need to be assess (possible door replacement)

Q: Door is leaking

A: Make sure the door is being closed all the way both top and bottom latch rods need to go into each striker plate. (The bottom rod is more common to miss the striker plate if the door is not closed correctly causing a leak).

If the door is closing and continues to leak:

Check the gasket to make sure it does not have any debris or the gasket is not damaged.

Gasket is good?

Check the level of the tub and that all 6 of the leveling legs are fully touching the floor.

If they are not, need to send the installer to adjust and level the tub

If they are, need to send out service agent to assess the door leak.

002362

002362

JACUZZI005281

Q: Door Drain is too hard to adjust

A: (might not have enough strength to open and close) a Rotary trim knob accessory is installed by the plumber/installer to make it easier to turn the overflow knob.

Q: Drain Plug will not stay open

A: The plunger must have a minimum of 3/8 opening when the plunger is fully open. Measure, if it's less the installer will need to go out and adjust. If correct the drain might need to be replaced. 90 day parts warranty

Q: Grab Bar Location

A: all grab bars are factory installed only. One extra grab bar can be ordered and only location it will be installed will be on the seat side next to the door opening on the deck.

Q: Handheld came off hose

A: Does it look like it just threaded off? (it unscrewed)

B: Does it look like the handheld broke? If so need to send out installer. Parts 90 day warranty

Q: Jets not working

A: make sure you are pressing the On/Off button with quick strong presses (if pressed slow it will not turn on motor)

B: check GFCI to make sure it is not tripped (if tripped reset breaker)

C: check and make sure that the jet is in the fully open position to allow water to come out of jets. All jets can be in the close position from factory from water testing (installer is responsible to check for this)

D: Make sure airline is connected to tri delta. If hose came off it will not turn on motor.

E: if all checks out need to send out service agent to evaluate.

Q: slip off sea and floor

A: if the slip resistance seat and floor are not enough then purchasing the Kahuna Grip to adhere will prevent this from happening. (LX07000) is now factory installed.

Q: Too hard to get in and out of tub

A: Make sure that the proper unit was installed and no reverse plumbing was used if consumer was not able to lift legs high enough. The threshold on the units units are ADA compliant

Q: Tub does not fill fast enough

002363

002363

JACUZZI005282

A: The faucet is rated at 16.7 GPMs at 60 PSI (ML36827) for the fast fill faucet. check water shut off valves they might not be fully opened to allow max water flow. Installers need to check requirements once it is installed. 90 parts only

Q: Water doesn't hold temperature

A: is the motor to the jets turned on? Motor needs to be on in order for the heater to be turned on.

B: Make sure all jets are in the fully open position. Heater has a pressure switch and if it does not sense enough water flow it will not turn on

C: Check GFCI for the heater to make sure it did not trip. Reset if tripped.

D: if everything checked out service agent needs to evaluate issue.

Q: water takes too long to drain

A: The plunger needs to have a 3/8 opening. If the opening is less it will restrict water drain time.

B: what type of drain was installed? NT31XXX standard drain? They might need a Mega Drain installed.

C: If a mega drain is installed or the NT31XXX is working correctly then a plumber will need to be called out. Unit might have a clog in the drain lines. Installer/plumber needs to evaluate at installation. 90 day parts warranty only

Aromatherapy doesn't work/they can never smell it
Diverter valve is too hard to switch
Door is too hard to latch shut
Door leaking (usually user error)
drain is too hard to adjust
Drain plug won't stay open
Grab bar location
Hand Held came off hose
Jets not working
Slip off seat and floor
Too hard to get in and out of tub.
Tub doesn't fill fast enough
Water doesn't hold temperature.
Water takes too long to drain out

002364

002364

JACUZZI005283

From: Norm Murdock <norm.murdock@aihremodelers.com>
Sent: Tuesday, September 10, 2013 9:24 AM
To: Reyes, Regina
Cc: Bachmeyer, Kurt; Martinez, Audrey
Subject: FW: AITHR Open Incident Report
Attachments: AITHR Open Incident Report.xls

Hi Regina-

We are having trouble getting service dates on our open incidents as you can see on the report attached...all are missing service dates or have dates that are past due...can you help???

Thanks,

Norm Murdock, CAPS, CSA
Vice President

Phone: 303-222-3207
Cell: 602-403-6267
Email: norm.murdock@firststreetonline.com
Website: www.firststreetinc.com, www.firststreetonline.com
LinkedIn: www.linkedin.com/company/firststreet

-----Original Message-----

From: Regina.Reyes@jacuzzi.com [<mailto:Regina.Reyes@jacuzzi.com>]
Sent: Tuesday, September 10, 2013 7:50 AM
To: undisclosed-recipients@custhelp.com
Subject: AITHR Open Incident Report

Details of open incidents

Note: The attached file contains a spreadsheet in xml format. Upon opening the file you may receive a warning message stating the format is different from that specified by the file extension. It is safe to open to the file.

AITHR Open Incidents

Open Incidents

Date		Consumer		Service Date	Customer Name	State	Model	Serial #	MFG Date	Subject	Follow Up Date Warranty		Reference #
Created	Balance Due	ShipTo	Contacted										
02/28/2013	No	R A MARABLE CONSTRUCTION	08/28/2013	08/23/2013	Roberta LaTour	TX	LW49599	BDF50G	02/28/2013	Working on a solution (magnetic) not happy with fit. Replaced with a 6 post Advanced Tub Repaired. Fill fit to be replaced by installer.	09/06/2013	Yes	139228-000203
03/19/2013	No	R A MARABLE CONSTRUCTION	08/26/2013		Al Riker	TX	LW50959	BDF162	02/25/2013	Per our agent Manatron customer has not contacted them yet. Homeowner leaving town. will contate agent when he returns the week of 9/2 to schedule service for door/skirt replacement 172455	09/09/2013	Yes	139339-000235
04/01/2013	Yes	R A MARABLE CONSTRUCTION	08/06/2013		Frank Smith	TX	LW50959	BDFX1X	03/05/2013	tub to be replaced under vairnatty . Order W247170 processed on 08-26-13 and shipped 08-29-13-Door replaced, customer does not accept color match. serviced by Renubath to service. Will look into further.	09/09/2013	Yes	139401-000244
05/07/2013	No	VISIONARY PLUMBING	08/27/2013		KAY BLAIS	MN	LW50959	BDF1B0	03/20/2013	new doors to arrive in GA 9/23. **Door replaced, customer does not accept color match. Lake Woods pool to service door	09/05/2013	Yes	139507-000157
06/12/2013	No	RENOVATIVE SOLUTIONS	09/09/2013	08/31/2013	Robert Mills	KS	LW49598	BDF96R	05/07/2013	Waiting for a service date. Skirt replaced, customer not happy with fit. We will add silicone, customer will allow. ; R172586	09/13/2013	Yes	139612-000011
07/30/2013	No	CNJ SERVICES, INC.	08/28/2013	08/13/2013	Mike Bradbury	TX	LW50959	BDFG5Y1	07/15/2013	Reviser plumb not happy with new fit. service is completed, replace skirt; Mrs. Bradbury is going to send pictures173757 skirt gap issue Aqua Surface set svc	09/10/2013	Yes	139730-000109
08/08/2013	No	KEVIN ZIMMERMAN	09/09/2013		Richard Clark	WI	LW39599	BDFGFS	05/14/2013	Customer were on vacation came back today 9/6. Will return agents call to coordinated service. . Olson Communication to do a inspection. door leak, drain tight, and bad panel fit--	09/10/2013	Yes	139808-000127
08/20/2013	No	L7 CONSTRUCTION	09/09/2013	09/05/2013	KATHY HOWELL	SC	LW50959	BDFGFS	05/20/2013	Customer to send in picture. She is not satisfy with the surface. Surface Specialists service. This was a reverse plumbing. Did not have to replace skirt to 6 post. Gap in skirt panel	09/12/2013	Yes	139820-000149
08/23/2013	No	DIAMOND HOME SERVICES	09/09/2013		ALICE LAMAR	SC	LW50959	BDFGWB	06/01/2013	Customer leaving town, request that the agent calls her on 9/23 to coordinated service.. AZ can service day after receiving parts. Gap issue	09/23/2013	Yes	139823-000009
08/26/2013	No	NEFM	09/09/2013		Terri Spence	LA	NQ80958	BDDCF4	06/01/2012	Customer feels tub is too slippery. is suggesting that we offer a mat that fits the tub. what she has bought doesn't fit. will try to find a mat for her	09/09/2013	Yes	139826-000200
08/28/2013	No	MASTER TOUCH	09/09/2013		Cathryn Reynolds	TX	NQ81959	BDD9MT	11/14/2012	Customer feels tub is too slippery. is suggesting that we offer a mat that fits the tub. what she has bought doesn't fit. will try to find a mat for her	09/12/2013	Yes	139826-000102
09/04/2013	No	AITHR DEALER, INC.	09/04/2013		JOHN WUBENHORST	NE	NQ89599	BDC8BK	05/23/2012	Tentative date 9/12. Alan Witte Sales to service. Motor for jets is not coming on.	09/12/2013	Yes	139904-000135
09/05/2013	No	RENOVATIVE SOLUTIONS	09/09/2013		Frank Gagliardi	CO	LW50959	BDC9WM	07/24/2013	Tentative date for service 9/11. The Tub Doctor to service. Skirt panel does not fit properly	09/12/2013	Yes	139905-000044
09/05/2013	No	KEVIN ZIMMERMAN	09/05/2013		Robert Voysey	WI	LW50959	BDCGR6Z	07/15/2013	Waiting to see if Zimmermat Plumbing can service Leak when the jets are on:Scratches on acrylic shelving (filler kit)	09/10/2013	Yes	139905-000068
09/06/2013	Yes	DALLAS PEOPLES	09/06/2013		Ted Schneider	NC	LW50959	BDF3YC	08/21/2013	Superior Spa to service. Issue: no water out of bottom jet SO 175613	09/11/2013		139906-000067
09/09/2013	No	FIRST CHOICE IMPROVEMENTS	09/09/2013		MANUEL ESTRADA	TX	LW49599	BDFG5ZC	07/10/2013	three jets popped out			139909-000067
09/09/2013	No	SCHNEIDER BROTHERS, INC.	09/09/2013		Grace Fry	AZ	NQ81959	BDCQMX	03/01/2012	Light was repaired last week by installer (Brandon) but left blower inoperative...asked dealer to send installer back to job site and re-connect blower.			139909-000168

Record Count: 17

From: Gaspar, Venus
Sent: Monday, July 09, 2012 12:54 PM
To: Reyes, Regina
Cc: Frederickson, Don; Bachmeyer, Kurt
Subject: FW: All FirstStreet Unresolved Incidents
Attachments: FirstStreet Incident Report.xls

Regina,
Per the discussion in the meeting, please remove me off the distribution for this report. We will be using Megan's report to track the open incidents.

Thank you,

Venus Gaspar

ext. 2144

-----Original Message-----

From: Regina.Reyes@jacuzzi.com [<mailto:Regina.Reyes@jacuzzi.com>]
Sent: Friday, July 06, 2012 3:05 PM
To: undisclosed-recipients@custhelp.com
Subject: All FirstStreet Unresolved Incidents

Note: The attached file contains a spreadsheet in xml format. Upon opening the file you may receive a warning message stating the format is different from that specified by the file extension. It is safe to open to the file.

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Title

Date Created	Date Last Updated	Date Closed	Status	Reference #	Disposition Hierarchy	Disposition ID	Subject	Contact Type	DUR/Agent Name	ShipTo Account Name	Model	Serial Number	Manufacture Date	Assigned Account
06/29/2012 08:46 AM	07/05/2012 01:01 PM	06/29/2012 06:46 AM	Solved	125706-500038	Referrals	Referred to International Siter Company	Systems clean order - wants to May in co op	Consumer	No Value	No Value	NQ01959	BDQ246	03/02/2012	Laren Casio
06/29/2012 11:06 AM	07/06/2012 12:18 PM	07/06/2012 12:18 PM	Solved	125706-500101	Coordinated Service Repair	Coordinated Service Repair	Issue: leaks from the door. CJA/friday to do job follow up 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Megan Davis
06/29/2012 11:06 AM	07/06/2012 12:18 PM	07/06/2012 12:18 PM	Solved	125706-500101	Coordinated Service Repair	Coordinated Service Repair	Issue: leaks from the door. CJA/friday to do job follow up 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Megan Davis
06/29/2012 12:30 PM	06/29/2012 11:29 AM	06/29/2012 11:29 AM	Waiting	125706-500132	Product/Operation/Warranty Info Provided	Product/Operation/Warranty Info Provided	Issue: no cold water coming from faucet. Repair Action: to send faucet kit for installer to repair-FRU 7-9, SO# 158334	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Megan Davis
06/29/2012 01:01 PM	06/29/2012 01:01 PM	06/29/2012 01:01 PM	Solved	125706-500159	Referrals	Referrals	INQUIRED OF THE DELAY IN RECEIVING THE REPLACEMENTSROUND - REF TO FIRSTSTREET INSTALLER	Consumer	No Value	No Value	NQ01959	BDQ23F	05/26/2012	Regina Reyes
06/29/2012 01:01 PM	06/29/2012 01:01 PM	06/29/2012 01:01 PM	Solved	125706-500170	Coordinated Service Repair	Coordinated Service Repair	Issue: Door closed you can see a 1/4" gap between gasket and U-Frame 8" above the floor at the bottom corner opposite to hinge. CJA coordinated se via with BETZENTY - serv via will be done 7/8/12.	Consumer	FIRSTSTREET BOOMERS & BEYOND	LIFE CHANGE SOLUTIONS	NQ01959	BDQ23F	06/04/2012	Regina Reyes
06/29/2012 08:38 AM	07/06/2012 08:38 AM	07/06/2012 08:38 AM	Waiting	125706-500212	Documented complaint	Documented complaint	Issue: no cold water coming from faucet. Repair Action: to send faucet kit for installer to repair-FRU 7-9, SO# 158334	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Regina Reyes
06/29/2012 02:27 PM	07/06/2012 02:27 PM	07/06/2012 02:27 PM	Solved	125706-500212	Documented complaint	Documented complaint	Issue: no cold water coming from faucet. Repair Action: to send faucet kit for installer to repair-FRU 7-9, SO# 158334	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Regina Reyes
07/03/2012 06:38 AM	07/03/2012 06:38 AM	07/03/2012 06:38 AM	Solved	125706-500207	Tech troubleShot/Identify failed part	Tech troubleShot/Identify failed part	Issue: has 4 customers with handles not closing tight enough - may not thicker stiffer plate. Repair Action: will call back with serial numbers	Consumer	FIRSTSTREET BOOMERS & BEYOND	Paradise Contractors	NQ01959	BDQ23F	No Value	Megan Davis
07/03/2012 07:17 AM	07/03/2012 07:17 AM	07/03/2012 07:17 AM	Solved	125706-500029	Registered product for warranty	Registered product for warranty	REGISTRATION	Consumer	No Value	No Value	NQ01959	BDQ23F	05/16/2012	Sonja Whitow
07/03/2012 08:51 AM	07/03/2012 08:51 AM	07/03/2012 08:51 AM	Solved	125706-500068	Registered product for warranty	Registered product for warranty	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	05/04/2012	Sonja Whitow
07/03/2012 09:55 AM	07/03/2012 09:55 AM	07/03/2012 09:55 AM	Waiting	125706-500068	Coordinated Service Repair	Coordinated Service Repair	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	05/04/2012	Regina Reyes
07/03/2012 10:14 AM	07/03/2012 10:14 AM	07/03/2012 10:14 AM	Waiting	125706-500127	Coordinated Service Repair	Coordinated Service Repair	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	05/04/2012	Regina Reyes
07/03/2012 10:59 AM	07/03/2012 10:59 AM	07/03/2012 10:59 AM	Waiting	125706-500136	No Value	No Value	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Megan Davis
07/05/2012 06:38 AM	07/06/2012 06:38 AM	07/06/2012 06:38 AM	Solved	125706-500042	Registered product for warranty	Registered product for warranty	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/05/2012 07:56 AM	07/06/2012 07:56 AM	07/06/2012 07:56 AM	Solved	125706-500042	Registered product for warranty	Registered product for warranty	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/05/2012 08:51 AM	07/06/2012 08:51 AM	07/06/2012 08:51 AM	Solved	125706-500096	Product/Operation/Warranty Info Provided	Product/Operation/Warranty Info Provided	REGISTRATION	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/05/2012 10:33 AM	07/06/2012 10:33 AM	07/06/2012 10:33 AM	Solved	125706-500127	Product/Operation/Warranty Info Provided	Product/Operation/Warranty Info Provided	Issue: broken bar & snap lock is too slippery- feels we should have more grab bars on both sides. Repair Action: n/a - Referred to First ST for accessories	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Megan Davis
07/05/2012 02:36 PM	07/06/2012 02:36 PM	07/06/2012 02:36 PM	Solved	125706-500045	Documented complaint	Documented complaint	Handle is damaged out the box has scratches on the handle...requested a new handle...has not installed the unit yet....telling up installation...shipping over night -plaid order 158395 for handle kit	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Megan Davis
07/06/2012 06:38 AM	07/06/2012 06:38 AM	07/06/2012 06:38 AM	Solved	125706-500013	Registered product for warranty	Registered product for warranty	Issue: unhappy with performance of tab- Raleigh Pool promised to swap tab out with other model- referred to Simona at First ST	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Sonja Whitow
07/06/2012 06:38 AM	07/06/2012 06:38 AM	07/06/2012 06:38 AM	Solved	125706-500047	Registered product for warranty	Registered product for warranty	REGISTRATION	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/06/2012 08:36 AM	07/06/2012 08:36 AM	07/06/2012 08:36 AM	Solved	125706-500047	Registered product for warranty	Registered product for warranty	Issue: unhappy with performance of tab- Raleigh Pool promised to swap tab out with other model- referred to Simona at First ST	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/06/2012 08:36 AM	07/06/2012 08:36 AM	07/06/2012 08:36 AM	Solved	125706-500047	Registered product for warranty	Registered product for warranty	Issue: unhappy with performance of tab- Raleigh Pool promised to swap tab out with other model- referred to Simona at First ST	Consumer	No Value	No Value	NQ01959	BDQ23F	05/22/2012	Sonja Whitow
07/06/2012 11:19 AM	07/06/2012 11:19 AM	07/06/2012 11:19 AM	Waiting	125706-500095	Coordinated Service Repair	Coordinated Service Repair	Issue: grab bar paint peeling, light inside door frame has gouge. Repair Action: coordinating finish repair with Regimensper Service-scheduled for 07-10	Consumer	No Value	No Value	NQ01959	BDQ23F	06/20/2012	Regina Reyes
07/06/2012 09:29 AM	07/06/2012 09:29 AM	07/06/2012 09:29 AM	Waiting	125706-500067	Air Actuator Panel (push button)	Air Actuator Panel (push button)	bottoms hard to push, need service, the bottoms work it is just to hard for his wife to push, he also has problems	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Regina Reyes
07/06/2012 12:30 PM	07/06/2012 12:30 PM	07/06/2012 12:30 PM	Solved	125706-500067	Registered product for warranty	Registered product for warranty	Issue: door assembly/panel 1" above bottom of door. 3/4" scratch on grab bar. Repair Action: sent new stifle plate SO# 158333 & finish agent for grab bar repair. Service performed on 07/05, Corrective Action: hinge adjustment sched 7:10	Consumer	No Value	No Value	NQ01959	BDQ23F	No Value	Regina Reyes
07/06/2012 01:08 PM	07/06/2012 01:08 PM	07/06/2012 01:08 PM	Solved	125706-500183	Registered product for warranty	Registered product for warranty	Issue: old tub was larger then new tub. The is missing on front. Installer told him not on contract also door frame was not finished CJA	Consumer	No Value	No Value	NQ01959	BDQ23F	06/12/2012	Sonja Whitow

Record Count: 28

From: Reyes, Regina
Sent: Friday, August 23, 2013 10:43 AM
To: Bachmeyer, Kurt; Martinez, Audrey; Debbie Morabito (debbie.morabito@sympatico.ca)
Subject: FW: Customer Catherine Reynolds Job#B00018
Attachments: IAPMO6262013.pdf

We have not been trained on this topic, we have always been told it exceeds but if we are going to explain it to customers I'd like our response reviewed and approved please.

