

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.

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**PETITIONER'S APPENDIX
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D. LEE ROBERTS (SBN 8877)
BRITTANY M. LLEWELLYN (SBN 13,527)
JOHNATHAN T. KRAWCHECK (*pro hac vice*)
WEINBERG, WHEELER,
HUDGINS, GUNN & DIAL, LLC
6385 South Rainbow Blvd., Suite 400
Las Vegas, Nevada 89118

JOEL D. HENRIOD (SBN 8492)
DANIEL F. POLSENBERG (SBN 2376)
ABRAHAM G. SMITH (SBN 13,250)
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, Nevada 89169

Attorneys for Petitioner

CHRONOLOGICAL TABLE OF CONTENTS TO APPENDIX

Tab	Document	Date	Vol.	Pages
1	Complaint	02/03/16	1	1–13
2	First Amended Complaint	03/25/16	1	14–23
3	Second Amended Complaint	05/09/16	1	24–33
4	Third Amended Complaint	01/31/17	1	34–49
5	Fourth Amended Complaint	06/21/17	1	50–65
6	Defendant Jacuzzi Inc.’s Amended Answer to Plaintiffs’ Fourth Amended Complaint	03/07/18	1	66–75
7	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	01/10/19	1 2	76–250 251–435
8	Opposition to 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	01/24/19	2 3 4	436–500 501–750 751–921
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
10	Transcript of All Pending Motions	02/04/19	5 6	1214–1250 1251–1315
11	Minute Order Re: Pending Motions	03/04/19	6	1316
12	Minute Order	03/12/19	6	1317–1318
13	Plaintiffs’ Motion for Reconsideration Re: Plaintiffs’ Renewed Motion to Strike Defendant Jacuzzi, Inc.’s Answer and Motion	05/15/19	6	1319–1347

	for Clarification Regarding the Scope of the Forensic Computer Search			
14	Appendix to 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	05/15/19	6 7	1348–1500 1501–1592
15	Defendant Jacuzzi Inc.'s Opposition to 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	05/28/19	7	1593–1612
16	Appendix of Exhibits to Defendant Jacuzzi Inc.'s Opposition to 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	05/28/19	7 8	1613–1750 1751–1778
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
18	Minute Order Re: Pending Motions	03/04/19	8	1791
19	Court Minutes – All Pending Motions	07/01/19	8	1792–1793
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
21	Recorder's Transcript of Hearing Pursuant to Defendant Jacuzzi's Request Filed 6-13-19,	07/01/19	8	1887–1973

	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			
22	Plaintiffs' Motion to Expand Scope of Evidentiary Hearing	08/09/19	8 9	1974–2000 2001–2045
23	Defendant Jacuzzi Inc.'s Opposition to Plaintiffs' Motion to Expand Scope of Evidentiary Hearing	08/19/19	9	2046–2062
24	Appendix of Exhibits in Support of Defendant Jacuzzi Inc.'s Opposition to Plaintiffs' Motion to Expand Scope of Evidentiary Hearing	08/19/19	9	2063–2241
25	Plaintiffs' Supplement to Motion to Expand Scope of Evidentiary Hearing	08/20/19	9	2242–2244
26	Appendix to Plaintiffs' Supplement to Motion to Expand Scope of Evidentiary Hearing on Order Shortening Time – Volume I of II	08/20/19	9 10 11 12	2245–2250 2251–2500 2501–2750 2751–2904
27	Appendix to Plaintiffs' Supplement to Motion to Expand Scope of Evidentiary Hearing on Order Shortening Time – Volume I of II	08/20/19	12 13 14 15 16	2905–3000 3001–3250 3251–3500 3501–3750 3751–3882
28	Court Minutes Re: Plaintiff's Motion to Expand Scope of Evidentiary Hearing	08/21/19	16	3883
29	Plaintiffs' Reply in Support of Motion to Expand Scope of Evidentiary Hearing	08/21/19	16 17	3884–4000 4001–4010
30	Recorder's Transcript of Evidentiary Hearing – Day 1	09/16/19	17	4011–4193
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
33	Plaintiffs' Evidentiary Hearing Brief	09/18/19	19	4585–4592
34	Minute Order	09/26/19	19	4593–4594
35	Court Minutes Re: Evidentiary Hearing	10/01/19	19	4595
36	Recorder's Transcript of Evidentiary Hearing – Day 4	10/01/19	19	4596–4736
37	Minute Order	10/08/19	19	4737–4740
38	Plaintiffs' Evidentiary Hearing Closing Brief	11/04/19	19 20	4741–4750 4751–4805
39	Plaintiffs' Appendix to Plaintiffs' Evidentiary Hearing Closing Brief	11/04/19	20 21 22 23 24	4806–5000 5001–5250 5251–5500 5501–5750 5751–5849
40	Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/02/19	24	5850–5893
41	Errata to Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/06/19	24	5894–5897
42	Appendix of Exhibits in Support of Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/06/19	24 25	5898–6000 6001–6178
43	Plaintiffs' Reply Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/31/19	25 26	6179–6250 6251–6257
44	Minute Order	03/05/20	26	6258–6261
45	Motion to Clarify the Parameters of the Waiver of Attorney-Client Privilege that Would be Required in Order to Present Evidence that it was Acting on Advice of	05/22/20	26	6262–6266

	Counsel			
46	Objections to “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer to Liability Only” with Counter-Proposed Order	05/22/20	26	6267–6276
47	Appendix of Exhibits to: Objections to “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer to Liability Only” with Counter-Proposed Order	05/22/20	26	6277–6478
48	Minute Order	05/28/20	26	6479
49	Plaintiffs’ (1) Response to Defendant Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath’s Objections to Plaintiffs’ Proposed “Order Striking Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath’s Answer as to Liability Only”; and (2) Opposition to Jacuzzi’s Motion Clarify the Parameters of the Waiver of the Attorney Client Privilege That Would be Required to Present That It was be Acting on the Advice of Counsel	06/05/20	26	6480–6494
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
51	Court Minutes Re: All Pending Motions	06/29/20	27	6506–6508
52	Recorder’s Transcript of Pending Motions	06/29/20	27	6509–6549
53	Minute Order	07/20/20	27	6550
54	Order for Evidentiary Hearing	07/22/20	27	6551–6555
55	Jacuzzi’s Notice of Waiver of Phase 2 Hearing and Request to Have Phase 2 of Evidentiary Hearing Vacated	09/18/20	27	6556–6561
56	Plaintiffs’ Response to Defendant Jacuzzi’s Notice of Waiver of Phase 2 Hearing and	09/21/20	27	6562–6572

	Request to Have Phase 2 of Evidentiary Hearing Vacated			
57	Court Minutes – Evidentiary Hearing	09/22/20	27	6573
58	Recorder’s Transcript of Evidentiary Hearing – Day 1	09/22/20	27	6574–6635
59	Minute Order	09/29/20	27	6636
60	Court Minutes Re: Competing Orders to Strike Jacuzzi’s Answer	10/05/20	27	6637–6638
61	Recorder’s Transcript of Pending Motions	10/05/20	27	6639–6671
62	Objections to Plaintiff’s Proposed “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer as to Liability Only” Submitted October 9, 2020	10/16/20	27	6672–6712
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
64	Brief Responding to Plaintiffs’ Request for Inflammatory, Irrelevant, Unsubstantiated, or Otherwise Inappropriate Jury Instructions	10/20/20	28	6751–6770
65	Appendix of Exhibits to Brief Responding to Plaintiffs’ Request for Inflammatory, Irrelevant, Unsubstantiated, or Otherwise Inappropriate Jury Instructions	10/20/20	28	6771–6904
66	Court Minutes – Status Check: Decision on Proposed Order	10/21/20	28	6905
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)	11/10/20	28	6906–6923

	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 Answer Re: Liability			
68	Transcript of Proceedings: Motion to Strike	11/19/20	28 29	6924–7000 7001–7010
69	Notice of Entry of Order (Striking Defendant Jacuzzi, Inc., d/b/a Jacuzzi Luxury Bath's Answer as to Liability Only)	11/24/20	29	7011–7048
70	Court Minutes: All Pending Motions	12/07/20	29	7049
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
72	Court Minutes – Hearing: Jury Instructions	12/21/20	29	7116–7117
73	Court Minutes – Decision	12/21/20	29	7118
74	Transcript of Proceedings: Jury Instructions	12/21/20	29	7119–7171
75	Minute Order	12/28/20	29	7172–7176
76	Minute Order	12/29/20	29	7177
77	Notice of Entry of Order Re-Opening Discovery	01/15/21	29	7178–7186
78	Notice of Entry of Order Regarding Motions in Limine	01/15/21	29	7187–7195
79	Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21	04/29/21	29	7196–7229
80	Plaintiffs' Appendix to Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's	04/29/21	29 30 31	7230–7250 7251–7500 7501–7623

	Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21			
81	Amended Order Setting Firm Civil Jury Trial, Pre-Trial Conference and Calendar Call	05/06/21	31	7624–7629
82	Minute Order	05/06/21	31	7630
83	Defendant Jacuzzi Inc. dba Jacuzzi Luxury Bath's Opposition to Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21 and Countermotion to Clarify Issues That the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial	05/13/21	31	7631–7646
84	Appendix of Exhibits in Support of Defendant Jacuzzi Inc. dba Jacuzzi Luxury Bath's Opposition to Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21	05/13/21	31 32	7647–7750 7751–7797
85	Notice of Taking Multiple Videotaped Depositions for Purposes of Trial Preservation Outside the State of Nevada	05/28/21	32	7798–7802
86	Plaintiffs' Reply in Support of Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21 and Opposition to Jacuzzi's Countermotion to Clarify Issues that the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial and FirstStreet	06/01/21	32	7803–7858

	for Boomers and Beyond, Inc. and AITHR Dealer, Inc.’s Joinder Thereto			
87	Minute Order	06/04/21	32	7859
88	Minute Order	06/18/21	32	7860
89	Amended Minute Order	06/18/21	32	7861
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
91	Court Minutes – All Pending Motions	07/06/21	32	7889
92	Minute Order	07/13/21	32	7890
93	Court Minutes – All Pending Motions	07/14/21	32	7891–7892
94	Recorder’s Transcript of Pending Motions	07/14/21	32 33	7893–8000 8001–8019
95	Minute Order Re: Plaintiffs’ Motion to Reconsider the Court’s Order Granting in Part, and Denying in Part, Jacuzzi’s Motion to Reconsider MILs Nos. 1, 4, 13, and 21	08/17/21	33	8020–8023
96	Order Granting Plaintiffs’ Motion to Reconsider the Court’s Order Granting in Part, and Denying in Part, Jacuzzi’s Motion to Reconsider MILs Nos. 1, 4, 13, and 21	09/29/21	33	8024–8038
97	Order Granting Jacuzzi’s Countermotion to Clarify Issues that the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial	09/29/21	33	8039–8047

ALPHABETICAL TABLE OF CONTENTS TO APPENDIX

Tab	Document	Date	Vol.	Pages
89	Amended Minute Order	06/18/21	32	7861
81	Amended Order Setting Firm Civil Jury Trial, Pre-Trial Conference and Calendar Call	05/06/21	31	7624–7629
84	Appendix of Exhibits in Support of Defendant Jacuzzi Inc. dba Jacuzzi Luxury Bath’s Opposition to Plaintiffs’ Motion to Reconsider the Court’s Order Granting in Part, and Denying in Part, Defendant Jacuzzi’s Motion to Reconsider the Court’s Order Denying Defendant’s Motions in Limine Nos. 1, 4, 13, and 21	05/13/21	31 32	7647–7750 7751–7797
42	Appendix of Exhibits in Support of Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath’s Evidentiary Hearing Closing Brief	12/06/19	24 25	5898–6000 6001–6178
24	Appendix of Exhibits in Support of Defendant Jacuzzi Inc.’s Opposition to Plaintiffs’ Motion to Expand Scope of Evidentiary Hearing	08/19/19	9	2063–2241
65	Appendix of Exhibits to Brief Responding to Plaintiffs’ Request for Inflammatory, Irrelevant, Unsubstantiated, or Otherwise Inappropriate Jury Instructions	10/20/20	28	6771–6904
16	Appendix of Exhibits to Defendant Jacuzzi Inc.’s Opposition to 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	05/28/19	7 8	1613–1750 1751–1778
47	Appendix of Exhibits to: Objections to “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer to Liability Only” with Counter-Proposed Order	05/22/20	26	6277–6478

14	Appendix to 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	05/15/19	6 7	1348–1500 1501–1592
26	Appendix to Plaintiffs’ Supplement to Motion to Expand Scope of Evidentiary Hearing on Order Shortening Time – Volume I of II	08/20/19	9 10 11 12	2245–2250 2251–2500 2501–2750 2751–2904
27	Appendix to Plaintiffs’ Supplement to Motion to Expand Scope of Evidentiary Hearing on Order Shortening Time – Volume I of II	08/20/19	12 13 14 15 16	2905–3000 3001–3250 3251–3500 3501–3750 3751–3882
64	Brief Responding to Plaintiffs’ Request for Inflammatory, Irrelevant, Unsubstantiated, or Otherwise Inappropriate Jury Instructions	10/20/20	28	6751–6770
1	Complaint	02/03/16	1	1–13
19	Court Minutes – All Pending Motions	07/01/19	8	1792–1793
91	Court Minutes – All Pending Motions	07/06/21	32	7889
93	Court Minutes – All Pending Motions	07/14/21	32	7891–7892
73	Court Minutes – Decision	12/21/20	29	7118
57	Court Minutes – Evidentiary Hearing	09/22/20	27	6573
72	Court Minutes – Hearing: Jury Instructions	12/21/20	29	7116–7117
66	Court Minutes – Status Check: Decision on Proposed Order	10/21/20	28	6905
51	Court Minutes Re: All Pending Motions	06/29/20	27	6506–6508
60	Court Minutes Re: Competing Orders to Strike Jacuzzi’s Answer	10/05/20	27	6637–6638
35	Court Minutes Re: Evidentiary Hearing	10/01/19	19	4595

28	Court Minutes Re: Plaintiff's Motion to Expand Scope of Evidentiary Hearing	08/21/19	16	3883
70	Court Minutes: All Pending Motions	12/07/20	29	7049
83	Defendant Jacuzzi Inc. dba Jacuzzi Luxury Bath's Opposition to Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21 and Countermotion to Clarify Issues That the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial	05/13/21	31	7631–7646
40	Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/02/19	24	5850–5893
6	Defendant Jacuzzi Inc.'s Amended Answer to Plaintiffs' Fourth Amended Complaint	03/07/18	1	66–75
15	Defendant Jacuzzi Inc.'s Opposition to 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	05/28/19	7	1593–1612
23	Defendant Jacuzzi Inc.'s Opposition to Plaintiffs' Motion to Expand Scope of Evidentiary Hearing	08/19/19	9	2046–2062
41	Errata to Defendant Jacuzzi Inc. Doing Business ad Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/06/19	24	5894–5897
2	First Amended Complaint	03/25/16	1	14–23
5	Fourth Amended Complaint	06/21/17	1	50–65
55	Jacuzzi's Notice of Waiver of Phase 2 Hearing and Request to Have Phase 2 of Evidentiary	09/18/20	27	6556–6561

	Hearing Vacated			
12	Minute Order	03/12/19	6	1317–1318
34	Minute Order	09/26/19	19	4593–4594
37	Minute Order	10/08/19	19	4737–4740
44	Minute Order	03/05/20	26	6258–6261
48	Minute Order	05/28/20	26	6479
53	Minute Order	07/20/20	27	6550
59	Minute Order	09/29/20	27	6636
75	Minute Order	12/28/20	29	7172–7176
76	Minute Order	12/29/20	29	7177
82	Minute Order	05/06/21	31	7630
87	Minute Order	06/04/21	32	7859
88	Minute Order	06/18/21	32	7860
92	Minute Order	07/13/21	32	7890
11	Minute Order Re: Pending Motions	03/04/19	6	1316
18	Minute Order Re: Pending Motions	03/04/19	8	1791
95	Minute Order Re: Plaintiffs’ Motion to Reconsider the Court’s Order Granting in Part, and Denying in Part, Jacuzzi’s Motion to Reconsider MILs Nos. 1, 4, 13, and 21	08/17/21	33	8020–8023
45	Motion to Clarify the Parameters of the Waiver of Attorney-Client Privilege that Would be Required in Order to Present Evidence that it was Acting on Advice of Counsel	05/22/20	26	6262–6266
69	Notice of Entry of Order (Striking Defendant Jacuzzi, Inc., d/b/a Jacuzzi Luxury Bath’s Answer as to Liability Only)	11/24/20	29	7011–7048

78	Notice of Entry of Order Regarding Motions in Limine	01/15/21	29	7187–7195
77	Notice of Entry of Order Re-Opening Discovery	01/15/21	29	7178–7186
85	Notice of Taking Multiple Videotaped Depositions for Purposes of Trial Preservation Outside the State of Nevada	05/28/21	32	7798–7802
46	Objections to “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer to Liability Only” with Counter-Proposed Order	05/22/20	26	6267–6276
62	Objections to Plaintiff’s Proposed “Order Striking Defendant Jacuzzi Inc., d/b/a Jacuzzi Luxury Bath’s Answer as to Liability Only” Submitted October 9, 2020	10/16/20	27	6672–6712
8	Opposition to 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	01/24/19	2 3 4	436–500 501–750 751–921
54	Order for Evidentiary Hearing	07/22/20	27	6551–6555
97	Order Granting Jacuzzi’s Countermotion to Clarify Issues that the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial	09/29/21	33	8039–8047
96	Order Granting Plaintiffs’ Motion to Reconsider the Court’s Order Granting in Part, and Denying in Part, Jacuzzi’s Motion to Reconsider MILs Nos. 1, 4, 13, and 21	09/29/21	33	8024–8038
49	Plaintiffs’ (1) Response to Defendant Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath’s Objections to Plaintiffs’ Proposed “Order Striking Jacuzzi, Inc. d/b/a Jacuzzi Luxury Bath’s Answer as to Liability Only”; and (2) Opposition to Jacuzzi’s Motion Clarify the Parameters of the Waiver	06/05/20	26	6480–6494

	of the Attorney Client Privilege That Would be Required to Present That It was Acting on the Advice of Counsel			
39	Plaintiffs' Appendix to Plaintiffs' Evidentiary Hearing Closing Brief	11/04/19	20 21 22 23 24	4806–5000 5001–5250 5251–5500 5501–5750 5751–5849
80	Plaintiffs' Appendix to Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21	04/29/21	29 30 31	7230–7250 7251–7500 7501–7623
33	Plaintiffs' Evidentiary Hearing Brief	09/18/19	19	4585–4592
38	Plaintiffs' Evidentiary Hearing Closing Brief	11/04/19	19 20	4741–4750 4751–4805
13	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	05/15/19	6	1319–1347
22	Plaintiffs' Motion to Expand Scope of Evidentiary Hearing	08/09/19	8 9	1974–2000 2001–2045
79	Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21	04/29/21	29	7196–7229
7	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	01/10/19	1 2	76–250 251–435

43	Plaintiffs' Reply Defendant Jacuzzi Inc. Doing Business as Jacuzzi Luxury Bath's Evidentiary Hearing Closing Brief	12/31/19	25 26	6179–6250 6251–6257
29	Plaintiffs' Reply in Support of Motion to Expand Scope of Evidentiary Hearing	08/21/19	16 17	3884–4000 4001–4010
86	Plaintiffs' Reply in Support of Plaintiffs' Motion to Reconsider the Court's Order Granting in Part, and Denying in Part, Defendant Jacuzzi's Motion to Reconsider the Court's Order Denying Defendant's Motions in Limine Nos. 1, 4, 13, and 21 and Opposition to Jacuzzi's Countermotion to Clarify Issues that the Jury Must Determine, Applicable Burdens of Proof, and Phases of Trial and FirstStreet for Boomers and Beyond, Inc. and AITHR Dealer, Inc.'s Joinder Thereto	06/01/21	32	7803–7858
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



Buoyancy

Buoyancy is an upward force exerted by a liquid, gas or other fluid, that opposes the weight of an immersed object

- When the body or an extremity is buoyed by a force equal to the water displaced there is less pressure on the tissues preparing muscles and joints for massage.
- The flow of blood both to and from the layer of skin, muscles, tendons and ligaments is increased.
- This increase blood flow increases the amount of nutrients and oxygen brought to the cells of the body.
- The cells become well feed and are better able to rebuild themselves and the associated tissue.



Buoyancy Provided by a Jacuzzi Luxury Bath

What to look for:

- Deep bathing wells (allows more of the body to be submersed and obtain the benefits provided by Buoyancy).
- Bath overflow should be located high on tub (determines column height (depth) of water) .

Jacuzzi Luxury Bath whirlpool baths provides this Buoyancy:

- Jacuzzi Luxury Bath mixes water and air through it's patented jet system. This system utilizes an Venturi air induction system to mix the air and water (50/50 ratio) and provides an optimized mixture of air and water to the bathing area.
- Jacuzzi Luxury Bath also provides "High Volume/Low Pressure" water mixed with thousands of bubbles, therefore Buoyancy is maximized.



Optimal Massage

Massage is the manipulating of superficial and deeper layers of muscle and connective tissue using various techniques, to enhance function, aid in the healing process, and promote relaxation and well-being.

- It is the kneading of tissue and muscle to promote blood flow to and from the cells and allow the cells to rapidly replenish the oxygen and nutrients needed.
- The cells become well feed and are better able to rebuild themselves and the associated tissue.



Optimal Massage Provided by Jacuzzi Luxury Bath

Jacuzzi Luxury Bath utilizes a hybrid system of patented hydrotherapy jets and patented air induction methods to achieve "Optimal Massage"

Hydrotherapy jets:

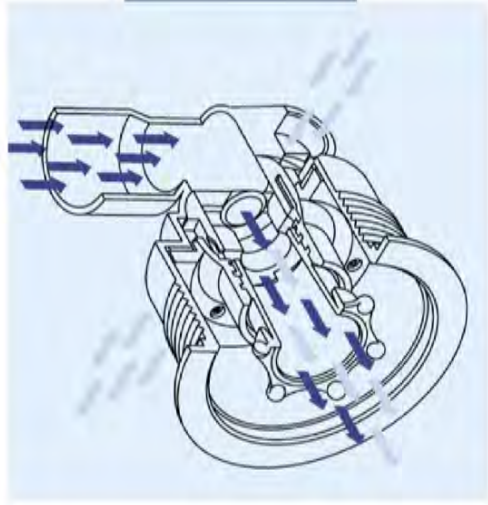
- Jets are designed to provide maximum water flow.
- "High Volume/Low Pressure" provides for a gentle massage. High pressures can become irritating and painful.
- Jets are designed to take advantage of the vortex created as water flows through a pipe.
- This the spiraling of water as it flows through the pipes. This is a natural effect of fluids (think of the water going down a bathtub drain).
- This spiraling effect is very advantageous for "Optimal Massage" as the water rolls over the skin and tissue instead of striking the skin harshly and bouncing back.
- Jacuzzi Luxury Bath utilizes this vortex and does not obstruct this natural effect. (put your finger in the center of the vortex of the water going down a bathtub drain – the vortex is stopped)
- Jets are designed to utilize the "Venturi effect" to silently induce air into the water.
- The Venturi effect is the reduction in fluid pressure that results when a fluid flows through a constricted section of pipe.
- Jacuzzi Luxury Bath constricts the flow of water in the jet body and creates a reduction of pressure. An air chamber is encased around this low pressure area. This low pressure area draws air from the air chamber and the water is inducted into the spiraling water.



Optimal Massage provided by Jacuzzi Luxury Bath

By combining the principals of “**High Volume/Low Pressure**”, the vortex of the water and the Venturi effect Jacuzzi Luxury Bath can achieve “Optimal Massage”.

- When air is inducted impact the skin and burst into many more smaller rolling and spiraling bubbles that also rolls across the skin. The results is a very comfortable massage of the tissue with varying intensity from initial impact to dissipation of the bubbles. The principal of High Volume allows to happen many times in a short period of time. The principal of low pressure allows the impact of the water to air mixture to be gentle, soothing and relaxing.
- With the venturi effect, compressed bubbles of air are created. These bubbles are inducted into the spiraling (vortex) water. As these bubbles exit the jet nozzle they are expanding, spiraling and rolling (as the water is spiraling). When the water/air mixture makes contact with the skin it rolls across the skin.





Optimal Massage



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REV JACUZZI006648

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APEN 1504



Safety

Jacuzzi Luxury Bath has developed and perfected the ultimate hydrotherapy whirlpool bath. However, Jacuzzi Luxury Bath did not stop there. All JLB products are designed with the safety of the user being our number one concern.

- All JLB products are designed to meet all industry safety standards such as:
 - NEC – National Electric Code
 - ETL – Electrical Testing Laboratory
 - IAPMO - International Association of Plumbing and Mechanical Officials
- The entire whirlpool bath is “listed” not simply the components but the complete bath unit.

Warning: Because the entire bath is listed, no modifications can be made to a JLB product.



Safety

Additional Safety features:

*

- Safety Suction **Never operate unit with damaged or missing safety suction cover.
 - Suction covers are designed (shape of cover) to prevent total blockage (body entrapment).
 - Suction covers are designed to prevent hair entanglement (hair entrapment).
 - Suction relief valves. Vacuum relief is designed to cause cavitations of the pump by introducing air into the suction of the pump. This causes the pump to lose prime and stop pumping water, thereby allowing any object obstructing the suction cover to be easily removed.
 - Total drain down of bathing water when tub is drained.
 - All jets, air lines, plumbing lines and pump drains the bathing water and sends it to the bath drain. This prevents water from being left in the system between usage.
 - Excess water left behind is a breeding ground for algae, bacteria, mold and mildew.
 - Purging and cleaning of whirlpool bath.
- Electrical
 - Double insulated electrical components.
 - Requires GFCI
 - No direct user accessible electrical components
 - Air actuators
 - Touch pads

JACUZZI006550



Ultimate Hydrotherapy

Anyone can have a tub of hot water. Anyone can add a pump to move the water. They can even add air to the water. However, only Jacuzzi Luxury Bath has perfected the entire system and developed a jet system to achieve "Optimal Massage" in combination with maximized heat transfer and buoyancy. Jacuzzi Luxury Bath has provided this system while providing:

- Safety
- Style
- Durability
- Ease of care
- Reliability
- Bathing comfort

The Ultimate Hydrotherapy System



Additional Features

*

- In line heater- To help maintain comfortable water temperatures (as established when water is added to bath).
- Air blowers – To enhance buoyancy and provide soothing air bubbles around the body.
- Aromatherapy – Enhances the sense of smell
- Chromatherapy – Enhances the sense of sight (light)
 - Color has the power to affect how we feel - physically and emotionally
- Whisper Technology – Reduces noise and vibration
- Advanced Control
 - Adjustable Jets
 - Water volume
 - Air volume
 - Direction of air/water flow
- Textured non-skid floors
- High gloss acrylic surface – durability, warmth and ease of cleaning



Backed by Jacuzzi Luxury Bath

Jacuzzi Luxury Bath has developed and refined the bathing experience and has been the leader in the industry for over 50 years.

Jacuzzi Luxury Bath supports its products with:

- The best warranty in the industry – “Limited Lifetime”
- Complete installation, use and care manuals provided with the unit and “on-line”
- Toll free “customer care center” – 800-288-4002
- Nationwide network of repair centers for in home repair
- Nationwide network of “Master Parts Distributors”

JACUZZI006553

REV JACUZZI006653

003761
APEN 1509

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: 'Miguel Villegas'
Sent: 5/23/2013 3:25:57 PM
Subject: RE: UL Listing
Attachments: ULListing2013.pdf

I sent to Melissa but forgot to copy 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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From: Miguel Villegas [mailto:miguelvillegas@hausnerconstruction.com]
Sent: Wednesday, May 22, 2013 11:58 AM
To: Martinez, Audrey
Cc: melissa@hausnerconstruction.com
Subject: UL Listing

Hello Audrey—

Could you possibly forward both the current UL Listing along with the data sheet that speaks to the slip resistant floor on the walk in tub ?

I have another city requesting the current UL listing prior to releasing the permit and a customer that is asking to see proof of the floor being slip resistant. If you could email these over it would be greatly appreciated =]

Thank You,
 Miguel Villegas



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REV JACUZZI006654

APEN 1510

003762

LISTING REPORT

INTERTEK TESTING SERVICES NA INC.

25791 Commercentre Dr

Lake Forest, CA 92630

Project No. 3076105 G10126190
 3109660-108 *G101138846
 2007036-108
 3113337-108
 3120156-108
 2008063-108
 3156749-108
 3168474-108
 3168389-108
 3175654-108
 3184407-108
 3189161-108
 3191530-108
 3192704-108
 3196514-108
 G100163952-108
 G100288005-108
 G100410763-108
 G100538332-108
 G100949082

Issued: 07/15/05
 Revised: 04/23/2013
 Page 1 of 26

NOTE TO FUS Group: This report replaces Intertek Report 3076105-001 and incorporates all previous revisions.

REPORT NO. 3076105LAX-001
 INSPECTION, TESTS AND EVALUATION
 OF A
 HYDROMASSAGE BATHTUBS, COMBINATION BATHS
 RENDERED TO
 JACUZZI LUXURY BATH
 CHINO, CA

GENERAL: This Report gives the results of the inspection, tests and evaluation of Hydromassage Bathtubs, Combination Baths for compliance with applicable requirements of the Standard for Safety for Hydromassage Bathtubs, (UL 1795 4th Ed. 08/05/09). This investigation was authorized by Mr. Ernesto Vasquez, Purchase Order No. T2327, dated 04/18/05. The investigation was begun on 05/03/05 and completed on 05/04/05. This project was based on testing by UL, File No. E21903. This listing report has been transferred to Laguna Niguel, CA facility. Sample of Finestra series was provided by the client on 03/26/07 and evaluated at client's Chino Facility. A new investigation was carried out and a sample in good condition of a model finestra model NM40 was evaluated and tested from 05/23/11 to 05/26/11 at client's Chino facility. First Street models were added on 01/14/2013 after evaluation to the Standard.