Based on the document Audrey sent me I did some 5 minute research and conclude this may be an acceptable response:

The unit has been approved by IAPMO to be in compliance with the applicable requirements of ASTM F262-79 (R20007) entitled, "Standard Consumer Safety Specification for Slip Resistant Bathing Facility". To further the explanation is it ok to say, "The unit exceeds the standard set by the American Society for Testing and Materials that identifies the slipperiness of a surface and the safety of that surface."

seems pretty basic, but if Norm is asking after he has been given the info I want to make sure that I am not overlooking something important.

Regina Reyes
Customer Service Manager



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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From: Norm Murdock [mailto:norm.murdock@aihrefmodelers.com]
Sent: Friday, August 23, 2013 9:32 AM
To: Nuanes, Deborah
Cc: Reyes, Regina
Subject: FW: Customer Catherine Reynolds Job#B00018

Hi Debbie-

See below. Could you call this customer Catherine Reynolds at 512-268-3213 to explain the slip resistance & let her know that it meets the industry standard?

Thanks!

Norm Murdock, CAPS, CSA
Vice President

firstSTREET
for Boomers and Beyond

Phone: 303-222-3207

Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com

Website: www.firststreetinc.com, www.firststreetonline.com

LinkedIn: www.linkedin.com/company/firststreet

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On Wed, Aug 21, 2013 at 6:26 PM, DAVE MODENA <DAVE.MODENA@firststreetonline.com> wrote:

Norm can you help Brad with his request. Maybe get someone at Jacuzzi's service area like Kurt contact her and do the best he can do explaining their no slip floor etc...versus having a field rep do this... Please communicate directly with Brad on this ... Thanks

Dave Modena

On Aug 21, 2013, at 7:23 PM, "Brad Beldon" <brad.beldon@beldon.com> wrote:

Sure, we can provide that. Maybe they can call her and be an independent so that she doesn't just think we are not listening to her.

Bradford D. Beldon
President & CEO
Beldon Roofing Company
5039 West Avenue

P.O. Box 13380
 San Antonio, TX 78213
 210/366-6969 Direct
 210/854-6969 Mobile
 210/340-6262 Facsimile
www.beldon.com
brad.beldon@beldon.com

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EPA Renovation, Repair and Painting (RRP) Certified

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On Wed, Aug 21, 2013 at 6:21 PM, DAVE MODENA <DAVE.MODENA@firststreetonline.com> wrote:

The rep can stop by but not sure what they can tell her other than it's passed the national non slip testing which we can provide you ...Norm has that if you want him to send it to you.

Dave Modena

On Aug 21, 2013, at 7:14 PM, "Brad Beldon" <brad.beldon@beldon.com> wrote:

Yes, and she doesn't like it at all. Can the Jacuzzi rep stop by her house to appease her?

Bradford D. Beldon
 President & CEO
 Beldon Roofing Company
 5039 West Avenue
 P.O. Box 13380

San Antonio, TX 78213
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 210/854-6969 Mobile
 210/340-6262 Facsimile
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On Wed, Aug 21, 2013 at 6:12 PM, DAVE MODENA
 <DAVE.MODENA@firststreetonline.com> wrote:
 Jacuzzi is working on a more aggressive floor even though their tub meets the non slip standard... Jacuzzi recommends against putting nonslip strips on the floor which is understandable and customary but that is probably the best actual option at this point. Did you all suggest/try this ?
 Dave Modena

On Aug 21, 2013, at 6:46 PM, "Brad Beldon" <brad.beldon@beldon.com> wrote:

Dave -

We heard back and she's still not satisfied with the solutions Norm provided. She's very happy with the installation; however, she claims that she continues to slip in the tub. What do you think Jacuzzi wants us to do with the slipperiness situation?

Bradford D. Beldon

President & CEO
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On Mon, Aug 19, 2013 at 4:22 PM, DAVE MODENA
 <DAVE.MODENA@firststreetonline.com> wrote:

FYI .. see below ... from Denver office

Dave Modena
 President - Aging In The Home Remodelers
[804-451-2314](tel:804-451-2314)
 Sr. V.P. **firstSTREET** for Boomers & Beyond
www.firststreetonline.com

From: Todd Stout [mailto:todd.stout@aihremodelers.com]
Sent: Monday, August 19, 2013 5:10 PM
To: DAVE MODENA
Subject: FW: Customer Catherine Reynolds

This customer called in again stating she has not heard from anyone and will be calling her lawyer if she doesn't hear from someone today..

Todd

From: Brad Beldon [mailto:brad.beldon@beldon.com]
Sent: Tuesday, August 06, 2013 10:24 PM
To: DAVE MODENA
Cc: Simona Robertson; Todd Stout; Steve Dykes; Beth Galvan; Ryan Shutt; Tim Miller
Subject: Re: Customer Catherine Reynolds

Dave-

We've made contact with the customer and are trying to address her concerns. We will update you once we receive a resolution. Thanks again.

Bradford D. Beldon
President & CEO
Beldon Roofing Company

5039 West Avenue
 P.O. Box 13380
 San Antonio, TX 78213
[210/366-6969](tel:2103666969) Direct
[210/854-6969](tel:2108546969) Mobile
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On Tue, Aug 6, 2013 at 8:48 AM, DAVE MODENA
 <DAVE.MODENA@firststreetonline.com> wrote:

Here is a customer issue that came to us that appears to be yours. Can you look into Andes us know how this is resolved ? Thanks

Dave Modena

Sent from iPhone.

Begin forwarded message:

From: "Todd Stout " <todd.stout@aihremodelers.com>
Date: August 6, 2013, 7:45:24 AM MDT
To: DAVE MODENA
 <DAVE.MODENA@firstSTREETonline.com>, SIMONA
 ROBERTSON

<SIMONA.ROBERTSON@firstSTREETonline.com>

Subject: FW: Customer Catherine Reynolds

This appears to be an Beldon customer What would you like done?

From: Casille Systemers

[<mailto:casille.systemers@aihremodelers.com>]

Sent: Monday, August 05, 2013 1:54 PM

To: Todd Stout; Tracey Dierkens

Subject: Customer Catherine Reynolds

Hello,

I just received a call from a customer who had her tub installed back in December. Her name is Catherine Reynolds, and she is not in LP. The address is 130 Larch Cover, kyle, TX 78640. She is calling because she has slipped twice in the tub and feels it is too slippery. She also said the installer Beldin Home Services did a terrible job and somewhat trashed her house, she has already taken care of this issue and says she doesn't have any interest in pursuing it further. Could one of you follow up with her? The number is [512-268-3213](tel:512-268-3213).

Thank you,

Casille Systemers

Project Coordinator

[AITHR Dealer Inc.](#)

*first***STREET**

1460 W. Canal Ct., Ste. 102

Littleton, CO 80120

Office: [303/222-3200](tel:3032223200)

Direct: [303/222-3199](tel:3032223199)

[303/953-7084](tel:3039537084) fax

Casille.Systemans@AIHRemodelers.com



TEST REPORT

5001 East Philadelphia Street
 Ontario, California - USA 91761-2816
 Ph. 909.472.4100 | Fax. 909.472.4243
<http://www.iapmotl.org>

Report Number: 090-13130 **Lab Project:** 21924

Report Issued: June 26, 2013

Client: Jacuzzi Luxury Bath
 14525 Monte Vista Ave.
 Chino, CA 91710 **Contact:** Mario Pakingan

Source of Samples: The sample was shipped to IAPMO R&T Lab from Jacuzzi Luxury Bath and received in good condition on June 25, 2013.

Date of Testing: June 25, 2013

Sample Description: Plastic Hydro-Massage Bathtub with Pressure Sealed Door
Models: LW50959

Scope of Testing: The purpose of the testing was to determine whether the sample tested of the Plastic hydro-massage bathtub w/pressure sealed door met the applicable requirements of ASTM F 462-79 (R2007) entitled, "Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities".

CONCLUSION: The sample tested of the plastic hydro-massage bathtub with pressure sealed door model LW50959 from Jacuzzi Luxury Bath, **COMPLIED** with the applicable requirements of ASTM F 462-79 (R2007).

By our signatures below we certify that all the testing and sample preparation for this report was performed under continuous, direct supervision of IAPMO Testing and Services, LLC, unless otherwise stated.

Tested By.

Lawrence S. Owens, Test Technician

Reviewed by.

Jeffrey Yu, MSEM, Manager - Fixture Testing

JACUZZI005297

From: Martinez, Audrey
Sent: Tuesday, June 04, 2013 12:10 PM
To: Rowan, Bob; Torres, Ray; Davis, Joseph N.; Peetz, Chris; Bachmeyer, Kurt; Koops, Brian
Subject: FW: Customer comments
Attachments: FSCustomerSurveys62013.xls

All- here are the copies of the comments from FS customers regarding fill time and a few other issues.

Based on the lab testing of our current faucet, 25+ minute fill times indicate an issue with the water supply. Even at 20psi, which I understand to be very low for a household, it should take less than 8 minutes to fill the tub with someone in it.

1/2"		FILL TIME IN MINUTES					
Max Gallons	Displacement 8.34 lbs per Gallon	20 PSI	30 PSI	40 PSI	50 PSI		
	Operating	6.2	9.1	10.3	11.1	GPM	GPM
	Capacity	GPM	GPM	GPM	GPM	GPM	GPM
63	18	45	7.3	4.9	4.4	4.1	4.1

I have asked Norm if they can follow up on these particular installs and determine the household pressure and determine what the cause might be. Ray has repeatedly told them they need to flush the debris from the lines and it would be good to know if that's the case in any or all of these.

Joey- I look forward to your expertise in helping address this issue.

I have attached the cumulative recap of comments on the attached spreadsheet.

Audrey Martinez
Marketing Manager- Aging In Place Bathing



www.jacuzzi.com
13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2582 (o) 909.762.3203 (c)

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From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]
Sent: Monday, June 03, 2013 2:01 PM
To: Martinez, Audrey
Cc: Norm Murdock
Subject: Customer comments

Hi Audrey, please see below for some feedback from our customers. It's resounding how many of the customer's enjoy the tub but, complain that it takes too long to fill. Over and over again that seems to be the common issue (if any) with the tub.... I'll continue to share feedback as some interesting ones come my way.

2. How satisfied are you with the quality and performance of your Jacuzzi Walk-In tub?	1	2	3	4	5
Comments: <i>Very good once it fills (takes 24 min.)</i>					

Would you recommend the Jacuzzi Walk -In Tub to a friend or relative? (Circle One) ☒ Yes ☐ No

Additional Comments: *Yes, if they want to wait 24 min. to fill. Had a problem with the drain not closing & wouldn't hold water. Dan came & said it was a 1999 like I should have known & left without a word*

Would you recommend the Jacuzzi Walk -In Tub to a friend or relative? (Circle One) ☒ Yes ☐ No 33

Additional Comments: *Drain very hard to work with wet hands - Floor very slippery - takes way too long to fill. Need hand rails on both sides & door lock to open & close with someone in the tub - Needs more space.*

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) **Yes** **No**

Additional Comments: I didn't realize I have to wait 1/2 for the water to fill up to my knees. It's very relaxing once it's filled. Jim Debarrow (the installer) was terrific.

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) **Yes** **No**

Additional Comments: **Only dissatisfaction was it took to long to fill up.**

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) **Yes** **No**

Additional Comments: It takes 15 minutes to fill the tub - cold and uncomfortable while you wait. The control buttons get busy when you push them in.

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) **Yes** **No**

Additional Comments: One Thing I would ~~not~~ Change About the Jacuzzi Walk-In Tub Is the Spout. I would like it to swivel.

Best,

Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond

Z8E200

Survey #	Issue	Would They Recommend	Comments
1	Buttons hard to use Hard to clean Too much water/ fill time	Maybe	PG&E bill was 1 1/2x as much as usual
2	Too much water/ fill time	No	Uses too much water
3	Buttons hard to use	No	
4	Buttons hard to use Drain hard to use	No	I would not have bought if I knew what I'd have to go through
5	Too much water/ fill time	Yes	Water heater too small
6	Too much water/ fill time	Unknown	Water too slow, too long to fill up
7	Too much water/ fill time	Yes	The tub does not fill in 3 minutes as I was told
8	Buttons hard to use Installation	Yes	We were lied to about "Best Professional Installers"
9	Wrong owners manual	Yes	
10	Installation	No	I have a tub without cold water and a leaking vanity sink
11	Price/ Too expensive Installation	Yes	Hot side control valve does not align with cold valve. Silicone residue left on marble wall.
12	Too much water/ fill time	Unknown	
13	Too much water/ fill time	No	Additional 50 gallon water heater had to be installed \$1650
14	Surface too slippery	Yes	
15	Door not wide enough Tub too short	Yes	
16	Too noisy Too much water/ fill time	No	Had to buy a larger water heater after being told our 35 gallon was large enough
17	Too much water/ fill time	No	
18	Surface too slippery	Yes	The seat in the tub is very slippery
19	Too much water/ fill time	No	The tub takes too long to fill up. Should have two faucets.
20	Hand held hose too short	Unknown	Shower hose needs to be untangled. We only got about 2 feet of hose.
21	Suggestion	Yes	I would suggest a left and right extra hand grabbers on the front of the tub to help pull/lift out
22	Tub too large	No	You'd have to be 6 feet plus to get any kind of satisfaction
23	Too much water/ fill time	No	Takes too long to fill the tub
24	Tub too large	No	I'm only 5 feet tall and found it hard to reach the controls.
25	Too much water/ fill time	Yes	...if they want to wait 24 minutes to fill
26	Too much water/ fill time Surface too slippery Drain hard to use	Yes	Drain very hard to work with wet hands- floor very slippery- takes way too long to fill
27	Too much water/ fill time	Yes	I didn't realize I'd have to wait a 1/2 (hour) for the water to fill
28	Too much water/ fill time	Yes	Only dissatisfaction was it took too long to fill up
29	Too much water/ fill time Buttons hard to use	No	It takes 25 minutes to fill the tub. The control buttons get hung up when you push them in.
30	Suggestion	Yes	I would like it (spout) to swivel

002382

JACUZZI005301

002382
APEN 0134

From: Norm Murdock <norm.murdock@aihremodelers.com>
Sent: Tuesday, June 18, 2013 1:29 PM
To: Martinez, Audrey; Bachmeyer, Kurt
Subject: FW: Customer Satisfaction Surveys

Feedback below from AHD...maybe we can discuss on call as well...

Norm Murdock, CAPS, CSA
 Vice President

firstSTREET
for Boomers and Beyond

Phone: 303-222-3207

Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com

Website: www.firststreetinc.com, www.firststreetonline.com

LinkedIn: www.linkedin.com/company/firststreet

designed for SENIORS®

All three of these customers ripped us in this questionnaire, and when they say these things on a guild survey, it affected my craftsmen's bonuses. all three of these customers are pissed *because they are not happy with the limitations of the Jacuzzi product, or because they have hot water issues*. We have addressed the hot water issue with the checkbox on the new contracts. I forward every product related concern to Jacuzzi via email, and I feel like they treat me as a nuisance, rather than a customer with legitimate concerns. once, *their customer service department told one of our customers they need an 80 gallon water heater*. I was in the home with the customer when he called the jacuzzi CS help line. I got on the phone and asked the CS rep why he said 80, when the jacuzzi literature says 50; and he said the recommendation was "*based on his own personal preference*."

Last week, the same CS team erroneously told one of our customers that AHI had "installed a *scrapped tub* for her" ?!?!?

my guys are doing their jobs properly, but they are being penalized. I am following up with our customers to condition them for the Guild Survey, but by the time the survey gets to them, some customers (these three customers were installed several months ago) are so disgusted with the limitations of the product, that they rate the whole experience low. this is hurting our company's reputation.

who has the clout to address the real issues that are driving these comments from our customers? I haven't been able to move the ball.