Standard for Safety Hydromassage Bathtubs, (UL 1795, Issue: 2009/08/05 Ed: 4 Rev: 2012/01/13)

Applicant: Jacuzzi Luxury Bath
 14525 Monte Vista Ave.
 Chino, CA 91710 USA
***Contact:** Vincent Cabrera
Phone: 909-247-2158
Fax: 909-643-2829
***Email:** Vincent.Cabrera@jacuzzi.com

Manufacturer: Jacuzzi Luxury Bath
 512 Highland Dr.
 Valdosta, GA 31603 USA
Contact: Dennis Parry
Phone: 229-671-4850
Fax: 229-671-7979
Email: N/A

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SD 16.3.10b (8/23/04)

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REV JACUZZI006655

APEN 1511

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 2

Issued: 07/15/05
Revised: 04/23/2013

<u>Report Composition:</u>	<u>Numbering</u>
Cover	1
*Revisions	2, 2A, 2B, 2C, 2D, 2E
Main Report	3, 4, 4A – 4G, 5, 5B, 6 - 22, 18A, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I
Illustrations	23 – 24, 24A-G
Components Requiring Yearly Testing	25 – 26
*Total Number of Pages	62

REVISION SUMMARY - The following changes have been made to this Report:

<u>Date/Project #</u>	<u>Project Handler</u>	<u>Page</u>	<u>Item</u>	<u>Description of Change</u>
10/14/05 3085325	S. Holbert II	Cover		Added revision date and note to FUS.
		3, 4		Added model Espree 6036.
		5		Added test performance No. 2.
		6		Updated signatures.
		10	12c)	Added additional required marking.
		22		Corrected typo.
		22A		Added new photo page.
		22B		Added new component description page.
11/10/05 3086552	S. Holbert II	24A		Added new illustration page.
		Cover		Updated revision date.
		5		Added Test Performance No. 3.
		6		Re-issued.
12/20/05 3088167	S. Holbert II	22B	3	Added alternate blower model M3-300-750-120/60-N+JB01A.
		22B	4	Added alternate check valve model Mani-SD.
		Cover		Changed date
		6		Updated signatures
01/10/06 3085326	S. Holbert II	20	3	Added alternate ABS Harborlac material for suction cover fitting for model 6651.
		22	6	Added alternate ABS Harborlac material for suction cover fitting for model 6651.
		22B	6	Added alternate ABS Harborlac material for suction cover fitting for model 6651.
		Cover		Updated revision date and updated total number of pages from 26 to 35.
		3, 4		Added Affinity Models, BE79, BE80, and R360.
		5A		Added performance page.
		6		Updated revision date.
		9	i	Added required marking.
		22C-22G		Added photo and component description pages for Affinity model.
		26		Added Suction Fitting to table.

SD 16.3.10b (8/23/04)

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REV JACUZZI006656

APEN 1512



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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 2A

New: 02/22/06
Revised: 02/27/07

<u>Date/Project #</u>	<u>Project Handler</u>	<u>Page</u>	<u>Item</u>	<u>Description of Change</u>
02/22/06	L. Daniel	Cover		Updated revision date
		2		Add revision page 2A and update report numbering
		2A		Added new revision page 2A
		3, 4, 4A		Added new Models; BK10, BK20, BK30, DT10, DY45, DY75, DT20, DT30, DT50, DY90, DZ05, DZ20, DZ35, DX50, DX60, DX70, FE05, FD65, FD85, FM25, FL85, FL05, FG45, FG05, FG25, DT00, DT40, and DY60
		4A		Added new page because overflow of table from page 4
		5A		Added Test Performance No. 5
		6		Updated signatures
		18	6	Added alternate blower – IES Model 12510120F3JV
		20	4	Added alternate controller – IES Model IBS 4-240
		20	8	Added alternate motors – Emerson Model T55CXCJF-1341 and Emerson Model T55CXCJD-1338
02/24/06	L. Daniel	Cover		Updated revision date
		6		Update signatures
		10		Added new marking “NOT SUITABLE FOR FIELD-INSTALLED HEATER”
		18	3	Added new controller; Gecko Inc., Model DTHHD2
04/05/06 3095501	S. Holbert II	Cover, 2 3, 4A		Updated revision date and total number of pages from 35 to 37.
		6		Added Mito 6 Model DZ95.
		22H		Updated signatures.
		22I		Added Photo Nos. 9 & 10.
				Added component description page for Mito 6 Model DZ95.
2/9/2007 3109660	G. Singh	1, 2A, 5, 5A, 6, 20, 22F,	Marked as “*”	Added alternate heaters, Manufactured by Global Power, Model GPH001, Model GPH002 & GPH003.  J. Sharma
02-27-07 / 2007036	C. Thakur			Changed 420 North Dorothy Drive, Richardson, TX 75081 to 27611 La Paz Road, Suite C, Laguna Niguel, CA 92677. Changed report no. from 3076105DAL-001 to 3076105LAX-001 on all pages. Changed applicant contact name from Mr. Ernesto to Ms. Brenda Madonna. Changed contact name at manufacturing location from Mr. Richard Gonzalez to Francisco Lopez. Changed applicant address from 14801 Quorum Drive, Suite 550, Dallas, TX 75254 to 14880 Monte Vista Ave., Chino, CA 91710, USA. Changed applicant phone & fax no. from 972-232-3224 & 972-232-3190 to 909-548-7732 & 909-548-7739 respectively. This is an administrative change only.  K. Kapoor

SD 16.3.10b (8/23/04)

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REV JACUZZI006657

APEN 1513

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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Intertek Testing Services NA Inc.

Page 2B

New: 02/27/07
Revised: 10/29/09

Date	Project #	Project Handler	Reviewer	Page	Item	Description of Change
03/07/07	3113337-108	G Singh	D. Woodcock	1	Marked *	Changed contact person, ph and Fx #
				2B	-	Added revision page
				20, 22B, 22G, 22I	Marked *	Added ozone generator
				24B, 24C	-	Added illustrations
03/29/07	3120156-108	D. Woodcock	J Cheng	1, 2, 2B, 3, 4A, 17, 18, 20, 22B, 22G, 22I	Marked *	Revised report add series Finestra series, Added alternate blower motor and Added alternate ozone generator
				Added: 18A, 24D-24G		
06/03/08	2008063-108	B. Parikh	G Singh	1, 2B, 3	Marked as **	Changed model # ESPREE 6036 to ESPREE DS75 on page 3.
07/03/08	3156749-108	R Mehta	G Singh	1, 2B, 20	Marked with **	Added alternate component under item 4 and 6.
12/05/08	3168474-108	G Singh	C. Thakur	1, 2, 2E 5, 6.	Marked **	Updated to UL 1795, 3 rd Ed. Dated March 30, 1999, Rev September 22, 2006
12/31/08	3168389	L Lam	C. Thakur	Cover	Marked **	Updated the Applicant's information. Changed the manufacturer Jacuzzi Whirlpool Bath to Jacuzzi Luxury Bath and updated its information.
				18	Marked **	Deleted Manufacturer Bathcraft Inc. Added the alternate cETLus recognized Hydromassage bathtub controller models DH3101, DL3201, DL3001, and DL3002 manufactured by Global Power International Group LTD, under item 3 of page 18.
				18A	Marked **	Added the alternate cETLus recognized Blower, Model BM2000 manufactured by Global Power International Group LTD., under item 6 of page 18A.
03/25/09	3175654	L. Lam	C. Thakur	20	Marked **	Added the alternate motor under item 8 of page 20.
06/30/09	3184407	L. Lam	C. Thakur	2, 20, 22B, 24B, 24BB	Marked **	Page 2 – Changed total number of page. Added alternate recognized ozone generators, models GW87000, GW97000, and GX32000 under item 9, page 20, and under item 10, page 22B. Page 24B - Added new picture of model GW8700. Added new page 24BB for pictures of model GW97000 & GX32000
10/12/09	3189161-108	B. Parikh	C. Thakur	1, 18A, 25	Marked **	Added alternate Blower manufactured by Global Power on Page 18A. Changed Intertek's address. Changed CEC address on Page 25.
10/13/09	3191530	M. Zureigat	C. Thakur	1, 2B, 3, 4A	Marked **	Added Model GX70
10/29/09	3192704-108	R. Karki	C. Thakur	1, 2, 2B, 22B, 22I, Added new page 5B	Marked **	Corrected Manufacturer's address from 517 to 512. Added alternate motors manufactured by Emerson model no. K41GWAAP-1013, K41GWAAB-1001, K41GWAAA-1000

SD 1a, 3, 10b (R/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006558

REV JACUZZI006658


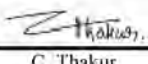
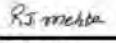
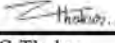





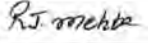
APEN 1514

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Intertek Testing Services NA Inc.

Page 2C

Issued: 12/07/09
Revised: 10/21/11

<u>Date</u>	<u>Project Handler</u>	<u>Reviewer</u>	<u>Page</u>	<u>Item</u>	<u>Description of Change</u>
12/07/2009 Project # 3196514-108	 T. Shah	 C. Thakur	1, 2, 2C, 4B, 4C, 4D, 4E & 4F	Marked **	PAGE 2 – In report composition section, page 2C added in revisions, page 4B-4F added in main report and total number of pages changed from “49” to “55”. New PAGE 2C added. PAGE 3 – In product covered section, new models (similar in construction and electrical ratings but aesthetically different) are added. PAGE 4B – 4F added.
07/24/10 G100163952-108	 R Mehta	 C Thakur	1, 2C, 5B, 20, 22, 22B, 22E, 22I	Marked **	Added alternate suction Fitting Model: 25218-0XX on pages 20, 22, 22B, 22E, 22I. Also added the test summary No.8 under page 5B. Updated Applicant's contact information.
12/27/10 G100288005-108	 L. Lam	 C. Thakur	1, 2, 2C, 3, 3A, 3B, 4E, 4F	Marked **	Page 2: Updated the total number of page Page 3: Added the alternate model name Acero and Mio, and alternate models KM50, KU50, KV50 and KW50 Page 3A & B: Added new pages for model designation system Page 4E: Replaced new Table to include models KM50, KU50, KV50 and KW50 Page 4F: Replaced new Table for alternate model name Acero and Mio
05/26/11 G100410763-108	 B Parikh	 R. Mehta	1, 2C, 3, 4F, 5B, 6, 18, 18A, 20.	Marked *	Updated standard UL 1795 to 4 th edition, Issue: 2009/08/05 Rev: 2010/03/23. Added new Finestra model NM38, NM39, NM40, NM48, NM49, NM50, NN18, NN19, NN20, NN28, NN29, NN30 and model similarities on page 3 and 4F. Added new test performance on page 5B. Added new conclusion on page 6. Added controller Manufactured by CG Air Systems Inc, for Finestra models NN & NM series on page 18. Added alternate blower, manufactured by Global Power, model BM2002 and Air supply of future Inc 1-251012OF6J on page 18A and suction fitting Model: 25216 on page 20.
10/21/11 G100538332-108	 A. Joshi	 R. Mehta	1, 2C, 3, 3A, 4F	Marked *	1: Updated the report revision date, 2C: Updated revision summary 3: Added two new product families: First Street: FIS & FIT 3A: Added new product family of walk-in: FIS and FIT. 4F: Added two new product family of FIRST STREET 5230 WALK-IN with product code FIS 5230 XXX XXX X and FIRST STREET 5230 3-T WALK-IN with product code FIT 5230 XXX XXX X. New product family has electrical ratings and physical dimension similar to existing models covered in this report and the components are recognized, so no testing was deemed necessary.

SD 1a,3,10b,(8/23/04)

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APEN 1515

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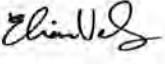
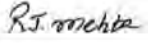

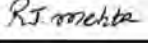
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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Intertek Testing Services NA Inc.

Page 2D

Issued: 12/07/09
Revised: 01/14/2013

Date	Project Handler	Reviewer	Page	Item	Description of Change
Project # 11/01/12 G100949082		 Rahul Mehta		Marked *	Nidec Motor Corp Motors was formally Emerson. Emerson was bought out by Nidec Motor Corps. Part numbers were revised and added as alternate motors. Motors listed under Emerson and Nidec are identical models. Only the name and numbers have changed.
	Eliana Velazquez.		1,		Page 1: Updated Standard to most recent edition/ revision date from standard UL 1795 to 4 th edition, Issue: 2009/08/05 Rev: 2010/03/23 to standard UL 1795 to 4 th edition, Issue: 2009/08/05 Rev: 2012/01/13. Page 1: Updated contact name from Garo Paroonagian to Ray Torres. Updated telephone contact number from 909-643-2810 to 909-247-2158. Updated contact email from garo.paronagian@jacuzzi.com to ray.torres@jacuzzi.com
			2		Updated Page numbering to include new pages
			5B,		Page 5B: added test summary No 10 for standard update
			6,		Page 6: Added Conclusion No. 3 for standard update
			20,		Page 20, No 8: Added alternative motors Nidec Motor Corp Part No (s): C055KNP5044PA3H, S055NFE7055PA3K, C055JTG2006PA3H
			22B,		Page 22B, No.9: Added alternative motors Nidec Motor Corp Part No (s): K041AAA1000PA3H, K041AAB1001PA3H, K041AAP1013PA3H
			22I,		Page 22I, No10: Added alternative motors Nidec Motor Corp Part No (s): K041AAA1000PA3H, K041AAB1001PA3H, K041AAP1013PA3H
			2D, 22J		Added page 2D, 22J
01/14/2013			1	Gen.	Added Revision Information
	D. Goldstein		2	Page#	Updated Page Numbering
			2D	Rev.	Added Revision Details.
G101026190L AX		R. Mehta	3	Models	Added new models FIRST STREET 5229 WALK-IN models FIS 5229 CRX 1CH, FIS 5229 CLX 1CH, 5229 3-T WALK-IN models FIT 5229 CRX 1CH, FIT 5229 CLX 1CH
			3A	Sim.	Added similarities between 5229 First Street models and existing, 5230 First Street models.
			4G	All	Added new page. Added new models FIRST STREET 5229 WALK-IN models FIS 5229 CRX 1CH, FIS 5229 CLX 1CH, 5229 3-T WALK-IN models FIT 5229 CRX 1CH, FIT 5229 CLX 1CH
			25	Addr.	Updated CEC Address TO "Intertek Testing Services NA Inc. 45000 Helm Street, Suite 150 Plymouth Twp., MI 48170 USA" FROM " 13200 Levan Road Livonia, MI 48150 USA"

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APEN 1516

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 2E

Added 04/23/2013

04/23/2013

A. Bali

A. Bali

G101138846L
AX

R. Mehta
R. Mehta

1	*	Changed applicant contact from Ray Torres to Vincent Cabrera and email address for applicant changed from ray.torres@jacuzzi.com to Vincent.Cabrera@jacuzzi.com
2	Page#	Added page 2E to revision and updated total number of pages from 60 to 62
2E	Rev.	Added page 2E for revision.
5B	*	Added test performance#11 on Page 5B
18	*	Added alternate pneumatic control switch to item 3 controller
18A	*	Added, alternate blower to item 6 blower pump
20	*	Added alternate heater item 2 page 20
	*	Added alternate motor to item8 page 20
	*	Added alternate ozone generator item9 page20
	*	Added page 20A
20A	*	Added new component item10 bath light
	*	Added junction box to item 11 to page 20A
	*	Added receptacles inside it to item 11 to page 20A
	*	

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APEN 1517

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 3

Issued: 07/15/05
Revised: 1/14/13

PRODUCT DESCRIPTION**PRODUCT COVERED**

Hydromassage Bathtubs, Combination Baths

- Acero / Alesio Models HQ30, HW55, HW60, HW65, HW70, HW75, HW80, HW85, HQ70, HX55, HX60, HX65, HX70, HX75, HX80 & HX85
- Allusion Models: BK10, BK20, BK30, BT60, BT70, BT80, JA55, JA65, JA70, JA75, JA80, JA85, JB55, JB65, JB70, JB75, JB80, JB85, JC55, JC65, JC70, JC75, JC80 & JC85
- Affinity Models: BE79, BE80, and R360
- Bellavista Models: DT10, DY45, DY75, DT20, JD55, JD60, JD65, JD70, JD75, JD80, JD85, JG55, JG60, JG65, JG70, JG75, JG80, JG85, JH55, JH60, JH65, JH70, JH75, JH80, JH85, JL55, JL60, JL65, JL70, JL75, JL80 & JL85
- Ciprea Models: DT30
- Cortina Models: DT50
- Duetta Models: DY90, DZ05, DZ20, DZ35, JQ50, JQ55, JQ60, JQ65, JQ70, JQ75, JQ80, JQ85, JR50, JR55, JR60, JR65, JR70, JR75, JR80, JR85, JS50, JS55, JS60, JS65, JS70, JS75, JS80, JS85, JT50, JT55, JT60, JT65, JT70, JT75, JT80 & JT85
- Elara Models: DX50, DX60, DX70, JV50, JV55, JV60, JV65, JV70, JV75, JV80, JV85, JX50, JX55, JX60, JX65, JX70, JX75, JX80, JX85, JY50, JY55, JY60, JY65, JY70, JY75, JY80 & JY85
- Espree DS75
- Fuzion Models: FE05, FD65, FD85, FM25, FL85, FL05, FG45, FG05, FG25, KL55, KL60, KL65, KL70, KL75, KL80, KL85, GL50, KM50, KM55, GL55, KM65, KM70, KM75, KM80, KM85, KN55, KN60, KN65, KN70, KN75, KN80, KN85, KR55, KR60, KR65, KR70, KR75, KR80 & KR85
- Real Models: DT00, KT55, KT60, KT65, KT70, KT75, KT80 & KT85
- Sabella Models: DT40
- Venicia Models: DY60, KY55, KY60, KY65, KY70, KY75, KY80 & KY85
- Mito 6 Model: DZ95
- Mio / Moda Models HR20, HY55, HY60, HY65, HY70, HY75, HY80, HY85, HR60, HZ55, HZ60, HZ65, HZ70, HZ75, HZ80 & HZ85
- Finestra Model: EW05, EW10, EW35, EW40, EY30, EY35, EY70, EY75, KB55, KB60, KB65, KB70, KB75, KB80, KB85, KC55, KC60, KC65, KC70, KC75, KC80, KC85, KD55, KD60, KD65, KD70, KD75, KD80, KD85, KE55, KE60, KE65, KE70, KE75, KE80, KE85, KF55, KF60, KF65, KF70, KF75, KF80, KF85, KG55, KG60, KG65, KG70, KG75, KG80, KG85, KH55, KH60, KH65, KH70, KH75, KH80, KH85, KJ55, KJ60, KJ65, KJ70, KJ75, KJ80 & KJ85, NM38, NM39, NM40, NM48, NM49, NM50, NN18, NN19, NN20, NN28, NN29, NN30
- Salerno Salon Model GX70, KU50, KU55, KU60, KU65, KU70, KU75, KU80, KU85, HB00, KV50, KV55, KV60, KV65, KV70, KV75, KV80 & KV85
- Sia Models GN07, KW50, KW55, KW60, KW65, KW70, KW75, KW80, KW85, GN05, KX55, KX60, KX65, KX70, KX75, KX80 & KX85
- FIRST STREET 5230 WALK-IN models F1S 5230 XXX XXX X
- FIRST STREET 5230 3-T WALK-IN models F1T 5230 XXX XXX X.
- FIRST STREET 5229 WALK-IN models F1S 5229 CRX 1CH, F1S 5229 CLX 1CH
- FIRST STREET 5229 3-T WALK-IN models F1T 5229 CRX 1CH, F1T 5229 CLX 1CH

PRODUCT DESCRIPTION

Hydromassage Bathtubs, Combination Baths

The products covered acrylic (fiber glass reinforced) permanently installed hydromassage bathtubs intended for permanent installation. They are provided with a factory installed water-circulating pump, factory installed blower with heater or may be provided with a separate factory-installed heater. The blower provided air input through holes located on the bottom tub via piping around the bottom of the tub.

ELECTRICAL RATINGS

The hydromassage bathtub's electrical ratings shall be the same as those of the controller, if employed, or of the pump/motor combinations. If a heater is provided with a unit employing a pump, the heater is powered through a second separate source of supply. Please refer to Table 1.

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 3A

New: 12/27/10
Revised: 01/14/13

MODEL SIMILARITY

All the models are similar in construction; electrical ratings and components except as noted in this report. Please refer to Table 1.
Model Series Finestra is electrically identical to other models in this report, the design is different and the unit is provided with a door for walk-in. First Street models 5229 are all similar in construction; electrical ratings and components to models 5230.
Model Designation System: XXX XXXX - XXX - XXX - X

I II III IV VI

I - Product Family

Luxury Codes		Comfort Codes	
ACE	Acero	AMI	Amiga
ALL	Allusion	AMS	Amiga Skirted
BEL	Bellavista	CAP	Capella
DUE	Duetta	CPS	Capella Skirted
ELA	Elara	CET	Cetra
FUZ	Fuzion	CTS	Cetra Skirted
MIO	Mio	GAL	Gallery
REA	Real	GLF	Gallery Freestanding
SAL	Salemo	LUN	Luna
SIA	Sia	LUX	Luxura
Walk-in Codes		LXS	Luxura Skirted
F4N	Finestra 14" Seat	MIT	Mito
F7N	Finestra 17" Seat	MJS	Majora Skirted
		NOV	Nova
		NVS	Nova Skirted
Freestanding Codes		RIV	Riva
ERD	Era Double Ended	RVF	Riva Freestanding
ERS	Era Slipper	SIG	Signa
GLF	Gallery Freestanding	SGS	Signa Skirted
MOR	Morphosis	TAR	Tara
RVF	Riva Freestanding	TRS	Tara Skirted
Espree Codes		XXT	Integral Tile Flange
ESP	Espree	XX2	2 panel skirt
EPS	Espree with Skirt	XXO	no overflow
Export & Old Codes		Este Codes	
CIV	Civa	ALR	Allura
CPV	Cappella Space Saver	FES	Festiva
GAC	Gallery Corner	NOU	Nouvelle
HAR	Harmony	OVE	Ovelle
VAN	Vantage	PEN	Penterra
VAS	Vantage with Skirt	QUA	Quasar
GAC	Gallery Corner		

WALK-IN	
F1S	FIRST STREET WALK-IN
F1T	FIRST STREET 3-T WALK-IN

II - Size Codes

XX - Length

XX - Width

III - Experience and Drain and Equipment

X - Experience Codes

A - Air (Pure Air) W - Whirlpool C - Combo (Salon Spa)

X - Drain Codes

C - Center R - Right L - Left U - Universal

X - Equipment Codes

R - Right L - Left D - Dual B - Right Back E - Left Back

F - Right Front G - Left Front X - None Z - Display

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APEN 1519

003771

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 3B

New: 12/27/10

Model Designation System: (continued)

IV – Controls and Feature

X – Controls Codes

- X – None
- 1 – Manual Control
- 2 – J2 Basic Control
- 4 – J4 Luxury Control
- 5 – J5 LCD Control
- J – Old Elara & Duetta (J12 – 12 jets)
- T/W – Teak or Wenge (T28 – TEAK 208V)
- A – Appollo (Harmony only)
- GEC – Gecko Airbaths

XX – Feature Codes

- XX – None
- CX – Chromatherapy
- CH – Chromatherapy and Heater
- CJ – Chromatherapy, Heater and Extra Jets
- HX – Heater
- BM – Back Massage (Espree)
- CW – Chromatherapy, Heater and Whisper
- IH – Illumatherapy, Heater
- IW – Illumatherapy, Heater and Whisper
- XX – Korean Motor
- JK – Extra Jets + Korean Motor
- 1X – Harmony Only with handrails
- 11 – Harmony Only with handrails + faucet drilled
- 28 – 208 Volt (Fuzion only)

VI – Color

X – Color Codes

- W – White
- A – Almond
- Y – Oyster
- B – Black
- V – Silver

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SD 16.3.10b (8/23/04)

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APEN 1520

003772

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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4

Issued: 07/15/05
Revised: 02/27/07

TABLE 1

Model#	Model Name	Dimensions			Blower Motor	No. and Size of Jets/Air Holes	Heater	Pump/Motor (Amp)	Ave. Oper. Gals.	Electronic Controls (Y/N)
		L	W	H						
Luxury/Designer Combunation Bath Collection										
BE79	Affinity RH	68	68	36	12 A	1 HTA / 4 HTC / 4 BMH / 2 SPN	12 A	16 A	120	Y
BE80	Affinity LH	68	68	36	12 A	1 HTA / 4 HTC / 4 BMH / 2 SPN	12 A	16 A	120	Y
R360	Affinity Entertainment	68	68	36	12 A	1 HTA / 4 HTC / 4 BMH / 2 SPN	12 A	16 A	120	Y
BK10	Allusion 7242	72	42	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	85	Y
BK20	Allusion 7236	72	36	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	70	Y
BK30	Allusion 6636	66	36	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	55	Y
BT60	Allusion 7242	72	42	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	85	Y
BT70	Allusion 7236	72	36	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	70	Y
BT80	Allusion 6636	66	36	26	12 A	4 HTC / 6 Hydro Air / 125 air holes	8.3 A	8 A	55	Y
DT10	Bellavista 5 CMB w/HTR w/LED	60	42	26	12 A	4 HTA / 2 BMH / 4 BMH Neck Jets / 125 air holes	8.3 A	8 A	80	Y
DY45	Bellavista 5.5 CMB w/HTR w/LED	66	42	26	12 A	4 HTA / 2 BMH / 4 BMH Neck Jets / 125 air holes	8.3 A	8 A	85	Y
DY75	Bellavista 6 CMB w/HTR w/LED	72	42	26	12 A	4 HTA / 2 BMH / 4 BMH Neck Jets / 125 air holes	8.3 A	8 A	90	Y
DT20	Bellavista CRNR CMB w/HTR w/LED	60	60	21.75	12 A	4 HTA / 2 BMH / 4 BMH Neck Jets / 125 air holes	8.3 A	8 A	80	Y
DT30	Ciprea CMB w/HTR w/LED	72	48	20.5	12 A	4 HTA/125 air holes / 125 air holes	8.3 A	8 A	57	Y
DT50	Cortina CMB w/HTR w/LED	72	72	22.3	12 A	4 HTA / 4 BMH / 125 air holes	8.3 A	8 A	100	Y
DY90	Dueltta 7242 RH CMB w/HTR w/LED	72	42	26	12 A	4 HTC / 8 PentAir Jets / 125 air holes	8.3 A	8 A	98-105	Y
DZ05	Dueltta 6642 RH CMB w/HTR w/LED	66	42	26	12 A	4 HTC / 8 PentAir Jets / 125 air holes	8.3 A	8 A	90-95	Y
DZ20	Dueltta 6836 RH CMB w/HTR w/LED	66	36	26	12 A	4 HTC / 8 PentAir Jets / 125 air holes	8.3 A	8 A	75-80	Y
DZ35	Dueltta 6042 RH CMB w/HTR w/LED	60	42	26	12 A	4 HTC / 8 PentAir Jets / 125 air holes	8.3 A	8 A	77-83	Y
DX50	Elara 7242 RH CMB w/HTR w/LED	72	42	26	12 A	4 HTC / 2 BMH / 6 PentAir Jets / 125 air holes	8.3 A	8 A	100	Y
DX60	Elara 6636 RH CMB w/HTR w/LED	66	36	26	12 A	4 HTC / 2 BMH / 6 PentAir Jets / 125 air holes	8.3 A	8 A	90	Y
DX70	Elara 6042 RH CMB w/HTR w/FO	60	42	26	12 A	4 HTC / 2 BMH / 6 PentAir Jets / 125 air holes	8.3 A	8 A	60	Y
DS75	Aeroflow Espree 6036	60	36	20	11 A	6 BMH / 12 Air Injectors	12 A	4.8 A	87	N
FE05	Fuzion 7236 UM CMB w/HTR w/LED	72	36	22.75	12 A	2 HTC / 8 BMH / 4 PentAir Jets / 125 air holes	8.3 A	8 A	90	Y
FD65	Fuzion 7236 TK CMB w/HTR w/LED	72	36	22.75	12 A	2 HTC / 8 BMH / 4 PentAir Jets / 125 air holes	8.3 A	8 A	90	Y
FD85	Fuzion 7236 WG CMB w/HTR w/LED	72	36	22.75	12 A	2 HTC / 8 BMH / 4 PentAir Jets / 125 air holes	8.3 A	8 A	90	Y

SD 16.3.10b (8/23/04)

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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4A

New: 02/22/06
Revised: 10/13/09
TABLE 1 (continued)

Model#	Model Name	Dimensions			Blower Motor	No. and Size of Jets/Air Holes	Heater	Pump/Motor (Amp)	Ave. Oper. Gals.	Electronic Controls (Y/N)
		L	W	H						
Luxury/Designer Combination Bath Collection										
FM25	Fuzion 7260 UM CMB w/HTR w/LED	72	60	22.75	12 A	4 HTC / 12 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	135	Y
FL85	Fuzion 7260 TK CMB w/HTR w/LED	72	60	22.75	12 A	4 HTC / 12 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	135	Y
FL05	Fuzion 7260 WG CMB w/HTR w/LED	72	60	22.75	12 A	4 HTC / 12 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	135	Y
FG45	Fuzion 6666 UM CMB w/HTR w/LED	66	66	22.75	12 A	4 HTC / 4 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	95	Y
FG05	Fuzion 6666 TK CMB w/HTR w/LED	66	66	22.75	12 A	4 HTC / 4 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	95	Y
FG25	Fuzion 6666 WG CMB w/HTR w/LED	66	66	22.75	12 A	4 HTC / 4 BMH / 7 PentAir Jets / 125 air holes	8.3 A	8 A	95	Y
DT00	Real CMB w/HTR w/LED	72	42	23.5	12 A	4 HTC / 2 BMH / 6 PentAir Jets / 125 air holes	8.3 A	8 A	100	Y
DT40	Sabella CMB w/HTR w/LED	72	47	23.5	12 A	4 HTC / 2 BMH / 6 PentAir Jets / 125 air holes	8.3 A	8 A	100	Y
DY60	Venicia CMB w/HTR w/LED	72	42	23.5	12 A	4 HTC / 4 BMH / 8 PentAir Jets	8.3 A	8 A	100	Y
DZ95	Mito 6 CMB	72	42	21.5	12 A	4 HTC / 2 BMH / 125 air holes	12 A	7.7 A	60	Y
EW05	Finestra 6030 Walk-In w/HTR	60	30	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/125 air holes	8.3 A	7.7 A	70	Y
EW10	Finestra 6030 Walk-In w/HTR	60	30	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/125 air holes	8.3 A	7.7 A	70	Y
EW35	Finestra 6036 Walk-In w/HTR	60	36	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/125 air holes	8.3 A	7.7 A	70	Y
EW40	Finestra 6036 Walk-In w/HTR	60	36	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/125 air holes	8.3 A	7.7 A	70	Y
EY30	Finestra 6030 Walk-In w/HTR	60	30	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/140 air holes	8.3 A	7.7 A	85	Y
EY35	Finestra 6030 Walk-In w/HTR	60	30	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/140 air holes	8.3 A	7.7 A	85	Y
EY70	Finestra 6036 Walk-In w/HTR	60	36	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/140 air holes	8.3 A	7.7 A	85	Y
EY75	Finestra 6036 Walk-In w/HTR	60	36	37.5	12 A	4 HTC / 8 BMH BMH and air channel w/140 air holes	8.3 A	7.7 A	85	Y
GX70	Salerno Salon	66	36	24	12.5A	6AP2 / 4TP2 & 40 Air Holes	8.2A	9.2A	62	Y