Please Help.

ray

this is the note in our system for Howard:

Mrs. Howard called today and said the tub is 'just not what she expected' it to be, she called it 'dangerous' because she slips on the seat, and she is not happy about the jets. i explained that she can adjust the pressure on each of the six back-jets. she said she would do that, but wants us to know she is very unhappy.

this is our note from Luther:

mr called in because we just installed tub. micah filled it for them before he left and it was fine but now that they tried to use it last night they are not happy because the hot water doesnt last past the seat. so i asked about the gallon of hot water tank and he said he has a 60. so i then informed him that because we are federally mandated we have a mixing valve in it. advised him if they wanted to turn the water up on the hot water tank hey could but to be very careful not to get burnt in there sinks around the house. he did mention that they are both invalids and they can't get around easy. he demands that someone come out even after i asked him to try and use it once again and make sure he has not run the wash, dishwasher, etc. he was not happy because i told him that the installer is out of town and ray is on vacation. he hung up in my face after thanking me for not helping him.

this is our only note from Currie:

"Not happy w/hot water situation"

From: Allan Ross [<mailto:aross@americanhomedesign.com>]

Sent: Friday, June 07, 2013 3:29 PM

To: djacobs@americanhomedesign.com; 'Ray Parnell'; ljohns@americanhomedesign.com

Subject: FW: Customer Satisfaction Surveys

Wow , we got killed on these ! What happened and what does our survey say ??

From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]

Sent: Friday, June 07, 2013 3:21 PM

To: Allan Ross; Jamee Tamulis

Subject: Customer Satisfaction Surveys

Good Afternoon,

Please find attached 3 completed surveys for your review.

Have a great weekend!

*Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond*

002385

3
002385
APEN 0137

JACUZZI005304

June 9, 2013

Sirs:

For some time I have intended to write everyone concerned re: the Jacuzzi tub which I purchased in March. Two days ago I received the attached unsigned survey and letter, which gave me the impetus to reply - explaining the difficulties I have encountered with the Jacuzzi, its installation and operation.

First, the Jacuzzi seller looked in the garage at my new water heater, then in my bathroom to take measurements. He indicated no problems.

Upon deciding to purchase, I was told by Ray Parnell that I would receive a telephone call re: date and time of installation. The installers (2) arrived later than I had been told, and obviously were in a hurry to finish and leave for Home (Nashville).

After further examination of the installation, after their hurried departure, I realized the job was not only incomplete, but damage had been done to my wallpaper, incomplete woodwork was evident, bare, unpainted wood shined through the bathroom window into the backyard. (I observed this a few days later when I was outside.) The wood surfaces were obviously not only incomplete, but out of line. I learned this from the second crew who were in after I reported the terrible job which had been done by crew # 1.

Before the second crew was involved, I waited, as I had been instructed, for 24 hours to use the tub. After the wait which was longer than 24 hours, I realized, to my chagrin, that I could only enter the tub sideways. I am 83 years old, and a very little overweight, but NOT that large. Anyone who is larger than I would hardly be able to enter the tub if at all.

Then, when I sat down, I realized I would need to be extremely cautious, because the seat is so small. Fortunately, I grabbed the hand bar to prevent a fall.

Now, I am finally ready to close the tub door, latch it, turn on the water and take one of your "beautifully advertised" baths. But, NO! The hot water ran out around lower leg level. Thankfully, it was not January, because I was COLD! I finally was able to drain the tub and exit (with difficulty). Why didn't the seller tell me I didn't have an adequate supply of hot water when he examined it? An other disappointment !

Another call by me to the home office resulted in a request by Mr. Parnell to send pictures of my complaints. (mite insulting considering the varied problems I had.)

JACUZZI005305

I informed Mr. Parnell that I was unable to send pictures and that he needed to send someone here to remedy my problems. He informed me that he would call when "they" were ready. (I'm glad that I had not planned a trip, not knowing with any specificity when the next "crew" would be arriving.)

Anyway, another 2-man crew arrived on April 24, 2013. They were due at 7:30 A.M. and they arrived at 1:45 P.M., leaving a huge scrape mark on my drive way which cannot be washed away - I've tried.

In the meantime, my son-in-law had come over and adjusted my thermostat on my hot water heater. To date the tub has never been completely filled, but, I can say, the light in the tub work well.

When the second man in the second crew arrived early, he soon discovered he was not supposed to be at my house but somewhere else. (God bless the person who was expecting him at his house!)

If not before, I had now begun to question the company's abilities and integrity,, its employee's AND the \$15,000 I paid for this never-ending nightmare.

Finally, I have been somewhat hesitate to use this tub, O I have never taken a full bath in it.

Wait! This is not all!

Recently, two relatives from out0-of-state came for a visit. One of the visitors is older than I and somewhat disabled. I must admit I encouraged her to take a long bath in my new Jacuzzi.

I helped her into the tub. She also had to turn sideways to enter....just as I had. We closed the latch. It closed with no difficulty, and we turned on the water. She reluctantly admitted that the seat was not comfortable. After a while. Waiting for the tub to fill, I looked down to discover the tub was leaking badly. I was embarrassed and apologized profusely, and helped her exit into two inches of water on the bathroom floor.

That evening, night and the next day, I closed, and, yes, slammed the tub door repeatedly in an effort to fix the problem. Finally, for some untold reason the bolt closed properly. Why? I have no idea.

JACUZZI005306

After ¾ of an hour, several large beach towels, and some muscular effort (and patience), the lock/lever worked. This was without frustration toward your company for the poor service and numerous problems I encountered. I have exhausted my supply of expletives---privately---and am now writing to share my total disappointment with your service and the quality of merchandise I received.

I cry because I feel I have been taken advantage of, and have thrown away \$15,000 for a nightmare Jacuzzi. Just for your information, I am the mother of two attorneys, one located in Nashville, a professor at Vanderbilt. I have not shared all of these experiences with them....not yet!

At present, I have a much-depleted bank account, a history of bad experiences with you and the \$15000 Jacuzzi I'm afraid to use! Am I frustrated? You bet!!

Now I would like to know what the companies involved plan to do about my problems. You have my address. Please let me know.

Patricia Brandon
196 Greenfield Lane
Alabaster, AL 35007

Cc:
Attached

002388

002388

JACUZZI005307

After ¾ of an hour, several large beach towels, and some muscular effort (and patience), the lock/lever worked. This was without frustration toward your company for the poor service and numerous problems I encountered. I have exhausted my supply of expletives---privately---and am now writing to share my total disappointment with your service and the quality of merchandise I received.

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Now I would like to know what the companies involved plan to do about my problems. You have my address. Please let me know.



Patricia Brandon
196 Greenfield Lane
Alabaster, AL 35007

Cc:
Attached

JACUZZI005308

APEN 0141

ALABASTER, AL 35007

JACUZZI
 for Boomers and Beyond®

804-524-9889 (Fax) Attn: Simona Robertson

1998 Ruffin Mill Rd • Colonial Heights • VA 23831

Customer Satisfaction Survey

Congratulations on your Designed for Seniors™ Jacuzzi® Walk-In Tub purchase. In order to better serve you, please take a moment to tell us about your experience.

	P O O R	A V E R A G E	G O O D	V E R Y G O O D	E X C E L L E N T
Rating System: For each of the categories, please rate your experience on a scale from 1 to 5 on the right, where 1 represents "Poor" and 5 represents "Excellent." Please circle your answer.					
1. How would you rate your overall experience?	1	2	3	4	5
Comments:					
2. How satisfied are you with the quality and performance of your Jacuzzi Walk-In tub?	1	2	3	4	5
Comments:					
3. My sales consultant arrived on time and was polite and courteous.	1	2	3	4	5
Comments:					
4. From the date of the sale, my installation was promptly scheduled to fit my timetable.	1	2	3	4	5
Comments:					
5. My calls were promptly returned when I attempted to reach a Walk-In Tub representative.	1	2	3	4	5
Comments:					
6. The installation procedure was explained to me before it was started.	1	2	3	4	5
Comments:					
7. The installation crew arrived on time and was polite and courteous.	1	2	3	4	5
Comments:					
8. The tub was properly tested and the controls and their use were properly explained to me after the installation.	1	2	3	4	5
Comments:					
9. The crew maintained cleanliness before, during and after the install.	1	2	3	4	5
Comments:					
10. Was the installation completed on time as scheduled?	1	2	3	4	5
Comments:					

Would you recommend the Jacuzzi Walk-In Tub to a friend or relative? (Circle One) Yes ☒ No

Additional Comments: See attached letter

Optional: *You agree that by signing this survey, we may use your name/comments/feedback in our marketing materials and that you will receive no compensation for the use of such information.

**If you wish to be contacted, please provide your telephone number.

Age(s) _____

Signature Tat Brandon *

Phone Number _____ **

(Optional complete only if you wish to be contacted)

Turn over please

JACUZZI005309

From: Reyes, Regina
Sent: Friday, June 21, 2013 11:48 AM
To: norm.murdock@firststreetonline.com; Martinez, Audrey; Bachmeyer, Kurt
Subject: FW: Customer Satisfaction Surveys
Attachments: SERVER-49287372_Exchange_06-21-2013_11-28-38.pdf

We received this letter in our office. Not sure if this is one of the customers referenced in this email or not but it is a customer of Ray Parnell.

Since this letter was sent to our Jacuzzi we need to respond. She has installation issues, and an issue with the tub. I will be calling Ray to obtain the serial number so that we can coordinate a repair.

Regina Reyes
Customer Service Manager



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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From: Bachmeyer, Kurt
Sent: Tuesday, June 18, 2013 7:50 PM
To: Norm Murdock; Martinez, Audrey; Reyes, Regina
Subject: RE: Customer Satisfaction Surveys

Regina –

I want to know who spoke to these customers – if this was actually said it's unacceptable and I want to speak with this person personally.

Kurt Bachmeyer
Director of Customer Service



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2187 (o) 909.606.4270 (f)

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From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Tuesday, June 18, 2013 1:29 PM
To: Martinez, Audrey; Bachmeyer, Kurt
Subject: FW: Customer Satisfaction Surveys

Feedback below from AHD...maybe we can discuss on call as well...

Norm Murdock, CAPS, CSA
Vice President



Phone: 303-222-3207
Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com
Website: www.firststreetinc.com, www.firststreetonline.com
LinkedIn: www.linkedin.com/company/firststreet

designed for SENIORS®

All three of these customers ripped us in this questionnaire, and when they say these things on a guild survey, it affected my craftsmen's bonuses. all three of these customers are pissed *because they are not happy with the limitations of the Jacuzzi product, or because they have hot water issues*. We have addressed the hot water issue with the checkbox on the new contracts. I forward every product related concern to Jacuzzi via email, and I feel like they treat me as a nuisance, rather than a customer with legitimate concerns. once, their customer service department told one of our customers they need *an 80 gallon water heater*. I was in the home with the customer when he called the jacuzzi CS help line. I got on the phone and asked the CS rep why he said 80, when the jacuzzi literature says 50; and he said the recommendation was *"based on his own personal preference."*

Last week, the same CS team erroneously told one of our customers that AHI had "installed a *scrapped tub* for her" ?!?!?

my guys are doing their jobs properly, but they are being penalized. I am following up with our customers to condition them for the Guild Survey, but by the time the survey gets to them, some customers (these three customers were installed several months ago) are so disgusted with the limitations of the product, that they rate the whole experience low. this is hurting our company's reputation.

who has the clout to address the real issues that are driving these comments from our customers? I haven't been able to move the ball.

Please Help.

ray

this is the note in our system for Howard:

Mrs. Howard called today and said the tub is 'just not what she expected' it to be, she called it 'dangerous' because she slips on the seat, and she is not happy about the jets. i explained that she can adjust the pressure on each of the six back-jets. she said she would do that, but wants us to know she is very unhappy.

this is our note from Luther:

mr called in because we just installed tub. micah filled it for them before he left and it was fine but now that they tried to use it last night they are not happy because the hot water doesnt last past the seat. so i asked about the gallon of hot water tank and he said he has a 60. so i then informed him that because we are federally mandated we have a mixing valve in it. advised him if they wanted to turn the water up on the hot water tank hey could but to be very careful not to get burnt in there sinks around the house. he did mention that they are both invalids and they can't get around easy. he demands that someone come out even after i asked him to try and use it once again and make sure he has not run the wash, dishwasher, etc. he was not happy because i told him that the installer is out of town and ray is on vacation. he hung up in my face after thanking me for not helping him.

this is our only note from Currie:

"Not happy w/hot water situation"

From: Allan Ross [<mailto:aross@americanhomedesign.com>]

Sent: Friday, June 07, 2013 3:29 PM

To: djacobs@americanhomedesign.com; 'Ray Parnell'; ljohns@americanhomedesign.com

Subject: FW: Customer Satisfaction Surveys

Wow , we got killed on these ! What happened and what does our survey say ??

From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]

Sent: Friday, June 07, 2013 3:21 PM

To: Allan Ross; Jamee Tamulis
Subject: Customer Satisfaction Surveys

Good Afternoon,

Please find attached 3 completed surveys for your review.

Have a great weekend!

*Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond*

From: Martinez, Audrey
Sent: Monday, September 23, 2013 3:36 PM
To: Bachmeyer, Kurt; Reyes, Regina
Subject: Fw: Five9 Voicemail Alert
Attachments: 1141711_1379779221442.wav

Is this the customer we were going to buy a mat for?

----- Original Message -----

From: Norm Murdock [<mailto:norm.murdock@aihremodelers.com>]
Sent: Monday, September 23, 2013 01:48 PM
To: Martinez, Audrey; Torres, Ray
Subject: FW: Five9 Voicemail Alert

Audrey/Ray-

See below + v/m attached...we continue to have these issues & complaints with poor slip resistance...we need a better alternative...thoughts?? Do you want to consider offering a mat or adhesives in lieu of changing the mold?

Can we discuss on call tomorrow?

Thanks,

Norm Murdock, CAPS, CSA
Vice President

Phone: 303-222-3207
Cell: 602-403-6267
Email: norm.murdock@firststreetonline.com
Website: www.firststreetinc.com, www.firststreetonline.com

-----Original Message-----

From: Ashley Davidson [<mailto:ashley.davidson@aihremodelers.com>]

963200

Sent: Monday, September 23, 2013 8:01 AM
To: Norm Murdock
Subject: FW: Five9 Voicemail Alert

Hey Norm, good morning,

Mrs. Borroz called in and left a message for me.. She slipped in her tub and hit her arm on the grab bar... She is requesting we send her a matt to put in the bottom of the tub so it is not so slippery.. do you have any suggestions? I had already suggested to her to go to Wal-Mart or bath and body and get one there but she is saying they are all too big...

Best Regards,

Ashley Davidson
Customer Care Coordinator
Aging In The Home Remodelers
Office: 303.222.3200
Direct: 303.222.3197
Email: Ashley.davidson@aihremodelers.com
1460 W Canal Ct STE 102
Littleton, CO. 80120

-----Original Message-----

From: Five9 VCC Notification [<mailto:voicemail-noreply@five9.com>]
Sent: Saturday, September 21, 2013 10:02 AM
To: Ashley Davidson
Subject: Five9 Voicemail Alert

Dear Ashley Davidson,

You have received a new voicemail from 5202264643 at Sat Sep 21 09:02:01 PDT 2013

VCC Email Robot

This email and any attachments are confidential and may be legally privileged. If you are not the intended recipient, please notify the author by replying to this email message, and then delete all copies of the email on your system. If you are not the intended recipient, you must not disclose, distribute, copy, print, or use this email in any manner. Email messages and attachments may contain viruses. Although we take precautions to check for viruses, we make no assurances about the absence of viruses. We accept no liability and suggest that you carry out your own virus checks.

JACUZZI005316

From: Davis, Megan
Sent: Monday, December 30, 2013 10:20 AM
To: Zajac, David; Vest, Richard
Cc: Bachmeyer, Kurt; Reyes, Regina; Rojas, Miguel; Noel, Steve; Pierce, Don; Fontana, Andy; Torres, Ray; Martinez, Audrey
Subject: FW: Flashberger repair SN #BDF8WQ
Attachments: Gail's pictures 038_5716.jpg; Gail's pictures 039_9171.jpg; Gail's pictures 040_33DC.JPG; Gail's pictures 048_48AD.JPG; Gail's pictures 049_8D25.jpg; Gail's pictures 050_F2B2.jpg

Importance: High

Hi Rich,
I not sure that the hinges will be the issue. The door actually appears to be off in size. The original door although off in color, fit perfectly. If the hinges are off wouldn't the unit link? It is not leaking right now.
Thank you,
Megan



From: Davis, Megan
Sent: Monday, December 30, 2013 7:22 AM
To: Zajac, David; Baehr, Rich
Cc: Nuanes, Deborah
Subject: FW: Flashberger repair SN #BDF8WQ
Importance: High

Hello Rich and David,
I was wondering if you can review the photos attached. Our service tech installed this new door a few weeks ago. It appears that this replacement door was built smaller than the one that was previously on the tub. We are reordering the door on order number 180894. Can you help me double check this replacement door to make sure it is built to spec?

Thank you,
Megan

From: Nuanes, Deborah
Sent: Friday, December 27, 2013 4:50 PM
To: Davis, Megan
Subject: FW: Flashberger repair SN #BDF8WQ

Megan,

New order for door 180894

Thank you,
Deborah Nuanes
Consumer Relations, Aging in Place



14525 Monte Vista, Chino CA 91710
800-288-4002 ext 3003
909-247-2218 fax
deborah.nuanes@jacuzzi.com

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From: Andrea [maliko:andrea@homesafetybaths.com]
Sent: Friday, December 27, 2013 1:24 PM
To: Nuanes, Deborah
Cc: Reyes, Regina; Martinez, Audrey; SIMONA ROBERTSON
Subject: Flashberger repair SN #BDF8WQ

Hi Deborah,

I understand that Tom went out and replaced the door on this tub after several attempts. I called the customer yesterday and was informed that they were still not satisfied with the tub. Evidently they have sent you pictures of the way the door fits and gasket is showing (door doesn't cover the gasket?) Mr., Is also concerned with the integrity of the fiberglass where the hinge screws have been taken out and put back in. Also he says the bottom of the tub is extremely slippery, he has slipped, and also a friend has slipped in using it. We get this complaint a lot, we have two customers right now that have injured themselves seriously and are threatening law suits. We have sent out bath mats to put in the tub to three other customers because they slipped and were afraid to use the tub. Furthermore, Mr. Flashberger expressed his concern that the door hits the opposite side of the tub when you open it, is concerned about damage to the tub wall. Thinks there should be some kind of bumper there to prevent this. The door still is not an exact match but he has given up on that issue, but he does want it to fit properly. Evidently someone from there called him and told him to use it for 30 days and see if it got better,(he was not impressed with whoever called and said no matter how long he waits it is not going to change how the door fits) He doesn't. like the way the water runs down the shower wand, and all and all he said he wishes he never would have bought the tub, He thought he was getting the Cadillac of tubs, instead he got a very poorly designed mess. His job was installed in May and we are still not any closer to being resolved. He said he had no issues with the installation or with Tom Gregory who was trying to do the repair. Only with Jacuzzi's attempt to fix a flawed product. He also stated that when he contracted with us he had several friends that wanted to purchase one and after they saw the tub and new of his problems, changed their minds. So besides the \$4,895 he still owes us we have lost potential sales. We would like to know what is going to be done about this situation and what can be done for this customer. Asking him to wait for 30 days is not acceptable since he has already waited 8 months!

Andrea Dorman
Home Safety Baths



002402

002402

JACUZZI005321



002403

002403

JACUZZI005322



002404

002404

JACUZZI005323



002405

002405

JACUZZI005324



002406

002406

JACUZZI005325



JACUZZI005326

APEN0159

From: Reyes, Regina
Sent: Monday, December 30, 2013 10:13 AM
To: Martinez, Audrey; Bachmeyer, Kurt
Cc: Davis, Megan
Subject: FW: Flashberger repair SN #BDF8WQ
Attachments: Gail's pictures 049.jpg; Gail's pictures 050.jpg; Gail's pictures 051.jpg; Gail's pictures 052.jpg

Unit mfg 4/23/13 – original issue door color mismatch.

Serviced last week, customer accepts color but not fit. See attached photos.

There is another email trail going around that Megan is going to be adding you to the distribution list. We have a big issue and we are only pointing finger per say, but due to the circumstances involved with time line and slip injuries this needs to be settled so I'm keeping you in the loop.

Regina Reyes
Customer Service Manager



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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From: Andrea [<mailto:andrea@homesafetybaths.com>]
Sent: Friday, December 27, 2013 1:24 PM
To: Nuanes, Deborah
Cc: Reyes, Regina; Martinez, Audrey; SIMONA ROBERTSON
Subject: Flashberger repair SN #BDF8WQ

Hi Deborah,

I understand that Tom went out and replaced the door on this tub after several attempts. I called the customer yesterday and was informed that they were still not satisfied with the tub. Evidently they have sent you pictures of the way the door fits and gasket is showing (door doesn't cover the gasket?) Mr., Is also concerned with the integrity of the fiberglass where the hinge screws have been taken out and put back in. Also he says the bottom of the tub is extremely slippery, he has slipped, and also a friend has slipped in using it. We get this complaint a lot, we have two customers right now that have injured themselves seriously and are threatening law suits. We have sent out bath mats to put in the tub to three other customers because they slipped and were afraid to use the tub. Furthermore, Mr. Flashberger expressed his concern that the door hits the opposite side of the tub when you open it, is concerned about damage to the tub wall. Thinks there should be some kind of bumper there to prevent this. The door still is not an exact match but he has given up on that issue, but he does want it to fit properly. Evidently someone from there called him and told him to use it for 30 days and see if it got better,(he was not impressed with whoever called and said no matter how long he waits it is not going to change how the door fits) He doesn't. like the way the water runs down the shower wand, and all and all he said he wishes he never would have bought the tub, He thought he was getting the Cadillac of tubs, instead he got a very poorly designed mess. His job was installed in May and we are still not any closer to being resolved. He said he had no issues with the installation or with Tom Gregory who was trying to do the repair. Only with Jacuzzi's attempt to fix a flawed product. He also stated that when he contracted with us he had several friends that wanted to purchase one and after they saw the tub and new of his problems, changed their minds. So besides the \$4,895 he still owes us we have lost potential sales. We would like to know what is going to be done about this situation and what can be done for this customer. Asking him to wait for 30 days is not acceptable since he has already waited 8 months!

Andrea Dorman
Home Safety Baths



JACUZZI005329

002410
APEN 0162



JACUZZI005330

002411

002411
APEN 0163



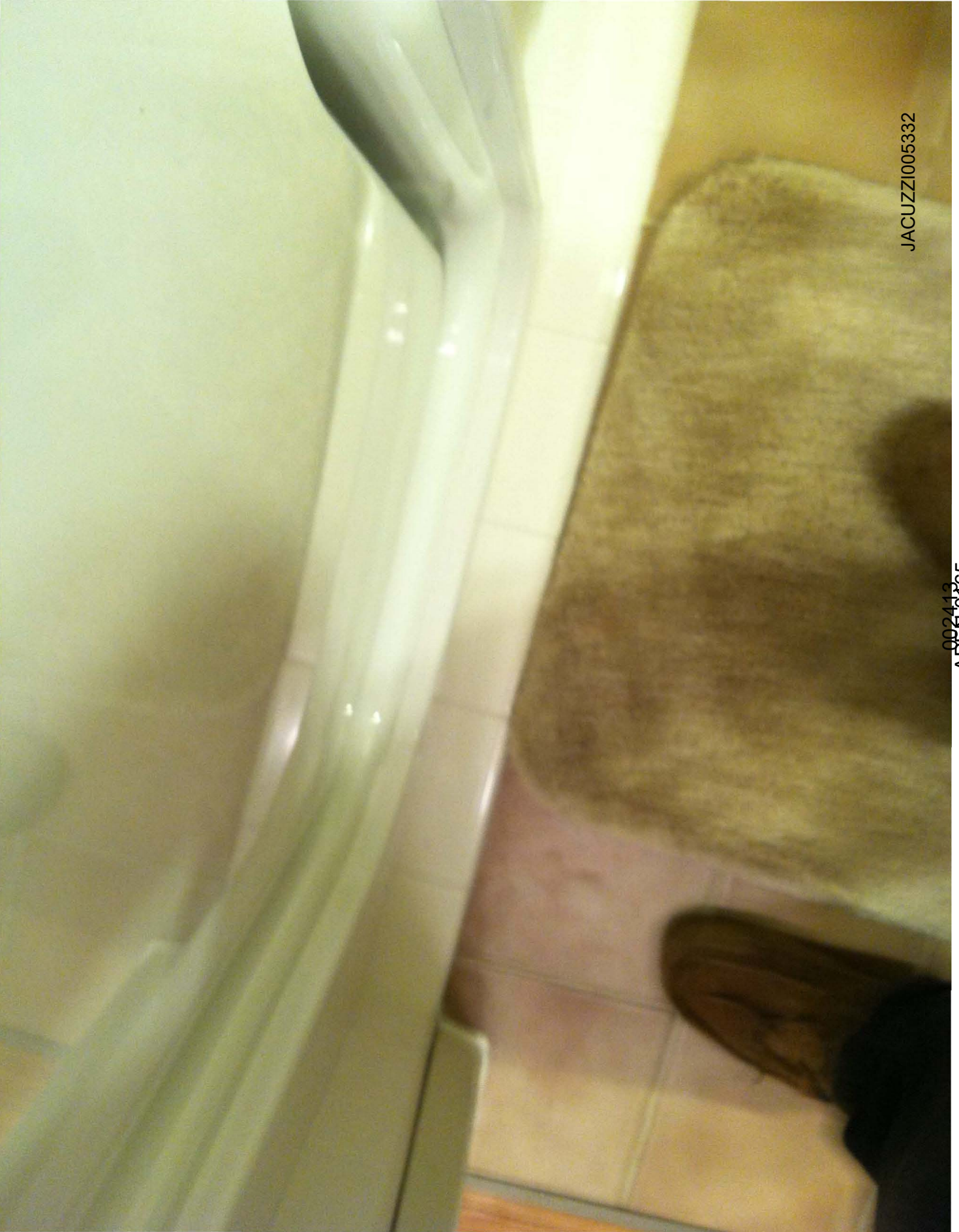
JACUZZI005331

APEN 0164

JACUZZI005332

002413
APEN 0165

002413



From: Martinez, Audrey
Sent: Tuesday, June 11, 2013 4:03 PM
To: Rowan, Bob; Torres, Ray; Davis, Joseph N.; Peetz, Chris; Bachmeyer, Kurt; Koops, Brian
Subject: FW: Here are a few more comments
Attachments: customer letters.pdf; FSCustomerSurveys62013.xls

Updated with recent comments. Note two letters attached, one of which I believe was sent to us directly.

Audrey Martinez
 Marketing Manager- Aging In Place Bathing



www.jacuzzi.com
 13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
 909.247.2582 (o) 909.762.3203 (c)

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From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]

Sent: Tuesday, June 11, 2013 12:37 PM

To: Martinez, Audrey

Cc: Norm Murdock

Subject: Here are a few more comments

Audrey, here are a few more comments as well as 2 letters customers sent along with their completed survey.

Would you recommend the Jacuzzi Walk –In Tub to a friend or relative? (Circle One)		Yes	No
Additional Comments: Only thing is I wished it didn't have be filled above all the jets to work. Does it have to be up top maybe I lose the back top??		77	

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) Yes Not At This Time

Additional Comments: 1. NOT AS WIDE AS OUR TUB WAS 2. DOOR SWINGS TO INSIDE NOT ALLOWING ADEQUATE ACCESS FOR DISABLED PERSONS 3. INSTALLATION WAS NOT AS EXERCISE - WE WANTED SHOWER ROOM IN THE BACK WALL SIDE, NOT FILL

Optional: *You agree that by signing this survey, we

Age(s) 71, 72

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) Yes No

Additional Comments: Its beautiful But takes a long time to fill up to use - 1 49

Would you recommend the Jacuzzi Walk - In Tub to a friend or relative? (Circle One) Yes No

Additional Comments: seat slippery - you fall off onto Tub floor door opens in so very hard to get up or be helped up - No dot crawling has holes in it not worth

Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond

Trust Street;

P.O. Box May 30, 201
Rumney, NH 0326

My comments are as follows;

- ① The tub takes too much water and takes too long to fill.
- ② After sitting down, the faucets and shower head cannot be reached
- ③ Door should open out as there is barely room to squeeze by to get in
- ④ It is difficult to exit as there is nothing on the right hand side to hang onto, plus the step out is about 6-7 inches high. Would be okay, probably, for someone not as lame and stiff as I am.

These are my concerns, other -
wise it's O.K.

PS- Ruth M. Young
Oh, one thing more, I do use a
rubber bath mat, as I find the
bottom of the tub slippery

002416

002416

JACUZZI005335

Jacuzzi Luxury Bath
14525 Monte Vista Avenue
Chino, CA 91710

May 15, 2013

Sir,

I bought a Jacuzzi walk in tub in February of this year. My wife and I are both over 75 years old. Since the installation I must admit that I use the tub more than she does. Although we both enjoy the tub very much I do have a few recommended improvements if and when you decide to upgrade the tub.

- On average it takes between 13 and 15 minutes to fill the tub to the point where the bubble jets can be used. It would be nice to have a switch (valve) to be able to use the both the bottom jets while the rest of the tub is being filled. This would be especially helpful if you only needed to relax your legs as well as to occupy you while the rest of the tub is being filled.
- As you know the tub is shorter than a standard tub and the inside dimensions limit your movement. In my opinion the faucet should either swivel or be shorter. When standing while the water is draining you better not lean over to get a dropped wash cloth or you could bash your head.
- Your stainless still controls should have some indentation to provide for a better grip. When your hands are wet it is difficult to let the water out.

Please do not take the above as criticism. These are just features that I and my wife would like to see. If your designers were required to use these tubs for a month or so I believe they would go for functional and not 'pretty'.

Now for the criticism. You should vet who you use to install these tubs more closely. In the past fifty years we have had numerous companies working in our home. The crew that did my work was incompetent, arrogant, and sloppy. I would not let them back into my home. To top it off, Beldon has a policy that their crews can not finish out the door ways after the installation is complete. This is left to the homeowners. Your are selling to seniors with canes, walkers and wheel chairs and expect them to finish the job. I know many seniors in my church and charity work and refuse to refer them for a tub. In my case they had to remove two door frames (one to the bedroom and one to the bathroom) and left me with a mess. They left grout on my tile which I spent hours trying to clean up. They also left gaps where some grout should be. Beldon's installation manager tried to fix a part of this and said he would be back in a day or

JACUZZI005336

two. When he didn't return I did the work myself. He also promised to get me a small quantity of grout so that I could finish the job but he never called nor did he come by.

The only positive experience we had was with their salesman. He was knowledgeable, polite and easy to deal with.

Sincerely

Edward S. Kleitches
5953 Woodridge Rock
San Antonio, TX 78249
210-558-1342

002418

002418

JACUZZI005337

APEN 0170

Survey #	Issue	Would They Recommend	Comments
1	Buttons hard to use Hard to clean Too much water/ fill time	Maybe	PG&E bill was 1 1/2x as much as usual
2	Too much water/ fill time	No	Uses too much water
3	Buttons hard to use	No	
4	Buttons hard to use Drain hard to use	No	I would not have bought if I knew what I'd have to go through
5	Too much water/ fill time	Yes	Water heater too small
6	Too much water/ fill time	Unknown	Water too slow, too long to fill up
7	Too much water/ fill time	Yes	The tub does not fill in 3 minutes as I was told
8	Buttons hard to use Installation	Yes	We were lied to about "Best Professional Installers"
9	Wrong owners manual	Yes	
10	Installation	No	I have a tub without cold water and a leaking vanity sink
11	Price/ Too expensive Installation	Yes	Hot side control valve does not align with cold valve. Silicone residue left on marble wall.
12	Too much water/ fill time	Unknown	
13	Too much water/ fill time	No	Additional 50 gallon water heater had to be installed \$1650
14	Surface too slippery	Yes	
15	Door not wide enough Tub too short	Yes	
16	Too noisy Too much water/ fill time	No	Had to buy a larger water heater after being told our 35 gallon was large enough
17	Too much water/ fill time	No	
18	Surface too slippery	Yes	The seat in the tub is very slippery
19	Too much water/ fill time	No	The tub takes too long to fill up. Should have two faucets.
20	Hand held hose too short	Unknown	Shower hose needs to be untangled. We only got about 2 feet of hose.
21	Suggestion	Yes	I would suggest a left and right extra hand grabbers on the front of the tub to help pull/lift out
22	Tub too large	No	You'd have to be 6 feet plus to get any kind of satisfaction
23	Too much water/ fill time	No	Takes too long to fill the tub
24	Tub too large	No	I'm only 5 feet tall and found it hard to reach the controls.
25	Too much water/ fill time	Yes	if they want to wait 24 minutes to fill
26	Too much water/ fill time Surface too slippery Drain hard to use	Yes	Drain very hard to work with wet hands- floor very slippery- takes way too long to fill
27	Too much water/ fill time	Yes	I didn't realize I'd have to wait a 1/2 (hour) for the water to fill
28	Too much water/ fill time	Yes	Only dissatisfaction was it took too long to fill up
29	Too much water/ fill time Buttons hard to use	No	It takes 25 minutes to fill the tub. The control buttons get hung up when you push them in.
30	Suggestion	Yes	I would like it (spout) to swivel
31	Suggestion	Yes	Only thing is I wished it didn't have to be filled above all jets to work.
32	Tub too small Door not wide enough Installation	No	Not as wide as our tub was. Door swings in not allowing access. No back shelf.
33	Too much water/ fill time	Yes	It's beautiful but it takes a long time to fill up to use
34	Surface too slippery Installation	No	Seat slippery. Caulking has holes in it.
35	Too much water/ fill time Faucet hard to reach Door not wide enough Hard to enter/ exit Step too high	Unknown	The tub takes too much water and takes too long to fill. After sitting faucet can't be reached . Door should open out as there is barely enough room to get in. Difficult to exit.
36	Suggestion Too much water/ fill time Installation Drain hard to use	Unknown	It would be nice to have a switch to use bottom jets while tub is being filled. Faucet should swivel or be shorter. Controls (drain) should have indentation. You should vet out who you use to install these tubs more closely.

From: Reyes, Regina
Sent: Wednesday, August 28, 2013 5:00 PM
To: JWB Consumer Service
Subject: FW: IAPMO Certification for Slipperiness of surface
Attachments: IAPMO6262013.pdf

Here is the IAPMO certification regarding slipperiness of the 5229, if you are questions you can use this statement to explain. This only applies to the 5229, not the showers or other tubs.

The unit has been approved by IAPMO to be in compliance with the applicable requirements of ASTM F262-79 (R20007) entitled, "Standard Consumer Safety Specification for Slip Resistant Bathing Facility". To further the explanation is it ok to say, "The unit exceeds the standard set by the American Society for Testing and Materials that identifies the slipperiness of a surface and the safety of that surface by 1.5 times."

Regina Reyes
Customer Service Manager



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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TEST REPORT

5001 East Philadelphia Street
 Ontario, California - USA 91761-2816
 Ph. 909.472.4100 | Fax. 909.472.4243
<http://www.iapmotl.org>

Report Number: 090-13130 **Lab Project:** 21924

Report Issued: June 26, 2013

Client: Jacuzzi Luxury Bath
 14525 Monte Vista Ave.
 Chino, CA 91710 **Contact:** Mario Pakingan

Source of Samples: The sample was shipped to IAPMO R&T Lab from Jacuzzi Luxury Bath and received in good condition on June 25, 2013.

Date of Testing: June 25, 2013

Sample Description: Plastic Hydro-Massage Bathtub with Pressure Sealed Door
Models: LW50959

Scope of Testing: The purpose of the testing was to determine whether the sample tested of the Plastic hydro-massage bathtub w/pressure sealed door met the applicable requirements of ASTM F 462-79 (R2007) entitled, "Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities".

CONCLUSION: The sample tested of the plastic hydro-massage bathtub with pressure sealed door model LW50959 from Jacuzzi Luxury Bath, **COMPLIED** with the applicable requirements of ASTM F 462-79 (R2007).

By our signatures below we certify that all the testing and sample preparation for this report was performed under continuous, direct supervision of IAPMO Testing and Services, LLC, unless otherwise stated.

Tested By.

Lawrence S. Owens, Test Technician

Reviewed by.

Jeffrey Yu, MSEM, Manager - Fixture Testing

JACUZZI005340

From: Norm Murdock <norm.murdock@aihremodelers.com>
Sent: Wednesday, July 09, 2014 8:50 AM
To: Reyes, Regina
Cc: Bachmeyer, Kurt; Martinez, Audrey
Subject: FW: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

Importance: High

Regina-

See below. We have an issue with this Beldon customer. Can you please check the service history & see if there is a way the jets can be serviced without removing the tub?

Can we have another agent or RSM pay a visit to this customer?

If we schedule service for this customer, we would like to have the agent also apply the slip resistant coating...we will supply the product. 20 minute application. We will pay for this.