SD 16.3.10b (8/23/04)

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JACUZZI006566

REV JACUZZI006666

APEN 1522

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4B

New: 12/07/09

TABLE 1 (Continued)

MODEL NAME/DESCRIPTION	CORE NBR	PRODUCT CODE	MOTOR RATING (AMPS)	HEATER RATING (AMPS)	MOTOR/ELECTRICAL (V/A/AMPS)	BLOWER RATING (AMPS)	ELECTRICAL (V/A/Hz)	JETS	AIR HOLES	AVG GALS
ALLUSION 6636 RH SLN CM WSPR	BJ300	ALL6636C0CR4CH1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR	JAE5	ALL6636C0CR4CH1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR	BT60	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE5	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE70	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE75	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE80	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE85	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE90	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 6636 RH SLN CM WSPR ILLUM	JAE95	ALL6636C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	75
ALLUSION 7236 RH SLN CM WSPR	BJ305	ALL7236C0CR4CH1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	BJ35	ALL7236C0CR4CH1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	BT70	ALL7236C0CR4H1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE5	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE70	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE75	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE80	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE85	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE90	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7236 RH SLN CM WSPR	JAE95	ALL7236C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	85
ALLUSION 7242 RH SLN CM WSPR	JAE55	ALL7242C0CR4CH1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	BT60	ALL7242C0CR4H1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE5	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE70	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE75	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE80	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE85	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE90	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE95	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE100	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE105	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE110	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE115	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE120	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE125	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE130	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE135	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE140	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE145	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE150	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE155	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE160	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE165	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE170	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE175	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE180	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE185	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE190	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE195	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE200	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE205	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE210	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE215	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE220	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE225	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE230	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE235	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE240	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE245	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE250	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE255	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE260	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE265	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE270	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE275	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE280	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE285	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE290	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE295	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE300	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE305	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE310	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE315	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE320	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE325	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE330	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE335	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE340	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE345	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE350	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE355	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE360	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE365	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE370	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE375	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE380	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE385	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE390	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE395	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE400	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94
ALLUSION 7242 RH SLN CM WSPR	JAE405	ALL7242C0CR4H1W1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 6 Hydroair	97	94

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4C

New: 12/07/09

TABLE 1 (Continued)

MODEL NAME/DESCRIPTION	CORE NBR	PRODUCT CODE	MOTOR RATING (AMPS)	HEATER RATING (AMPS)	MOTOR/HEATER ELECTRICAL (W/AMPS)	BLOWER RATING (AMPS)	ELECTRICAL (W/AMPS)	JETS	AIR HOLES	AVG GALS
DUETTA 6042 RH SLN CM LCO WSPR	J075	DUE6043CGR56CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	93
	J080	DUE6043CGR56SH1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J085	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J090	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J095	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J100	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J105	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J110	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J115	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
	J120	DUE6043CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	60	83
DUETTA 6036 RH SLN CM WSPR	J135	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J140	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J145	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J150	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J155	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J160	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J165	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J170	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J175	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J180	DUE6036CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
DUETTA 6036 RH SLN CM LCO WSPR	J185	DUE6036CGR56CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J190	DUE6036CGR56SH1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J195	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J200	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J205	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J210	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J215	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J220	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J225	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
	J230	DUE6036CGR56LW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	62
DUETTA 6042 RH SLN CM WSPR	J235	DUE6042CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	95
	J240	DUE6042CGR40CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapio / 12 Accupro	74	95

SD 16.3.10b (8/23/04)

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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4D

New: 12/07/09

TABLE 1 (Continued)

CORE NBR	MODEL NAME/DESCRIPTION	PRODUCT CODE	MOTOR RATING (AMPS)	RELAYER RATING (AMPS)	MOTOR/ELECTRICAL (W/AMHz)	BLOWER RATING (AMPS)	BLOWER ELECTRICAL (W/AMHz)	JETS	AIR HOLES	AVG GALS
KB75	FINESTRA 6030-14 LH SLN LCO CM WSPR	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	76
KB80	FINESTRA 6030-14 LH SLN LCO LUM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	76
KD05	FINESTRA 6030-14 LH SLN LCO LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
EW10	FINESTRA 6030-14 RH SLN CM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD55	FINESTRA 6030-14 RH SLN CM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD65	FINESTRA 6030-14 RH SLN LUM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD65	FINESTRA 6030-14 RH SLN LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD70	FINESTRA 6030-14 RH SLN LCO CM	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD75	FINESTRA 6030-17 LH SLN LCO LUM	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD80	FINESTRA 6030-17 LH SLN LCO LUM WSPR	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
KD85	FINESTRA 6030-17 LH SLN LCO LUM WSPR	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	84	75
EW35	FINESTRA 6030-14 LH SLN CM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF60	FINESTRA 6030-14 LH SLN LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF65	FINESTRA 6030-14 LH SLN LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF70	FINESTRA 6030-14 LH SLN LCO CM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF75	FINESTRA 6030-14 LH SLN LCO CM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF80	FINESTRA 6030-14 LH SLN LCO LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KF85	FINESTRA 6030-14 LH SLN LCO LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
EW40	FINESTRA 6030-14 LH SLN CM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG55	FINESTRA 6030-14 RH SLN CM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG60	FINESTRA 6030-14 RH SLN LUM	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG65	FINESTRA 6030-14 RH SLN LUM WSPR	F4N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG70	FINESTRA 6030-14 RH SLN LCO CM	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG75	FINESTRA 6030-14 RH SLN LCO CM WSPR	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG80	FINESTRA 6030-14 RH SLN LCO LUM	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KG85	FINESTRA 6030-14 RH SLN LCO LUM WSPR	F4N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
EW70	FINESTRA 6030-17 LH SLN CM	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH55	FINESTRA 6030-17 LH SLN CM WSPR	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH60	FINESTRA 6030-17 LH SLN LUM	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH65	FINESTRA 6030-17 LH SLN LUM WSPR	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH70	FINESTRA 6030-17 LH SLN LCO CM	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH75	FINESTRA 6030-17 LH SLN LCO CM WSPR	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH80	FINESTRA 6030-17 LH SLN LCO LUM	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KH85	FINESTRA 6030-17 LH SLN LCO LUM WSPR	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
EW75	FINESTRA 6030-17 RH SLN CM	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ55	FINESTRA 6030-17 RH SLN CM WSPR	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ60	FINESTRA 6030-17 RH SLN LUM	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ65	FINESTRA 6030-17 RH SLN LUM WSPR	F7N6030CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ70	FINESTRA 6030-17 RH SLN LCO CM	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ75	FINESTRA 6030-17 RH SLN LCO CM WSPR	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ80	FINESTRA 6030-17 RH SLN LCO LUM	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
KJ85	FINESTRA 6030-17 RH SLN LCO LUM WSPR	F7N6030CRLR5CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 8 Accupro	96	85
FJ05	FUZION 7236 RH SLN CM	FJL7236CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 12 Accupro	80	90
KL50	FUZION 7236 RH SLN CM WSPR	FJL7236CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 12 Accupro	80	90
KL55	FUZION 7236 RH SLN CM	FJL7236CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 12 Accupro	80	90
KL60	FUZION 7236 RH SLN CM WSPR	FJL7236CRLR4CW1	9.2	8.2	240/20/20/60	13.5	120/15/60	2 Therapero / 12 Accupro	80	90

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4E

New: 12/07/09
Revised: 12/27/10
TABLE 1 (Continued)

MODEL NAME/DESCRIPTION	CORE NER	PRODUCT CODE	MOTOR RATING (AMPS)	HEATER RATING (AMPS)	MOTOR/HEATER ELECTRICAL (VIA/Hz)	BLOWER RATING (AMPS)	BLOWER ELECTRICAL (VIA/Hz)	JETS	AIR HOLES	AVG GALS
FUZION 7236 RH SLN ILLUM WSPR	KL65	FUZ7236CRL4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	2 Therapro / 12 Accupro	80	90
FUZION 7236 RH SLN CM LCD	KL70	FUZ7236CRL5CH	9.2	8.2	240/20/0/60	13.5	120/15/60	2 Therapro / 12 Accupro	80	90
FUZION 7236 RH SLN CM WSPR LCD	KL75	FUZ7236CRL5CV	9.2	8.2	240/20/0/60	13.5	120/15/60	2 Therapro / 12 Accupro	80	90
FUZION 7236 RH SLN ILLUM LCD	KL80	FUZ7236CRL5HI	9.2	8.2	240/20/0/60	13.5	120/15/60	2 Therapro / 12 Accupro	80	90
FUZION 7236 RH SLN ILLUM WSPR LCD	KL85	FUZ7236CRL5WV	9.2	8.2	240/20/0/60	13.5	120/15/60	2 Therapro / 12 Accupro	80	90
FUZION 7242 RH SLN CM	QL30	FUZ7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN CM	KM50	FUZ7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN CM WSPR	KM55	FUZ7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN ILLUM	QL45	FUZ7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN ILLUM WSPR	KM65	FUZ7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN CM LCD	KM70	FUZ7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN CM WSPR LCD	KM75	FUZ7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN ILLUM LCD	KM80	FUZ7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7242 RH SLN ILLUM WSPR LCD	KM85	FUZ7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 7 Accupro	140	108
FUZION 7260 RH SLN CM	PM25	FUZ7260CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN CM WSPR	KV65	FUZ7260CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN ILLUM	KV60	FUZ7260CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN ILLUM WSPR	KV65	FUZ7260CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN CM LCD	KV70	FUZ7260CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN CM WSPR LCD	KV75	FUZ7260CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN ILLUM LCD	KV80	FUZ7260CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 7260 RH SLN ILLUM WSPR LCD	KV85	FUZ7260CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	96	148
FUZION 6636 RH SLN CM	FG45	FUZ6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN CM WSPR	KR65	FUZ6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN ILLUM	KR60	FUZ6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN ILLUM WSPR	KR65	FUZ6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN CM LCD	KR70	FUZ6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN CM WSPR LCD	KR75	FUZ6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN ILLUM LCD	KR80	FUZ6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
FUZION 6636 RH SLN ILLUM WSPR LCD	KR85	FUZ6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 11 Accupro	160	176
REAL RH SLN CM	DT00	REA7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN CM WSPR	KT55	REA7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN ILLUM	KT60	REA7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN ILLUM WSPR	KT65	REA7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN CM LCD	KT70	REA7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN CM WSPR LCD	KT75	REA7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN ILLUM LCD	KT80	REA7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
REAL RH SLN ILLUM WSPR LCD	KT85	REA7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	88	90
SALERNO 6636 RH SLN CM	GXT0	SAL6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN CM	KU50	SAL6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN CM WSPR	KU55	SAL6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN ILLUM	KU60	SAL6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN ILLUM WSPR	KU65	SAL6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN CM LCD	KU70	SAL6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN CM WSPR LCD	KU75	SAL6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN ILLUM LCD	KU80	SAL6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 6636 RH SLN ILLUM WSPR LCD	KU85	SAL6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	40	62
SALERNO 7242 RH SLN CM	HB00	SAL7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN CM	KV90	SAL7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN CM WSPR	KV95	SAL7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN ILLUM	KV80	SAL7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN ILLUM WSPR	KV85	SAL7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN CM LCD	KV70	SAL7242CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN CM WSPR LCD	KV75	SAL7242CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN ILLUM LCD	KV60	SAL7242CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SALERNO 7242 RH SLN ILLUM WSPR LCD	KV65	SAL7242CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	6AP2/4TP2	102	89
SIA 6636 RH SLN CM	GN07	SIA6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN CM	KV50	SIA6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN CM WSPR	KV55	SIA6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN ILLUM	KV60	SIA6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN ILLUM WSPR	KV65	SIA6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN CM LCD	KV70	SIA6636CCR4CH	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN CM WSPR LCD	KV75	SIA6636CCR4CV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN ILLUM LCD	KV80	SIA6636CCR4HI	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76
SIA 6636 RH SLN ILLUM WSPR LCD	KV85	SIA6636CCR4WV	9.2	8.2	240/20/0/60	13.5	120/15/60	4 TP2 / 9 AP2	40	76

SD 10.3.10b (8/23/04)

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003778

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4F

New: 12/07/09
Revised: 10/21/11

TABLE 1 (Continued)

MODEL NAME/DESCRIPTION	CORE NBR	PRODUCT CODE	MOTOR RATING (AMPS)	HEATER RATING (AMPS)	MOTOR/HEATER ELECTRICAL (VIA/Hz)	BLOWER RATING (AMPS)	BLOWER ELECTRICAL (VIA/Hz)	JETS	AIR HOLES	AVG GALS
SIA 7242 RH SLN CM	GN08	SIA7242CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN CM WSPR	KX55	SIA7242CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN ILM	KX60	SIA7242CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN ILM WSPR	KX65	SIA7242CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN CM LCD	KX70	SIA7242CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN CM WSPR LCD	KX75	SIA7242CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN ILM LCD	KX80	SIA7242CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
SIA 7242 RH SLN ILM WSPR LCD	KX85	SIA7242CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 6 AP2	40	102
VENICIA 7242 RH SLN CM	DY60	VEN7242CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN CM WSPR	KY65	VEN7242CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN ILM	KY60	VEN7242CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN ILM WSPR	KY65	VEN7242CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN CM LCD	KY70	VEN7242CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN CM WSPR LCD	KY75	VEN7242CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN ILM LCD	KY80	VEN7242CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
VENICIA 7242 RH SLN ILM WSPR LCD	KY85	VEN7242CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 Therapro / 2 Accupro / 4 Rotating Neck	102	90
Acero/Alejo 6636 SLN CM	HQ30	ACE6636CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN CM WSPR	HW55	ACE6636CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN ILM	HW60	ACE6636CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN ILM WSPR	HW65	ACE6636CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN CM LCD	HW70	ACE6636CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN CM WSPR LCD	HW75	ACE6636CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN ILM LCD	HW80	ACE6636CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 6636 SLN ILM WSPR LCD	HW85	ACE6636CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Acero/Alejo 7242 SLN CM	HQ70	ACE7242CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN CM WSPR	HX35	ACE7242CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN ILM	HX60	ACE7242CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN CM WSPR	HX65	ACE7242CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN CM LCD	HX70	ACE7242CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN CM WSPR LCD	HX75	ACE7242CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN ILM LCD	HX80	ACE7242CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Acero/Alejo 7242 SLN ILM WSPR LCD	HX85	ACE7242CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 6636 SLN CM	HR20	MIO6636CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN CM WSPR	HY25	MIO6636CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN ILM	HY60	MIO6636CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN ILM WSPR	HY65	MIO6636CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN CM LCD	HY70	MIO6636CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN CM WSPR LCD	HY75	MIO6636CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN ILM LCD	HY80	MIO6636CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 6636 SLN ILM WSPR LCD	HY85	MIO6636CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	70
Mio/Moda 7242 SLN CM	HQ60	MIO7242CCR4CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN CM WSPR	HZ55	MIO7242CCR4CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN ILM	HZ60	MIO7242CCR4H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN ILM WSPR	HZ65	MIO7242CCR4HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN CM LCD	HZ70	MIO7242CCR5CH	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN CM WSPR LCD	HZ75	MIO7242CCR5CW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN ILM LCD	HZ80	MIO7242CCR5H	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90
Mio/Moda 7242 SLN ILM WSPR LCD	HZ85	MIO7242CCR5HW	9.2	8.2	240/20/20/60	13.5	120/15/60	4 TP2 / 4 AP2	40	90

PRODUCT NAME	CORE #	Product Code	MTR AMP	HTR AMP	NO of AIR HOLES	BLR AMP	AVG GAL	JET TYPES	MTR/HTR Electrical (VIA/Hz)	BLR Electrical (VIA/Hz)
LOR 5230 RH SLN	NM38	LOR 5230 CRL 2XX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 RH SLN (TF)	NN18	LOT 5230 CRL 2XX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 RH SLN W/HTR OPTION	NM39	LOR 5230 CRL 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 RH SLN W/HTR OPT (TF)	NN19	LOT 5230 CRL 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
HLS 5230 RH SLN W HTR	NM40	HLS 5230 CRL 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
HLS 5230 RH SLN W HTR (TF)	NN20	HLS 5230 CRL 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 LH SLN	NM48	LOR 5230 CLR 2XX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 LH SLN (TF)	NN28	LOT 5230 CLR 2XX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 LH SLN W/HTR OPTION	NM49	LOR 5230 CLR 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
LOR 5230 LH SLN W/HTR OPT (TF)	NN29	LOT 5230 CLR 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
HLS 5230 LH SLN W/HTR	NM50	HLS 5230 CLR 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60
HLS 5230 LH SLN W/HTR (TF)	NN30	HLS 5230 CLR 2HX	4.4	12.5	20	12.5	88	6 Sml CMP Jets	120/15/15/60	120/15/60

PRODUCT NAME	PRODUCT CODE	Oper. GAL	MTR AMP	HTR AMP	JET TYPES	MTR/HTR ELECTRICAL (VIA/Hz)	BLR AMP	BLR ELECTRICAL (VIA/Hz)	NO of AIR HOLES	LIGHT AMP	LIGHT ELECTRICAL (VIA/Hz)
FIRST STREET 5230 WALK-IN	F1S 5230 XXX XXX X	90	4.4	12.5	4 JETS / 6 MICRO JETS	120/15/15/60	12.5	120/15/60	16	1.0	120/15/60
FIRST STREET 5230 3-T WALK-IN	F1T 5230 XXX XXX X	90	4.4	12.5	4 JETS / 6 MICRO JETS	120/15/15/60	12.5	120/15/60	16	1.0	120/15/60

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APEN 1527

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 4G

New: 01/14/2013

Model Name	Model #	Core	Dimensions			Motor Rating	Electrical Rating	Heater Rating	Electrical Rating	Jet Types	Aver. Oper. Gals	Electronic Controls
			L	W	H	(A)	(V / A / Hz)	(A)	(V / A / Hz)			
FIRST ST 5229 C RH HTR SLN	FIS 5229 CRX 1CH	LW45	52	29	36.5	7.0	120 / 20 / 60	12.5	120 / 20 / 60	6 CMP ADJY-JET	55	N
FIRST ST 5229 C LH HTR SLN	FIS 5229 CLX 1CH	LW50	52	29	36.5	7.0	120 / 20 / 60	12.5	120 / 20 / 60	6 CMP ADJY-JET	55	N
FIRST ST5229 3T C RH HTR SLN	FIT 5229 CRX 1CH	LW85	52	29	36.5	7.0	120 / 20 / 60	12.5	120 / 20 / 60	6 CMP ADJY-JET	55	N
FIRST ST 5229 3T C LH HTR SLN	FIT 5229 CLX 1CH	LW90	52	29	36.5	7.0	120 / 20 / 60	12.5	120 / 20 / 60	6 CMP ADJY-JET	55	N

Model Name	Model #	Similar Model #
FIRST ST 5229 C RH HTR SLN	FIS 5229 CRX 1CH	FIS5230 XXX XXX X
FIRST ST 5229 C LH HTR SLN	FIS 5229 CLX 1CH	FIS5230 XXX XXX X
FIRST ST5229 3T C RH HTR SLN	FIT 5229 CRX 1CH	FIT5230 XXX XXX X
FIRST ST 5229 3T C LH HTR SLN	FIT 5229 CLX 1CH	FIT5230 XXX XXX X

SD 16.3.10b (8/23/04)

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REV JACUZZI006672

APEN 1528

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 5

Issued: 07/15/05
Revised: 02/27/07

TEST PERFORMANCE NO. 1

A representative sample of the product was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. 01/15/04)

The following tests were conducted by: UL under file no. E21903

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Starting Current Test	40
Power Input Test	41
Temperature Test	42
Dielectric Voltage-Withstand Test	43
Water Exposure Test	46
Grounding Impedance Test	49
Flow Rate Test	50
Abnormal Operation Test - Water Back Flow	52.4
Leakage Current Test	56

TEST PERFORMANCE NO. 2

A representative sample of the model Espree 6036 was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. 01/15/04)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Power Input Test	41
Temperature Test	42
Dielectric Voltage-Withstand Test	43
Abnormal Operation Test - Water Back Flow	52.4

TEST PERFORMANCE NO. 3

Alternate Check Valve, model Mani-SD was tested within Hydromassage Bathtub, model Espree DS75 in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. 01/15/04)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Tests for Parts Subject to Pressure – Reverse Hydrostatic Pressure Test	53.2

Results of the tests indicate the specimens conform to applicable test criteria.

SD 16.3.10b (8/23/04)

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REV JACUZZI006673

APEN 1529

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 5A

New: 01/10/06
Revised: 12/05/08

TEST PERFORMANCE NO. 4

Affinity Model R360 was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. 01/15/04)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Starting Current Test	40
Power Input Test	41
Temperature Test	42
Dielectric Voltage-Withstand Test	43
Water Temperature Tests – Normal Operation	45.2.1
Water Temperature Tests – Abnormal Operation (Interrupted power)	45.3.3
Water Temperature Tests – Abnormal Operation (Water flow interruption)	45.3.4
Water Temperature Tests – Abnormal Operation (Blocked suction fitting)	45.3.6
Water Temperature Tests – Abnormal Operation (Blocked jet)	45.3.7
Water Exposure Test – Splashing	46.2
Available Current Test	47
Grounding Impedance Test	49
Flow Rate Test	50
Abnormal Operation Tests – Interrupted Power	52.2
Abnormal Operation Tests – Water Flow Interruption	52.3
Abnormal Operation Test - Water Back Flow	52.4
Leakage Current Test	56

TEST PERFORMANCE NO. 5

Affinity Model R360 was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. 01/15/04)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Starting Current Test	40
Power Input Test	41
Temperature Test	42
Dielectric Voltage-Withstand Test	43
Water Exposure Test – Flooding	46.3
Grounding Impedance Test	49
Flow Rate Test	50
Abnormal Operation Test - Water Back Flow	52.4
Leakage Current Test	56

Results of the tests indicate the specimens conform to applicable test criteria.

TEST PERFORMANCE NO. 6

The Hydromassage Bathtub controller was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. Dated March 30, 1999, Rev September 22, 2006)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Normal Temperature Test (Under skirt Ambient)	42
Dielectric Voltage Withstand Test	43.1

Results of the tests indicate the specimens conform to applicable test criteria.

SD 16.3.10b (8/23/04)

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JACUZZI006574

REV JACUZZI006674

APEN 1530

Intertek Testing Services NA Inc.

Report No. 3073395LAX-001
Jacuzzi Luxury Bath

Page 5B

Added: 10/29/09
Revised: 04/23/13

TEST PERFORMANCE NO. 7

The Hydromassage Bathtub controller was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. Dated March 30, 1999, Rev September 22, 2006)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Starting Current Test	40
Power Input Test	41
Leakage Current Test	56

Results of the tests indicate the specimens conform to applicable test criteria.

TEST PERFORMANCE NO. 8

The Hydromassage Bathtub controller was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795, Fourth Edition, Dated August 5, 2009)

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Hair Entrapment Test	41.2

Results of the tests indicate the specimens conform to applicable test criteria.

TEST PERFORMANCE NO. 9

A representative sample of the product was tested in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795 Issue: 2009/08/05 Ed: 4 Rev: 2010/03/23).

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Starting Current Test	45
Power Input Test	46
Temperature Test	47
Dielectric Voltage-Withstand Test	48
Available Current Test	52
Leakage Current Test	61
Hair Entrapment Test	41.2

TEST PERFORMANCE NO. 10

A previously evaluated sample of the product was evaluated in accordance with the Standard for Safety Hydromassage Bathtubs, (UL 1795 Issue: 2009/08/05 Ed: 4 Rev: 2012/01/13).

No additional testing was necessary.

***TEST PERFORMANCE NO. 11**

A representative sample of the product was tested in accordance with the Standard for Safety Hydro massage Bathtubs, (UL 1795 Issue: 2009/08/05 Ed: 4 Rev: 2012/01/13).

<u>Test Description</u>	<u>UL 1795/ Clause</u>
Power Input Test	46
Temperature Test	47
Dielectric Voltage-Withstand Test	48

SD 16.3.10b (8/23/04)

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REV JACUZZI006675

APEN 1531

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 6

Issued: 07/15/05
Revised: 11/01/12

CONCLUSION 1

A representative sample of the product covered by this report has been evaluated and found to comply with the applicable requirements of the Standard for Safety Hydromassage Bathtubs, (UL 1795, 3rd Ed. Dated March 30, 1999, Rev September 22, 2006)

Report prepared by:

Original signature is on file.

Cody Adams, P.E.
Operations Manager

Report Reviewed/Approved by:

Original signature is on file.

Sudesh Kamble
EMC Team Leader

Report revised by:

Original signature is on file.

Shumphert L. Holbert II
Compliance Investigator

Report reviewed/approved by:

Original signature is on file.

Cody Adams, P.E.
Operations Manager

Report revised by:

Original Signature on File

Gulzar Singh
Engineering Team Leader
Intertek, Lake Forest

Report Reviewed/Approved by:

Original Signature on File

C Thakur
Engineering Manager
Intertek, Lake Forest

CONCLUSION 2

A representative sample of the product covered by this report has been evaluated and found to comply with the applicable requirements of the Standard for Safety Hydromassage Bathtubs, (UL 1795 Issue: 2009/08/05 Ed: 4 Rev: 2010/03/23).

Report revised by:

Original Signature on File
Bhavin Parikh
Engineer
Intertek, Lake Forest

Report Reviewed/Approved by:

Original Signature on File
Rahul Mehta
Engineering Team Leader
Intertek, Lake Forest

CONCLUSION 3

The product covered by this report has been evaluated and found to comply with the applicable requirements of the Standard for Safety Hydromassage Bathtubs, (UL 1795 Issue: 2009/08/05 Ed: 4 Rev: 2012/01/13).

Report revised by:

Original Signature on File

Eliana Velazquez
Engineer
Intertek, Lake Forest

Report Reviewed/Approved by:

Original Signature on File

Rahul Mehta
Engineering Team Leader
Intertek, Lake Forest

SD 16.3.10b (8/23/04)

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JACUZZI006576

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APEN 1532

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 7

Issued: 07/15/05
Revised: 02/27/07

GENERAL INFORMATION

The Applicant and Manufacturer have agreed to produce, test and label ETL Listed products in accordance with the requirements of this Report. The Manufacturer has also agreed to notify Intertek and to request authorization prior to using alternate parts, components or materials.

COMPONENTS

Components used shall be those itemized in this Intertek report covering the product, including any amendments and/or revisions.

LISTING MARK

The ETL Listing mark applied to the products shall either be separable in form, such as labels purchased from Intertek, or on a product nameplate or other media only as specifically authorized by Intertek. Use of the mark is subject to the control of Intertek.

MANUFACTURING AND PRODUCTION TESTS

Manufacturing and Production Tests shall be performed as required in this Report.

FOLLOW-UP SERVICE

Periodic unannounced audits of the manufacturing facility shall be scheduled by Intertek. An audit report shall be issued after each visit. Special attention will be given to the following:

1. Conformance of the manufactured product to the descriptions in this Report.
2. Conformance of the use of the ETL mark with the requirements of this Report and the Certification Agreement.
3. Manufacturing changes.
4. Performance of specified Manufacturing and Production Tests.

In the event that the Intertek representative identifies non-conformance(s) to any provision of this Report, the Applicant shall take one or more of the following actions:

1. Correct the non-conformance.
2. Remove the ETL Mark from non-conforming product.
3. Contact the issuing product safety evaluation center for instructions.

SD 16.3.10b (8/23/04)

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JACUZZI006577

REV JACUZZI006677

APEN 1533

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 8

Issued: 07/15/05
Revised: 02/27/07

GENERAL REQUIREMENTS AND DEFINITIONS

Recognized Component – A component part, which has been previously evaluated by an accredited certification body with restrictions and must be evaluated as part of the basic product considering the restrictions as specified by the Conditions of Acceptability.

Listed Component – A component part, which has been previously Listed or Certified by an accredited Certification Organization with no restrictions and is used in the intended application within its ratings.

Unlisted Component – A part that has not been previously evaluated to the appropriate designated component standard. It may also be a listed or recognized component that is being used outside of its evaluated Listing or component recognition.

Critical Component – An essential part, material, subassembly, system, software, or accessory of a product that has a direct bearing on the product's conformance to applicable requirements of the product standard.

Construction Details - For specific construction details, reference should be made to the following photographs and descriptions. All dimensions are approximate unless specified as exact or within a tolerance. In addition to the specific construction details described in this Report, the following general requirements may also apply as applicable.

1. **Spacing** - In primary circuits, minimum spacing are maintained through air and over surfaces of insulating material between current-carrying parts of opposite polarity and between current-carrying parts and dead-metal parts.