Happy to discuss by phone if you wish.

Thanks,

Norm Murdock, CAPS, CSA
Vice President

firstSTREET
for Boomers and Beyond

Phone: 303-222-3207

Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com

Website: www.firststreetinc.com, www.firststreetonline.com

designed for SENIORS®



From: SIMONA ROBERTSON [mailto:SIMONA.ROBERTSON@firstSTREETonline.com]
Sent: Wednesday, July 09, 2014 8:03 AM
To: Norm Murdock; DAVE MODENA
Subject: RE: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

Here you go Norm see the address below along with a more detailed laundry list of complaints. Shannon is ready to speak with someone to schedule an appointment... Thanks

- The floor, seats and walls of the tub are too slippery, Mr. Kinzer slips off the seat when in the tub and slips on floor when getting out
- The grab bar is slippery; Mr. Kinzer's hands slip when grabbing the bar
- The water temperature fluctuates when the tub is filling and when the shower is on but it doesn't fluctuate when using the other tubs in the home.
- The shower doesn't stay on
- The jets are not working- a technician from Betz repair came out twice (2/16/14 & 2/19/14) and stated that the tub would have to be removed to access the jets for repair
- The door knocks his knees when closing the door and it's hard for him to get into the tub

Shannon
 301 988 0570

Paul Kinzer
 16758 Spellman Rd
 Fairplay, MD 21733
 301 582 0442

Simona Reid-Robertson
 phone 804-451-2309
 fax 804-524-9889
[firstSTREET for Boomers and Beyond](http://firstSTREETforBoomersandBeyond.com)

From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Wednesday, July 09, 2014 9:54 AM
To: DAVE MODENA; SIMONA ROBERTSON
Subject: RE: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

Simona – do you have the customer address so we can schedule service?

Norm Murdock, CAPS, CSA
 Vice President



Phone: 303-222-3207

Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com

Website: www.firststreetinc.com, www.firststreetonline.com

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From: DAVE MODENA [<mailto:DAVE.MODENA@firstSTREETonline.com>]

Sent: Wednesday, July 09, 2014 6:13 AM

To: SIMONA ROBERTSON; Norm Murdock

Cc: Todd Stout

Subject: RE: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

Norm.... Can we help them with both the slippery floor issue with the application that we now have and also get Jacuzzi to get the jets working as well Otherwise let us know what our other options are and do we need to get Beldon back in the mix in some fashion i.e. we may need to bill them for any costs we incur (I would also think that Jacuzzi would have to bear some of the costs if fixing a defective jet requires pulling out the tub).... Thanks

Dave Modena

President - Aging In The Home Remodelers

804-451-2314

Sr. V.P. firstSTREET for Boomers & Beyond

www.firststreetonline.com

From: SIMONA ROBERTSON

Sent: Tuesday, July 08, 2014 1:21 PM

To: DAVE MODENA

Cc: 'Todd Stout'

Subject: RE: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

This was a Beldon install from Nov. He apparently has fallen while exiting the tub as his main complaint is that the floor is too slippery.
Other areas of concern are the grab bar is too slippery, shower head does not stay on, water temp fluctuates, and one of the jets is not working.
Someone did come out to service the inoperable jet but was unable to fix as they were told the tub needed to be pulled out for access...

At this point Mr. Kinser wants to have the tub removed. I know this is not an option but, I'm sure we can have a Jacuzzi rep address and fix everything with the exception of the water temp issue???

Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
[firstSTREET for Boomers and Beyond](#)

From: DAVE MODENA
Sent: Monday, July 07, 2014 12:00 PM
To: SIMONA ROBERTSON
Subject: FW: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM
Importance: High

Please listen ... Paul Kinser is apparently the tub owner ... can you determine whose customer this is?

Dave Modena
President - Aging In The Home Remodelers
804-451-2314
Sr. V.P. firstSTREET for Boomers & Beyond
www.firststreetonline.com

From: Todd Stout [<mailto:todd.stout@aihremodelers.com>]
Sent: Thursday, July 03, 2014 2:48 PM
To: STACY HACKNEY; DAVE MODENA
Cc: Nick Fawkes
Subject: FW: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM
Importance: High

Voice mail from a Shannon 301-988—0570 calling about a Mr. Paul Kinzer(sic) the area code is Maryland but I have no info in LP... I don't think it one of AITHR installs...

Todd

From: Ashley Davidson [<mailto:ashley.davidson@aihremodelers.com>]
Sent: Thursday, July 03, 2014 12:24 PM

To: Todd Stout
Subject: FW: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

Hey- this is that Shannon lady I told you about calling about the man who has been injured in his tub.

Best Regards,

Ashley Davidson
Production Manager

Aging In The Home Remodelers
Office: 720.504.0126
Extension: 3197
Direct: 720.477.1719
Toll Free: 1.888.926.8095
Fax: 720.477.1719
Email: Ashley.davidson@aiahremodelers.com
Mailing: 1460 W Canal Ct STE 102
Littleton, CO. 80120

From: RingCentral [<mailto:notify@ringcentral.com>]
Sent: Thursday, July 03, 2014 12:00 PM
To: Ashley Davidson
Subject: New Voice Message from (301) 988-0570 on 07/03/2014 at 11:59 AM

You Have a New Voice Message

From:	(301) 988-0570
Received:	Thursday, July 03, 2014 at 11:59 AM
Length:	00:39
To:	(720) 477-1719 (Ashley Davidson)

To listen to this message, open the attachment or use [RingCentral Mobile App \(download\)](#) to have instant access to all your messages on the go.

Thank you for using [RingCentral](#).

002427

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From: Peetz, Chris
Sent: Tuesday, August 14, 2012 2:16 PM
To: Baehr, Rich; Bachmeyer, Kurt
Subject: FW: Notes from FirstSTREET Dealer Conference
Attachments: firstSTREET National Dealer Conference- MarkGordon.doc; firstSTREET National Dealer Conference- Tub Review.doc; firstSTREET National Dealer Conference- JohnRoberge.doc; firstSTREET National Dealer Conference- BreakoutSessions.doc; firstSTREET National Dealer Conference- DaveModena.doc; firstSTREET National Dealer Conference- NormMurdock.doc; firstSTREET National Dealer Conference- AndyCarle.doc

FYI... Audrey did an excellent job of capturing the key points for each session.

Chris Peetz
 Vice President of Operations



www.jacuzzi.com
 14525 Monte Vista Avenue / Chino, CA 91710
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From: <Martinez>, Audrey Martinez <audrey.martinez@jacuzzi.com>
Date: Monday, August 13, 2012 5:48 PM
To: Tom Koos <Tom.Koos@jacuzzi.com>, Bob Rowan <Bob.Rowan@jacuzzi.com>, "Peetz, Chris" <chris.peetz@jacuzzi.com>, Ray Torres <ray.torres@jacuzzi.com>
Cc: Andrew Meng <Drew.Meng@jacuzzi.com>
Subject: Notes from FirstSTREET Dealer Conference

Attached are my notes from the conference last week. Please add or edit anything I may have misstated.

Audrey Martinez
 Marketing Manager- Aging In Place Bathing



www.jacuzzi.com

13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2582 (o) 909.762.3203 (c)

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002429

firstSTREET National Dealer Conference

August 8-9, 2012

The Business of Aging

Andy Carle/ George Mason University

- Understanding the Aging Consumer
 - o Why consumer products advertising targets young people
 - Repeat sales!
 - Disposable income
 - Accumulators
 - Impressionable/ buy things they don't need
 - Is Madison Avenue ignoring the 70+ market?
 - Waiting for critical mass
 - Ramping up appropriately
 - "Tipping Point"- I here now
 - GE/ Intel have created a company- Care Innovations- to cater to this market
 - o The Aging World- not an American phenomenon
 - US is 43rd in the world with population over 60
 - By 2050, there will be 834,000 aged over 100
 - Global Aging will affect us long before Global Warming
 - Healthcare
 - Housing
- Biggest questions:
 - o Who will take care of them??
 - o Where will they live??
 - Issue #1- Collapse of 3 Legged Stool of Care giving
 - 80% of senior care is provided by an unpaid caregiver
 - 3 Legs:
 - o Time- already collapsed
 - Dual working spouses= less time to care for parents
 - 44% of care now given by men
 - o Proximity
 - 20% of care givers live over 480 miles away
 - Number is increasing
 - o Energy
 - If Mom is 100, how old are you?!
 - 30% of care givers are over age 65
 - Issue #2- Professional Caregiver Shortage
 - 6 million care nurses needed by 2050- only 2 million today
 - Retiring Boomers will vacate 35 million jobs
 - Why not assisted living?
 - Less than 20% of seniors live in assisted living situation

002430

002430

JACUZZI005349

- Can't build 20 million units of housing
 - Recession has deflated home value
 - o Need to stay at home
 - o Majority of seniors living in homes that don't meet their needs
 - Median construction year 1969
 - 80% Own
 - 68% own free and clear= lived there over 30 years
 - 26 million homes not built for this generation
- 3 A's of Aging
 - o Appearance
 - Want to look younger
 - Spend billions- until age 75-80
 - o Activity
 - Travel, socialize. Education
 - o Autonomy- most important
 - Health, independence, want to stay in their homes
- Opportunity
 - o Housing that allows seniors to remain in their home without human help
 - Health and Wellness
 - Seniors consume 50% of OTC medication and 1/3 of Rx
 - 125,000 deaths annually due to medication non compliance
 - o Side effects- make you dizzy/ more likely to fall
 - Cognition
 - Half of population over 85 has Alzheimer's
 - Sensory
 - 18% have trouble hearing
 - 10% have life limiting vision issues
 - Communication
 - 35% of 65+ use the internet regularly
 - ADL- Activities of Daily Living
 - 60% need some kind of help when bathing
 - o Falls account for 1 in 2 deaths over age 85
 - o 90% of hip fractures caused by falls
 - o Cost to healthcare system- \$28.8 billion+
 - Mobility
 - 85% use mobility devices
- Change the house they're in
 - o Kitchen
 - Better access to appliances
 - Raised electrical outlets
 - o Bathroom

002431

002431

- Widening door
- Access to sinks
- Eliminate slippery floor surface
- Raise toilets
- Safer tubs
 - 66% of senior injuries happen in the tub
 - o % of those who fall in the bathroom is the same for any age group, just more injured at older ages
 - 30% of those 65+ hurt in bathroom
 - o 38% over 85 are hospitalized
 - 1/3 break hip
 - 1/3 never walk again
- o Universal Design
 - Accessible but user friendly
 - Not about old people- about a better house
 - Doesn't have to be ugly!
- When Boomers were growing up, there were 3 flavors of ice cream- now there are a thousand
 - o Next generation of seniors will demand more choices
 - o There is a market to sell as many products as you can put on a shelf
 - o 30 year market- will last the rest of our lives

002432

002432

firstSTREET National Dealer Conference

August 8-9, 2012

Dealer Breakout Sessions

- Self Generated Sales
 - o After install party- provide food, invite friends to see the tub
 - o Senior Shows
 - o Alzheimer's Shows
 - o Leave behind piece for doctors offices- dentists, chiropractor, veterinarians
 - o Post install gifts
 - Customers complain their rep never comes back
 - o Dinner for seniors to include tub pitch
 - o Assisted Living facilities- upgrade for apartments
 - o End of sale- ask for referrals
- Reducing Cancellations
 - o Call sales manager and tie up loose ends
 - o Send thank you note
 - o Call for production in the morning- to get started
 - o Leave behind folder
 - o Remove customer's pain
 - o Remove third party influence
 - o Build more value than investment
 - o Let them know what happens next and how they will feel tomorrow
 - o "Why I Bought" form
- Managing Sales People
 - o Sales Manager rides with reps to ensure complete message delivery
 - o Can't leave house without call to Sales Manager
 - o Sales Manager talks to each rep daily
 - o Listen to audio training
 - o Short training segments
 - o Role playing
 - o Sales Efficiency Rate/ batting average
 - o Top producers get more leads
- Top Selling Tips
 - o 3rd party stories/ testimonials
 - o Building confidence on product via sales person
 - o Build fear and emotion from slip and fall statistics
 - o Process of giving price
 - Now/ 45 days/ 1 year
 - o Explain install process and manage expectation
 - o Begin with the ending in mind
 - o Therapeutic values- how good you'll feel

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JACUZZI005352

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JACUZZI005353

firstSTREET National Dealer Conference

August 8-9, 2012

Dave Modena/ firstSTREET

- Progress Report
 - o 97% of US households covered by current network
 - o Jacuzzi Report Card
 - Workmanship- C-
 - Installation- C-
 - Shipping- B-
 - Warranty- A-
 - Field Responsiveness- B-
 - 85% surveyed said they'd buy again
 - o Next 6 months
 - Regional Sales Training
 - Certified Installer Training
 - o Future growth categories
 - Tub to Shower Conversion
 - Stair Lift
 - Lighting
 - Toilet Lift/ Sink Lift
 - Floors
 - "Mom-in-a-Box"
- So now what?
 - o Wrap Up
 - Intranet/ Blog
 - Independent Surveys
 - Monthly/ quarterly promotions
 - Jacuzzi Website
 - Phone Room Training
 - Quick Start Guide
 - Participant Contact List
 - Rehash Test
 - Credential Badge Lanyard
 - New Sales Display
 - o The future is now
 - Set appointments
 - Sell tubs
 - Install tubs
 - o Our seniors age gracefully and safely in place

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firstSTREET National Dealer Conference

August 8-9, 2012

Sales Presentation

John Roberge/ firstSTREET

- Hiring the Right Sales Person
 - o Effective ad writing buzz words
 - Leads
 - No cold calling
 - Nationally advertised product
 - \$100.0 earnings/ base salary
 - No overnights
 - Sports minded
 - Veterans- train for a new career
 - Careerbuilder/ Monster hires have had low retention rate
 - o What to look for
 - Aptitude
 - Testing
 - In home experience
 - Behavioral styles
 - Profiling
 - Gut feelings
 - One call close mentality
 - o In home
 - Ask what to call them
 - Sell fear of loss- avoid pain rather than get pleasure
 - Let them feel in control
 - Let them off the hook
 - Build rapport/ trust
 - Ask permission
 - Purpose of needs assessment is to elicit pain
 - o Follow up
 - Collateral
 - Business cards- what do they say?
 - Importance of CAPS certification
 - Jacuzzi Authorized Contractor
 - Name badges on lanyard

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JACUZZI005357

firstSTREET National Dealer Conference

August 8-9, 2012

Identifying the Opportunity

Mark Gordon/ CEO firstSTREET

- Insights on Boomers
 - o Unmet wants and needs
 - o Aging gracefully (health related)
 - o Enjoying free time (lifestyle)
 - o Living independently
 - 90% of seniors aware of LifeAlert/ 60% will purchase
 - o Gift giving/ holidays
- firstSTREET Promises
 - o Quality products that do what we promise
 - o Helpful, knowledgeable sales reps
 - o Patient, informed customer service reps
 - o Efficient, accurate pick/ pack/ ship
 - o Risk free trial
- Longevity Economy/ Milken Institute
 - o Ken Dychtwald- coined term "Age Wave"
 - Huge demographic shift
 - 1000 years ago, life expectancy age 25
 - Only segment of population that drives spending
 - 10% of advertising targets 50+ Why?
 - o Not intuitive
 - o Decisions made by people in their 30s
 - o Boomers represent \$3.5 trillion in spending/ Gen Y represents \$800 billion
 - Follow the money
 - Delivery of care in home environment is ideal
 - o Less cost
 - o More comfort
 - Areas of opportunity
 - Pro Health/ Anti Aging- cosmetics, nutrition, fitness
 - Medical Technology- Joint/ hip replacement, stem cells, robotics
 - Entertainment/ Leisure- excess free time= travel, reading, continued education
 - Financial Services- seniors control 70% of wealth
 - Premium Everything- first class travel, gifts for grandchildren
 - o Want to do the very best and have the greatest experience

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JACUZZI005358

firstSTREET National Dealer Conference

August 8-9, 2012

Certified Installer Training

Norm Murdock/ firstSTREET

- Benefits of Certification
 - o Credibility, confidence, peace of mind
 - o Consistency and uniformity
 - o Best practices
 - o Educates on unique features of Walk In Tub
 - o Expedites on boarding of new install techs
 - o Higher quality install= more referrals
 - o New metrics to identify installer issues
- Goal is Best in Class Home Improvement
 - o Products
 - o Systems and processes
 - o Installation technicians
 - o Quality
 - o Customer Service

002440

002440

firstSTREET National Dealer Conference

August 8-9, 2012

Tub review- August 9, 2012

In attendance:

Mark Gordon

Dave Modena

Norm Murdock

Ray Torres

Audrey Martinez

- Door lock
 - o Concern regarding how much pressure it takes to lock the door in place
 - Suggestion to open top hole to allow for easier closure and clearer engagement
 - Test load- use same standard as faucet- 5 lbs.
- Other door feedback
 - o FS team requested JLB make a new sample door from gel coat to show new and improved fit
 - o NM suggested larger radius inside door frame to reduce gap around perimeter of door
 - o Powder coat striker plates to make them less obvious?
- Control panel
 - o In agreement that buttons need to have the option of being labeled
 - RT/ AM to work on options for layout and application
- Grab bar
 - o Need to mock up grab bar appearance and placement in tub
 - o FS team requested additional options for grab bars- to mount on deck of tub and/ or on wall
- Hand held shower
 - o FS team requested deck mount cradle (AM to provide example)
 - o MG requested clip to hang shower head on the wall- without grab bar option
- Spinner jets for foot massage
 - o RT to investigate
- Additional requests
 - o Warranty printed on heavy paper
 - o Gel coat/ Acrylic square samples

002441

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JACUZZI005360

From: Ruth Coester <Ruth.Coester@jacuzzi.com>
Sent: Thursday, May 08, 2014 2:13 PM
To: Bachmeyer, Kurt; Reyes, Regina
Cc: Coester, Ruth
Subject: FWD: Customer called in to notify us that the FS unit they just purchased was very slippery and husband (Michael) fell and hurt/broke his big toe.

The following incident has been forwarded to you by:

Ruth Coester(Ruth.Coester@jacuzzi.com)

Sender's Comment

Regina and Kurt,

I called the Kanarek's. Both Isabel and Michael were on the phone. I apologized for the experience and explained our units exceed the standard by 1.5 times. Mr. Kanarek started to explain what happened and said he wants compensated for his suffering, but also the medical bills. He said he didn't want to sue us but he would. I told him if was going to sue us then he'd need to have his lawyer contact our lawyer. Then he said he didn't want to sue, but would if he had to, but he wants compensated for his suffering. I told him I'd put notes in the file and forward to my manager. This happened almost 3 wks ago and they called Fairbanks to let them know what happened. They have since put in something for the seat and strips on the floor. They reinforced that there is no warning that the unit could be slippery.

Do you want me to call them back and tell them to have their lawyer contact our lawyer? (Not sure how to do that, just give them our address in Chino Hills?)

Thanks
Ruth

Contact Information

Email Address: ikanare@gmail.com

First Name: Isabel

Last Name: Kanarek

Type: Consumer

Title:

Primary Phone: 305-974-0048

DLR/Agent #:

002443

DLR/Agent Name:
Lowes Store #:
Region/Territory:
ShipTo Acct Sequence:
ShipTo Account Name:

Reference #140507-000081

Summary: Customer called in to notify us that the FS unit they just purchased was very slippery and husband (Michael) fell and hurt/broke his big toe.
Rule State: 03. Complete
Date Created: 05/07/2014 01:32 PM
Last Updated: 05/08/2014 01:58 PM
Status: Solved

Assigned: Brenda Thomas

Serial Number: BDJC19

Purchase DLR/Agent #: 70001017

Purchase DLR/Agent: FIRSTSTREET BOOMERS & BEYOND

Model: LW50959

Model Desc: FS 5229 C LH SLN HTR SKT WHT

Manufacture Date: 03/14/2014

Early Warning: No

Auth Date:

Auth #:

Auth By:

Auth Amount:

Auth Parts:

Auth Labor:

Auth Travel:

Brand: JLB

First Call Resolution:

Warranty Status:

Account Number:

FIR #:

Region/District:

Date CCR Created:

FIR Disposition:

CCR#:
Sales Order #:
Date Consumer Contacted:
Service Date:
Balance Due: No
Follow Up Date:
CCR \$:

Auth Comments

District Sales Rep

Description of Problem

Discussion Thread

Customer By Phone (Entered by Ruth Coester)

05/08/2014
01:58 PM

Called Mrs. Kanarek and said we were sorry about his experience. I advised that our units exceed the standard by 1.5 times. Said he slipped from the seat and broke his toe. SAid only plain water, no bath additives were used. Said he was holding onto both handles on the right side with his right hand. Mr. Kanarek said that our unit is unsafe and we need to do something about it. He is asking for compensation for suffering and x-ray, swollen foot, his suffering. He said he doesn't know if we want to sue him or not. He said we can send someone to take a look. Not interested in suing anyone, but he is 80 years old and he wants compensation. He is very upset and scared to use the bath. She said no one advised that the tub could be slippery. Now they cover the seat and put strips on the floor. This happened 2.5 to 3 weeks ago. They contacted Fairbanks, the installer. They want compensation for the suffering. They asked to call back if we have any other questions.

Customer By Phone (Entered by Brenda Thomas)

05/07/2014
01:32 PM

Isabel called for us to note that the tub she purchased had a very slippery seat and floor. Her husband slipped and fell and his big toe got caught in the drain and it broke the toe. He is in extreme pain. She did not realize something like this could happen because we advertise a safe walk in tub. I apologized and told her I would note this compliant and talk with my superior and give them a call back within 24 hours.

From: Regina Reyes <Regina.Reyes@jacuzzi.com>
Sent: Wednesday, May 07, 2014 2:12 PM
To: Bachmeyer, Kurt
Subject: FWD: Customer called in to notify us that the FS unit they just purchased was very slippery and husband feel and hurt/broke his big toe.

The following incident has been forwarded to you by:
Regina Reyes(Regina.Reyes@jacuzzi.com)

Sender's Comment

How do you want to address this one?

Contact Information

Email Address: null
First Name: Isabel and Michael
Last Name: Kanarek
Type: Consumer
Title:
Primary Phone: 305-974-0048
DLR/Agent #:
DLR/Agent Name:
Lowes Store #:
Region/Territory:
ShipTo Acct Sequence:
ShipTo Account Name:

Reference #140507-000081

Summary: Customer called in to notify us that the FS unit they just purchased was very slippery and husband feel and hurt/broke his big toe.
Rule State: 03. Complete
Date Created: 05/07/2014 01:32 PM
Last Updated: 05/07/2014 01:32 PM
Status: Solved

Assigned: Brenda Thomas
Serial Number: BDJC19
Purchase DLR/Agent #: 70001017
PurchaseDLR/Agent: FIRSTSTREET BOOMERS & BEYOND
Model: LW50959
Model Desc: FS 5229 C LH SLN HTR SKT WHT
Manufacture Date: 03/14/2014
Early Warning: No
Auth Date:
Auth #:
Auth By:
Auth Amount:
Auth Parts:
Auth Labor:
Auth Travel:
Brand: JLB
First Call Resolution:
Warranty Status:
Account Number:
FIR #:
Region/District:
Date CCR Created:
FIR Disposition:
CCR#:
Sales Order #:
Date Consumer Contacted:
Service Date:
Balance Due: No
Follow Up Date:
CCR \$:

Auth Comments
District Sales Rep
Description of Problem

Discussion Thread

Customer By Phone (Entered by Brenda Thomas)

05/07/2014 01:32 PM

Isabel called for us to note that the tub she purchased had a very slippery seat and floor. Her husband slipped and fell and his big toe got caught in the drain and it broke the toe. He is in extreme pain. She did not realize something like this could happen because we advertise a safe walk in tub. I apologized and told her I would note this compliant and talk with my superior and give them a call back within 24 hours.

From: dnuanes <deborah.nuanes@jacuzzi.com>
Sent: Tuesday, April 09, 2013 3:33 PM
To: Bachmeyer, Kurt; monique.trujillo@aihremodelers.com
Cc: Reyes, Regina; norm.murdock@firststreetonline.com
Subject: FWD: Hot Spot Pools to service door leak. Agent called homeowner and he indicated he did not want tub and he slipped and fell.

The following incident has been forwarded to you by:
Deborah Nuanes(deborah.nuanes@jacuzzi.com)

Sender's Comment

Hello Everyone,

I just wanted to update you on this incident that I'm forwarding this over to Kurk Bachmayer. Please address all questions and updates to him.

Thank you,
Deborah Nuanes
Consumer Relations, Aging in Place

Contact Information

First Name: Donald
Last Name: Raidt
Type: Consumer
Title:
Primary Phone: 785-218-5414
DLR/Agent #:
DLR/Agent Name:
Lowes Store #:
Region/Territory:
ShipTo Acct Sequence:
ShipTo Account Name: RENOVATIVE SOL - LEAVENWORTH

Reference #130405-000181

Hot Spot Pools to service door leak. Agent called homeowner and he indicated he did not want tub and he slipped and Summary: fell.

Rule State: 02. In Progress

Product Level 1: Jacuzzi Luxury Bath

Product Level 2: Walk-in

Product Level 3: FirstStreet

Category Level 1: Service Request

Category Level 2: Warranty

Date Created: 04/05/2013 02:26 PM

Last Updated: 04/09/2013 03:31 PM

Status: Waiting

Assigned: Deborah Nuanes

Serial Number: BDF0Y7

Purchase DLR/Agent #: 70001017

Purchase DLR/Agent: FIRSTSTREET BOOMERS & BEYOND

Model: LW50959

Model Desc: FS 5229 C LH SLN HTR SKT WHT

Manufacture Date: 03/18/2013

Early Warning: No

Auth Date:

Auth #:

Auth By:

Auth Amount:

Auth Parts:

Auth Labor:

Auth Travel:

Brand: JLB

First Call Resolution:

Warranty Status: Yes

Account Number:

FIR #:

Region/District:

Date CCR Created:

FIR Disposition:

CCR#:

Sales Order #:

Date Consumer Contacted: 04/08/2013

Service Date:

Balance Due: No
Follow Up Date: 04/09/2013
CCR \$:

Auth Comments	
District Sales Rep	
Description of Problem	
Discussion Thread	
Response Via Email (Deborah Nuanes)	04/09/2013 03:28 PM

Hello Everyone,

I just wanted to update you on this incident that I'm forwarding this over to Kurk Bachmayer. Please address all questions and updates to him.

Thank you,
 Deborah Nuanes
 Consumer Relations, Aging in Place

Customer By Phone (Entered by Megan Davis)	04/08/2013 10:02 AM
---	---------------------

Hello Monique
 Our service provider contacted Donald Raidt to set up service and he notified them he did not want to set service because he no longer wants the tub. He told them he slipped and fell causing him to hurt his back. I called him to follow up and he told me he doesn't want the unit due to the leaks and is willing to get a lawyer if the tub is not taken out and he is refunded. He did not mentioned his injures to me but did insist that he was not keeping the tub.

Thank you,
 Megan

Response Via Email (Hilton Calderon)	04/05/2013 02:26 PM
---	---------------------

From: Calderon, Hilton On Behalf Of First Street Support
 Sent: Friday, April 05, 2013 2:26 PM
 To: Monique Trujillo; First Street Support
 Cc: Gary.Yingst@aihremodelers.com
 Subject: RE: Raidt, Donald Serial # BDF0Y7

Monique,

The service will be done by HOT SPOT POOLS (816-781-8884) under claim# 0070174; no charge parts order# 168739 shipping on Monday via

UP1. I called Mr. Raidt and left him a voice message that his tub will be service by HOT SPOT POOLS as soon as parts arrive to their shop. HOT SPOT POOLS (Amy) will call customer first thing Monday morning to schedule service.

Regards,
Hilton Calderon
Technical Services Consultant

Customer Via Email (Entered by Hilton Calderon)

04/05/2013 02:26 PM

From: Monique Trujillo [mailto:monique.trujillo@aihremodelers.com]
Sent: Thursday, April 04, 2013 2:46 PM
To: First Street Support
Cc: Gary.Yingst@aihremodelers.com
Subject: Raidt, Donald Serial # BDF0Y7

Jacuzzi Team,

Customers tub was just installed. It did not leak at time of installation. The customer now says that the door has a huge leak out of the bottom of the door. He said it flooded the bathroom and adjoining room.

Please send a Jacuzzi Tech to the customers home ASAP.

Donald Raidt
10105 Mohawk Ln
Leawood, KS 66206
Installed 3/30/13

785-218-5414
Serial # BDF0Y7

Thank you,

Monique Trujillo
Midwest Production Manager, AIHR
1460 W Canal Ct
Suite 102
Littleton, CO 80120
303-222-3200 - Office
303-222-3205 - Direct

5

JACUZZI005371

From: Bachmeyer, Kurt
Sent: Thursday, June 06, 2013 9:59 AM
To: Reyes, Regina
Subject: Non Slip Surface

Sent to Brian and Ray.

Kurt Bachmeyer
Director of Customer Service



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2187 (o) 909.606.4270 (f)

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From: Reyes, Regina
Sent: Thursday, June 06, 2013 9:57 AM
To: Bachmeyer, Kurt
Subject: FW: whirlpool stopped working
here you go.

Regina Reyes
Customer Service Manager

 www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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From: David Jacobs [mailto:djacobs@americanhomedesign.com]
Sent: Thursday, June 06, 2013 5:20 AM
To: 'Ray Parnell'; Rojas, Miguel
Cc: Reyes, Regina
Subject: RE: whirlpool stopped working

As far as the slipping inside the tub we sale and install your product. Can you get you engineers to work on this.

David R. Jacobs
Installation Manager
American Home Design
 615-361-6100 ext. 148
 615-361-6405 fax

From: Ray Parnell [mailto:rparnell@americanhomedesign.com]
Sent: Thursday, June 06, 2013 6:08 AM
To: 'Rojas, Miguel'
Cc: 'Reyes, Regina'; 'David Jacobs'; 'Lorrie Johns'; 'alan ross'
Subject: RE: whirlpool stopped working

Mr. Greenville is actually Mr. Greenwell, and he is incorrect. I call every customer upon completion, and one of the questions I ask is 'did our craftsman demonstrate the use of your new tub?' On 5-14 Mr. Greenwell answered yes. In literally hundreds of calls, our craftsmen have *never* failed to demonstrate the tub for a customer, with the exception of one New-Construction install where there was no elec and no plumbing yet in the home. otherwise, I've never been told by a customer (including Mr. Greenwell) that we failed to demonstrate the tub.

Unfortunately, for reasons I do not know, Mr. Greenwell has not told you the truth. he has also told us things that did not seem truthful. his demographic is prone to memory loss; maybe that is the issue, rather than malice.

with this new information, what is the status of Mr. Greenwell's service request?

the solution is to reattach the hose to the plug-in. this is a 350 mile round trip for us; hopefully you have someone closer.

is anything being done in the factory to address this recurring problem? super glue, a barbed tip for the air-hose to slide over, or some type of hose clamp maybe? Mr. Greenwell's tub is a RH door, which means that hose is pointing down. has the factory confirmed that the hose is supposed to point up to reduce the occurrence of this problem?

thank you for your attention to this.

Ray Parnell,
Project Manager, Jacuzzi Division
AHD / AHI

From: Rojas, Miguel [<mailto:Miguel.Rojas@jacuzzi.com>]

Sent: Wednesday, June 05, 2013 2:45 PM

To: Ray Parnell

Cc: Reyes, Regina

Subject: RE: whirlpool stopped working

Hello Ray,

I finally got in touch with Mr. David Greenville. You will need to send your installer back out for this issue. Per costumer the unit has not worked since they installed the unit and the unit was not water tested either. I told him that the installers stated that the unit did work and he said that they never showed him or showed him how to operate the unit. The on/off button was on the floor of tub when he opened the door for his first use. Also, does your company sell anything for shower floors to prevent slippage? If so can your sales man call Mr. Greenville? He slipped in the tub and was trapped for two hours trying to get out because he slipped on the floor. He said the unit needs more grip.

Miguel Rojas

Consumer Service Representative



www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA 91710
800.288.4002 ext 3025(o) 909.247.2551(f)

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From: Ray Parnell [<mailto:rparnell@americanhomedesign.com>]

Sent: Thursday, May 23, 2013 9:35 AM

To: Rojas, Miguel

Subject: RE: whirlpool stopped working

thanks.

as stated, my understanding is each feature worked when we left the home(s).

FYI: ALL right hand tubs are factory set with the airhose pointing downward (when plugged into the existing [mounted] gangbox.) should the electricians be removing and flipping that box?

From: Rojas, Miguel [<mailto:Miguel.Rojas@jacuzzi.com>]
Sent: Thursday, May 23, 2013 9:59 AM
To: Ray Parnell
Subject: RE: whirlpool stopped working

Hello Ray,

The air lines are pressed into the blower, light, and power outlet for the motor. These air lines do not work under a lot of pressure so they should not be coming off. The power plug air line is one that you want to keep an eye out for if the electrician is using his own J-box connections. The air line connection should always be pointing upwards never down wards. If it points downwards they will have a high possibility of the air line coming off.

Miguel Rojas

Consumer Service Representative



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From: Ray Parnell [<mailto:rparnell@americanhomedesign.com>]
Sent: Thursday, May 23, 2013 6:50 AM
To: Rojas, Miguel
Subject: whirlpool stopped working

Good Morning Miguel,

I have two recent installs with whirlpool failure. both tubs worked when I plumb/tested here, they worked when the tub was demonstrated for the customer @ install, and also when the electrician left. I am certain that the air-hose-activator for the switch has popped off. could that be glued-secure in the factory to avoid this? (appx 1 out of 5 are off when I test them in our warehouse. I press them back into place.)

David Greenwell BDF78X
 2914 WESTFIELD RD
 Louisville, KY 40220
 (502)473-4699

Charles Mahoney BDF337
10615 NEW HAVEN RD
New Haven, KY 40051
(502)549-3568

002457

From: Ray Parnell <rparnell@americanhomedesign.com>
Sent: Friday, May 23, 2014 7:49 AM
To: Torres, Ray; Reyes, Regina
Cc: Martinez, Audrey; "Norm Murdock"; Bachmeyer, Kurt; 'David Jacobs'
Subject: product issues

Hello,

we have encountered several product issues in the past few weeks, so I am sending this to the group to be sure it gets to the right people.

I have drilled four tubs because the holes for the accessories are not big enough



I received another tub with the access panel missing.
I have not reported this one before now, so I need the almond right access panel for this tub.



every two or three months, I get one like this



I continue to have jets pop out. we flare the tabs and reset the jet nozzle into the tub sleeve. sometimes the customer still calls in, and we forward those to your service department.

when I tested a tub yesterday, the light button turned on the whirlpool and vice versa.

I had a tub last week that leaked through the door. the strike plate was 3/8" away from where it should've been. the drain in the door-well did not keep the water 'in the system'.
I moved the strike plate, and the leak stopped.

yesterday, we installed a tub that has a door leak. the craftsman couldn't tell the source of the problem, but he believes the whole door assembly is mounted too high. the door-well drain did not keep the water off of the floor.

HARVEY, DON
105 INDEPENDENCE DR
Meridianville, AL 35759
(256)828-3713

BDJ QRJ

thank you for your attention to this.

I'm hopeful this feedback will be added to your QC checklist, so these problems do not get out of your facility.

thanks
Ray Parnell,
Project Manager AHI / AHD

From: Torres, Ray [mailto:ray.torres@jacuzzi.com]
Sent: Monday, May 19, 2014 4:16 PM
To: Reyes, Regina; 'Ray Parnell'

Cc: Martinez, Audrey; "Norm Murdock"; Bachmeyer, Kurt; 'David Jacobs'
Subject: RE: Harris BDHX2L installer requesting engineering information on control buttons

You understand incorrectly come see me on this.
 Thanks

Raymond Torres

VP Operations & Engineering – Jacuzzi Luxury Bath



www.jacuzzi.com

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From: Reyes, Regina
Sent: Monday, May 19, 2014 2:04 PM
To: 'Ray Parnell'
Cc: Martinez, Audrey; "Norm Murdock"; Bachmeyer, Kurt; 'David Jacobs'; Torres, Ray
Subject: RE: Harris BDHX2L installer requesting engineering information on control buttons

Hi Ray,

Just to summarize for the group, the issue regarding customer Harris was documented as slippery tub and buttons and drain handle hard to turn. The request is for Jacuzzi to share how to measure the maximum force required to turn the drain knob and push the buttons. At the time the initial request came into us we did consult with our team since this is not standard information published in our product specifications or manuals. This information is currently not documented but we may be able to obtain it for future use. I will follow up to see when the information may be available for release.