Spacings other than at a field-wiring terminal shall be 1/8 inch (3.2 mm) for live parts and 1/16 inch (1.6 mm) for grounded or dead-metal parts when measured between parts of opposite polarity, accessible metal and the enclosure. The spacings in a Class 2 circuit are to be investigated on the basis of the Dielectric Voltage-Withstand Test

2. **Mechanical Assembly** - Components such as switches, fuseholders, connectors, wiring terminals and display lamps are mounted and prevented from shifting or rotating by the use of lockwashers, starwashers, or other mounting format that prevents turning of the component.
3. **Corrosion Protection** - All ferrous metal parts are protected against corrosion by painting, plating or other means specifically identified in the specific construction details.
4. **Motor and Heater Connections** – Listed Flexible Cord, 14/3, Type S, SO, ST, STO, or SEO, also marked WA. Secured to motor by Listed strain relief bushing. Mechanically secured and routed away from side of motor housing. Maximum 3 ft. long.

Alternate – Provided with Listed nominal ½ in. trade size conduit. Internal conductors minimum No. 14 AWG. Secured to motor and field wiring compartment by Listed fittings. Maximum 3 ft. long.

Alternate – Listed cord set, 14/3, type SJ or equivalent. Consist of type SJ cord molded on 15 or 20 amp attachment plug. Wires sized on the basis of 60°C ampacity and rated 60°C. Flexible cord shall be maximum length of 3 ft. Provided with Listed strain relief bushing. Suitable for only ¾ Hp pumps.

5. **Grounding** - All exposed dead-metal parts and all dead-metal parts within the enclosure that are exposed to contact during any servicing operation are to be connected to the grounding lead of the power supply cord or the equipment grounding terminal.
6. **Internal Wiring** - Internal wiring is routed away from sharp or moving parts. Internal wiring leads terminating in soldered connections are made mechanically secure prior to soldering. Recognized separable (quick disconnect) connectors of the positive detent type, closed loop connectors, or other types specifically described in the text of this report are also acceptable as internal wiring terminals. At points where internal wiring passes through metal walls or partitions, the wiring insulation is protected against abrasion or damage by plastic bushings or grommets. All wiring is minimum 14 AWG, with a minimum rating of 300V, 75°C.

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006578

REV JACUZZI006678

APEN 1534

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 9

Issued: 07/15/05
Revised: 02/27/07

7. **Field wiring Compartment** – If provided, listed outlet box, metallic, overall 4 in. square by 1-11/16 in. deep. Provided with cover, overall 4 in. square, secured to top of box by screws. Box secured under rim of tub between air induction box and motor mounting bracket, or attached to plumbing. Terminal provided for grounding with the field wiring compartment. The terminal can be either a wire binding screw having a green head or a pressure wire connector marked “G”, “GR”, “Ground”, or “Grounding”. Compartment must be accessible after installation. Leads extend minimum of 6 in. into box. Box to be minimum 1-1/2 inches above tub base.

Alternate – Same except secured to tub with fiberglass resin adhesive, Richolds resin, Type No. 33-402, 33-047 or 98-073 catalyzed with MEK peroxide.

Alternate – Pump wiring compartment may serve as Field Wiring Compartment.

8. **Motor Connection Compartment** – If provided, not visible, ground lead is mechanically secured to Listed or Recognized Terminal hook or closed loop terminal, secured to motor housing ground terminal by screw. Covered by steel plate, secured by two screws. Other end of leads go to field wiring box if provided.

9. **Rubber Hose** – 5/8 in. diameter dishwasher hose, marked with SAE 20R-4 or AHAM DW-1, size and UPC logo.

Alternate – 1/2 in. I.D. Flex PVC.

10. **Accessibility of Live Parts** - All uninsulated live parts in primary circuitry are inaccessible based on proper installation of the tub.

11. **Markings** – The product shall be legibly and permanently marked with the following::

- a) Manufacturer’s name, trade name or trademark
- b) Model number
- c) Electrical rating in volts, amps and frequency
- d) Month and year of manufacture
- e) Each unit shall be plainly marked with the following or the equivalent: “Connect only to a circuit that is protected by a ground-fault circuit-interrupter (GFCI).”
- f) A wiring diagram shall be attached to the unit unless field wiring connections are obvious.
- g) A paper sticker glued or shellacked or both to an accessible cover is considered to be attached to the unit in accordance with the requirement in the above paragraph.
- h) The following marking or the equivalent, as applicable, shall appear in the field wiring compartment next to the supply conductor terminals of a unit intended for permanent electrical connections: “Use copper conductors only.” This marking shall be independent of any marking on the terminal connectors, and it shall be visible during and after installation of the unit. This marking does not apply to terminals intended for the connection of grounding or bonding conductors.
- i) Each connector intended for an optional accessory shall be marked to identify the intended accessory.

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006579

REV JACUZZI006679

APEN 1535

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 10

Issued: 07/15/05

Revised: 02/27/07

12. **Cautionary Markings** – The following are required:

- a) If more than one disconnect is required to remove all power: “CAUTION” and the following or the equivalent, “Risk of Electric Shock - -Two disconnect switches are required to de-energize the unit before servicing.”
- b) If a unit has optional equipment that may be field installed and that may require a separate source, the unit shall be marked with the following or equivalent, “Risk of Electric Shock – Second supply source if provided with _____, Model _____. Disconnect all sources before servicing.” The blanks shall be filled in with the type of equipment that may be added in the field and the appropriate model number.
- c) Heater Ready Units – The model Espree 6036 only shall be legibly and permanently marked with the following: **“Suitable for Field-Installed Heater Accessory”** and **“Use Only Field-Installed Heaters Marked for Use With This Bathtub”** and **“CAUTION – Risk of Electric Shock-Second Supply Source If Field Heater Is Installed-Disconnect All Sources Before Servicing.”** All other models that are NOT heater ready must be marked as **“Not Suitable for Field-Installed Heater”**

13. **Installation, Operating and Safety Instructions** – Each unit shall be provided with legible installation, operating, and user-maintenance instructions, and instructions pertaining to a risk of fire, electric shock or injury to persons associated with the use of the unit.

Installation and operating instructions shall be provided for each accessory provided with the unit in separate manuals; or combined in one or more manuals provided the instructions pertaining to a risk of fire, electric shock, or injury to persons are separated in format and emphasized to distinguish them from the remainder of the text.

An illustration may be used with a required instruction to clarify the intent but shall not replace the written instruction.

The height of the lettering in the text and illustrations of the important safety instructions shall be as follows:

- a) Upper case letters shall be no less than 1/12 inch (2.1 mm) high;
- b) Lower case letters shall be no less than 1/16 inch (1.6 mm) high;
- c) The phrases “IMPORTANT SAFETY INSTRUCTIONS,” and “READ AND FOLLOW ALL INSTRUCTIONS,” and “SAVE THESE INSTRUCTIONS” shall be in letters no less than 3/16 inch (4.8 mm) high.

The following items shall be entirely in upper case letters or shall be emphasized to distinguish them from the rest of the text;

- a) The headings for the installation, operating, and user-maintenance instructions;
- b) The heading for the instructions pertaining to a risk of fire, electric shock, or injury to persons; and
- c) The openings and closing statements of the instructions “IMPORTANT SAFETY INSTRUCTIONS” and “SAVE THESE INSTRUCTIONS,” or the equivalent.

Unless otherwise indicated, the above shall be in the words specified or words that are equivalent, clear and understandable. No substitute shall be used for the word “WARNING” or “DANGER”.

Instructions Pertaining to a risk of Fire, Electric shock, or Injury to Persons

Each unit shall be provided with instructions pertaining to a risk of fire, electric shock, or injury to persons shall warn the user of reasonable foreseeable risks and state the precautions that should be taken to reduce such risks. Such instructions shall be preceded by the heading “INSTRUCTIONS PERTAINING TO A RISK OF FIRE, ELECTRIC SHOCK, OR INJURY TO PERSONS” or the equivalent.

SD 16.3.10b (8/23/04)

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JACUZZI006580

REV JACUZZI006680

APEN 1536

003788

003788

003788

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 11

Issued: 07/15/05
Revised: 02/27/07

Important Safety Instructions

Each unit shall be provided with instructions pertaining to a risk of fire, electric shock, or injury to persons shall include those items in Figure 1 that are applicable to the unit. The statement "IMPORTANT SAFETY INSTRUCTIONS" or the equivalent shall precede the list, and the statement "SAVE THESE INSTRUCTIONS" or the equivalent shall either precede or follow the list. The word "WARNING" shall be entirely in upper case letters or shall be emphasized to distinguish it from the remainder of the text.

Figure 1
IMPORTANT SAFETY INSTRUCTIONS

WARNING – When using this unit, basic precautions should always be followed, including the following:

1. READ AND FOLLOW ALL INSTRUCTIONS.
2. DANGER: To reduce the risk of injury, do not permit children to use this unit unless they are closely supervised at all times.
3. Use this unit only for its intended use as described in this manual. Do not use attachments not recommended by the manufacturers.
4. Never drop or insert any object into any opening.
5. Do not operate this unit without the guard over the suction fitting.
6. The unit must be connected only to a supply circuit that is protected by a ground-fault circuit-interrupter (GFCI). Such a GFCI should be provided by the installer and should be tested on a routine basis. To test the GFCI, push the test button. The GFCI should interrupt power. Push the reset button. Power should be restored. If the GFCI fails to operate in this manner, there is ground current flowing, indicating the possibility of an electric shock. Do not use this unit. Disconnect the unit and have the problem corrected by a qualified service representative before using.
7. (For permanently connected units) A green colored terminal (or a wire connector marked "G", "GR", "Ground", or "Grounding") is provided within the terminal compartment. To reduce the risk of electric shock, connect the terminal or connector to the grounding terminal of your electric service or supply panel with a conductor equivalent in size to the circuit conductors supply this equipment.
8. Deleted
9. SAVE THESE INSTRUCTIONS

Operating Instructions

Each unit shall be provided with the following instructions. Immediately following the warning instructions specified in previous paragraphs, the instruction manual shall include:

- a) Instructions and caution statements for cleaning, user maintenance, and operations recommend by the manufacturer and a warning to the user that any other servicing should be performed by a qualified service representative or that the unit has no user serviceable parts.
- b) In the case of a unit using a thermal limiter that shuts off the entire unit, instructions to the user on what to expect in the thermal limiter operates.

Operating instructions shall contain the information needed to operate the unit as intended and shall be preceded by the heading "OPERATING INSTRUCTIONS" or the equivalent.

Operating instructions shall explain and describe the location, function, and operation of each user-operated control of the unit and shall warn against tampering with such devices.

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006581

REV JACUZZI006681

APEN 1537

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 12

Issued: 07/15/05
Revised: 02/27/07

A unit provided with a water heater shall include instructions that inform the user (1) how to set the thermostat to result in a water temperature in the tub no higher than 40°C (104°F), (2) of the necessary precautions to be followed in adjusting the thermostat, and (3) that prolonged immersions in hotter water may induce hyperthermia. A description of the causes, symptoms, and effects of hyperthermia such as that provided in the following paragraph shall also be included.

The causes, symptoms, and effects of hyperthermia may be described as follows: Hyperthermia occurs when the internal temperature of the body reaches a level several degrees above the normal body temperature of 98.6° F. The symptoms of hyperthermia include an increase in the internal temperature of the body, dizziness, lethargy, drowsiness, and fainting. The effects of hyperthermia include (1) failure to perceive heat, (2) failure to recognize the need to exit the spa or hot tub, (3) unawareness of impending hazard, (4) fetal damage in pregnant women, (5) physical inability to exit the spa or hot tub, and (6) unconsciousness resulting in the danger of drowning. **WARNING** – The use of alcohol, drugs or medication can greatly increase the risk of fatal hyperthermia.

Installation Instructions

Each unit shall be provided with installation instructions which include those items in the following list that are applicable to the unit. The statement "INSTALLATION INSTRUCTIONS" shall precede the list. The word "WARNING" shall be entirely in upper case letters or shall be emphasized to distinguish it from the rest of the text. Wording in parentheses is explanatory.

INSTALLATION INSTRUCTIONS

WARNING – When using the electrical products, basic precautions should always be followed, including the following:

1. **DANGER: RISK OF ELECTRIC SHOCK.** Connect only to a circuit protected by a ground-fault circuit interrupter.
2. Grounding is required. The unit should always be installed by a qualified service representative and grounded.
3. (For built-in and custom units) Install to permit access for servicing.

Installation instructions shall be identify fittings, such as brackets or hangers that are necessary for the intended mounting of the unit.

Configuration Marking

Each unit shall be provided with (1) a marking on the wiring diagram or in the installation instructions or (2) a configuration sheet to identify the factory installed components of the unit. As an example, a configuration sheet could specify "Factory Installed Components – Pump; Heater; Lighting Fixture; Control." If the unit has field installable options, the marking shall be additionally provided with the following or the equivalent, "See installation instructions for options."

The installation instructions for a unit provided with two sources shall specify how each circuit is to be connected to the supply. If two sources are required, the current rating of each source shall be specified.

User Maintenance Instructions

Each unit shall be provided with instructions for user maintenance which include explicit instructions for all cleaning, servicing, lubrication, and adjustments that are intended to be performed by the user and shall be preceded by the heading "USER MAINTENANCE INSTRUCTIONS" or the equivalent.

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006582

REV JACUZZI006682

APEN 1538

003790

003790

003790

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 13

Issued: 07/15/05
Revised: 02/27/07

CONSTRUCTION DETAIL

Effective November 1, 2001 – Hydromassage bathtubs and components shall comply with the following construction detail requirements.

A. TERMINAL COMPARTMENTS FOR SUPPLY CONNECTIONS

R/C Motors (PRGY2) and Unlisted Component Motors (PRGY3) intended to be permanently wired in the field using the motor wiring compartment shall be marked by the motor manufacturer "Suitable for Field Wiring" (or the equivalent) as part of the motor Recognition. Motors that are not intended to be permanently wired in the Field with motor wiring compartment are not required to have the marking.

B. WIRING TERMINALS (Prohibition of Sheet Metal Screws)

1. A sheet-metal screw shall not be used as a wiring terminal or for the purpose of securing other wiring terminals, such as a pressure-wire connector.
2. A sheet-metal screw shall not be used for terminating the grounding conductor of a power supply cord, as a terminal for the equipment-grounding conductor of a permanently wired unit, or as a terminal for the termination of bonding conductors.

C. DOUBLE INSULATED PUMPS (Hard Wired and Cored Connected)

1. Hard wired double insulated pumps, if provided with a terminal to terminate an equipment grounding conductor should only bond to the stator of the motor. A "dummy" terminal shall not be provided.
2. Cord connected double insulated pump provided with a grounding type cord and attachment plug should have the grounding member of the attachment plug and the equipment grounding conductor only bond to the stator of the motor. A "dummy" terminal shall not be provided.

D. SOLID COPPER NO. 8 AWG BONDING CONDUCTOR

The metal enclosures of all electrical components, current collectors and other metal in contact with the tub water shall be bonded together by individual bonding conductors that are solid copper not smaller than No. 8 AWG. The use of the grounding conductor in supply cords shall not be used for this purpose.

E. UNUSED EXTRA EXTERNAL EQUIPMENT BONDING PRESSURE WIRE CONNECTOR EXCEPTION FOR DOUBLE INSULATED COMPONENTS

1. For units with double insulated components only, such as a pump, the extra unused bonding wire connector shall not be provided. There shall be no provision for such a wire connector.
2. For units with double insulated components and non-double insulated components such as a double insulated pump and a non-double insulated heater, the extra bonding wire connector would need to be provided for the heater.

F. INSTRUCTION MANUAL

1. The heading "INSTRUCTIONS PERTAINING TO A RISK OF FIRE, ELECTRIC SHOCK, OR INJURY TO PERSONS" or the equivalent shall precede the list of warning statements. (The new heading replaces the heading "IMPORTANT SAFETY INSTRUCTIONS".)
2. The GFCI warning statement shall read as follows:
"The unit must be connected only to a supply circuit that is protected by a GFCI and should be tested on a routine basis. To test the GFCI, push the test button. The GFCI should interrupt power. Push the reset button. Power should be restored. If the GFCI fails to operate in this manner, the GFCI is defective. If the GFCI interrupts power to the bathtub without the test button being pushed, a ground current is flowing, indicating the possibility of an electric shock. Do not use this hydromassage bathtub. Disconnect the hydromassage bathtub and have the problem corrected by a qualified service representative before using."

G. INSTALLATION INSTRUCTIONS

The installation instructions shall include a statement building materials and wiring should be routed away from the pump body or other heat producing components of the units, or equivalent.

H. CONFIGURATION SHEET

Factory installed supply cords for pump motors shall be included on the list of factory installed components.

SD 16.3.10b (8/23/04)

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JACUZZI006583

REV JACUZZI006683

APEN 1539

003791

003791

003791

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 14

Issued: 07/15/05
Revised: 02/27/07

MANUFACTURING AND PRODUCTION TESTS

The manufacturer agrees to conduct the following Manufacturing and Production Tests as specified:

Required Tests

Dielectric Voltage Withstand Test

003792

003792

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006584

REV JACUZZI006684

APEN 1540

003792

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 15

Issued: 07/15/05
Revised: 02/27/07

DIELECTRIC VOLTAGE WITHSTAND TEST**Method**

One hundred percent of production of the products covered by this Report shall be subjected to a routine production line dielectric withstand test.

The test shall be conducted on products, which are fully assembled. Prior to applying the test potential, all switches, contractors, relays, etc., should be closed so that all primary circuits are energized by the test potential. If all primary circuits cannot be tested at one time, then separate applications of the test potential shall be made.

The test voltage specified below shall be applied between primary circuits and accessible dead-metal parts. The test voltage may be gradually increased to the specified value but must be maintained at the specified value for one second or one minute as required.

Test Equipment

The test equipment shall incorporate a transformer with an essentially sinusoidal output, a means to indicate the applied test potential, and an audible and/or visual indicator of dielectric breakdown.

The test equipment shall incorporate a voltmeter in the output circuit to indicate directly the applied test potential if the rated output of the test equipment is less than 500VA.

If the rated output of the test equipment is 500VA or more, the applied test potential may be indicated by either: 1 - a voltmeter in the primary circuit; 2 - a selector switch marked to indicate the test potential; or 3 - a marking in a readily visible location to indicate the test potential for test equipment having a single test potential output. In cases 2 and 3, the test equipment shall include a lamp or other visual means to indicate that the test potential is present at the test equipment output. All test equipment shall be maintained in current calibration.

Products Requiring Dielectric Voltage Withstand Test**PRODUCT****Test Voltage****Test Time**

All products covered by this Report.

1200 + 2.4V

1 second

SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006585

REV JACUZZI006685

APEN 1541

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 16

Issued: 07/15/05
Revised: 02/27/07

CORRELATION PAGE FOR MULTIPLE LISTINGS

MULTIPLE LISTING

The following products which are identical to those identified in the index except for model number and participant name are authorized to bear the ETL label under provisions of the Intertek Multiple Listing Program

MULTIPLE LISTEE

None

BASIC LISTEE

MANUFACTURER

PRODUCT

MULTIPLE LISTEE
MODEL NO. _____

BASIC LISTEE
MODEL NO. _____

BASIC LISTEE
ORDER NO. _____

SD 16.3.10b (8/23/04)

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JACUZZI006586

REV JACUZZI006686

APEN 1542

Intertek Testing Services NA Inc.

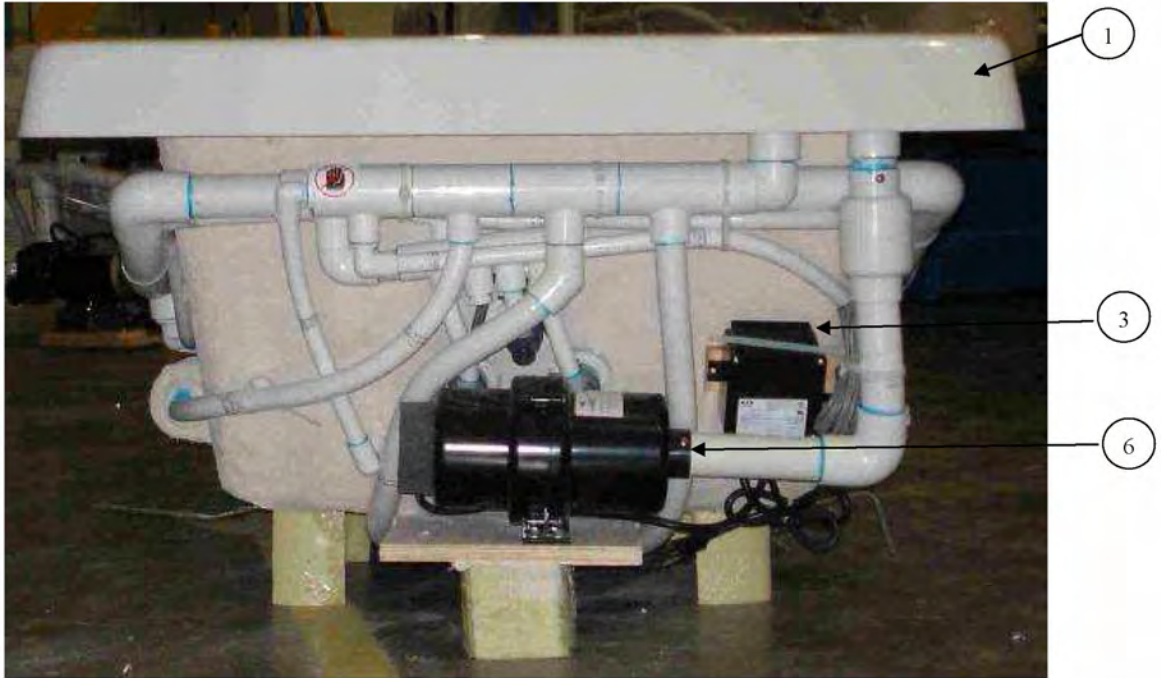
Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 17

Issued: 07/15/05
Revised: 03/29/07

Combination Baths

PHOTO NO. 1 and 1A



SD 16.3.10b (8/23/04)

PRIVILEGED AND CONFIDENTIAL

JACUZZI006587

REV JACUZZI006687

APEN 1543

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 18

Issued: 07/15/05
Revised: 04/23/13

Combination Baths

PHOTO NO. 1 and 1A

General – Photo No. 1 Shows an overall end view of the BK 10 Allusion 7242, which represents all other models. The general design, shape and arrangement shall be as illustrated except where variations are specifically described. Photo 1A shows overall view of the Finestra Series.

1. Tub – See Table 1 for sizes. Acrylic, (fiber glass reinforced).
2. Jets – (Not Shown) See Table 1 for number, size, and type. PVC, secured in place to fitting plumbing through opening in tub. Jets sealed to tub using silicone rubber sealant.
 - a) Jet Assy. HTC – Unlisted Component, Mother Lode Plastics., constructed as shown in Illustration No. 1. Refer to Table 1 for specific quantities.
 - b) Jet Assy. Hydro-Air – Unlisted Component, HydroAir, constructed as shown in Illustration No. 2. Refer to Table 1 for specific quantities.
3. Controller – Recognized Component, (NCHX2), Gecko Electronics Inc., Model AS-120P-BHJ-VA-JZ1, rated input 120 V, 15 A; maximum total output 120 V, 15 A. The controller powers the blower, the solenoid valve, and provided with a tub side control. Controller provides power to Blower, Item 6.

Alternate Controller – Recognized Component, (NCHX2), Gecko Electronics Inc., Model DTHHD2, rated 120V, 60 Hz, 14A; max total output 120VAC, 60 Hz, 6.8A for blower + 6.8A for heater. The controller powers the blower. Controller is provided with tubside control and two water level sensors to trigger drain cycle to clear air channel.

Alternate Hydromassage Bathtub Controller – Recognized component, Manufactured by Global Power International Group LTD.

Model: DH3101 and DL3001. Rated 208 V, 50/60 HZ, 9.45 A max

Outputs:

Pump: 208~230 V, 9.2~8.9 A at high speed.

LED Light: 9 Vdc, 70mA Max

Air Valve: 12 Vdc, 0.21 A

Control Panel: 5 V, 135mA

Model: DH3102 and DL3002. Rated 240 V, 50/60 HZ, 9.15 A max

Outputs:

Pump: 208~230 V, 9.2~8.9 A at high speed.

LED Light: 9 Vdc, 70mA Max

Air Valve: 12 Vdc, 0.21 A

Control Panel: 5 V, 135mA

Alternate (Controller is only for Finestra models NN & NM series) – Recognized Component, Manufactured by CG Air Systems Inc, Model IC-TMSV-120/60-020-N-N, rated 120 V, 60 Hz, 15 A. Used in conjunction with blower Model 1-251012OF6J, manufactured by Air supply of the future Inc.

Alternate (Controller is only for motors in Finestra models NN & NM series) – Recognized Component, Manufactured by CG Air Systems Inc, Model IC-TMSPT-120/60-001-N-N-WD1-D1/4, rated 120 V, 60 Hz, 15 A.

* Alternate Pneumatic (control switch): Recognized component, manufactured by Tecmark_model SAFAC5031, Rated 120V, 15A, 60 Hz

4. Tub side control – (Not Shown) Tub side control is provided as part of the controller, item 3. The construction of the control has been investigated for two independent levels of insulation (plastic enclosure and dielectric gel).
5. Solenoid Assembly – (Not Shown) Consists of the following parts:
 - a) Enclosure – Metal with cover, overall dimension 2 ½ by 3 ½ by 2-3/16 inches overall. Notched opening 2 by 1-9/16 in. for solenoid body, item 5b).

SD 16.3.10b (8/23/04)

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JACUZZI006588

REV JACUZZI006688

APEN 1544

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 18A

New: 03/29/07

Revised: 04/23/13
PHOTO NO. 1

Combination Baths

- b) Solenoid Valve – Recognized Component, (YIOZ2), Horton Co., Model S2000, rated 120 V, 60 Hz, 12.5 W. Normally open device.
 - c) Strain relief – Any Listed Component, (NZMT), suitable for use with supply cord, item 5d).
 - d) Supply cord – Listed Component, (ZJCZ), type SJ, SJT, or equivalent, rated minimum 300 V, 105 C, 3-conductor, No 18 AWG, max 3 ft long. Routed close to tub surface and located 1-1/2 inch above tub mounting surface.
 - e) Supply cord Connector – Recognized Component, (RTRT2), 3 pin, rated minimum 300 V, 105 C, for No 18 AWG supply cord.
6. Blower – Recognized Component, (WAGN2), Gecko Electronics Inc., Model 1201-8, rated 120 V, 12 A, provided with an integral 800 Watt heater.
- Alternate Blower – Recognized Component, IES Blower, Model 12510120F3JV, rated 115V, 11.6 A, provided with an integral 900 Watt heater.
- Alternate Blower – Recognized component, Manufactured by Global Power Blower, Model BM2000, rated 120V, 12.5 A, provided with an integral 900 Watts heater.
- Alternate Blower – Recognized component, Manufactured by Global Power Blower, Model BM2001, rated 120V, 13.5 A, provided with an integral 900 Watts heater.
- Alternate – Recognized Component, Manufactured by Global Power Blower, Model BM2002, rated 120V, 14.17A
- Alternate (only for Finestra models NN & NM series) – Recognized Component, Manufactured by Air supply of the future Inc, Model 1-2510120F6J, rated 120V, 60 Hz, 9.5A, 1 HP
- *Alternate Blower : Recognized component , Manufactured by Hydroguip, model 994-67012-Jo-S, rated 115V, 4.1A, 0.5hp, 200W
7. Check Valve – (Not Shown) Recognized Component, (WDUT2), G/G Industries, type 41118, (pressure range from 0-5 psi). Located in series between blower output and the tub. Second means of back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the rim.
- Alternate – (Not Shown) Recognized Component, (WDUT2), G/G Industries, type 41115, (pressure range from 0-5 psi). Located in series between blower output and tub. Second back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the Tub rim.
8. Frame (Finestra Series Only) – Extruded Aluminum. Refer to Illustration 5 for layout. Consist of minimum ¾ in. square frame with minimum 0.125 thickness.
9. Door (Finestra Series Only) – Same construction as noted in item 1. The door is constructed per illustration 6. Secured to tub by aluminum hinge that is constructed per illustration 7.

SD 16.3.10b (8/23/04)

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REV JACUZZI006689

APEN 1545

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 19

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Revised: 02/27/07

Combination Baths

PHOTO NO. 2



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SD 16.3.10b (8/23/04)

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REV JACUZZI006690

APEN 1546

003798

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 20

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Combination Baths

PHOTO NO. 2

General – Photo No. 2 Shows an overall end view of the BK 10 Allusion 7242, which represents all other models. The general design, shape and arrangement shall be as illustrated except where variations are specifically described.