With respect to customer Carman, the issue was documented as drain handle to hard too turn. At this time the only solution we have to assist in this situation would be to recommend the ADA handle, however I understand you have not had a good experience with this part and do not feel this is an option. I regret this is the only alternative we have at this time.

With this demographic addressing the issues relating to customer strength and mobility can be challenging, I had hoped the ADA handle would have helped. I will readdress with our team to see if anything has changed since we last talked.

Regina Reyes
Customer Service Manager



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From: Ray Parnell [<mailto:rparnell@americanhomedesign.com>]
Sent: Thursday, May 15, 2014 6:41 AM
To: Reyes, Regina
Cc: Martinez, Audrey; "Norm Murdock"; Bachmeyer, Kurt; 'David Jacobs'
Subject: RE: Harris BDHX2L installer requesting engineering information on control buttons

Good morning,

is the concern for Mr. Harris still an open service for Jacuzzi, and is there an update?
we also still have an open service for Ms. Carman. is there an update on her handle?

thanks!
ray

From: Reyes, Regina [<mailto:Regina.Reyes@jacuzzi.com>]
Sent: Monday, April 28, 2014 8:28 PM
To: 'rparnell@americanhomedesign.com'
Cc: Martinez, Audrey; 'Norm Murdock' (norm.murdock@alhrefmodelers.com); Bachmeyer, Kurt
Subject: FW: Harris BDHX2L installer requesting engineering information on control buttons

Hi Ray,

First and foremost thank you for your commitment to the Jacuzzi brand, we appreciate your attention to customer satisfaction.

Just to clarify, if we do not have published information readily available we will always work to obtain the answers to your questions. In some cases we will easily obtain the information simply by inquiring with our Marketing or Engineering team, however in other cases the information may not be available. The rep did not mean to bottleneck the process as we were attempting to gather the information you requested, but since this product is made exclusively for Firstreet we encourage you to share your comments and feedback directly with FS.

At this time we do not have this information but we will work to measure it in the future. At this time we can send an agent out to address, but if he finds the unit is operational he will have to bill the customer since the warranty only covers services for failures. It is really difficult to address when we (you or the customer) feels they do not have the strength to push the buttons; I complete understand your position that without data we are subjective with our response to addressing the request.

Regards,

Regina Reyes

Customer Service Manager



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From: Maldonado, Yvette

Sent: Friday, April 25, 2014 8:02 AM

To: Reyes, Regina

Subject: FW: Harris BDHX2L Ray Parnels Response for the buttons on the tub

From: Ray Parnell [<mailto:rparnell@americanhomedesign.com>]

Sent: Friday, April 25, 2014 5:53 AM

To: Maldonado, Yvette

Cc: Nuanes, Deborah; aross@americanhomedesign.com; 'Diane Shifflett'; 'Norm Murdock'

Subject: RE: Harris BDHX2L

Yvette and Deborah,

thank you for your attention to these concerns; I know we are asking for semi-abstract information. as I said in an earlier note, we will be much more comfortable telling an unhappy customer that her tub is performing to the Manufacturers Tolerances, if we know that it is. I test every tub we install, so I recognize the controls are sometimes significantly more 'resistant' than normal. I can operate them, but I end up in a difficult situation: do I send you a Jacuzzi Service request for those tubs, or send them out and hope the customer still has enough hand strength to use the tub.

please keep your Customer Service Department engaged to help us get these answers; sending us to First Street (to chase down Jacuzzi manufacturing specs) will add one more hurdle for us as we try to resolve a problem for Mr. Harris, (and a few other customers that cannot operate their controls, Ms. Carman for example) difficulty with the customers who run out of hot water, even though they have a 50 gallon water heater. we can (and do) explain to them that the manufacturer recommends a 'fully functioning 50 Gallon water heater'. it would be a bit easier for our own Customer Service Professionals to explain *this problem can only be remedied on the customers end*, if we have the information requested in the email tagged below. our high volume exposes us to many of the people purchasing your product, and we want to work with your team to provide each customer with the very best experience we can, especially when something goes wrong.

thanks!
ray

From: Maldonado, Yvette [<mailto:Yvette.Maldonado@jacuzzi.com>]
Sent: Thursday, April 24, 2014 4:10 PM
To: Ray Parnell
Subject: Harris BDHX2L

Hello Ray

Currently I have requested information on how to measure the maximum force to turn the drain knob and push the buttons. The information you are requesting currently is not published you may need to contact Firststreet for further information. I have attached a IAPMO that states the tub meets required testing.

Regards

Yvette Maldonado

Customer Service

www.jacuzzi.com

14525 Monte Vista Avenue / Chino, CA

800-883-7727 ext 3037 (office) 909-247-2218 (fax)

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From: Ray Parnell [<mailto:rparnell@americanhomedesign.com>]

Sent: Friday, April 04, 2014 9:35 AM

To: 'Nuanes, Deborah'

Cc: 'alan ross'

Subject: engineering question

Deborah,

I have been asked a couple of questions, with which I hope you can help us. I doubt you have this info handy, so please forward this note to the right people, or send back the info if you are able to find out.

we understand that Jacuzzi recommends a 50 gallon water heater. we have had a couple of customers who ran out of hot water, even with a 50. the most recent customer had her plumber inspect and flush her 4 year old water heater, and she still runs out. we confirmed the thermo valve was all the way open, and then we replaced the valve, but still she has the same problem. we want to tell her that the problem is *still her water heater*, but we need some info before we make that call.

the questions put to me are:

1. how many gallons of water does the Jacuzzi hold empty?
2. is there an average water-displacement of our customer demographic?
3. to reach a median 'comfortable temperature,' how many gallons of hot water are actually used?
4. what is the temperature limit on the thermo control valve?

I really appreciate any insight you can give us.

thank you,
ray parnell
project manager AHI / AHD

JACUZZI005385

From: Reyes, Regina
Sent: Thursday, November 08, 2012 4:19 PM
To: Bachmeyer, Kurt
Subject: Push Buttons
Attachments: cannot push button to start.xls

Here you go.

Regina Reyes

Customer Service Manager

www.jacuzzi.com

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-----Original Message-----

From: Bachmeyer, Kurt

Sent: Thursday, November 08, 2012 10:43 AM

To: Reyes, Regina
Subject: FW: service request status

Can you provide me with this data please. Thank you.

Kurt Bachmeyer

Director of Customer Service

www.jacuzzi.com

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-----Original Message-----

From: Martinez, Audrey
Sent: Thursday, November 08, 2012 10:34 AM
To: Torres, Ray; Bachmeyer, Kurt
Cc: norm.murdock@firststreetonline.com; 'DAVE MODENA'
Subject: RE: service request status

Ray- any input on how we can make the buttons easier to push?

Kurt- can you please get a recap of button related issues together?

Thanks!

Audrey Martinez
Marketing Manager- Aging In Place Bathing

www.jacuzzi.com
13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
909.247.2582 (o) 909.762.3203 (c)

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-----Original Message-----

From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Thursday, November 08, 2012 8:52 AM
To: 'DAVE MODENA'; Martinez, Audrey
Subject: RE: service request status

Audrey-

This reiterates my request earlier in the week that we need to improve the button operation (i.e. make easier to push) on the new tub.

Are you able to pull a history of service calls to see how many of them are button related???

Norm Murdock, CAPS
Vice President

Phone: 303-222-3207
Cell: 602-403-6267
Email: norm.murdock@firststreetonline.com

Website: www.firststreetinc.com, www.firststreetonline.com

-----Original Message-----

From: DAVE MODENA [mailto:DAVE.MODENA@firstSTREETonline.com]
Sent: Thursday, November 08, 2012 9:42 AM
To: NORM MURDOCK; Martinez, Audrey
Subject: FW: service request status

Looks like we are having Button Issues?? See below...

Need to understand this before signing off on the new tub's buttons/operation ...

Dave Modena
Sr. Vice President
804-451-2314
firstSTREET for Boomers & Beyond
www.firststreetonline.com

From: Allan Ross [mailto:aross@americanhomedesign.com]
Sent: Thursday, November 08, 2012 11:19 AM
To: DAVE MODENA
Subject: FW: service request status

Dave,

Just to keep you informed. Lots of service issues. This does not include our recent repairs or the ones we fix ourselves.

Thanks,

Allan

From: Ray Parnell [mailto:rparnell@americanhomedesign.com]
Sent: Thursday, November 08, 2012 8:05 AM
To: firststreetsupport@jacuzzi.com
Cc: 'Allan Ross'
Subject: service request status

I need to know the status of these service requests:

New:

Jack Summy buttons sticking

1948 HWY 800 EAST

Crofton, KY 42217

(270)424-5453

almond LH tub

serial# BDDNDX

sent to Miguel:

FANCHIER buttons sticking

1263 HEATHERWOOD DR NE

Arab, AL 35016

(256)931-0480

almond RH tub

serial# BDDNQQ3

sent to Kurt B. :

Mr Fay Holt is the customer who said his aroma therapy
is not working, and not satisfied with the high pressure air blower

2223 LISA AVE

MUSCLE SHOALS, AL 35661

(256)810-2460

Mr. Harry Kyle is the customer who says his buttons don't work half the time

7991 KENTUCKY HWY 159 N

Butler, KY 41006

(859)472-2418

120619-000173	Solved	BCD2SL	NQ80	04/21/2012	06/19/2012	06/21/2012	Issue: new install pump wont turn on just humms: electrician made his own outlet box & connected unit to his outlets. hose was not long enough to reach the power converter box so they connected the air line directly to the moto	No MFG Defect Found	No Value
120820-000178	Solved	BDC0AQ	NQ81	04/13/2012	08/20/2012	09/11/2012	Issue: jet on the lower right hand side by the foot area is not working. corrective action 160313 FIU 9-11	No MFG Defect Found	No Value
120622-000070	Solved	BDC7LQ	NQ81	05/23/2012	06/22/2012	06/28/2012	Issue: tub wont turn on, C/A - need help finding an agent from Rusty no problem found	No MFG Defect Found	No Value
121004-000146	Solved	BDDWNZ	NQ81	09/04/2012	10/04/2012	10/04/2012	called wanting us to inspect her tub to make sure it was installed correctly, she had a elset. out there who checked every thing and it worked ok. she said she did not think there was a problem. i went over the operation and it sounds fine.	No MFG Defect Found	No Value
121015-000250	Solved	BDDVFC	NQ80	08/29/2012	10/15/2012	10/26/2012	drain leak. per agent drain was not caulked properly, rescaled replacing customer drain stopper, sending directly to customer. 162250	No MFG Defect Found	No Value
121001-000202	Solved	No Value	NQ80	10/03/2012	10/01/2012	10/03/2012	Need SERIAL NUMBER: Unit leaking at bottom of door...coordinated service with DAVE'S APPLIANCE, claim#11247A. leak was caused by a nurse leaning against the door while bathing the owner	No MFG Defect Found	No Value
120514-000304	Solved	BDCXSL	NQ80	04/04/2012	05/14/2012	05/12/2012	Major issue: light not working. Repair action sending parts to CCO, Corrective action: This call is not related to its light... Closing incident was ref to Simona because install issues	No MFG Defect Found	No Value
120400-000389	Solved	No Value	NQ80	04/02/2012	04/02/2012	04/02/2012	no serial number issue: Junction (Jbox) is now included with these units. wants to know how to install if gfci is required and there is none on Jbox.repair action: none: corrective action: explained installation	No MFG Defect Found	No Value
120715-000212	Solved	BDC3CV	NS80	05/03/2012	07/18/2012	07/31/2012	Issue: blower not working pump motor not working - C/A appt set eW/ morning star FIU 7-31-- Agent found only one braker insted of two and that what was causing the tripping	No MFG Defect Found	No Value
120809-000156	Solved	BDDMNS	NS81	07/25/2012	08/09/2012	08/22/2012	Issue: leaking from door: Repair Action: sent new strike plate and gasket to Spa & Deck, SO# 159854 to do job. Service completed 08-17-12, no leak found, agent believes cust was not properly closing door handle	No MFG Defect Found	No Value
120510-000031	Solved	BDCQ49	NQ80	03/08/2012	05/10/2012	05/22/2012	Issue: door leaking: Corrective action: 5-22 per agent they found no water leak. Tested the unit went over w/cust unit test ok... no repair needed	No MFG Defect Found	No Value
120925-000160	Solved	BDDMB3	NQ81	08/02/2012	09/25/2012	10/02/2012	Issue: STATED THE INSIDE BOTTOM IS SLIPPERY - ALMOST FAIL C/A - CONTACTING AGENT JIM CROSBY PLUMBER - inspected found tub has non skid. Installed strips for cusotmer that they purchased	No MFG Defect Found	No Value
120508-000064	Solved	BDCRVW	NQ80	03/05/2012	05/08/2012	05/09/2012	Issue with the installer and heater; repair action: none: correction action: 5-10 changing to solve. Incident has been sent over to FIS	No MFG Defect Found	No Value
120901-000115	Waiting	BDC9LL	NQ80	06/25/2012	09/07/2012	No Value	Issue: flex tube has a kink caused a leak; water does not divert from hand held property; corrective action Hausner scheduled for 9/10	No MFG Defect Found	No Value
120321-000051	Solved	BDCRVN	NQ80	03/08/2012	03/21/2012	03/27/2012	Issue: LEAKING AT DISCHARGE PUMP GASKET ONLY - C/A tm called in for special today..Follow up for appointment on 8-3	No MFG Defect Found	No Value
120731-000183	Solved	BDD1Y2	NS80	07/11/2012	07/31/2012	08/03/2012	Issue: crack on tub near faucet hole: repair action: none, not mfg defective: corrective action: denied as freight claim. determind faucet tightened	No MFG Defect Found	No Value
120515-000201	Solved	BDC4MP	NS81	05/03/2012	05/15/2012	05/15/2012	Issue: crack on tub near faucet hole: repair action: none, not mfg defective: corrective action: denied as freight claim. determind faucet tightened	No MFG Defect Found	No Value
120730-000179	Solved	No Value	NQ80	08/30/2012	07/30/2012	07/30/2012	no serial number tub faucet has no hot water coming out- dealer rds to adjust the Thermostatic control cartridge. REFERRED to DEALER	No MFG Defect Found	No Value
121001-000188	Solved	BDD5SD	NQ81	08/30/2012	10/11/2012	10/31/2012	ISSUE: NEED DRAIN STOPPER NOT HOLDING WATER. customer called back to confirm that it was a drain issue not related to the product. her brother fixed it - she is not sure what it was but its fixed.	No MFG Defect Found	No Value
121101-000022	Solved	BDC3EX	NQ81	10/13/2012	11/01/2012	11/01/2012	Per Mrs. Hansen, broken shower head fell on the floor...referred to AIH REMODELERS (installer).	No MFG Defect Found	No Value
120822-000056	Solved	BDDMCS	NQ81	07/27/2012	08/22/2012	08/23/2012	Issue: report jet not working..... problem per Mr Reed no hot water and nothing turns on... C/A referred back to FirstStreet in order to have hot water issue teted	No MFG Defect Found	No Value
121025-000006	Waiting	BDDXP1	NQ81	09/12/2012	10/26/2012	No Value	H/O worried about a spot on his door where water is gathering in the gasket and look as though it's not draining properly.. SOS SERVICEMEN.to inspect the tub. LVM for appt date and time	No MFG Defect Found	No Value
121011-000061	Solved	BDDYFW	NQ81	09/19/2012	10/11/2012	10/15/2012	One small jet at the seat not able to adjust...awaiting for Mr. Casey to call us back and confirm problem... Leaving message for cust... advised on operation	No MFG Defect Found	No Value
120822-000124	Solved	BDC673	NQ80	05/13/2012	06/22/2012	07/06/2012	Issue: crack, C/A waiting on call back by agent FIU 7-6 wickmans to due repair repair completed. Sand and file Per agnet not a MFD	No MFG Defect Found	No Value
121008-000109	Solved	BDC4YR	NQ80	05/03/2012	10/09/2012	10/09/2012	Issue: 45 min to fill to recommended level; Action: Referred to installer	No MFG Defect Found	No Value
120801-000030	Solved	BDC8NC	NQ80	05/23/2012	08/03/2012	08/23/2012	Issue: Door leaking and light not operating: Repair Action: sent new strike plate and light kit to Splash, SO# 159596.- repair completed. GFCI was tripped and wood stuck on gaskt. No parts replaced tub wrks	No MFG Defect Found	No Value
120411-000082	Solved	BDCQ47	NQ81	03/01/2012	04/11/2012	04/11/2012	Issue: Motor trip breaker & handle won't latch door; repair action: coordinate repair CRC OF TUSCOLA: corrective action: repaaled handle, GFCI not holding load. w/extension cord to another outlet unit did not trip. referred cust to installr	No MFG Defect Found	No Value
121016-000092	Solved	BDC7GC	NS81	05/23/2012	10/16/2012	10/23/2012	motor does not work blower and light work.hear the ozone turn on but not the motor..served by Dana full service. light pinched; not installed properly pump & hr on same outlet; unit plugged into powstrip - corrected installation	No MFG Defect Found	No Value
120531-000078	Solved	BDC8NK	NQ80	05/19/2012	07/31/2012	07/10/2012	Issue:Leaking at bottom of the door on hinge side.. C/A -coordinated dan out to inspect tub is out of level.	No MFG Defect Found	No Value
120715-000153	Solved	BDC894	NQ81	06/05/2012	07/16/2012	07/31/2012	Issue: has one jet with no pressure or nothing coming out of it-REPAIR ACTION: Tub Medic -kay called customer to set appointment and found that customer left jet closed.. No need for repair	No MFG Defect Found	No Value
120614-000015	Solved	BDCFTN	NQ81	03/13/2012	06/18/2012	06/26/2012	Issue:BREAKER TRIPPING EVERYTIME SHE PUSH THE ON BUTTON ON THE CONTROL PANEL C/A appt sch w/ht Surface specialist for 6-22 --FIU 6-25	No MFG Defect Found	No Value
120524-000150	Solved	BDC2KP	NQ80	04/24/2012	05/24/2012	05/21/2012	Issue: Replacement tub leaks from unknown area. repair action: contacted Ronnie to get tub info. Model marked at NQ81959 to so that is shows on repair. Will nee to change when get SR #	No MFG Defect Found	No Value
121106-000124	Solved	BDD1LQ	NQ80	08/27/2012	11/06/2012	11/06/2012	COMPLAINING THE INSTALLERS BROKE HIS TOILET AFTER INSTALLATION OF HIS FIRST STREET * GETTING MODEL SERIAL TO HELP LOCATE DEALER OR INSTALLER	No MFG Defect Found	No Value
121017-000169	Solved	BDDTLN	NQ80	08/27/2012	10/17/2012	10/29/2012	heater and drain not working...coordinated service with BATH AID, claim#0069577 . No mfg defect. the issue is no enough hot water for unit, cusotmer has a 40 gallon water tank.	No MFG Defect Found	No Value
120907-000061	Solved	BDDP5Z	NQ81	08/07/2012	09/07/2012	09/07/2012	AROMATHERAPY NOT SMELLING -	No MFG Defect Found	No Value
121001-000175	Waiting	BDDVON	NQ81	09/08/2012	10/01/2012	No Value	LEAKING AT THE DOOR (found not leveled properly, no leak)- joint coming off from handle. customer requesting he test .. agent to service 11-8 followup 11-9	No MFG Defect Found	No Value
121024-000057	Waiting	BDDCF7	NQ81	06/25/2012	07/24/2012	No Value	consumer complaining the caulking around the tub to wall connections is coming loose - not passing inspection- ref to installer/firststreet	No MFG Defect Found	No Value
120714-000032	Solved	BDDGKM	NS80	06/26/2012	07/18/2012	07/20/2012	Issue: No hot water coming out of the hot valve. C/A Tim contacted the customer and she is aware that they plumber is going out to repair the unit closing incident	No MFG Defect Found	No Value
120502-000167	Solved	BDCP4G	NQ80	03/01/2012	05/02/2012	05/21/2012	Issue: Door leak; repair action: corrective action: issue is a bad seal at the drain and not a Jacuzzi issue. She said could not get door to leak.Waiting on photos from agent	No MFG Defect Found	No Value
120530-000008	Solved	BDC5WK	NQ80	05/06/2012	05/30/2012	06/26/2012	Issue: Motor bracket broken....needs tub repaired. C/A: Per installer issue is JM will do the repair . FIU 6-21	Broken Motor Bracket	No Value
120618-000232	Solved	BDC04D	NQ80	04/14/2012	06/18/2012	06/22/2012	ISSUE: motor humming - jets not coming on REPAIR ACTION:referred to SOS servicemen s/o 157754 - parts rec posib service 6-22 FIU 6-25	Pump motor	No Value
120705-000222	Solved	BDDCT5	NQ80	06/13/2012	07/06/2012	08/31/2012	Issue: motor won't turn ON, light and blower works fine. corrective action. service set for montues of wk LVMfor steve flow up 9-4	Pump motor	No Value
120618-000252	Solved	BDC2RV	NQ81	04/28/2012	06/18/2012	06/19/2012	Issue: Four jets not blowing at all. Need customer's informatio and serial number of tub to set up service. Homeowner: Stroud. Please reference 120618-000214.	Pump motor	No Value
120413-000056	Solved	No Value	NQ80	No Value	04/13/2012	04/13/2012	no serial number issue:pump not coming on (but jets come on): repair action: none: corrective action: explained how unit works	Pump motor	No Value
120618-000214	Solved	BDC2RV	NQ81	04/26/2012	06/18/2012	07/02/2012	Issue: air switch not working -C/A repair set up with Bath Aid -- pump replaced due to bad wiring, Brad is going to email info over directly	Pump motor	No Value
121003-000177	Solved	BDC2SK	NQ80	04/21/2012	10/03/2012	10/18/2012	pump and blower not working. Jets wont come on all the time. Appliance Doct servicing. parts shipped	Pump motor	No Value
120619-000188	Solved	BDC040	NS81	No Value	06/19/2012	06/22/2012	Issue: heater does not work. jets not working. C/A service with SOS serviceman replaced pump due to being bad	Pump motor	No Value
120619-000148	Solved	BDC5XT	NS81	05/06/2012	06/19/2012	06/27/2012	Issue: jets not turning on- installer wants us to call agent to troubleshoot- REPAIR ACTION-PHD will svc CL.#092002A S/O 157969 C/A reset switch on motor.	Pump motor	No Value
120314-000214	Solved	BDB7VS	NQ81	12/15/2011	03/19/2012	03/19/2012	2nd Trip issue: motor won't turn ON; repair action:coordinated repair with R&R Restore It; corrective action: R&R motor claim 1105144	Pump motor	No Value
120924-000215	Solved	BDC689	NS80	05/23/2012	09/24/2012	10/03/2012	Issue: Motor does not work...tried to trouble shoot but motor does not work.. C/A Replaced pumpt ..	Pump motor	No Value
120731-000115	Solved	BDB8BX	NQ81	06/04/2012	07/31/2012	07/31/2012	Motor not turning on....set up service with Excell Fiberglass	Pump motor	No Value
120223-000319	Solved	BDCDL5	NQ80	01/14/2012	02/23/2012	03/02/2012	Issue: not heating and blower not coming on; repair action: coordinate service repair: corrective action: bad switch pump replaced	Pump motor	No Value
120411-000099	Solved	BDCQ47	NQ81	03/01/2012	04/11/2012	04/11/2012	Issue: Claim#1109264, order#155062; motor trip breaker & handle won't latch door. **** penny is waiting to hear from cust*	Pump motor	No Value
120906-000031	Solved	BDC2RW	NQ81	04/30/2012	09/06/2012	09/06/2012	Motor not turning on...trouble shoot....air line not connected....connected and motor turns on.	Pump motor	No Value
120820-000118	Solved	BDDC6S	NS81	06/12/2012	08/20/2012	09/17/2012	Issue: motor just hums...was working before and now just hums. C/A Cascade repaired motor. second issue to correct light scheduled to repair replaced light and motor	Pump motor	No Value
121002-000086	Solved	BDDYF2	NQ81	09/17/2012	10/02/2012	10/05/2012	Issue: motor not shutting off; Repair Action: sent repair parts to Rio Refinishers and will have him check electrical diagram, SO# 161718 shipped 10-03 UP1	Pump motor	No Value
120405-000205	Solved	BDDCDR	NS80	02/01/2012	04/05/2012	05/08/2012	Issue: Motor will not come on/blower works fine;checked air tube and GFCI, tube attached and GFCI works; repair action: coordinate service w/baker service: corrective action: changed pump unit worked fine.	Pump motor	No Value
120626-000094	Solved	BDDB82	NQ81	06/11/2012	06/26/2012	06/28/2012	Issue pump leaks and handle is chiped. C/A send parts top warehouse sending parts at N/C ***installer switching out tubs**** not comfortable chaign pump. f/u 7-29	Pump motor	No Value
120627-000082	Solved	BDDCVB	NQ81	06/11/2012	06/27/2012	06/27/2012	Issue: Jets are not coming on, pump just humms ozone.. TIS to remove air tube from oz plug into pump.	Pump motor	No Value
120609-000063	Solved	BDC5XP	NS81	05/08/2012	06/08/2012	06/18/2012	Issue: ON/OFF button that activates pump is too hard to push in and gets stuck at times...coordinated service with UNICORN EXPRESS- repair.. T bleeder	Pump motor	No Value