1. Pump Stand – Secured to tub base by bolts. Motor stand is bolted to motor wooden plank enclosure as part of the pump, Item 8.
2. Heater – Recognized Component, (NCHX2), Hydro-Quip, Model CT-100-2000. Secured with threaded unions to tailpieces solvent welded to circulation piping. Rated 230 V, 8.3 A, 2000 Watts. Provided with integral 3 ft cord with molded-on grounding type attachment plug.
Alternate Heater - Listed component, Manufactured by Global Power, Model GPH001, rated: 240V, 8.3A.
* Alternate Heater: Recognized component, manufactured by Hydroquip, model CT-100, rated 120V, 12A, 60hz
3. Suction Fitting – (Not shown) Recognized Component, Jacuzzi Whirlpool Bath, consisting of suction cover, Part No. 6651, followed by a 3 digit number 000-999 incl., 2 in. stainless steel countersink screw and wall fitting, Part No. 1647000 maximum flow rate 136 gpm permanently molded in plastic.
Alternate Material - Harborlac 100 Grade ABS.
Alternate Suction Fitting - Recognized Component, Manufactured by Custom Molded Products, Model: 25218-0XX, 184 GPM.
Alternate Suction Fitting - Recognized Component, Manufactured by Custom Molded Products, Model: 25216, 110 GPM. With vacuum pump
4. Control Box – Recognized Component, (WBDT2), manufactured by IES, model IBS 3-240, input ratings 240 V, 8.35 A, provided with tub side control, water sensor, dc motor, LED light module and fiber optic light module.
Alternate Control Box – Recognized Component (File E253235), IES, model IBS 4-240, rated at 240 V, 8 A, consists of a control assembly unit, DC motors (non-hazardous limited voltage and current), water sensor, chromatherapy LED Module (sidewall mounted light module), tubside control, and fiber optic LED module.
Alternate Control Box – Please refer to item 6 below.
5. Tub side control – Provided as part of Item 4, control box and designer lights.
6. Distribution box – Recognized Component, (NCHX2), IES Controls, J Box 240, Input rating 240 V, 20 A, output rating 240 V, 10 A per load, max 20 A total.
Alternate Controller (Alternate to items 4 & 6 combined) – Recognized Component, Model IMC-266, Manufactured by Sequence Controls Inc, Input rating 240 V, 15A, 50/60 Hz. See the note below.
7. Pump – Jacuzzi, model JC, rated 230 V, 60 Hz, 8.0 A. Pump provided with a Listed power supply cord, Type SJT, 3-conductor, No. 14 AWG, 3-conductor, terminating in a grounding type attachment plug. Cord length max 3 ft from strain relief to face of plug. See Photo No. 3 for detailed description.
8. Motor – Recognized Component, (XEW2), A O Smith, Cat No. 7-177615, rated 230 V, 60 Hz, 8.0 A. Evaluated as part of Item 8.
Alternate Motor – Recognized Component, Emerson Model T55CXCJF-1341, rated 1-1/2 HP, 230VAC, 60HZ, 3450/1725RPM; capacitor positioned at 11 o'clock (for Combination Bath Collection)
Alternate Motor – Recognized Component, Emerson Model T55CXCJD-1338, rated 1-1/2 HP, 230VAC, 60HZ, 3450/1725RPM; capacitor positioned at 1 o'clock (for Combination Bath Collection)
Alternate Motor – Recognized Component, Emerson Model C55CXKNP-5044, rated 208VAC ~230VAC, 60HZ, 9.2A~8.9A, 3450/1725RPM. This motor is used in conjunction with Hydromassage Bathtub Controller, model DH3101 and DL3001 under item 3 on page 18.
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. C055KNP5044PA3H, rated 208-230VAC, 60HZ, 9.2A, 3450RPM 2SP;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. S055NFE7055PA3K, rated 230VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. C055JTG2006PA3H, rated 208-230VAC, 60HZ, 9.2A, 3450RPM 2SP;
* Alternate motor: - Recognized component, manufactured by Emerson, model K41GWAAA-1001, rated 115V, 7A, 60 Hz
9. Ozone generator – Recognized component, manufactured by Prozone, Model # Pz6-13EC, rated 120V, 60 Hz, 0.28A. See illustration 4.
Alternate – Recognized component. Manufactured by Del Ozone. Model# CDS-16DR or CDS-16JWB, rated 120V, 60 Hz, 90mA, 11 Watts.
Alternate – Recognized component. Manufactured by Del Ozone, Models GW87000, and GW97000, rated 120V, 60Hz, 50mA. Model GX32000, rated 240V 60 Hz, 20mA .
* Alternate ozone generator: - Recognized component, manufactured by Del Ozone model number APG-U-06, rated 120V, 40-70mA, 60 Hz.

Note: The alternate Controller Model IMC-266 under item 6 is only used with Listed Heater Model GPH001 under item 2 above.

SD 16.3.10b (8/23/04)

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REV JACUZZI006691

APEN 1547

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 20A

Added 04/23/13

10. *Bath light:- Recognized component, manufactured by O Ryan, model Hydrostar 1500, rated 120V, 0.5A, 60 Hz
11. * Junction Box with two Receptacles inside Junction box – Listed junction box with two listed receptacles inside each rated 120v, 20A, 60

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SD 16.3.10b (8/23/04)

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REV JACUZZI006692

APEN 1548

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12. Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

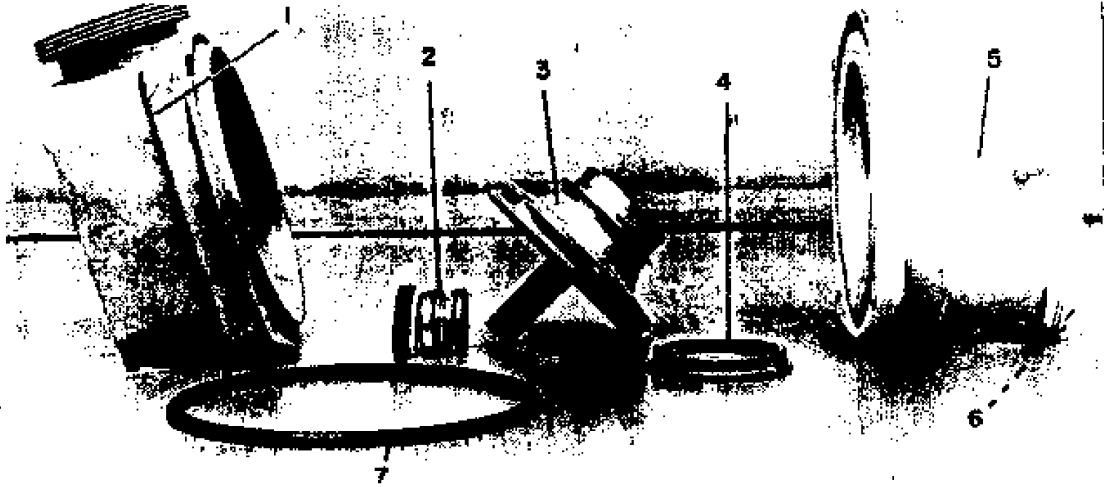
Page 21

Issued: 07/15/05
Revised: 02/27/07

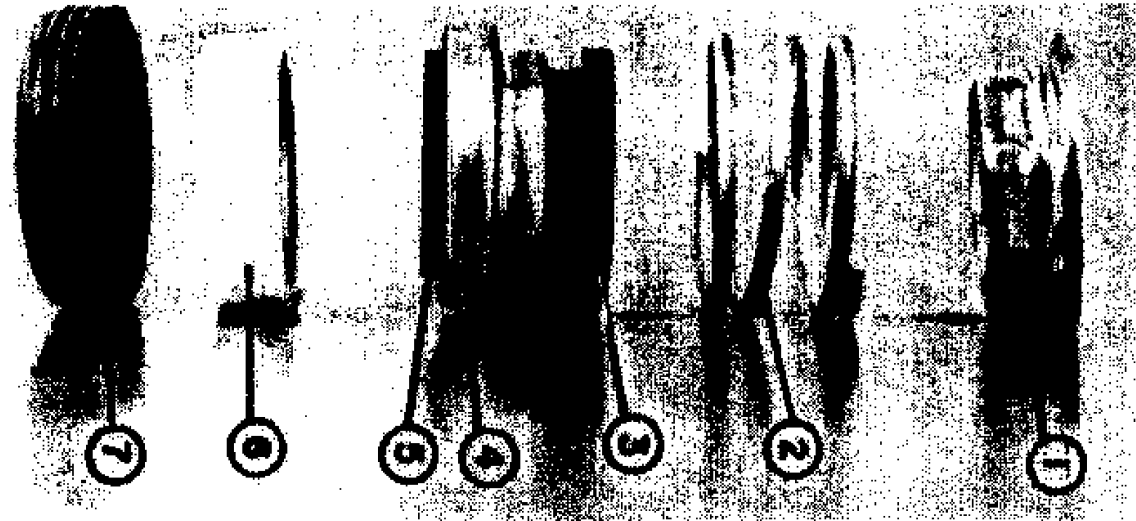
Combination Baths

PHOTO NO. 3

Exploded View of Pump



Exploded View Mechanical Seal



SD 16.3.10b (8/23/04)

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REV JACUZZI006693

APEN 1549

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22

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Revised: 07/24/10

Combination Baths

PHOTO NO. 3

General - Photo No. 3 shows an exploded view of the pump assembly and exploded view of the mechanical seal.

Item

1. Case/Bracket – Polymeric, at least 1/8 in. thick and approximately 7-1/4 in. high by 6-1/4 in. wide by 3-1/4 in. deep, secured by four through bolts.
2. Mechanical Seal – Constructed of the following:
 - a) Collar – (Stainless steel, 1-9/32 in. OD, 31/32 in. ID, 3/8 in. high.)
 - b) Spring – (Stainless steel, 7/16 in. high, 1-1/4 in. wide, 1 in. ID)
 - c) Bushing – (Buna-N, 5/8 in. ID, 7/8 in. OD, 3/16 in. high.)
 - d) Collar – (Stainless steel, 1-1/4 in. OD, 1-1/32 in. ID, 7/16 in. high.)
 - e) Bushing – (Carbon, 1 1/16 in. ID, 1-1/4 in. OD, 9/32 in. high.)
 - f) Bushing – (Ceramic, 5/16 in. wide, 11/16 in. ID, 1-1/8 in. OD)
 - g) Seal Cap – (Buna-N, 9/32 in. high, 1-1/4 in. OD, 7/8 in. ID)

3. Impeller and Wear Ring – Polymeric, pressed on stainless steel wear ring.

No.	HP	Intake	Port Width (Discharge)	Trim Diameter	
		Opening (approx. in.)	(approximate in.) Minimum	(approximate) Maximum	In.
1	1/4	1.80	0.175	0.185	3.88
2	3/4	1.65	0.285	0.300	3.73
3	1.0	1.65	0.285	0.300	4.23
4	1-1/2	1.65	0.350	0.375	4.23

4. Seal Ring – Polymeric, dimensions approx. 2 in. ID, 3/8 in. wide.
5. Suction Flange – Polymeric, approximately 6 in. high by 6 in. wide by 4 in. deep, secured by four bolts.
6. Suction Fitting – Not visible. Recognized Component, Jacuzzi Whirlpool Bath, Model 6651XXX, rated 136 GPM. Secured through a 2-7/8 in. ID hole in tub with polymeric mounting nut.

Alternate Material – Harborlac 100 Grade ABS.

Alternate Suction Fitting - Recognized Component, Manufactured by Custom Molded Products, Model: 25218-0XX, 184 GPM.

7. O-Ring – Buna-N, approximately 5-1/2 in. ID, approximately 3/16 in. thick, not relied upon as an insulator of live parts.

SD 16.3.10b (8/23/04)

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APEN 1550

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Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22A

New: 10/14/05
Revised: 02/27/07

Combination Bath

PHOTO NOS. 4 & 5



SD 16.3.10b (8/23/04)

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REV JACUZZI006695

APEN 1551

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22B

Issued: 10/14/05
Revised: 11/01/12

Combination Baths

PHOTO NOS. 4 & 5

General – Photo Nos. 4 & 5 show an overall and overall end view of the Espree 6036.

1. Tub – See Table 1 for sizes. Acrylic, (fiber glass reinforced).
2. Jets – (Not Shown) See Table 1 for number, size, and type. PVC, secured in place to fitting plumbing through opening in tub. Jets sealed to tub using silicone rubber sealant.
 - a) Jet Assy. BMH – Unlisted Component, Harbor Plastics Manufacturing Co., constructed as shown in Illustration No. 3. Refer to Table 1 for specific quantities.
3. Blower – Recognized Component, CG Air Systems, model M3-300-750-120/60-N+JB01, rated 120 V, 11 A, 60 Hz, thermally protected.
Alternate – Recognized Component, CG Air Systems, model M3-300-750-120/60-N+JB01A, rated 120 V, 11 A, 60 Hz, thermally protected.
Alternate – Recognized Component, Gecko Alliance Group, Inc., Model Air.Wave, rated 120 Vac, 12.0 A, provided with an integral 600 Watt heater and not provided with integral controller.
4. Check Valve – Recognized Component, (WDUT2), G/G Industries, type 41115, (pressure range from 0-5 psi). Located in series between blower output and the tub. Second means of back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the Tub rim.
Alternate – Recognized Component, CG Air, model Mani-SD. Located in series between blower output and the tub. Second means of back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the tub rim.
5. Pump Stand – Secured to tub base by bolts. Motor stand is bolted to motor wooden plank enclosure as part of the pump, Item 8.
6. Suction Fitting – (Not shown) Recognized Component, Jacuzzi Whirlpool Bath, consisting of suction cover, Part No. 6651, followed by a 3 digit number 000-999 incl., 2 in. stainless steel countersink screw and wall fitting, Part No. 1647000 maximum flow rate 136 gpm permanently molded in plastic.
Alternate Material – Harborlac 100 Grade ABS.
Alternate Suction Fitting – Recognized Component, Manufactured by Custom Molded Products, Model: 25218-0XX, 184 GPM.
7. Distribution Box – Recognized Component, IES Controls, Part No. BA-JZB-B-DR90000, rated 120 V, 20 A, 50/60 Hz. Provided with 120 V, 15 A receptacles for the connection of blower and pump motors, 120 V, 20 A male plug for main power connection, fuseholder, and Bussman fuse type MDA, time delay rated 250 V, 20 A.
8. Jacuzzi Pump Assembly – Refer to Photo No. 3 for construction details.
9. Motor – Motor – Recognized Component – Motors (PRGY2) and Motor Protective Devices – Inherent Overheating Type (XEW2), Emerson, Nameplate includes: Model K37GWBLA-605, 115 V, 60 Hz, 3450 RPM, 4.8 A, INS. Class F, Ambient 40°C, thermally protected, cont. duty.
Alternate Motor – Recognized Component, Emerson Model K41GWAAA-1000, rated 115VAC, 60HZ, 4.4A, 3450RPM;
Alternate Motor – Recognized Component, Emerson Model K41GWAAP-1013, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Emerson Model K41GWAAB-1001, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAA1000PA3H, rated 115VAC, 60HZ, 4.4A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAB1001PA3H, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAP1013PA3H, rated 115VAC, 60HZ, 7.0A, 3450RPM;
10. Ozone generator – Recognized component, manufactured by Prozone, Model # Pz6-13EC, rated 120V, 60 Hz, 0.28A. See illustration 4.
Alternate – Recognized component. Manufactured by Del Ozone. Model# CDS-16DR or CDS-16JWB, rated 120V, 60 Hz, 90mA. 11 Watts.
Alternate – Recognized component. Manufactured by Del Ozone, Models GW87000, and GW97000, rated 120V, 60Hz, 50mA. Model GX32000, rated 240V 60 Hz, 20mA.

SD 16.3.10b (8/23/04)

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REV JACUZZI006696

APEN 1552

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22C

New: 01/10/06
Revised: 02/27/07

Combination Bath

PHOTO NOS. 6 & 7



SD 16.3.10b (8/23/04)

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JACUZZI006597

REV JACUZZI006697

APEN 1553

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22D

New: 01/10/06
Revised: 02/27/07

Combination Bath

PHOTO NO. 8



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SD 16.3.10b (8/23/04)

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REV JACUZZI006698

APEN 1554

003806

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22E

New: 01/10/06
Revised: 07/24/10

Combination Baths

PHOTO NOS. 6 – 8

General – Photo Nos. 6 – 8 show overall views and an internal view of Affinity model R360.

Item

1. Tub – Acrylic fiberglass reinforced, five sided tub, overall 67 by 67 by 34 by 34 by 48 by 20 in. high. Provided with a false bottom. Provided with fifty-seven 0.12 in. (3.0 mm) holes along the inside bottom edge of tub for air input. One drain, 2 in. diameter provided in bottom of tub. Near top of center tub wall, provided with one 9 by 7 in. hole for Plexiglass Window (Item 2) covering television screen and one 0.35 in. (9.0 mm) hole for Television Infra-Red (IR) Window (Item 3). One hole for Shroud (Fig. 2, Item 1) hexagon-shaped: two sides 10-1/2, two sides 13-1/2, one side 5-3/4, one side 16 in. Provided with 1/3 in. thick foam adhesive backed gasket to provide seal for Outer Shroud.
2. Television Viewing Window – Recognized Component (QMFZ2), Chi Mei Corp., Type PA-765A, min. 0.12 in. (3.0 mm) thick. Overall dimensions, 9-1/2 by 11-3/4 in. Secured by 6 screws into plywood attached in resin to fiberglass.
3. Television IR Window – Acrylic, overall 0.35 in. (9 mm) diameter. Secured in IR hole in Tub by clear acrylic cement. Silicone sealant used to seal IR hole.
4. Suction Fitting – (Not Shown) Unlisted Component, Jacuzzi Whirlpool bath, Part No. 6651000, rated 136 GPM, center of Suction Fitting is 4-1/2 in. from the tub bottom. Secured to shell with screws to prevent removal without the use of tools.
Alternate Suction Fitting - Recognized Component, Manufactured by Custom Molded Products, Model: 25218-0XX, 184 GPM.
5. Jets – Eleven jeture jets provided. Four jets 1 in. ID secured to tub shell by two screws. Four jets 1 1/16 in. ID, secured to tub shell by two screws. Two jets 5/8 in. ID, secured by threaded fit in tub shell. One jet 1-1/4 in., secured by threaded fit in tub shell.
6. Tub Side Controls – Two provided. One, non-electrical, provided with controls for controlling the amount of air to 3 jets. One electrical, provided with controls for the pump, blower, and air injection and DC motors (valves, manifold).
7. Bath Light – Two provided. Recognized Component (WBDT2), O’Ryan Industries, Model U2001L, rated 12 V. Lens secured to tub shell with permanent adhesive sealant.
8. Shroud – Plastic, manufactured by Aristech, Type Altair I-300, min. thickness 0.13 in. overall 24-1/2 by 10-1/2 by 10-1/2 in. Secured to tub by 3 screws. Three vent openings 2-1/4 by 0.12 in. on either side of opening. Four vent openings 2-1/4 in. by 0.12 in. on back of Shroud.
9. Vent Baffles – Three provided, plastic, 3-1/2 by 2-1/4 by 1 in., min. thickness 0.06 in. Secured to inside of Shroud over vents to route water away from the Shroud Compartment. Secured to Shroud by adhesive.
10. Gasket – Frost King-Thermwell Products, P/N V27W, EPDM Cellular Rubber with Self Stick Tape measuring 5/8” wide x 5/16” thick, used to form a water tight seal around the edge of the television mask.
11. Television Fan – Recognized Component (GPWV2) Sunon, Part No. KDE1206PTS1, rated 12 V, 2.2 W, 0.19 A (airflow is 21.7 cfm). Secured by four screws to the Inner Shroud.
12. Television Drip Shield – Recognized Component (QMFZ2), Chi Mei, Type PA-765A, min. thickness 0.12 in. (3.0 mm). Overall dimensions 10-1/2 by 12-1/4 by 13 in. Secured to Television Stand and over Television by four screws.

SD 16.3.10b (8/23/04)

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APEN 1555

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Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Whirlpool Bath

Page 22F

New: 7/15/05
Revised: 02/27/07

Combination Baths

PHOTO NOS. 6 – 8

13. Speakers – (Located in Class 2 Circuit) Four provided, made by Poly Planar Inc. (marine grade), Model MA4054, rated 4 ohms, 40 W. Two secured on each side of tub television cutout by 4 screws, fasteners, and silicone adhesive over the electrical connections. Two secured on either side of Shroud by four screws, fasteners and silicone adhesive over the electrical connections.
14. Television – (Not Shown) Listed Component (WZVQ), Audiovox Specialty Markets Co. L P, Model AVT-988, rated 12 Vac, 60 Hz, 3.5 A. Secured by fit between Plexi-Glass Window, Television Drip Shield, and Television Stand. The television power supply cord is protected by Recognized Component (YDRQ2), Heyco Products, Model 8449. The tubing runs from the Television Junction Box to approximately 1/2 in. above the Television Stand.
15. Television Mask – Plastic, min. thickness 0.04 in. overall 9 by 8 in. with 1-1/2 by 3/4 in. cut out for Television IR Window. Internal dimensions 6-3/4 by 5-3/4 in. Secured to front of Television by double sided foam adhesive.
16. Television Stand – Metal, min. 0.054 in. (1.37 mm) thick. Overall approximately 13-1/2 X 13 in. Secured to tub shell by six screws and two standoffs 1-1/4 in. long.
17. Television Fan, Regulating Thermostat – Recognized Component (XAPX2) Nippon GT Corp., Model 54N31T445-090 (rated off 25 ± 3° C, on 35 ± 3° C). Secured with mounting bracket under Television Fan.
18. Blower Controller – Recognized Component, Gecko, Model DPFLD2-120B-BA-LQ-SWL-IR-JZ2, input rated 120 V, 15 A, 60 Hz; output rated 120 V, 8 A, 60 Hz; light output rated 12 VAC, 1.2 A. Supplies power to two power supplies, blower and motor/pump control panel, blower, and IR Sensor. It is connected to blower controller via data link.
19. Blower, Anti-Siphon Protection – Provided with a check valve, Recognized Component (WDUT2), King Brothers Ind. Inc., Model 2 in. Also complete loop of tubing on blower output where the top of the loop is above the water level.
20. Blower – Recognized Component (WAGN2) IES, Model Max Air (Model 1-2510120F), using motor model UDS501CNDAA, by Panasonic, rated 120 V, 60 Hz, 7 A, 1.0 Hp, 65°C. Secured by 4 bolts to metal stand.
21. Heater – Recognized Component (NCHX2) Rapid Heat, Model CEC3570-6002BU3, rated 120 V, 12.0 A, 1500 W. The attachment plug has been removed for field wiring. Secured to plumbing by two plastic nuts.
Alternate Heater – Listed component, Manufactured by Global Power, Model GPH002 & GPH003, rated: 120V, 12.5A.
22. Motor/Pump Controller – Recognized Component, Gecko, model MBH-1, input rated 120 V, 20 A, 60 Hz; output rated 120 V, 16 A, 60 Hz.
23. Pump – Recognized Component, Emerson, Model C55CXJL-4505, rated 115 V, 60 Hz, 16.0 A, 3450 RPM, Insulation Class B, thermally protected. Secured by 4 bolts and paint breaking star washers to metal stand.
24. Heater Junction Box – (Not Shown) Listed Component, overall 4 by 4 by 2 in. Provided with Listed conduit bushing to secure flexible cord from heater. Heater and field wiring conductors electrically connected using Listed wire nuts. Secured to suction pipe by two pipe clamps.

SD 16.3.10b (8/23/04)

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REV JACUZZI006700

APEN 1556

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22G

New: 01/10/06
Revised: 03/29/07

Combination Baths

PHOTO NOS. 6 – 8

25. Television Junction Box – (Not Shown) Listed Component, overall 4 by 4-1/2 by 1-3/4. Provided with two Listed conduit bushings to secure flexible cords. Secured to Tub shell by two screws.
25. Stereo – (Not Shown, Located in Class 2 circuitry) Pioneer Stereo, Model DEH-P3600, AM/FM CD Player, 14.4 VDC input, 4 channels at 50 W per channel. The stereo is provided with wiring so that it can be mounted a minimum of 5 ft. from the tub shell.
26. Power Supply – (Two provided) Listed Component, APX Technologies Inc., Model SP60912Z or SP9912, rated 100 – 240 V, 47 – 63 Hz, 1.6 A input; 60 W max, 12 V, 60 Hz, 5.0 A output (Class 2 output). Provides power to the stereo. Secured to the tub shell using screws to wood block embedded in the fiberglass.
27. Ozone generator – Recognized component, manufactured by Prozone, Model # Pz6-13EC, rated 120V, 60 Hz, 0.28A. See illustration 4.

Alternate – Recognized component. Manufactured by Del Ozone. Model# CDS-16DR or CDS-16JWB, rated 120V, 60 Hz, 0.09 mA. 11 Watts.

SD 16.3.10b (8/23/04)

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JACUZZI006601

REV JACUZZI006701

APEN 1557

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22H

New: 04/05/06
Revised: 02/27/07

Combination Bath

PHOTO NOS. 9 & 10



SD 16.3.10b (8/23/04)

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JACUZZI006602

REV JACUZZI006702

APEN 1558

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath
Combination Bath

Page 22I

New: 04/05/06
Revised: 11/01/12
PHOTO NOS. 9 & 10

General – Photo Nos. 9 & 10 show an overall and component assembly view of Mito 6 Model DZ95 Bathtub.

1. Tub – See Table 1 for sizes. Acrylic, (fiber glass reinforced).
2. Jets – See Table 1 for number, size, and type. PVC secured in place to fitting plumbing through opening in tub. Jets sealed to tub using silicone rubber sealant.
3. Controller – Recognized Component, Gecko Electronics Inc., Model AS120P-BP-WR-XXX, rated 120 V, 60 Hz, 15 A. Used in conjunction with Saniflo Blower Model 1201-06. Controller provides power to Blower, item 6. Also provided with a tubside control (employs two independent layers of insulation). Tubside control is located on the side of the tub wall so that the top of the control is no more than 2-1/2 in. below tub rim. The tubside control is mounted on the tub with silicone sealant around a 2-1/2 in. diameter opening.
4. Tub side control – (Not Shown) Tub side control is provided as part of the controller, item 3. The construction of the control has been investigated for two independent levels of insulation (plastic enclosure and dielectric gel).
5. Blower – Recognized Component, Saniflo Inc., Model 1201-6, rated 120 V, 60 Hz, 12 A. Used in conjunction with Gecko controller Model AS120P-BP-WR-XXX.
Alternate – Recognized Component, Gecko Alliance Group, Inc., Model Air.Wave, rated 120 Vac, 12.0 A, provided with an integral 600 Watt heater and not provided with integral controller.
6. Check Valve – (Not Shown) Recognized Component, G/G Industries, type 41118, (pressure range from 0-5 psi). Located in series between blower output and the tub. Second means of back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the rim.
Alternate Check Valve – (Not Shown) Recognized Component, G/G Industries, type 41115, (pressure range from 0-5 psi). Located in series between blower output and tub. Second back flow protection provided by an inverted “U” in plumbing. The tip of the inverted “U” shall reach above water level and is located beneath the Tub rim.
7. Suction Fitting – Recognized Component, Jacuzzi Whirlpool Bath, consisting of suction cover, Part No. 6651, followed by a 3 digit number 000-999 incl., 2 in. stainless steel countersink screw and wall fitting, Part No. 1647000 maximum flow rate 136 gpm permanently molded in plastic.
Alternate Suction Fitting - Recognized Component, Manufactured by Custom Molded Products, Model: 25218-0XX, 184 GPM.
8. Distribution Box – Recognized Component, IES Controls, Part No. BA-JZB-B-DR90000, rated 120 V, 20 A, 50/60 Hz. Provided with 120 V, 15 A receptacles for the connection of blower and pump motors, 120 V, 20 A male plug for main power connection, fuseholder, and Bussman fuse type MDA, time delay rated 250 V, 20 A.
9. Jacuzzi Pump Assembly – Refer to Photo No. 3 for construction details.
10. Motor – Recognized Component – Motors (PRGY2) and Motor Protective Devices – Inherent Overheating Type (XEWR2), Emerson, Nameplate includes: Model K37GWBL-607, 115 V, 60 Hz, 3450 RPM, 7.0 A, Ins. Class F, Ambient 40°C, thermally protected, cont. duty.
Alternate Motor – Recognized Component, Emerson Model K41GWAAA-1000, rated 115VAC, 60HZ, 4.4A, 3450RPM;
Alternate Motor – Recognized Component, Emerson Model K41GWAAP-1013, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Emerson Model K41GWAAB-1001, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAA1000PA3H, rated 115VAC, 60HZ, 4.4A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAB1001PA3H, rated 115VAC, 60HZ, 7.0A, 3450RPM;
Alternate Motor – Recognized Component, Nidec Motor Corp., Part No. K041AAP1013PA3H, rated 115VAC, 60HZ, 7.0A, 3450RPM;

SD 16.3.10b (8/23/04)

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JACUZZI006603

REV JACUZZI006703

APEN 1559

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 22J

Added: 11/01/12

11. Electronic Control – Recognized Component, IES Controls, model P-16-P, rated 120 VAC, 15 A, 60 Hz. Intended to turn the motor on or off and vary the speed.
12. Ozone generator – Recognized component, manufactured by Prozone, Model # Pz6-13EC, rated 120V, 60 Hz, 0.28A. See illustration 4.
Alternate – Recognized component. Manufactured by Del Ozone. Model# CDS-16DR or CDS-16JWB, rated 120V, 60 Hz, 0.09 mA. 11 Watts.

003812

003812

SD 16.3.10b (8/23/04)

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JACUZZI006604

REV JACUZZI006704

APEN 1560

003812

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

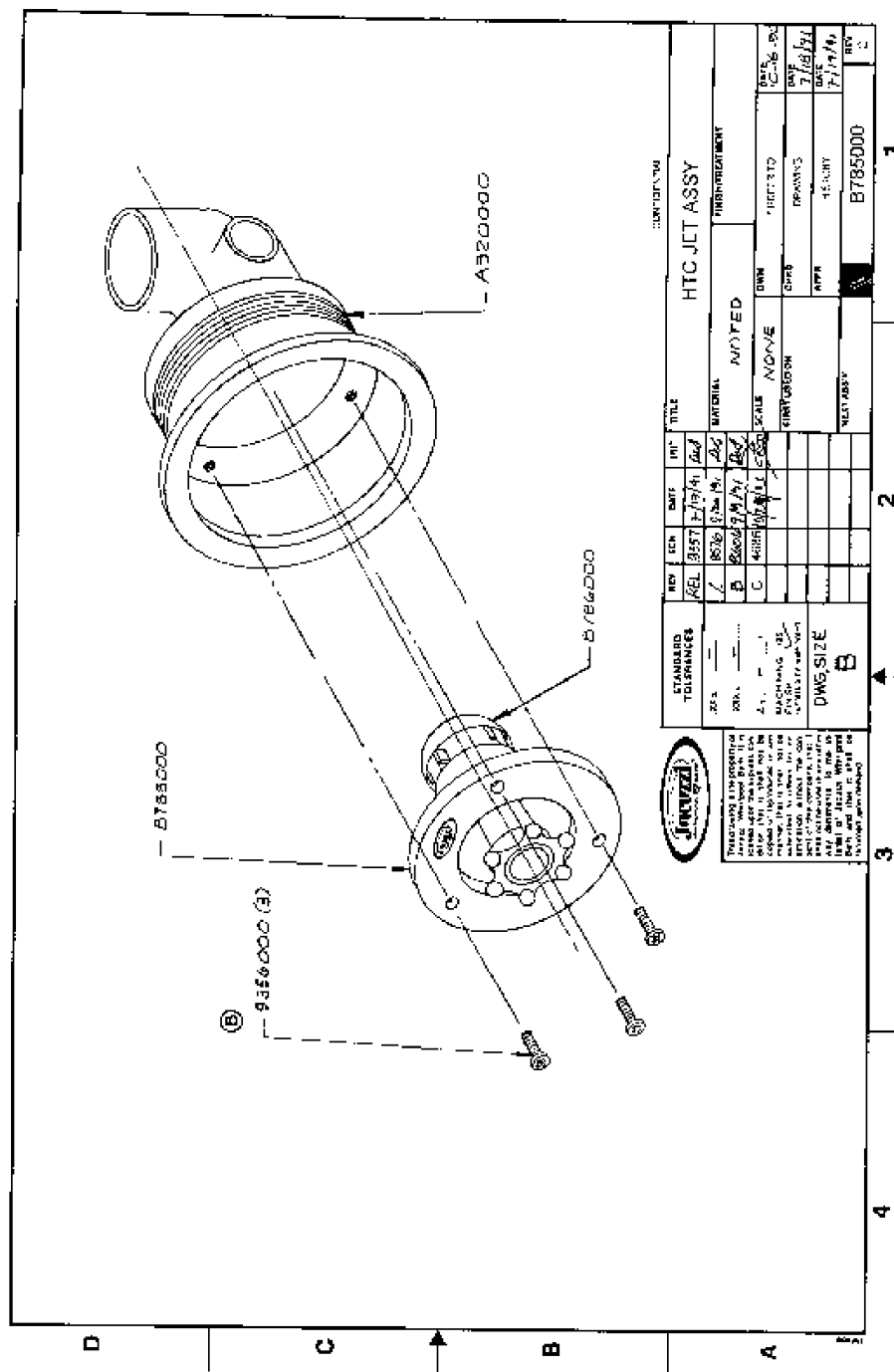
Page 23

Issued: 07/15/05
Revised: 02/27/07

Jet Assy, HTC

ILLUSTRATION NO. 1

HTC jets with orifice size maximum 1.25 in. ID. All jets secured through tub by jet body and polymeric mounting nut.



SD 16.3.10b (8/23/04)

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JACUZZI006605

REV JACUZZI006705

APEN 1561

003813

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 24

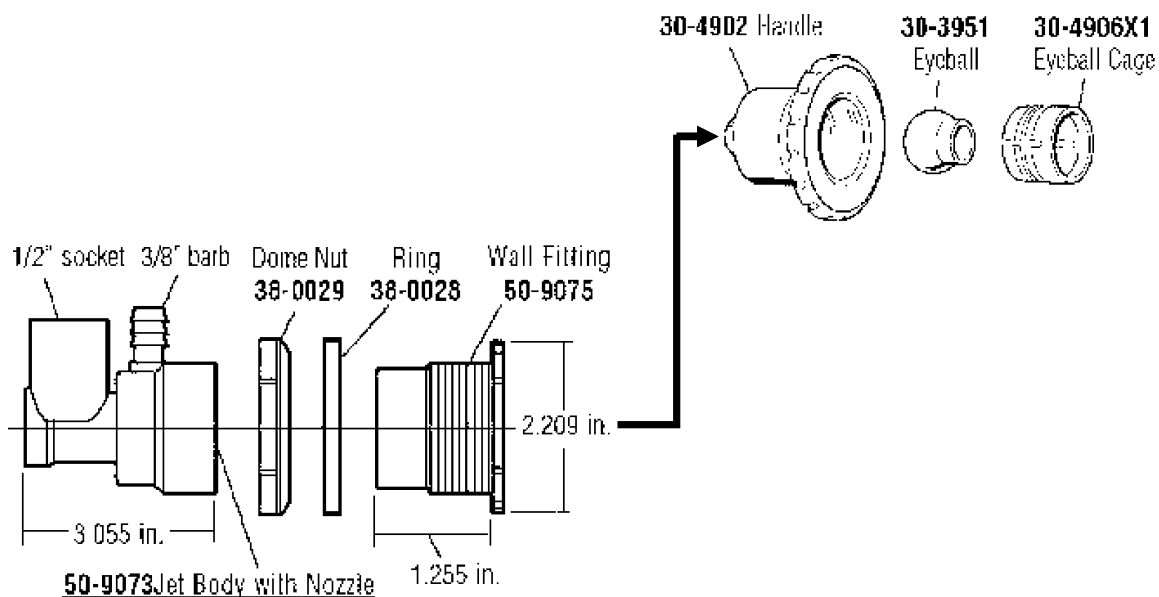
Issued: 07/15/05
Revised: 02/27/07

Jet Assy, HydroAir

ILLUSTRATION NO. 2

HydroAir jets with orifice size maximum 5/16 in. ID. All jets secured through tub by jet body and polymeric mounting nut.

Super Micro Magna Flow Assembly by HydroAir Industries



10-9073LT - 1/2" socket x 3/8" barb

Jet Assembly (less Therapy option) includes:
Jet Body, Nozzle, Ring, Nut and Wall Fitting

SD 16.3.10b (8/23/04)

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JACUZZI006606

REV JACUZZI006706

APEN 1562

003815

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 24B

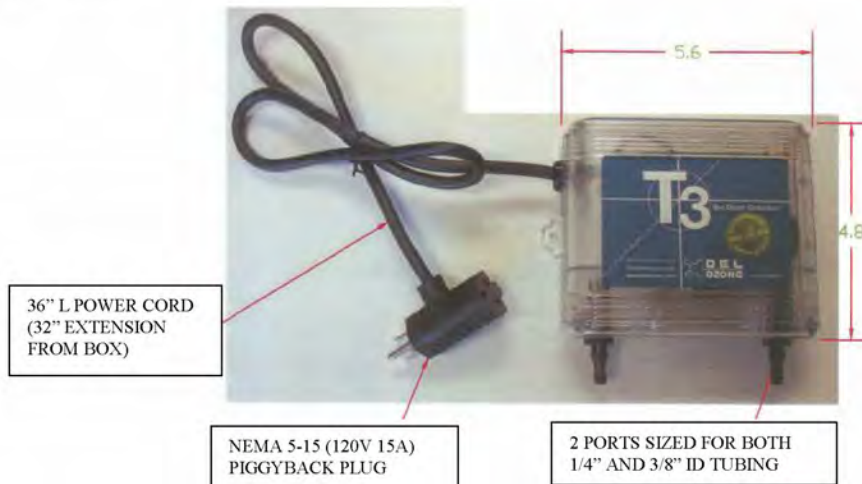
New: 03/07/07

Revised: 06/30/09
ILLUSTRATION NO. 4

Ozone generator



Model GW87000



SD 16.3.10b (8/23/04)

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JACUZZI006608

REV JACUZZI006708

APEN 1564

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

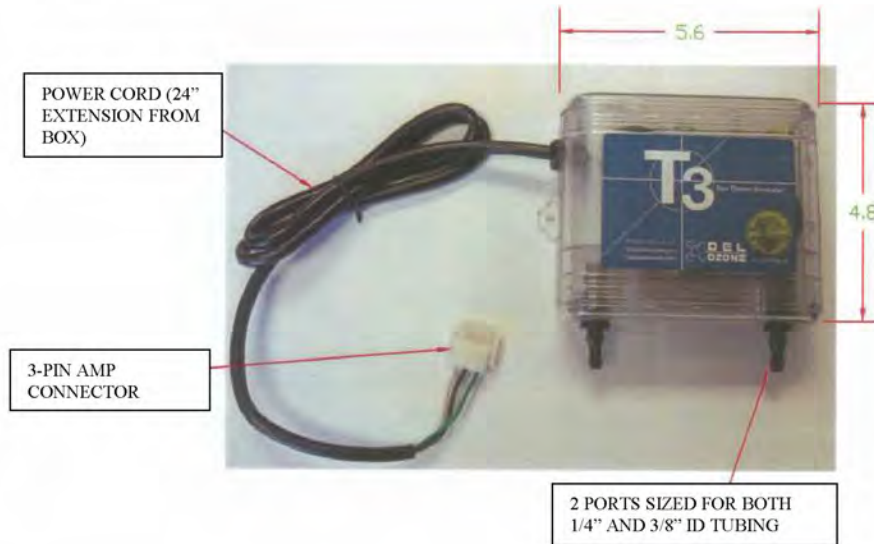
Page 24BB

New: 06/30/09

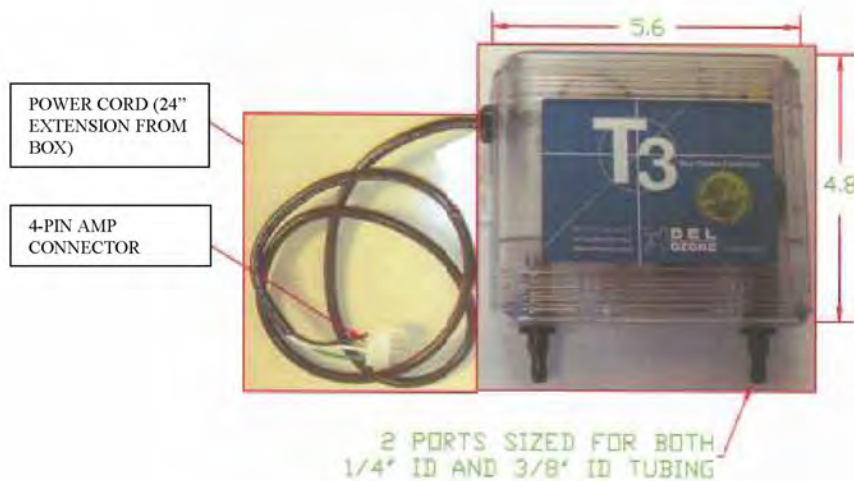
Ozone generator

ILLUSTRATION NO. 4 continued

Model GW97000



Model GX32000



SD 16.3.10b (8/23/04)

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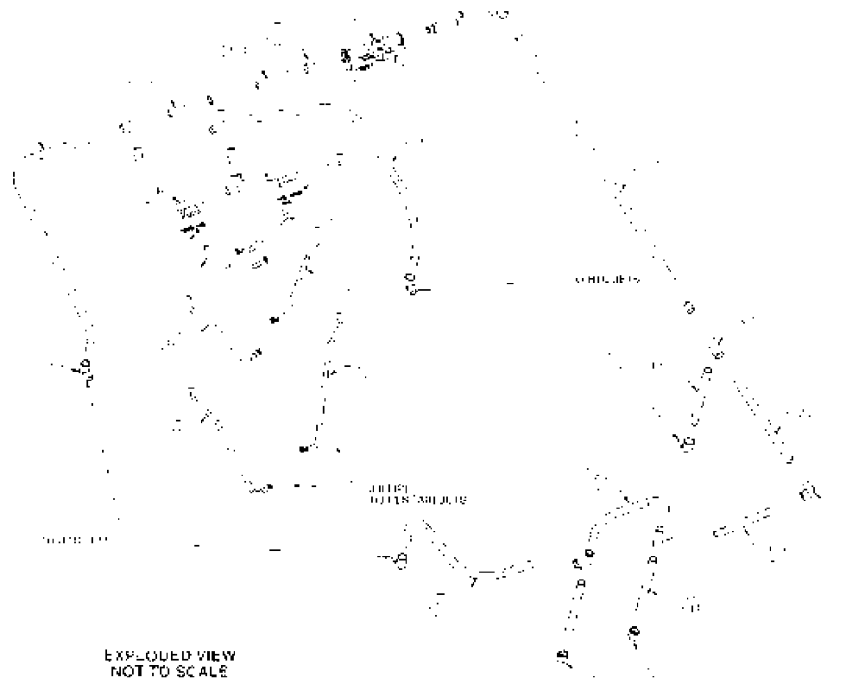
JACUZZI006609

REV JACUZZI006709

APEN 1565

Ozone generator

ILLUSTRATION NO. 4 continued

EXPLODED VIEW
NOT TO SCALE

ITEM NO.	PART NO.	DESCRIPTION	QTY.
1	M474000	VALVE, 1/2" NPT, 1/2" NPT, 1/2" NPT	1
2	BF52000	MANIFOLD, 1/2" NPT, 1/2" NPT	1
3	BP62000	PIPE, 1/2" NPT, 1/2" NPT	2
4	C279000	ADAPTER, 1/2" NPT, 1/2" NPT	1
5	0450000	TEE, 1/2" NPT, 1/2" NPT	1
6	0450000	TEE, 1/2" NPT, 1/2" NPT	1
7	7164000	ELBOW, 1/2" NPT, 1/2" NPT	1
8	A044000	PIPE, 1/2" NPT, 1/2" NPT	1
9	0618000	PIPE, 1/2" NPT, 1/2" NPT	2
10	0618000	PIPE, 1/2" NPT, 1/2" NPT	2
11	0618000	PIPE, 1/2" NPT, 1/2" NPT	2
12	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
13	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
14	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
15	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
16	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
17	7069000	PIPE, 1/2" NPT, 1/2" NPT	1
18	0618000	PIPE, 1/2" NPT, 1/2" NPT	2
19	0648000	PIPE, 1/2" NPT, 1/2" NPT	1
20	0648000	PIPE, 1/2" NPT, 1/2" NPT	1
21	0648000	PIPE, 1/2" NPT, 1/2" NPT	1

TO BMM 1026

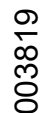
SD 16.3.10b (8/23/04)

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JACUZZI006610

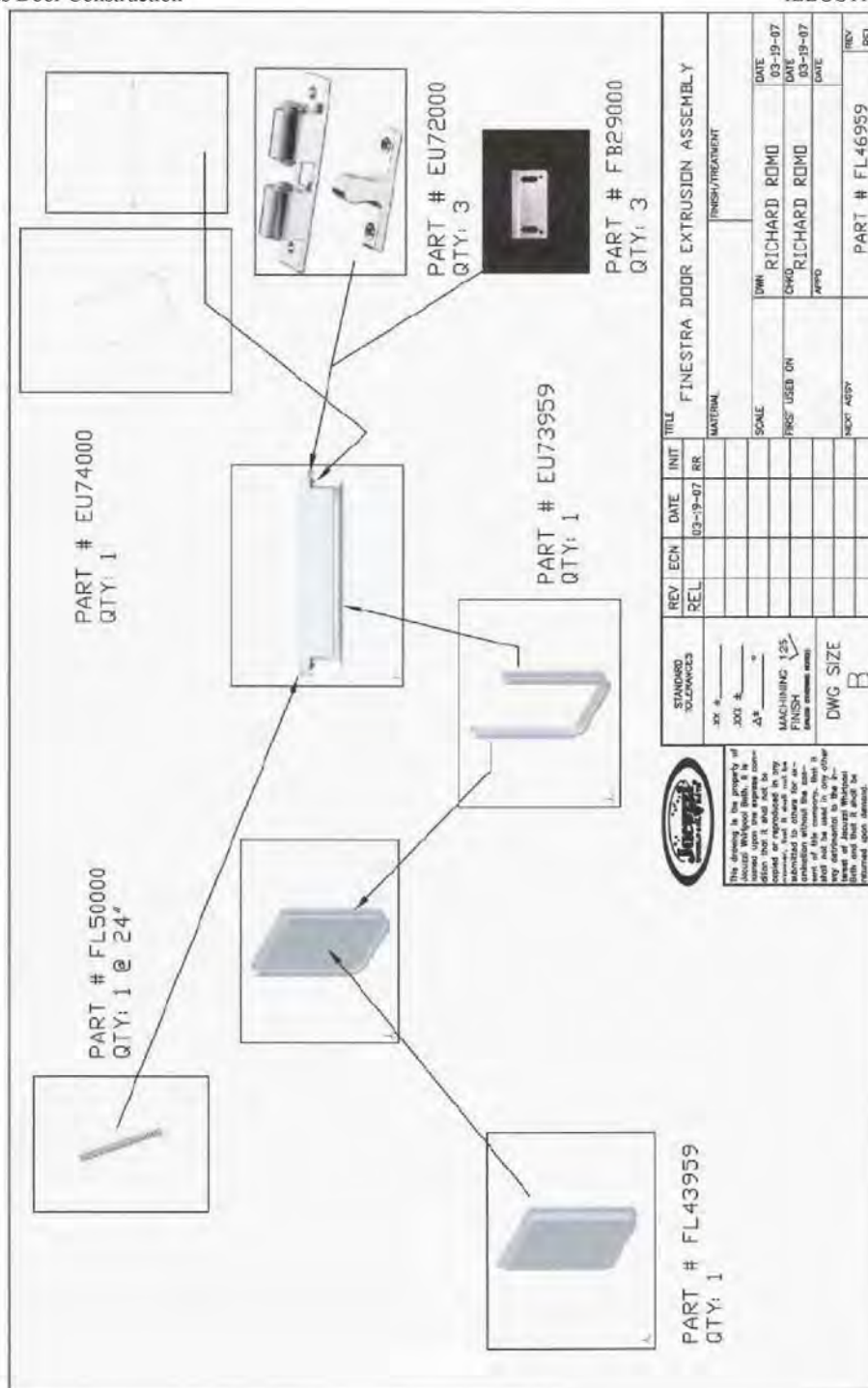
REV JACUZZI006710

APEN 1566



Finestra Series Door Construction

ILLUSTRATION NO. 6



SD 16.3.10b (8/23/04)

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JACUZZI006612

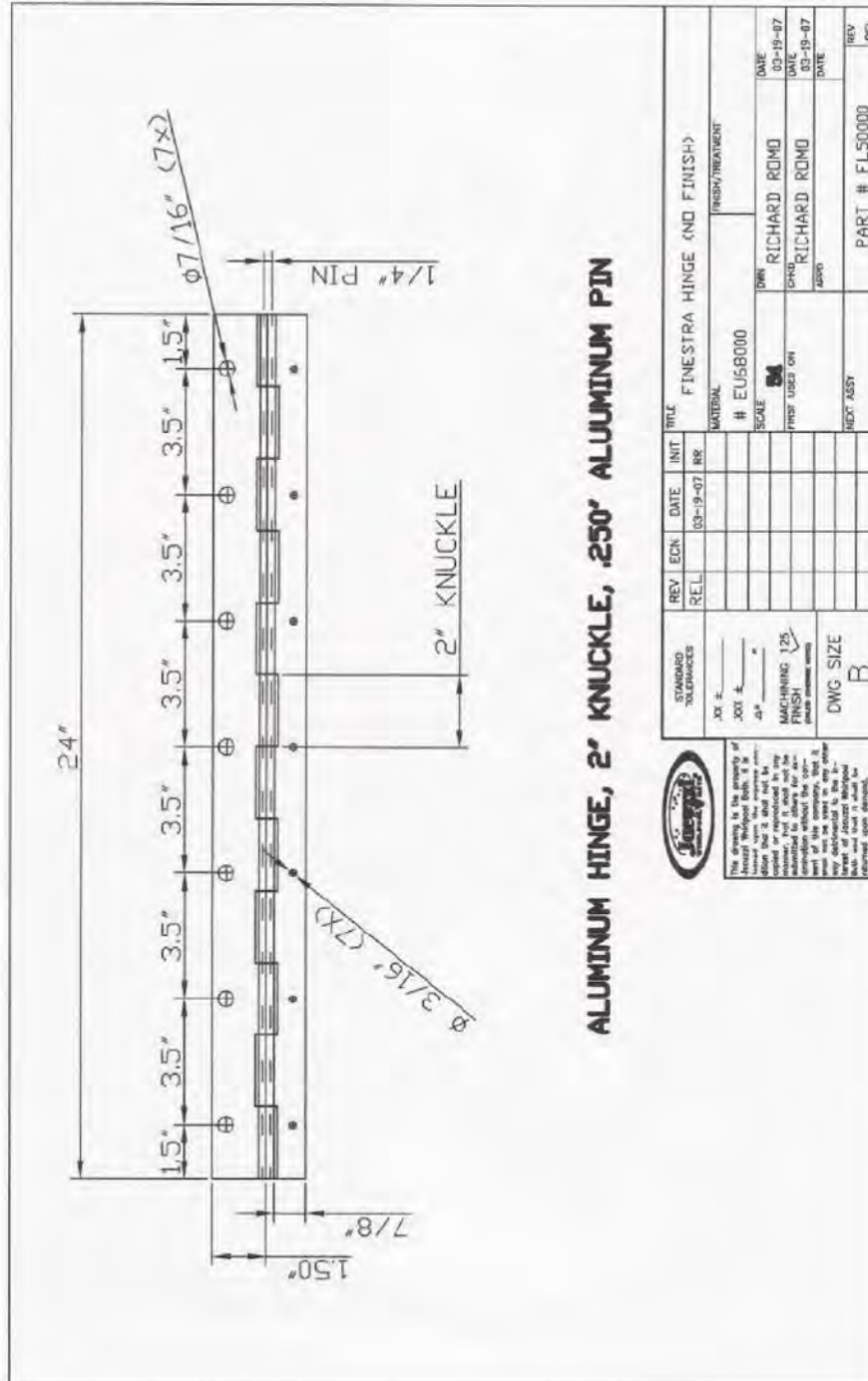
REV JACUZZI006712

APEN 1568

003820

003821

003822



SD 16.3.10b (8/23/04)

003822

Intertek Testing Services NA Inc.

Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 25

Issued: 07/15/05
Revised: 01/14/2013

Combination Baths

Evaluation of Unlisted Components

Because unlisted components are uncontrolled, and they do not fall under a third party follow up program, Intertek may require these components to be tested and/or evaluated at least once annually, more often for certain components, as part of the independent certification process. The unlisted components in the table below require testing and/or evaluation as indicated.

Note to Intertek Follow Up Inspector: The Component Evaluation Center, CEC, will notify you in writing when these components must be selected and sent to the CEC for re-evaluation

Ship the samples to: Intertek Testing Services NA Inc.
ETL Component Evaluation Center
45000 Helm Street, Suite 150
Plymouth Twp., MI 48170 USA
Attn: Component Evaluation Center

Sample Disposition: Due to the destructive nature of the testing, all samples will be discarded at the conclusion of testing unless, the manufacturer specifically requests the return of the samples. The request for return **must** accompany the initial component shipment.

The Unlisted Components covered by this report are shown in the following Table:

003823

003823

SD 16.3.10b (8/23/04)

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JACUZZI006615

REV JACUZZI006715

APEN 1571

003823

Intertek Testing Services NA Inc.

*Report No. 3076105LAX-001
Jacuzzi Luxury Bath

Page 26

Issued: 07/15/05
Revised: 02/27/07

Photo No.	Item No.	Component Description	Manufacturer	Catalog No.	Frequency*	Qty**	Send to CEC (YES or NO)	Required Action***
1	2a)	Jet Assy, HTC	Harbor Plastics Manufacturing Co.	Jet Assy, HTC	Quarterly	1	N	Visual; Refer to Illustration No. 1
1	2b)	Jet Assy, HydroAir	HydroAir	Jet Assy, HydroAir	Quarterly	1	N	Visual; Refer to Illustration No. 2
4 & 5	2a)	Jet Assy, BMH	Harbor Plastics Manufacturing Co.	Jet Assy, BMH	Quarterly	1	N	Visual; Refer to Illustration No. 3
6 - 8	4	Suction Fitting	Jacuzzi Whirlpool bath	6651000	Quarterly	---	N	Same as suction fitting sent and evaluated in Listing Report No. *3076142LAX-001.

* Quarterly, semi-annual, annual.

** note: Indicate any samples not available and provide the anticipated date that the component will be available.

*** Required Action (select one of the three):

- Visual
- Partial
- Full Evaluation

Note:

Visual means the quarterly verification of the description of the unlsted component in the report is sufficient for Certification.

From: Torres, Ray </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=RTORRES>
To: Martinez, Audrey; Bachmeyer, Kurt
Sent: 6/24/2013 6:55:59 PM
Subject: RE: Service issues on 5230/5229

no worries, I have the pan in the lab and it is less aggressive than the tub side by side you can see it. ill spend the 3k but how we going to get this money back?also, one is a dwo issue not jacuzzi, the second is an old person who got stuck, no slip involved. ?

Raymond Torres

Sr. Director of Engineering – Jacuzzi Luxury Bath

www.jacuzzi.com
 14525 Monte Vista Avenue / Chino, CA 91710
 909.247.2158 (o) 909.217.4799 (c) 909.643.2829 (f)

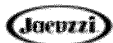
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From: Martinez, Audrey
Sent: Monday, June 24, 2013 3:48 PM
To: Torres, Ray
Subject: RE: Service issues on 5230/5229

I'm guessing it's Anthony who is raising the slip issue. He's got lawyers for lawyers. I think we'd better drop the \$3k and add to the certification.

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: Torres, Ray
Sent: Monday, June 24, 2013 3:43 PM
To: Bachmeyer, Kurt; Martinez, Audrey
Subject: RE: Service issues on 5230/5229

yep, im here, one item is dwo, one person got stuck to weak to keep himself out of the well, and one slipped.

Raymond Torres

Sr. Director of Engineering – Jacuzzi Luxury Bath

www.jacuzzi.com

JACUZZI006617

REV JACUZZI006717

APEN 1573

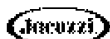
14525 Monte Vista Avenue / Chino, CA 91710
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From: Bachmeyer, Kurt
Sent: Monday, June 24, 2013 2:19 PM
To: Torres, Ray; Martinez, Audrey
Subject: FW: Service issues on 5230/5229

Are you both in this week? I've been tasked by Bill D to get this group together and discuss steps to resolve so we don't see these issues continually coming up. Let me know – thank you.

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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003826

From: Reyes, Regina
Sent: Friday, June 21, 2013 2:21 PM
To: Bachmeyer, Kurt
Subject: Service issues on 5230/5229

003826

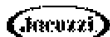
Kurt, here are the tubs we talked about:

BDD3W3 5230 mfg 10/15/12; customer I Stoldt; installed 9/18/12 installer Keith Cottett – customer reported that unit would not drain; she got stuck in tub and had to crawl out of door; installer addressing to find out why tub would not drain.

BDF78X 5229 mfg 4/17/13; customer D Greenwell; installed 4/17/13 installer American Home Design – customer reported tub didn't work during conversation he mentioned he slipped in tub, got stuck in footwell had to call fire dept to get out. Field tech later found no mfg defect, customer wasn't operating the tub properly.

BDD537 mfg 10/29/12; customer C Lashinsky; installed 12/29/12 installer Anthony Home improvement – customer called to request we replace her door under warranty. Partner slipped in tub, they had to remove the door to get her out.

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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JACUZZI006618

REV JACUZZI006718

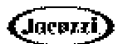
APEN 1574

003826

From: Rojas, Miguel </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=MROJAS>
To: Davis, Megan; Martinez, Audrey; Borden, Kristine; Reyes, Teresa; Swanson, Stephanie; Reyes, Regina; Nuanes, Deborah
Sent: 6/1/2015 1:17:00 PM
Subject: RE: Kahuna Grip Non Slip Mats

To clean it you have to use a non-oil base product like Ajax or Comet. Spread the cleaner over the liner and use a soft bristle brush or sponge and water.

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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From: Davis, Megan
Sent: Monday, June 01, 2015 10:05 AM
To: Martinez, Audrey; Borden, Kristine; Reyes, Teresa; Swanson, Stephanie; Rojas, Miguel; Reyes, Regina; Nuanes, Deborah
Subject: RE: Kahuna Grip Non Slip Mats

Why type of cleaning products can be used on it?

From: Martinez, Audrey
Sent: Monday, June 01, 2015 9:46 AM
To: Borden, Kristine; Reyes, Teresa; Swanson, Stephanie; Rojas, Miguel; Reyes, Regina; Nuanes, Deborah; Davis, Megan
Subject: Kahuna Grip Non Slip Mats

Good morning all. Just a quick note to get everyone up to date on a new accessory available to firstSTREET. All Jacuzzi® Walk in Bathtubs and Showers exceed the voluntary American Society for Testing and Materials Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities (ASTM F462 – 79), but due to the nature of the end user, sometimes enhanced slip resistance is needed.

What:

• Adhesive textured mat. Custom die cut to fit Jacuzzi® walk in tubs and showers. Field installed by firstSTREET installer or consumer.

Features:

- Patented peel and stick anti-slip material
- Protects against slipping on a smooth and wet tub surface
- Non-abrasive
- Anti-bacterial, anti-fungal, mold resistant
- Conformable, non-residual removable adhesive (no mess)
- Same material as used by top competitive surfers around the world to provide grip under extreme competitive conditions.

Item# :

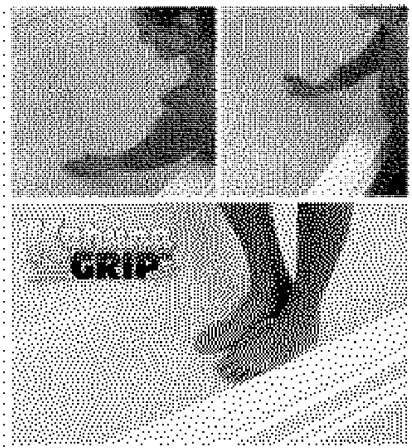
Tub seat- LX09000
Tub floor- LX07000

JACUZZI006619

REV JACUZZI006719

APEN 1575

One size fits all models of walk in tub

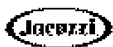


LX09000	Kahuna Grip Non Skid Mat	Seat- 8.5"x14"	Clear	\$13.00	7-31 352-69894-1
LX07000		Floor- 17.5"x14"	Clear	\$24.00	7-31 352-69893-4

A copy of the instruction sheet is attached. Please let me know if any additional information is required. 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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003828

003828

JACUZZI006620

REV JACUZZI006720

APEN 1576

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Torres, Ray
Sent: 11/13/2012 1:15:52 PM
Subject: FW: Grab Bars
Attachments: image001.jpg

I've been talking with Dave and Norm today. They want us to offer the secondary grab bar as an installed item. What would be the best way to handle- make it standard (for a cost) or as an optional add on? How much would it add to the cost?

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Tuesday, November 13, 2012 9:36 AM
To: Martinez, Audrey
Cc: 'DAVE MODENA'
Subject: RE: Grab Bars

Thanks Audrey...

To confirm, in addition to the grab bar inside the tub, you are saying that we can offer one on the top shelf next to the door opening as a factory installed option as shown below???



Norm Murdock, CAPS
 Vice President

firstSTREET
 The Seniors 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®

JACUZZI006621

REV JACUZZI006721

APEN 1577

From: Martinez, Audrey [mailto:audrey.martinez@jacuzzi.com]
Sent: Tuesday, November 13, 2012 9:56 AM
To: norm.murdock@firststreetonline.com
Cc: 'DAVE MODENA'
Subject: RE: Grab Bars

Good morning. After our last call I spoke with Ken Jenkins at Home Safety Baths. At the old company, an accessory grab bar was available and Ken and company sold quite a few of them as a field installed upgrade.