Record Count: 470

From: Reyes, Regina
Sent: Monday, April 28, 2014 10:00 AM
To: Torres, Ray; Bachmeyer, Kurt
Cc: Pierce, Don; Coester, Ruth; Davis, Megan; Martinez, Audrey
Subject: RE: 114th Issue Newsletter - primer unbond

Thank you I will notify Ray Parnell.

Regina Reyes
Customer Service Manager



www.jacuzzi.com
14525 Monte Vista Avenue / Chino, CA 91710
909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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To: Reyes, Regina; Bachmeyer, Kurt
Cc: Pierce, Don; Coester, Ruth; Davis, Megan; Martinez, Audrey
Subject: RE: 114th Issue Newsletter - primer unbond

Hello Regina,
I don't have that info handy, we will measure this in the future but need a unit to test.
So close and I will put on my list to test.
thanks

Raymond Torres
VP Operations & Engineering – Jacuzzi Luxury Bath



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Customer Service Manager



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Kurt Bachmeyer
Director of Customer Service



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To: Bachmeyer, Kurt; Reyes, Regina; Pierce, Don
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Thanks
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Ruth Coester

**Supervisor
Georgia Call Center**



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512 Highland Drive / Valdosta, GA 31601
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From: Swanson, Stephanie
Sent: Friday, April 04, 2014 8:54 AM
To: Coester, Ruth
Subject: FW: 114th Issue Newsletter

FYI

Thanks,
Stephanie

From: SIMONA ROBERTSON [mailto:SIMONA.ROBERTSON@firstSTREETonline.com]
Sent: Thursday, April 03, 2014 9:55 PM
Cc: DAVE MODENA
Subject: 114th Issue Newsletter

Hello All,

Please find attached our latest edition Newsletter!

Best,

*Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond*

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Raymond Torres
VP Operations & Engineering – Jacuzzi Luxury Bath



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Regina Reyes
Customer Service Manager



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Kurt Bachmeyer
Director of Customer Service



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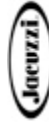
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Sent: Friday, April 04, 2014 6:25 AM
To: Bachmeyer, Kurt; Reyes, Regina; Pierce, Don
Subject: FW: 114th Issue Newsletter

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Thanks
Ruth

Ruth Coester
Supervisor
Georgia Call Center



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512 Highland Drive / Valdosta, GA 31601
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Subject: FW: 114th Issue Newsletter

FYI

Thanks,

Stephanie

From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]
Sent: Thursday, April 03, 2014 9:55 PM
Cc: DAVE MODENA
Subject: 114th Issue Newsletter

Hello All,

Please find attached our latest edition Newsletter!

Best,

*Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond*

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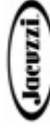
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Sent: Thursday, April 24, 2014 8:45 AM
To: Bachmeyer, Kurt; Torres, Ray
Cc: Pierce, Don; Coester, Ruth; Davis, Megan; Martinez, Audrey
Subject: RE: 114th Issue Newsletter - primer unibond
Importance: High

Kurt and Ray

Did we determine if we could recommend this as a resource to the installer if customers complain of slippery tubs?
I know how we comply (or even exceed) standard consumer safety specifications and how other factors may contribute to the complaint I just need to know if we can or cannot/should not recommend this product. I have to get back to Ray Parnell on slippery tubs.

As well is asking if we can tell him how to measure the maximum force needed to turn the drain knob or push in the buttons. If this information is available it is not published. If we have it can someone provide it? If it is not available I will refer have to refer Ray to AIGR/FS to convey his comments.

Regina Reyes

Customer Service Manager

www.jacuzzi.com

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909.247.2170 (o) Office Hours 8 a.m. to 5:00 p.m. PT
909.247.2551 (f)

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From: Bachmeyer, Kurt
Sent: Friday, April 04, 2014 6:56 AM

To: Torres, Ray
Cc: Pierce, Don; Coester, Ruth; Reyes, Regina; Davis, Megan
Subject: FW: 114th Issue Newsletter

Ray –

What are your thoughts here regarding this product? We'd like to know if this is something we would recommend for the field. Thank you.

Kurt Bachmeyer

Director of Customer Service



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From: Coester, Ruth

Sent: Friday, April 04, 2014 6:25 AM

To: Bachmeyer, Kurt; Reyes, Regina; Pierce, Don

Subject: FW: 114th Issue Newsletter

Good morning.

Stephanie forwarded this FS Newsletter to me this morning. Will we be recommending this product to all consumers, not just FS customers? If so, will we just supply a phone number to call? If this just for the floor? It seems too harsh to sit on it but is it also recommended for the seat?

Thanks

Ruth

Ruth Coester

Supervisor

Georgia Call Center



www.jacuzzi.com
512 Highland Drive / Valdosta, GA 31601
909.247.2508 (o) 229.671.7985 (f)

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From: Swanson, Stephanie
Sent: Friday, April 04, 2014 8:54 AM
To: Coester, Ruth
Subject: FW: 114th Issue Newsletter

FYI

Thanks,
Stephanie

From: SIMONA ROBERTSON [<mailto:SIMONA.ROBERTSON@firstSTREETonline.com>]
Sent: Thursday, April 03, 2014 9:55 PM
Cc: DAVE MODENA
Subject: 114th Issue Newsletter

Hello All,

Please find attached our latest edition Newsletter!

Best,

Simona Reid-Robertson
phone 804-451-2309
fax 804-524-9889
firstSTREET for Boomers and Beyond

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From: Reyes, Regina
Sent: Monday, January 07, 2013 9:45 AM
To: Nick Fawkes
Cc: Bachmeyer, Kurt; Fore, Jonathan; Martinez, Audrey
Subject: RE: Arnouville, Manuel - Serial #BDFDK9

Hi Nick,

I discussed this internally and at this time we will not have any plans to change the surface to make it more abrasive. If the nonskid bath stickers will be used by the customer we would only recommend they apply them to the floor and not the seat.

Regards,

Regina Reyes
Customer Service Manager



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From: Nick Fawkes [mailto:nick.fawkes@aihremodelers.com]
Sent: Friday, December 21, 2012 12:16 PM
To: Reyes, Regina
Subject: Re: Arnouville, Manuel - Serial #BDFDK9

Regina this is Xbox wanted to let you know that we actually hear this complaint more and more often and the numbers increasing installations. I would highly recommend that we consider putting something a little bit more abrasive Not only on the floor but also on the seats as we have had customers call concerned that they slip off the seat so wouldn't be a bad thing to consider adding to the new job just my thoughts.

Sent from my iPhone

On Dec 21, 2012, at 12:59 PM, "Reyes, Regina" <Regina.Reyes@jacuzzi.com> wrote:

Hi Tracey,

Sorry for the delay, this is one that I have been pondering how to address and the only thing I can come up with is that maybe they apply some non skid bath mats or stickers. We don't have an accessory to supply and we have not heard of this before, but I will check.

Regina Reyes

Customer Service Manager

<image001.jpg>

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From: Tracey Dierkens [<mailto:tracey.dierkens@aihremodelers.com>]

Sent: Tuesday, December 18, 2012 2:35 PM

To: Reyes, Regina

Cc: nick.fawkes@aihremodelers.com; Todd Stout

Subject: FW: Arnouville, Manuel - Serial #BDFDK9

Importance: High

Regina,

I guess I need to talk to you about this....

Can you help?

Tracey Dierkens

303-222-3200

303-222-3204 Direct

From: Calderon, Hilton [<mailto:Hilton.Calderon@jacuzzi.com>] On Behalf Of First Street Support

Sent: Tuesday, December 18, 2012 3:20 PM

To: Tracey Dierkens; First Street Support

Cc: Todd Stout; Nick Fawkes

Subject: RE: Arnouville, Manuel - Serial #BDFDK9
Importance: High

Tracey,

This is the first time I heard of this type of complain, you will need to direct this issue with our manager: Regina Reyes. As far as I know the floor has a nonslip pattern design that prevents the user from slipping but the seat is plain, it has no slip pattern design.

Regards,

Hilton Calderon

Technical Services Consultant

<image001.jpg>

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From: Tracey Dierkens [<mailto:tracey.dierkens@aihremodelers.com>]

Sent: Monday, December 17, 2012 10:07 AM

To: First Street Support

Cc: Todd Stout; nick.fawkes@aihremodelers.com

Subject: Arnouville, Manuel - Serial #BDFDK9

Customers tub was installed on 12/13, and they say the wife slips on the seat and the floor. Nick would like to know if there is anything you can do to help the customer out? They are not using the tub because they are afraid she will fall.

Arnouville, Manuel & Patricia
5010 N Bayou Black Drive
Gibson, LA 70356
(985)575-3695

Thank you!

Tracey Dierkens

303-222-3200

303-222-3204 Direct

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From: Reyes, Regina
Sent: Thursday, May 08, 2014 2:18 PM
To: Coester, Ruth; Bachmeyer, Kurt
Cc: Coester, Ruth
Subject: RE: Customer called in to notify us that the FS unit they just purchased was very slippery and husband (Michael) fell and hurt/broke his big toe.

Told you they were going to say they didn't use soap or additives... only plain old water.

For the future we will have scripted responses so we don't have to go back and forth, but I believe we will say we cannot offer compensation, I think that is opening the door for the future unknown. I'll check with Kurt when he returns tomorrow.

Regina Reyes
Customer Service Manager



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From: Ruth Coester [mailto:Ruth.Coester@jacuzzi.com]
Sent: Thursday, May 08, 2014 2:13 PM
To: Bachmeyer, Kurt; Reyes, Regina
Cc: Coester, Ruth
Subject: FWD: Customer called in to notify us that the FS unit they just purchased was very slippery and husband (Michael) fell and hurt/broke his big toe.

The following incident has been forwarded to you by:
Ruth Coester(Ruth.Coester@jacuzzi.com)

Sender's Comment

Regina and Kurt,

I called the Kanarek's. Both Isabel and Michael were on the phone. I apologized for the experience and explained our units exceed the standard by 1.5 times. Mr. Kanarek started to explain what happened and said he wants compensated for his suffering, but also the medical bills. He said he didn't want to sue us but he would. I told him if was going to sue us then he'd need to have his lawyer contact our lawyer. Then he said he didn't want to sue, but would if he had to, but he wants compensated for his suffering. I told him I'd put notes in the file and forward to my manager. This happened almost 3 wks ago and they called Fairbanks to let them know what happened. They have since put in something for the seat and strips on the floor. They reinforced that there is no warning that the unit could be slippery.

Do you want me to call them back and tell them to have their lawyer contact our lawyer? (Not sure how to do that, just give them our address in Chino Hills?)

Thanks
Ruth

Contact Information

Email Address: ikanare@gmail.com
First Name: Isabel
Last Name: Kanarek
Type: Consumer
Title:
Primary Phone: 305-974-0048
DLR/Agent #:
DLR/Agent Name:
Lowes Store #:
Region/Territory:
ShipTo Acct Sequence:
ShipTo Account Name:

Reference #140507-000081

Summary: Customer called in to notify us that the FS unit they just purchased was very slippery and husband (Michael) fell and hurt/broke his big toe.
Rule State: 03. Complete
Date Created: 05/07/2014 01:32 PM
Last Updated: 05/08/2014 01:58 PM
Status: Solved