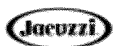
The most common place the additional bar was put was on the top horizontal deck adjacent to the door opening. This provides additional support both getting into and out of the tub.

Adding bars like Safe Guard does would require moving the faucetry and there isn't a suitable location to move it to. This may be something to consider as a future enhancement.

In addition, Ken confirmed my main concern, which is that this customer is already dealing with accepting the fact that they need help, and a tub full of grab bars may not be the best "standard" option. I suggest we continue to include one in its current location and offer additional ones as an accessory item.

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: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Monday, November 12, 2012 10:55 AM
To: Martinez, Audrey
Cc: 'DAVE MODENA'
Subject: Grab Bars

Hi Audrey-

I know we are trying to determine placement of grab bars for the new tub; our competitor in the video below has placed 3x on the tub deck – one near the door & two opposite the seat.

<http://www.safeguardtubs.com/safeguard-bathtub-feature.html>

Are any of these an option???

Thanks,

Norm Murdock, CAPS
 Vice President

*first*STREET
THE SOURCE 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[®]

JACUZZI006622

REV JACUZZI006722

APEN 1578

003831



JACUZZI006623

003831

003831

003831

APEN1579

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Reyes, Regina
Sent: 1/9/2013 1:38:57 PM
Subject: RE: Customer Plunkett apointment

Thanks Regina. We're working on some ideas for no slip mats as well.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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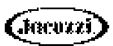
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From: Reyes, Regina
Sent: Wednesday, January 09, 2013 10:36 AM
To: Martinez, Audrey
Subject: RE: Customer Plunkett apointment

This was actually closed. This is the same issue I responded to Nick F about. The original complaint is that the tub is slippery. I originally suggested she add floor sticker mats. However when the agent went out he told her that he could add some material to the floor to make it more gritty, but she declined. I'm glad because we would not recommend this.

She has neuropathy and does not want anything hard to step on.

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: Martinez, Audrey
Sent: Wednesday, December 26, 2012 10:40 AM
To: Reyes, Regina
Subject: Fw: Customer Plunkett apointment

Help?

From: Ashley Davidson [mailto:ashley.davidson@aihremodelers.com]
Sent: Wednesday, December 26, 2012 09:43 AM
To: Martinez, Audrey
Subject: RE: Customer Plunkett apointment

When I talked to her she told me that she had an appointment with Jacuzzi to come out and she was at a Dr.

JACUZZI006624

REV JACUZZI006724

APEN 1580

apt and missed the appointment. I think it has to do with her floor in her tub, not outside. Monique is not here today she is on vacation. Do you not have her in your system?

Thank you,
Ashley Davidson
Office Manager
(303) 222-3200
Ashley.Davidson@aihremodelers.com



1460 W Canal Ct. Suite 102
Littleton, CO 80120
www.jacuzzi-walk-in-tubs.com

From: Martinez, Audrey [<mailto:audrey.martinez@jacuzzi.com>]
Sent: Wednesday, December 26, 2012 10:32 AM
To: Ashley Davidson
Cc: Monique Streng
Subject: Re: Customer Plunkett appointment

Floor repair doesn't sound like a product rated issue. Please confirm if this is a product performance or installation issue. Thanks!

Audrey Martinez

From: Ashley Davidson [<mailto:ashley.davidson@aihremodelers.com>]
Sent: Wednesday, December 26, 2012 08:33 AM
To: Martinez, Audrey
Cc: monique.streng@aihremodelers.com <monique.streng@aihremodelers.com>
Subject: Customer Plunkett appointment

Audrey,

Customer Plunkett called and let me know she needs another appointment to fix her floor. Please give her a call as soon as possible. Thanks so much! J

Plunkett, Joan & Rolland
2902 E. 5th Street
Superior, WI 54880
(715)398-3296

Thank you,
Ashley Davidson
Office Manager
(303) 222-3200
Ashley.Davidson@aihremodelers.com



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JACUZZI006625

REV JACUZZI006725

APEN 1581

From: Patricia K. Herman, Esquire <lopkhpa@gmail.com>
To: Martinez, Audrey
CC: Rowan, Bob; Gordon Fairbanks; Rick Ragle
Sent: 4/6/2015 2:46:14 PM
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey

Last Thursday, Fairbanks, Rick Eagle and another gentleman, came out and repaired the leaking faucet and hand shower and removed your product that was previously placed on the seat to prevent my Mother slipping off of the seat and into the tub. After cleaning the seat, and letting it dry for several hours, Rick then applied the material that you had sent to the seat. This was last Thursday. The tub was not used on Thursday. I have attached pictures of the faucet, hand shower and seat. I have no complaints with the work that was completed by Rick and his associate.

I must tell you that when I first saw the package that the material was shipped in, a Fed ex letter envelope, I was a little taken back. When Rick opened the package and showed me the actual product, I was extremely skeptical and worried. However, since I have repeatedly told you that I need a contoured seat, that my mother is in a wheelchair, not mobile, not weight bearing, my concern about her slipping again in your tub, and your reply was to send this product for my Mother to utilize, which would solve the problem of her slipping off of the seat of your tub, I trusted you with my Mother's safety.

On Friday morning, my Mother utilized the new product for the first time for a seated shower. Both of our anxiety levels were up because we were worried about her slipping off of the seat. When my Mother entered the dry tub and sat on the dry seat, she had no slippage. When my Mother used the shower wand, which was relocated from the left side of the tub to the right side, there was no slippage. The shower wand placement works perfectly for my Mother. The water pressure is the strongest it has ever been. Seeing no slippage issue, I left my Mother to bathe, and began to set up her music. Within a few seconds, my Mother was calling out that she was slipping. Since I was standing at the vanity at the time, I peeped my head into the bathroom, and saw my mom at the edge of the seat with her head close to the middle of the back rest portion of the seat. I immediately grabbed my Mother and tried to place her back on the seat, but she kept sliding off. I had to climb over the wall of the tub, lift my Mother off of the seat and her feet completely off of the tub floor, turn so my back was to the door of the tub, and slowly opening the door to the tub, while rotating out of the way of the door, with my Mother in my arms suspended above the tub floor, until the door was fully opened so I could then back out of the tub, turn forty five degrees and place my Mother in her wheelchair.

Once soap gets onto the product you sent, it becomes extremely slippery.

So, yesterday, Easter Sunday, my Mother was having some pain in her left leg, I helped my Mother get into the tub for hydrotherapy. Believing that soap was the issue for Friday's slippage, NOTHING was added to the tub except the water that came out of the faucet with such wonderful pressure. I turned on the chromotherapy on a pale blue. I then landed across my Mother to turn on the air and water jets. As soon as I turned on the jets, my Mother slid under my body and off of the seat. Since I was still stretched over the tub, I grabbed my Mother from the bottom of the tub and tried to place her on the seat, but the jets were too strong, and I could not turn them off because I was holding my Mother. So I, fully clothed in jeans and all, while still holding my Mother, stepped over the wall of the tub, turned off the jets, waited approximately 11 minutes for the tub to drain so I could open the tub door to exit as we had previously done on Friday.

I cannot begin to tell you the level of anxiety and stress that this has placed upon my Mother, but I did tell you on numerous occasions that this is the exact type of anxiety and stress that my Mother should never experience.

My Mother should be able to use soap in her tub.
 My Mother should be able to use water in her tub.

JACUZZI006626

REV JACUZZI006726

APEN 1582

My Mother should be able to sit in her tub without the fear and anxiety of slipping or physical injury.

I have cooperated with all of Jacuzzi's suggestions to prevent slippage since the purchase of this tub in July 2014. The original seat failed due to slippage. Your product that you had sprayed on the seat of the tub failed due to slippage and skin tears and abrasions. Your custom made adhesive for the seat failed due to slippage. All of these failures have been at the expense and detriment of my Mother's health and safety. Our home is not an extension of Jacuzzi's research and development department. There will be no experiments with my Mother.

My Mother requires a contoured seat. Please advise when you will be removing this tub and installing the tub that was contracted and paid in full in July 2014. Time is of the essence as I have repeatedly informed you that this issue has and continues to delay the construction in my Mother's bathroom since July 2014.

Thank you.

~ Tricia ~

Sent from my iPad

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JACUZZI006627

REV JACUZZI006727

APEN 1583

003835

003836

003836





On Mar 17, 2015, at 11:31 AM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

The mat is the most slip resistant, nonabrasive material that we have found that works on our products.

We do not offer any kind of molded seat insert but I have seen things at trade shows like these:

JACUZZI006629

REV JACUZZI006729

APEN 1585

http://www.pattersonmedical.com/app.aspx?cmd=get_subsections&id=57694

Maybe something like this is what you're looking for? These could be used on top of the mat I'm sending.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

www.jacuzzi.com

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From: Patricia K. Herman, Esquire [<mailto:lopkhpa@gmail.com>]

Sent: Monday, March 16, 2015 7:12 PM

To: Martinez, Audrey

Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good evening Audrey

I apologize for the late email. However, I wanted to make sure that you were aware that my Mother is in a wheelchair and is not weight bearing on her feet. Hence my need for the contoured seat. I do not know if the mat is contoured? I need her hips to be secured on the seat. Do you have any seat inserts that are contoured/molded? That may work. Thank you again for all of your attention and assistance.

~ Tricia ~

Sent from my iPad

On Mar 16, 2015, at 5:27 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

They should receive the mat by the end of the day Wednesday. I'll ask them to contact you to set up an appointment.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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From: lopkhpa herman [<mailto:lopkhpa@gmail.com>]

Sent: Monday, March 16, 2015 2:07 PM

To: Martinez, Audrey

Subject: RE: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey. When will Rick be coming out?

On Mar 16, 2015 3:14 PM, "Martinez, Audrey" <audrey.martinez@jacuzzi.com> wrote:

Hi Ms. Herman- I have a custom made piece of a new non slip surface material on its way to Rick Ragle at Fairbanks Construction. It is die cut to fit the seat of your tub and is nonabrasive while offering excellent slip resistance. They will remove the existing coating and apply the new mat. I think it will solve the problem you are having. Please let me know!

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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JACUZZI006630

REV JACUZZI006730

APEN 1586

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From: Patricia K. Herman, Esquire [mailto:lopkhpa@gmail.com]
Sent: Monday, March 16, 2015 9:48 AM
To: Rowan, Bob
Cc: Martinez, Audrey
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good morning Bob,

I have attached pictures of my Moms tub after installation by Fairbanks Construction. The bathroom has sat in this condition since July 2014. I also attached pictures of the seat with adhesive and the faucet and shower wand in contiunal operation.

I saw a few tubs with contoured seats that i will send in a separate email. I am trying to postpone construction as long as I can. Thank you so much for your help.

<image002.jpg>

<image003.jpg>

<image004.jpg>

<image005.jpg>

<image006.jpg>

<image007.jpg>

<image008.jpg>

~ Tricia ~

Sent from my iPad

On Mar 12, 2015, at 12:52 PM, Rowan, Bob <Bob.Rowan@jacuzzi.com> wrote:

Hi Patricia,

I spoke with Audrey Martinez who manages our walk-in bathtub business. She is running some possible options to fix your problem and will be in touch with you shortly if she hasn't already. We will do our best to make sure you and your mom are happy with this product as quickly as possible!

Thanks, we'll be in touch soon.

Best regards,
 Bob

Bob Rowan
 President and CEO
 Jacuzzi Group Worldwide

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

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From: "Patricia K. Herman, Esquire" <lopkhpa@gmail.com>
Date: Thu, 12 Mar 2015 07:00:56 -0700
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: Fwd: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

JACUZZI006631

REV JACUZZI006731

APEN 1587

~ Tricia ~

Sent from my iPad

Begin forwarded message:

From: lopkhp Herman <lopkhpa@gmail.com>

Date: February 25, 2015 at 1:13:18 PM EST

To: deborah.nuanes@jacuzzi.com

Subject: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Please see paragraph 4.

--

Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.

1631 Rock Springs Road, #305

Apopka, Florida 32712-2229

407-682-7879

407-630-8805 (Facsimile)

Service E-Mail: service2lopkhpa@gmail.com

General E-Mail: lopkhpa@gmail.com

003840

003840

JACUZZI006632

REV JACUZZI006732

APEN 1588

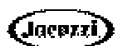
003840

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Rowan, Bob
Sent: 3/25/2015 7:03:22 PM
Subject: RE: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Thanks! I spoke with Gordon Fairbanks and they will keep the service appointment tomorrow to install the non-skid. I let her know that is the best solution we have available at this time and are working on others but it sounds like she was expecting a "Jacuzzi" tub made by Premier Care....

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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From: Rowan, Bob
Sent: Wednesday, March 25, 2015 3:58 PM
To: Martinez, Audrey
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Yikes. Will do! May be tomorrow.

Sent from my iPhone

On Mar 25, 2015, at 3:16 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

Give me a call regarding this when you have a minute. Thanks!

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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From: lopkhpa herman [<mailto:lopkhpa@gmail.com>]
Sent: Wednesday, March 25, 2015 2:39 PM
To: Martinez, Audrey
Cc: Rowan, Bob
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Hi Audrey:

I want the contoured seat. That is why I purchased this tub for my Mom, along with all of the other amenities

JACUZZI006633

REV JACUZZI006733

APEN 1589

of your tub and the Jacuzzi name. I already provided you copies of the literature that I was provided prior to my purchase of the tub. It clearly states contoured, which is defined as "molded" or "formed". This is what I need. If I had known that your literature was false (whether intentional or not) at the time, I would not have purchased the tub, as it did not have the safety feature of an ADA complaint contoured seat. I do not see it to be unreasonable for Jacuzzi to purchase and install the tub that I had attached to the previous email. I am not requesting a free tub, just a tub that I paid for almost a year ago. It is Jacuzzi's complete discretion to honor my request or deny it. I cannot any fathom any reason that Jacuzzi could give to deny this request.

On Wed, Mar 25, 2015 at 5:17 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

Hi Ms. Herman. I saw a note that Rick Ragle from Fairbanks Construction is scheduled to come out tomorrow, March 26. At this point this is the best solution we have to the problem you've reported. We are investigating and testing some other seat cushion solutions that we use in our outdoor hot tubs but do not have anything vetted out yet.

The image you sent is not a Jacuzzi product but is a tub made by our largest competitor, Premier Care in Bathing. We do not manufacture or have access to this model. The tub you have is the one referenced in the literature provided by Fairbanks Construction.

The solution that Mr. Ragle has is very safe and is the best solution we have to date. I'll look forward to hearing your feedback.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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From: lopkhpa herman [<mailto:lopkhpa@gmail.com>]

Sent: Wednesday, March 25, 2015 1:48 PM

To: Martinez, Audrey

Cc: Rowan, Bob

Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey:

I am scheduled to have Fairbanks come out tomorrow. They were to confirm delivery of the part and installation time, but, I have not heard anything as of yet. I have been thinking about the product that you were so kind to send. However, I do not believe this will solve the problem. It is not my intention to place a molded seat on top of the tubs existing seat. This will not be safe for my Mom. Her safety is my only priority.

I went back over the Jacuzzi literature that I was provided, and located yet another brochure, that was given to me at the time of my purchase of the tub, published by Jacuzzi specifying and identifying the existence of an ADA-compliant contoured seat design. I have attached the copy of Jacuzzi's brochure and another copy of the advertisement that you had stated was created by Fairbanks.

When I spoke with Bob, he informed me that he would rectify this situation to my satisfaction.

All I want is what I purchased, a cream/biscuit colored walk in jacuzzi tub with Air Therapy; Hydro Therapy; Aroma Therapy; Chroma Therapy; low entry way; wide door with knee cut out; non-skid floor; anti-scald water valves; inline heater; (2) grab bars; operational faucets in placed in the correct location; and all of the

JACUZZI006634

REV JACUZZI006734

APEN 1590

other amenities that were promised to me at the time of the purchase of your tub.

I have attached a picture of the tub that has all of the features of the Jacuzzi tub, including the contoured seat. The name and manufacturer of the tub is Blue Springs by Premier Care.

Thank you.

Patricia

On Tue, Mar 17, 2015 at 11:31 AM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:
The mat is the most slip resistant, nonabrasive material that we have found that works on our products.

We do not offer any kind of molded seat insert but I have seen things at trade shows like these:

http://www.pattersonmedical.com/app.aspx?cmd=get_subsections&id=57694

Maybe something like this is what you're looking for? These could be used on top of the mat I'm sending.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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From: Patricia K. Herman, Esquire [<mailto:lopkhpa@gmail.com>]

Sent: Monday, March 16, 2015 7:12 PM

To: Martinez, Audrey

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~ Tricia ~

Sent from my iPad

On Mar 16, 2015, at 5:27 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

They should receive the mat by the end of the day Wednesday. I'll ask them to contact you to set up an appointment.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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JACUZZI006635

REV JACUZZI006735

APEN 1591

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From: lopkhpa herman [<mailto:lopkhpa@gmail.com>]
Sent: Monday, March 16, 2015 2:07 PM
To: Martinez, Audrey
Subject: RE: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey. When will Rick be coming out?

On Mar 16, 2015 3:14 PM, "Martinez, Audrey" <audrey.martinez@jacuzzi.com> wrote:

Hi Ms. Herman- I have a custom made piece of a new non slip surface material on its way to Rick Ragle at Fairbanks Construction. It is die cut to fit the seat of your tub and is nonabrasive while offering excellent slip resistance. They will remove the existing coating and apply the new mat. I think it will solve the problem you are having. Please let me know!

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

www.jacuzzi.com

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

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From: Patricia K. Herman, Esquire [<mailto:lopkhpa@gmail.com>]
Sent: Monday, March 16, 2015 9:48 AM
To: Rowan, Bob
Cc: Martinez, Audrey
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good morning Bob,

I have attached pictures of my Moms tub after installation by Fairbanks Construction. The bathroom has sat in this condition since July 2014. I also attached pictures of the seat with adhesive and the faucet and shower wand in continual operation.

I saw a few tubs with contoured seats that i will send in a separate email. I am trying to postpone construction as long as I can. Thank you so much for your help.

<image002.jpg>

<image003.jpg>

<image004.jpg>

<image005.jpg>

<image006.jpg>

<image007.jpg>

<image008.jpg>

~ Tricia ~

Sent from my iPad

On Mar 12, 2015, at 12:52 PM, Rowan, Bob <Bob.Rowan@jacuzzi.com> wrote:

Hi Patricia,

I spoke with Audrey Martinez who manages our walk-in bathtub business. She is running some possible

JACUZZI006636

REV JACUZZI006736

APEN 1592

options to fix your problem and will be in touch with you shortly if she hasn't already. We will do our best to make sure you and your mom are happy with this product as quickly as possible!

Thanks, we'll be in touch soon.

Best regards,
Bob

Bob Rowan
President and CEO
Jacuzzi Group Worldwide

13925 City Center Drive, Suite 200 / Chino Hills, CA 91709
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From: "Patricia K. Herman, Esquire" <lopkhpa@gmail.com>
Date: Thu, 12 Mar 2015 07:00:56 -0700
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: Fwd: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

~ Tricia ~
Sent from my iPad

Begin forwarded message:

From: lopkhpa herman <lopkhpa@gmail.com>
Date: February 25, 2015 at 1:13:18 PM EST
To: deborah.nuanes@jacuzzi.com
Subject: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Please see paragraph 4.

--
Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.
1631 Rock Springs Road, #305
Apopka, Florida 32712-2229
[407-682-7879](tel:407-682-7879)
[407-630-8805](tel:407-630-8805) (Facsimile)
Service E-Mail: service2lopkhpa@gmail.com
General E-Mail: lopkhpa@gmail.com

--
Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.
1631 Rock Springs Road, #305
Apopka, Florida 32712-2229
[407-682-7879](tel:407-682-7879)

JACUZZI006637

REV JACUZZI006737

APEN 1593

407-630-8805 (Facsimile)

Service E-Mail: service2lopkhpa@gmail.com

General E-Mail: lopkhpa@gmail.com

--

Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.

1631 Rock Springs Road, #305

Apopka, Florida 32712-2229

407-682-7879

407-630-8805 (Facsimile)

Service E-Mail: service2lopkhpa@gmail.com

General E-Mail: lopkhpa@gmail.com

003846

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JACUZZI006638

REV JACUZZI006738

APEN 1594

003846

From: Torres, Ray </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=RTORRES>
To: Martinez, Audrey
Sent: 11/5/2013 6:51:32 PM
Subject: RE: slippery tubs

Im ok with it as long as they do not let water stick between the mats and acrylic for a long period of time.
 thanks

Raymond Torres

VP Operations & Engineering – Jacuzzi Luxury Bath



www.jacuzzi.com

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909.247.2158 (o) 909.217.4799 (c) 909.643.2829 (f)

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From: Martinez, Audrey
Sent: Tuesday, November 05, 2013 2:47 PM
To: Torres, Ray
Subject: Fwd: slippery tubs

Audrey Martinez

Begin forwarded message:

From: "Reyes, Regina" <Regina.Reyes@jacuzzi.com>
Date: November 5, 2013 at 12:43:08 PM PST
To: "Nuanes, Deborah" <deborah.nuanes@jacuzzi.com>, "Martinez, Audrey" <audrey.martinez@jacuzzi.com>, "Bachmeyer, Kurt" <Kurt.Bachmeyer@jacuzzi.com>
Subject: slippery tubs

Ok, we continue to receive this feedback. I know that the FS units exceed ASTM slip resistant test protocol standards yet we continue to receive these claims. It took little effort on my part to locate a few bath mats. Not sure why Firststreet has so much trouble finding these items. In fact I was at Target last night and noticed some – but I cannot find them on their website today.

How do you feel about me pointing them in the direction of specific items?

http://www.amazon.com/Compac-Select-Safe-T-Shapes-Bathtub-Decals/dp/B000J00EAM/ref=sr_1_fkmr0_2?ie=UTF8&qid=1383682960&sr=8-2-fkmr0&keywords=bath+mat+strips+for+inside+shower

Regina Reyes
 Customer Service Manager



JACUZZI006639

REV JACUZZI006739

APEN 1595

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From: Melanie Borgia [<mailto:melanieborgia@gmail.com>]

Sent: Tuesday, November 05, 2013 11:45 AM

To: Nuanes, Deborah; Reyes, Regina; First Street Support

Subject: Tub

Hello: I have so many people stating the tub seat and floor are extremely slippery. Literally, unsafe. Is there any type of mat or something that we can do to help this issue? I tried to find online anything to help, but nothing the size we need.

--

Airtite

Melanie Borgia

1013 Wood Street

Scranton, Pa. 18508

P: 800-687-5153

F: 570-504-2183

melanieborgia@gmail.com

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JACUZZI006640

REV JACUZZI006740

APEN 1596

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From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: 'norm.murdock@firststreetonline.com'
CC: 'DAVE MODENA'
Sent: 11/13/2012 11:55:37 AM
Subject: RE: Grab Bars

Good morning. After our last call I spoke with Ken Jenkins at Home Safety Baths. At the old company, an accessory grab bar was available and Ken and company sold quite a few of them as a field installed upgrade.

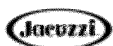
The most common place the additional bar was put was on the top horizontal deck adjacent to the door opening. This provides additional support both getting into and out of the tub.

Adding bars like Safe Guard does would require moving the faucetry and there isn't a suitable location to move it to. This may be something to consider as a future enhancement.

In addition, Ken confirmed my main concern, which is that this customer is already dealing with accepting the fact that they need help, and a tub full of grab bars may not be the best "standard" option. I suggest we continue to include one in its current location and offer additional ones as an accessory item.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Monday, November 12, 2012 10:55 AM
To: Martinez, Audrey
Cc: 'DAVE MODENA'
Subject: Grab Bars

Hi Audrey-

I know we are trying to determine placement of grab bars for the new tub; our competitor in the video below has placed 3x on the tub deck – one near the door & two opposite the seat.

<http://www.safeguardtubs.com/safeguard-bathtub-feature.html>

Are any of these an option???

Thanks,

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

JACUZZI006641

REV JACUZZI006741

APEN 1597

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JACUZZI006642

REV JACUZZI006742

APEN 1598

From: Fore, Jonathan </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JONATHAN FORE>
To: Davis, Joseph N.; Martinez, Audrey; Torres, Ray
CC: Rowan, Bob
Sent: 6/18/2013 12:21:57 PM
Subject: Re: Jacuzzi visit
Attachments: Jacuzzi Web Site.png; NY Daily News.png

We need to bring up one more subject with firstSTREET. At many touch points, they are going to market as Jacuzzi instead of firstSTREET or For Boomers and Beyond.

1. Print ads, NY Daily News ad attached
2. JLB Web site, links to the attached page from Jacuzzi.com homepage
3. Their customer service reps. I called their 800 number and asked the CS rep if they were a partner of Jacuzzi's or if they were actually Jacuzzi. He said I was talking to the actual Jacuzzi company.

I'm not about to suggest that we curb the efforts of our one channel that is doubling in size every year, but as we are getting into more wholesale showrooms the list above is becoming an issue more and more. It's tough to convince F.W. Webb we aren't selling around them and directly to consumers with the above list out there. I suggest these revisions:

1. Add the "For Boomers and Beyond" logo very small near the copyright line at the bottom.
2. Add the "For Boomers and Beyond" logo the size of the Jacuzzi logo but at the bottom of the web page, near their company address.
3. Train their CSRs to use words like "affiliated with" or "partner of" Jacuzzi.

Jonathan Fore

Director of Marketing - Bath



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From: <Davis>, Joseph Davis <Joseph.Davis@jacuzzi.com>
Date: Tuesday, June 18, 2013 8:35 AM
To: Jonathan Fore <jonathan.fore@jacuzzi.com>, Audrey Martinez <audrey.martinez@jacuzzi.com>, Ray Torres <ray.torres@jacuzzi.com>
Cc: "Rowan, Bob" <Bob.Rowan@jacuzzi.com>
Subject: FW: Jacuzzi visit

I'd like to review our portion of the meeting by Friday on the questions below. My calendar should be up to date.

Joseph N. Davis

President/GM

Jacuzzi Luxury Bath
 13925 City Center Drive, Suite 200
 Chino Hills, CA 91709

From: Bob Rowan <Bob.Rowan@jacuzzi.com>
Date: Tue, 18 Jun 2013 08:22:14 -0700
To: Dave Modena <dave.modena@firstSTREETonline.com>

JACUZZI006643

REV JACUZZI006743

APEN 1599

Cc: Joseph Davis <joseph.davis@jacuzzi.com>

Subject: Re: Jacuzzi visit

This looks good Dave. Will leave you alone today, we'll be prepared to review below. I'll also provide a couple of business updates for you, to include service level, sales and forecast and reliability.

Thanks,

Bob

Bob Rowan
President and CEO
Jacuzzi Group Worldwide

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

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From: DAVE MODENA <dave.modena@firstSTREETonline.com>

Date: Tue, 18 Jun 2013 08:29:07 -0400

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

Subject: RE: Jacuzzi visit

Bob .. I am sure we can do the same as far as club rentals .

Here are some of my agenda items:

Marketing and Dealer Update (by Fstreet)

1 - review marketing plans, tv commercial, dealer progress, etc...

Current Tub

- 1 – foot spinner launch (review video from Audrey – have not been able to see this yet)
- 2 – non-slip floor enhancements (still receiving complaints about being dangerous)
- 3 – time to fill - Ray working on 3Ž4” faucet
- 4 – Bio-lock anti-microbial surface (competitive issue)
- 5 – Hot water – anti-scald preset temp, how hot should it be (Ray was going to do some testing on what feels warm versus what is dangerous for older people, etc..)

New Tubs

- 1 – Larger size needed
- 2 – Smaller tub to replace shower stalls – frontloader
- 3 – “the FUTURE” – continuing our discussion on what could the game changer tub for the future i.e. instant fill and drain reservoir ...

Tub to Shower Update

- 1 - pricing, prototype for Denver meeting,....

Dealer Financing

- 1 – Wells Fargo?

New Products

- 1 - high seat toilet, others?

National Meeting

- 1 - who is coming
- 2 - review agenda, discuss presentation
- 3 – finalize details

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REV JACUZZI006744

APEN 1600

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These are some of what is on my list ... how about anything else you would like to present or receive ..

My day is chocked full ...but we could possibly squeeze a call in sometime or maybe tomorrow ... let me know some times that suits best and we will try to schedule ...but in the meantime we can do emails ...

Dave Modena

President - Aging In The Home Remodelers

804-451-2314

Sr. V.P. *firstSTREET* for Boomers & Beyond

www.firststreetonline.com

From: Rowan, Bob [<mailto:Bob.Rowan@jacuzzi.com>]

Sent: Monday, June 17, 2013 10:52 PM

To: DAVE MODENA

Subject: Re: Jacuzzi visit

Sounds great. I think we borrowed a set of clubs at Mark's club last time, I may need to do that again since I'll be traveling all week – is that okay?

Let's try to catch up tomorrow regarding the agenda — I'm around all day.

Thanks,
Bob

Bob Rowan
President and CEO
Jacuzzi Group Worldwide

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

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From: DAVE MODENA <dave.modena@firstSTREETonline.com>

Date: Mon, 17 Jun 2013 20:10:46 -0400

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

Subject: Re: Jacuzzi visit

Sounds good We are looking forward to the visit and we should work on our agenda together this week. Bring the clubs and your A game as we will probably have to take on Mark and Joey.

Dave Modena
Sent from iPhone.

On Jun 17, 2013, at 7:05 PM, "Rowan, Bob" <Bob.Rowan@jacuzzi.com> wrote:

Hi Dave, Joey and I plan on arriving Richmond next Tuesday night and will be at your office at 9:00. Looks like it will be just the two of us. Still good on your end?

We'll get some updates on all of the current activity so we're prepared to discuss.

Thanks, look forward to seeing you guys.

Bob Rowan
President and CEO
Jacuzzi Group Worldwide

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

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JACUZZI006645

REV JACUZZI006745

APEN 1601

From: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Date: Tue, 4 Jun 2013 06:34:45 -0700
To: DAVE MODENA <dave.modena@firstSTREETonline.com>
Subject: Re: Jacuzzi visit

Ha, that's why Mark is the boss! I'll check on Ray and others' availability. We will have lots to talk about regardless. Thinking we should review our web page, # hits, status of offenders, etc. too.

Bob Rowan
 President and CEO
 Jacuzzi Group Worldwide

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From: DAVE MODENA <dave.modena@firstSTREETonline.com>
Date: Tue, 4 Jun 2013 06:59:53 -0400
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: RE: Jacuzzi visit

Bob

Sounds good ... wasn't aware that Ray and Jonathan could join us ...so we certainly will discuss this project and also discuss 1 - the proprietary technology and how we not compete with future Jacuzzi bath products with this new technology, 2 - other new products i.e. different sizes being developed, the "walk-in tub of the future", raised seat toilet, 3 - Wells Fargo financing possibilities, 4 - the national meeting and probably a couple of other topics ..

If Ray comes I am sure Mark will want to discuss the anti-scald technology and the temperature of the water we deliver ... Ray was going to do some testing on this and report back as to what the correct temperature for therapy should be versus what we are currently delivering, etc...

Looking forward to the visit ... Keep your "driving the ball" hot ..as it looks like it will be you and me against Mark and Joey ...

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

From: Rowan, Bob [<mailto:Bob.Rowan@jacuzzi.com>]
Sent: Monday, June 03, 2013 10:27 PM
To: DAVE MODENA
Cc: Davis, Joseph N.
Subject: Re: Jacuzzi visit

That works Dave, let's plan on it. We'll block the day and look forward to it. We should probably plan to cover the tub/shower product as a primary focus – would like to have Ray and Jonathan join us at least for the early part of the meeting. Let me know other topics and we'll come prepared. Look forward to the meeting!

Bob

Bob Rowan
 President and CEO
 Jacuzzi Group Worldwide

JACUZZI006646

REV JACUZZI006746

APEN 1602

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From: DAVE MODENA <dave.modena@firstSTREETonline.com>
Date: Mon, 3 Jun 2013 11:31:09 -0400
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Cc: <joseph.davis@jacuzzi.com>
Subject: FW: Jacuzzi visit

Bob

Just talked to Mark and Wednesday the 26th would be our best day to meet .. we could start around 9 or 9:30 and then have the afternoon to enjoy some golf (as long as Joey plays left-handed and still gives strokes .. Let us know if that works .. i would guess that we would be done by 7 pm that nite ... Hope that works for you and Joey .. let's confirm and we will begin to develop and agenda .. thanks

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

From: "Rowan, Bob" <Bob.Rowan@jacuzzi.com>
Date: May 27, 2013, 8:42:15 PM EDT
To: Dave Modena <dmodena@verizon.net>, "joey.davis@jacuzzi.com" <joey.davis@jacuzzi.com>, Joey Davis <jndavis69@live.com>
Subject: Re: Hello

Dave, Joey and I will coordinate calendars to get to Richmond between now and the Denver meetings. How do you guys look week of June 24 and July 29? I'm pretty much out the weeks in between those. Let us know if any dates work inside those weeks and we'll make it happen.

Thanks again for the time last week, talk to you soon.

Bob

Bob Rowan
President and CEO
Jacuzzi Group Worldwide

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REV JACUZZI006747

APEN 1603

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On 5/24/13 8:11 AM, "Dave Modena" <dmodena@verizon.net> wrote:

Joey

Hello. Wanted to establish contact and let you know that I and our team look forward to working with you and your team as we continue to grow this partnership in to the future. I truly believe we have an exceptional opportunity to do great things, while helping our maturing population stay safe and independent in their homes. I look forward to doing that with you and Jacuzzi.

Lets get you and Bob out to our headquarters before the national meeting so we can continue our discussions and plan for future growth. Let us know when you can what works best.

Thanks

Dave Modena
Sent from iPhone.

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JACUZZI006648

REV JACUZZI006748

APEN 1604

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Jacuzzi

Call Today For More Info!
1-888-670-3599

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Our Customers Say....

We recently purchased and installed the walk-in Jacuzzi tub. We can't begin to tell you how pleased we are with it. It is everything we expected and more! Your sales people were friendly and helpful. The...

— Laverne & Keith H.

[See More Testimonials](#)


Finally! Jacuzzi Makes Bathing Safe & Affordable Again

Staying independent at home never felt so good!

There is nothing like the simple pleasure of taking a warm bath. The cares of the day seem to fade away, along with the aches and pains of everyday life.

Unfortunately for many seniors with mobility issues, the fear of slipping and falling has made their bathtub seem dangerous. And with good reason....over 13 million American seniors will suffer a fall this year, with most falls happening in the bathroom. Now there's a simple, affordable solution that combines safety with revitalizing hydrotherapy and protects your independence.

Imagine that... a bath tub with a door!



Meet the Jacuzzi® walk in tub. It's unlike any other walk-in tub in the market today.

The low, safe step and easy-to-use door are your

Call Today For More Info!
1-888-670-3599

Send me free information on a walk in tub for my home:

First Name:

Last Name:

003857

003857

JACUZZI006649

REV JACUZZI006749

APEN 1605

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00385800

**Introducing The Jacuzzi Walk-In Hot Tub...
your own personal fountain of youth.
The world's leader in hydrotherapy and relaxation
makes bathing safe, comfortable and affordable.**

The moment you step into your Jacuzzi Walk-In Hot Tub you'll see the superior design and the quality of the craftsmanship. The entry step is low and the door is 100% guaranteed not to leak. The high 17" seat enables you to sit comfortably while you bathe and to access the easy-to-reach controls. Best of all, your tub comes with the patented Jacuzzi

PointProSM jet system— which gives you a perfectly balanced water-to-air ratio to massage you thoroughly but gently. These high-volume, low-pressure pumps are arranged in a pattern that creates swirls and spirals that provide both a total body massage and targeted treatment of specific pressure points. The tub features a high gloss acrylic coating which is more durable, scratch resistant and easier to clean than traditional gel-coat surfaces. It's American made with full metal frame construction and comes with a lifetime warranty on both the tub and the operating system.

Isn't it time you rediscovered the comfort and luxury of a soothing therapeutic hot tub experience again? Call now and knowledgeable product experts will answer any questions and explain how easy and affordable it can be. Don't wait, call now.



- Why Jacuzzi is the Best**
- ✓ **Easy and Safe Entry** - Low entry, leakproof door allows you to step safely into the tub.
 - ✓ **Durable and Easy to Clean** - State of the art acrylic surface.
 - ✓ **Comfortable Seating** - Convenient 17 inch raised seat.
 - ✓ **Worry Free Enjoyment** - Thanks to Jacuzzi's Lifetime Limited Warranty.
 - ✓ **Maximum Pain Relief** - Therapeutic water AND air jets.
 - ✓ **Relax Fully** - All controls are within easy reach.
 - ✓ **Personalized Massage** - Adjustable back jets for pinpoint control.
 - ✓ **No Hassle Installation** - Designed to fit in your existing tub space.

**New! Jacuzzi®
Walk-In Hot Tub**

For information call:

1-877-606-4292

Call now Toll-Free and mention your special promotion code 49292.

Third-party financing available with approved credit.

Not Available in Hawaii and Alaska

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JACUZZI006650

REV JACUZZI006750
003858
APEN 1606

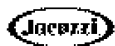
003858

003858

From: Reyes, Regina </O=JACUZZI ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=RREYES>
To: Guevara, Martin
CC: Nuanes, Deborah
Sent: 5/21/2014 6:58:00 PM
Subject: RE: Customer fell in tub

Yes, I have a suggestion. I have to write it up give me some time

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: Martin Guevara [mailto:Martin.Guevara@jacuzzi.com]
Sent: Wednesday, May 21, 2014 3:49 PM
To: Reyes, Regina
Cc: Nuanes, Deborah
Subject: FWD: Customer fell in tub

The following incident has been forwarded to you by:
 Martin Guevara(Martin.Guevara@jacuzzi.com)

Sender's Comment

Hausner Construction wants to charge customer \$450.00 to install that Solid Step Cote product and now customer is upset. Any suggestions?

Contact Information

First Name: CHARLES
Last Name: HORN
Type: Consumer
Title:
Primary Phone: 909-867-3745
DLR/Agent #:
DLR/Agent Name:
Lowes Store #:
Region/Territory:
ShipTo Acct Sequence:
ShipTo Account Name: HAUSNER CONSTRUCTION

Reference #140514-000098

Summary: Customer fell in tub
Rule State: 02. In Progress
Product Level 1: Jacuzzi Luxury Bath
Product Level 2: Walk-in
Product Level 3: FirstStreet
Category Level 1: Product
Category Level 2: General inquiry

JACUZZI006651

REV JACUZZI006751

APEN 1607

Category Level 3: Predelivery/installation/operation

Date Created: 05/14/2014 02:54 PM

Last Updated: 05/21/2014 03:46 PM

Status: Waiting

Assigned: Deborah Nuanes

Serial Number: BDHRVB

Purchase DLR/Agent #: 70001017

Purchase DLR/Agent: FIRSTSTREET BOOMERS & BEYOND

Model: LW45959

Model Desc: FS 5229 C RH SLN HTR SKT WHT

Manufacture Date: 12/06/2013

Early Warning: No

Auth Date:

Auth #:

Auth By:

Auth Amount:

Auth Parts:

Auth Labor:

Auth Travel:

Brand: JLB

First Call Resolutio:

Warranty Status: Yes

Account Number:

FIR #:

Region/District:

Date CCR Created:

FIR Disposition:

CCR#:

Sales Order #:

Date Consumer Contacted: 05/20/2014

Service Date:

Balance Due: No

Follow Up Date: 05/21/2014

CCR \$:

Auth Comments

District Sales Rep

Description of Problem

Discussion Thread

Note (Martin Guevara)

05/21/2014 03:46

PM

Customer called in and said he contacted Hausner Construction and they told him they would not charge for the product, Solid Step Cote, but would charge \$450.00 just to install this on his tub. Customer does not feel that he should pay this much for this and feels that this is supposed to be a non-slip tub and since he slipped in it, there is a defect in the tub. He does not want to pay an additional \$450.00 just to have this product added to the tub for his safety. Will have this further reviewed.

Note (Deborah Nuanes)

05/20/2014 04:21

PM

Called h/o no answer or vm

Note (Deborah Nuanes)

05/19/2014 04:27

PM

JACUZZI006652

REV JACUZZI006752

APEN 1608

From: Reyes, Regina
 Sent: Monday, May 19, 2014 4:03 PM
 To: 'Miguel Villegas' (miguelvillegas@hausnerconstruction.com); 'Robert Hausner';
melissa@hausnerconstruction.com
 Cc: Nuanes, Deborah; Davis, Megan; Coester, Ruth
 Subject: Customer Charles Horn

Hi, we have a customer that contacted us regarding the Solid Step One product. Can you please contact him to go over the options available to him regarding the Solid Step Cote?

I've attached the news letters published by Aging In Home Remodelers outlining the details regarding product, vendor and pricing info, application, etc.

We will be calling the customer to give him the information about the product and will let him know that we have asked you to reach out to him to discuss. The product and service is being made available to you directly from the vendor, Liquid Guard via AIHR, we do not stock or service this product. As the manufacturer of the bathtub we did approve the product for use with our Jacuzzi WIT. If you have any questions please feel free to give me a call. Thank you.

Charles Horn
 909-867-3745
 BDHRVB
 33100 HOLCOMB CREEK DR
 GREEN VALLEY LAKE CA 92341 US

Customer By Phone (Entered by Deborah Nuanes)

05/14/2014 02:54
 PM

Customer called in and said that he slip in his tub. He is 96 yrs old. He has called Hausner and they told him that we make a product that we can put on the bottom of his tub.

I'm not aware of this product. I suggest that he goes to Bed Bath and Beyond to put slip res. He said he is unable to go get them due to him being 96 years old.

003861

003861

JACUZZI006653

REV JACUZZI006753

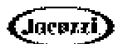
APEN 1609

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Rowan, Bob
Sent: 3/25/2015 6:16:25 PM
Subject: FW: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Give me a call regarding this when you have a minute. Thanks!

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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From: lopkhpa herman [mailto:lopkhpa@gmail.com]
Sent: Wednesday, March 25, 2015 2:39 PM
To: Martinez, Audrey
Cc: Rowan, Bob
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Hi Audrey:

I want the contoured seat. That is why I purchased this tub for my Mom, along with all of the other amenities of your tub and the Jacuzzi name. I already provided you copies of the literature that I was provided prior to my purchase of the tub. It clearly states contoured, which is defined as "molded" or "formed". This is what I need. If I had known that your literature was false (whether intentional or not) at the time, I would not have purchased the tub, as it did not have the safety feature of an ADA complaint contoured seat. I do not see it to be unreasonable for Jacuzzi to purchase and install the tub that I had attached to the previous email. I am not requesting a free tub, just a tub that I paid for almost a year ago. It is Jacuzzi's complete discretion to honor my request or deny it. I cannot any fathom any reason that Jacuzzi could give to deny this request.

On Wed, Mar 25, 2015 at 5:17 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

Hi Ms. Herman. I saw a note that Rick Ragle from Fairbanks Construction is scheduled to come out tomorrow, March 26. At this point this is the best solution we have to the problem you've reported. We are investigating and testing some other seat cushion solutions that we use in our outdoor hot tubs but do not have anything vetted out yet.

The image you sent is not a Jacuzzi product but is a tub made by our largest competitor, Premier Care in Bathing. We do not manufacture or have access to this model. The tub you have is the one referenced in the literature provided by Fairbanks Construction.

The solution that Mr. Ragle has is very safe and is the best solution we have to date. I'll look forward to hearing your feedback.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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JACUZZI006654

REV JACUZZI006754

APEN 1610

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From: lopkhpa herman [mailto:lopkhpa@gmail.com]

Sent: Wednesday, March 25, 2015 1:48 PM

To: Martinez, Audrey

Cc: Rowan, Bob

Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey:

I am scheduled to have Fairbanks come out tomorrow. They were to confirm delivery of the part and installation time, but, I have not heard anything as of yet. I have been thinking about the product that you were so kind to send. However, I do not believe this will solve the problem. It is not my intention to place a molded seat on top of the tubs existing seat. This will not be safe for my Mom. Her safety is my only priority.

I went back over the Jacuzzi literature that I was provided, and located yet another brochure, that was given to me at the time of my purchase of the tub, published by Jacuzzi specifying and identifying the existence of an ADA-compliant contoured seat design. I have attached the copy of Jacuzzi's brochure and another copy of the advertisement that you had stated was created by Fairbanks.

When I spoke with Bob, he informed me that he would rectify this situation to my satisfaction.

All I want is what I purchased, a cream/biscuit colored walk in jacuzzi tub with Air Therapy; Hydro Therapy; Aroma Therapy; Chroma Therapy; low entry way; wide door with knee cut out; non-skid floor; anti-scald water valves; inline heater; (2) grab bars; operational faucets in placed in the correct location; and all of the other amenities that were promised to me at the time of the purchase of your tub.

I have attached a picture of the tub that has all of the features of the Jacuzzi tub, including the contoured seat. The name and manufacturer of the tub is Blue Springs by Premier Care.

Thank you.

Patricia

On Tue, Mar 17, 2015 at 11:31 AM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

The mat is the most slip resistant, nonabrasive material that we have found that works on our products.

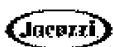
We do not offer any kind of molded seat insert but I have seen things at trade shows like these:

http://www.pattersonmedical.com/app.aspx?cmd=get_subsections&id=57694

Maybe something like this is what you're looking for? These could be used on top of the mat I'm sending.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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REV JACUZZI006755

APEN 1611

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From: Patricia K. Herman, Esquire [mailto:lopkhpa@gmail.com]
Sent: Monday, March 16, 2015 7:12 PM
To: Martinez, Audrey

Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good evening Audrey

I apologize for the late email. However, I wanted to make sure that you were aware that my Mother is in a wheelchair and is not weight bearing on her feet. Hence my need for the contoured seat. I do not know if the mat is contoured? I need her hips to be secured on the seat. Do you have any seat inserts that are contoured/molded? That may work. Thank you again for all of your attention and assistance.

~ Tricia ~

Sent from my iPad

On Mar 16, 2015, at 5:27 PM, Martinez, Audrey <audrey.martinez@jacuzzi.com> wrote:

They should receive the mat by the end of the day Wednesday. I'll ask them to contact you to set up an appointment.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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From: lopkhpa herman [mailto:lopkhpa@gmail.com]

Sent: Monday, March 16, 2015 2:07 PM

To: Martinez, Audrey

Subject: RE: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good afternoon Audrey. When will Rick be coming out?

On Mar 16, 2015 3:14 PM, "Martinez, Audrey" <audrey.martinez@jacuzzi.com> wrote:

Hi Ms. Herman- I have a custom made piece of a new non slip surface material on its way to Rick Ragle at Fairbanks Construction. It is die cut to fit the seat of your tub and is nonabrasive while offering excellent slip resistance. They will remove the existing coating and apply the new mat. I think it will solve the problem you are having. Please let me know!

Audrey Martinez

Marketing Manager- Aging In Place Bathing

<image001.jpg>

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JACUZZI006656

REV JACUZZI006756

APEN 1612

absences of viruses. We accept no liability and suggest that you carry out your own virus

From: Patricia K. Herman, Esquire [mailto:lopkhpa@gmail.com]
Sent: Monday, March 16, 2015 9:48 AM
To: Rowan, Bob
Cc: Martinez, Audrey
Subject: Re: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Good morning Bob,

I have attached pictures of my Moms tub after installation by Fairbanks Construction. The bathroom has sat in this condition since July 2014. I also attached pictures of the seat with adhesive and the faucet and shower wand in contiunal operation.

I saw a few tubs with contoured seats that i will send in a separate email. I am trying to postpone construction as long as I can. Thank you so much for your help.

<image002.jpg>

<image003.jpg>

<image004.jpg>

<image005.jpg>

<image006.jpg>

<image007.jpg>

<image008.jpg>

~ Tricia ~

Sent from my iPad

On Mar 12, 2015, at 12:52 PM, Rowan, Bob <Bob.Rowan@jacuzzi.com> wrote:

Hi Patricia,

I spoke with Audrey Martinez who manages our walk-in bathtub business. She is running some possible options to fix your problem and will be in touch with you shortly if she hasn't already. We will do our best to make sure you and your mom are happy with this product as quickly as possible!

Thanks, we'll be in touch soon.

Best regards,
 Bob

Bob Rowan
 President and CEO
 Jacuzzi Group Worldwide

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 909.247.2506 (o) 410.371.4524 (c)

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From: "Patricia K. Herman, Esquire" <lopkhpa@gmail.com>
Date: Thu, 12 Mar 2015 07:00:56 -0700
To: "Rowan, Bob" <bob.rowan@jacuzzi.com>
Subject: Fwd: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

~ Tricia ~

JACUZZI006657

REV JACUZZI006757

APEN 1613

Sent from my iPad

Begin forwarded message:

From: lopkhp Herman <lopkhpa@gmail.com>

Date: February 25, 2015 at 1:13:18 PM EST

To: deborah.nuanes@jacuzzi.com

Subject: Jacuzzi Walk In Tub ADA Contoured Seat Design and Grab Bars - Fairbanks Construction

Please see paragraph 4.

--

Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.

1631 Rock Springs Road, #305

Apopka, Florida 32712-2229

407-682-7879

407-630-8805 (Facsimile)

Service E-Mail: service2lopkhpa@gmail.com

General E-Mail: lopkhpa@gmail.com

--

Patricia K. Herman, Esquire

Law Office of Patricia K. Herman, P.A.

1631 Rock Springs Road, #305

Apopka, Florida 32712-2229

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Apopka, Florida 32712-2229

407-682-7879

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Service E-Mail: service2lopkhpa@gmail.com

General E-Mail: lopkhpa@gmail.com

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JACUZZI006658

REV JACUZZI006758

APEN 1614

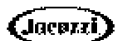
003866

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Dominguez, Mike
Sent: 12/16/2014 5:07:39 PM
Subject: FW: Meeting Agenda 12/9/14
Attachments: RE: Drain

Mike- here is the most recent correspondence I have in this regard. It adds \$35.50 in cost and requires a permanent mold modification. I'll send Norm this as a reminder to buy us some time to give your team a chance to look at it.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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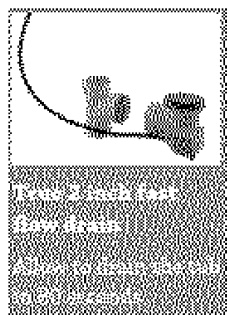
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From: Norm Murdock [mailto:norm.murdock@aihremodelers.com]
Sent: Tuesday, December 16, 2014 1:46 PM
To: Martinez, Audrey; Dominguez, Mike
Subject: RE: Meeting Agenda 12/9/14

Audrey/Mike-

We also want to add back the 2" fast flow drain project (see below)...this would be great to add with the fast fill faucet... thoughts?



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: Martinez, Audrey [mailto:audrey.martinez@jacuzzi.com]
Sent: Thursday, December 11, 2014 3:18 PM
To: Norm Murdock; Davis, Joseph N.; Dominguez, Mike
Cc: 'DAVE MODENA'; Kelly Dennis

JACUZZI006659

REV JACUZZI006759

APEN 1615

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Subject: RE: Meeting Agenda 12/9/14

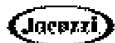
Thank you for the follow up. Attached are our notes from the meeting. Most everything is aligned but there are a few variances:

- 1) We asked for the specification for the showers that your dealers want to sell in cases where the tub to shower conversion won't fit so we can propose a solution.
- 2) TV ad- need more information on this as I don't recall that being a part of the conversation.

Looking forward to a prosperous 2015!

Audrey Martinez

Marketing Manager- Aging In Place Bathing



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From: Norm Murdock [<mailto:norm.murdock@aihremodelers.com>]

Sent: Thursday, December 11, 2014 1:36 PM

To: Martinez, Audrey; Davis, Joseph N.; Dominguez, Mike

Cc: 'DAVE MODENA'; 'Norm Murdock'; kelly.dennis@aihremodelers.com

Subject: RE: Meeting Agenda 12/9/14

Jacuzzi Team-

Thank you for your visit this week. Re-cap & summary of action items below. Some assumptions were made on target completion dates so please review. Lots of opportunity to grow our business together... all of us here are looking forward to a great 2015!

Lowes

FS will create a proposal/program overview for a Lowes SFI program for Jacuzzi showers & tubs for Jacuzzi to present to Lowes.

Target completion date = Dec 19

Next Gen Tub

We agreed to a parallel path approach: 1) design/development of a "quick fill" solution for our existing tubs that would be an optional accessory; 2) design of an easy access, elevated transfer tub via a private label program with an existing manufacturer (a la the pod tub).

Target completion date = July, 2015

High Flow Faucet

Jacuzzi to send tub with new faucet to our Denver location for evaluation/testing.

Jacuzzi to provide data sheets/specs/beauty shots for us to use in our marketing.

Target launch in all tubs = Mar 15

Nonskid Option

Jacuzzi to send Kahuna product samples for both the WIT & shower to our Denver location for evaluation/testing.

Target completion date = Jan 15

Target launch date = Mar 15

"No-Build" Showers

Jacuzzi to send product info on its full line of shower pans for our evaluation as alternative solutions in cases where the 60x30 shower will not fit the application.

FS to continue to track details on no-build jobs to identify additional product sizes needed.

JACUZZI006660

REV JACUZZI006760

APEN 1616

Jacuzzi to review request for our dealers to sell non-Jacuzzi product solution for no-build leads.
 FS to fashion appropriate language/contract documentation required for such sales.
 Target completion date = TBD

Shower Service

Jacuzzi to confirm with inside customer service team that service/repair of factory installed shower plumbing is included in the warranty service provided by the Jacuzzi service network.
 Target completion date = Jan 1

Toilet Promo

Jacuzzi has agreed to provide (100) no cost Jacuzzi toilets for a sales promo.
 FS will pay toilet freight cost.
 FS to rollout in S & SE regions.
 Target launch date = January, 2015

Engineered Shower Wall Samples

FS to provide ship-to list & quantities.
 All samples to ship by Dec 19.

WIT Curtain/Rod

FS to survey dealers for feedback on samples sent.
 Target launch date = January, 2015.

"January to Remember" Promo

Jacuzzi to provide 4x no cost tubs and/or showers for our annual January sales incentive.

Jacuzzi Web Site

Jacuzzi to modify WIT landing page(s) to provide greater visibility of & navigation to the FS WIT landing page.
 Target completion date = Jan 15

TV Ad

Collaboration needed between FS & Jacuzzi in development of new creative for planned TV ad campaign.
 Target completion date = TBD

Bi-Weekly Business Review Call

Resuming Dec 17.

Merry Christmas & Happy New Year to you all.

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: Norm Murdock [<mailto:norm.murdock@aihremodelers.com>]

Sent: Wednesday, December 03, 2014 4:00 PM

To: audrey.martinez@jacuzzi.com; joey.davis@jacuzzi.com; Cabrera, Vincent

Cc: 'DAVE MODENA'; Norm Murdock

Subject: Meeting Agenda 12/9/14

Jacuzzi Team-

We look forward to our meeting next Tuesday. Below is our agenda items; please respond if you have anything to add.

JACUZZI006661

REV JACUZZI006761

APEN 1617

- Shower review:
 1. Sales
 2. Forecasts
 3. Lead times/inventory review
 4. Product quality
 5. Freezing faucet lines
 6. Shipping/damage
 7. Shower door delays/miss-shipments
 8. "No build" review
 9. Product "staining"
 10. Upper temp limit
 11. Other sizes
 12. Window kits
 13. Sales kits
 14. Displays
- WIT product improvements
 1. Single lever high flow faucet
 2. New slip resistant bottom overlay
 3. Curtain/rod
 4. 2" quick drain option
 5. Adjustable ASV
 6. Pump/motor upgrade
- Pod tub review
- Large tub review
- Bath caddies
- New freight rates
- Position on selling other products on our internally generated Jacuzzi leads
- Discuss opportunity to test a promo that we could advertise; e.g. free Jacuzzi toilet
- Rinnai water heater promo opportunity?
- Weekly/bi-weekly business review call
- Holiday closures
- 2015 forecast
- Jacuzzi org changes, FS support + state of biz
- Next Gen Tub
- Other opportunities; i.e. Lowes, private label tub, etc
- Other biz?

Best,

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

*designed for SENIORS**



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JACUZZI006662

REV JACUZZI006762

APEN 1618

003870

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Torres, Ray; Davis, Joseph N.
Sent: 4/28/2014 10:35:04 PM
Subject: RE: Drain
Attachments: @

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

I have \$67.50 for the new drain and \$32 for the current one, plus the tooling needs to be modified.

I agree with Ray, they want to make the marketing claim of a faster drain but in reality, people who currently complain about slow draining won't see a huge improvement knowing it's dependent on the main house drain. Same challenge as the 3/4" faucet- slight improvement for a lot more cost, and people with an issue won't see enough improvement to eliminate the complaint.

Audrey Martinez

Marketing Manager- Aging In Place Bathing

www.jacuzzi.com <<http://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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Attachments:

image002.jpg

(2 KB)

image003.png

(3 KB)

JACUZZI006663

REV JACUZZI006763

APEN 1619

Placeholder Unknown File Types

File Name: @

003872

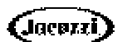
003872

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Davis, Joseph N.; Torres, Ray
CC: Nichols, Mary
Sent: 10/1/2014 11:23:17 AM
Subject: RE: Non slip floor
Attachments: Non Skid Options

Here is the slide I sent over for your review last Wednesday. It's on the agenda to review with Dave in our meeting today.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



www.jacuzzi.com

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

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From: Davis, Joseph N.
Sent: Wednesday, October 01, 2014 7:59 AM
To: Torres, Ray
Cc: Martinez, Audrey; Nichols, Mary
Subject: Non slip floor

Getting a bunch of noise from Mark to Bob on this.

Ray, can you give me the technical / legal reason we don't want to add something to the surface other than the mat?

Joseph N. Davis
President/GM
 Jacuzzi Luxury Bath
 13925 City Center Drive, Suite 200
 Chino Hills, CA 91709

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JACUZZI006665

REV JACUZZI006765

APEN 1621

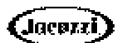
003873

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Davis, Joseph N.
Sent: 9/24/2014 5:51:12 PM
Subject: Non Skid Options
Attachments: 5229 Non Skid Options 92014.pptx

Buonasera Joey. Here are the non-skid options we discussed the other day. I wanted to get your approval before sending. Thank you.

Audrey Martinez

Marketing Manager- Aging In Place Bathing



www.jacuzzi.com

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JACUZZI006666

REV JACUZZI006766

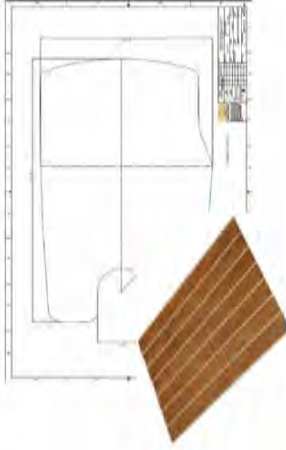
APEN 1622

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5229 Non Skid Options



All Jacuzzi® Walk in Bathtubs and Showers exceed the voluntary American Society for Testing and Materials Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities (ASTM F462 – 79)



#1 Recommended Option

Liquiguard SolidStepCote

What: Water-based coating that dries clear and creates non-slip texture
Cost: +/- \$40 per application
Available: At once
Note: Field application only. Cannot be applied at the plant. Subjective application, unable to replicate in factory.

#2 Recommended Option

NuTeak Mat

What: NuTeak synthetic mat, custom cut to fit tub floor
Cost: +/- \$95
Available: 4 weeks
Note: Tested to exceed voluntary standard. Material appropriate for use in this application.

#3 Recommended Option

Vinyl Mat

What: Suction cup backed traditional mat, custom cut to fit tub floor
Cost: +/- \$25
Available: 6 months
Challenge: If mat isn't removed often to dry, blisters in acrylic may occur. Requires testing and tooling development.

JACUZZI LUXURY BATH

From: SolidWorks Enterprise PDM MailSe <SolidWorks_Enterprise_PDM@noreply.com>
To: Breithaupt, Matt
Sent: 6/16/2016 7:09:41 PM
Subject: JLB: Engineering Change Notification of EC - 09758

SolidWorks Enterprise PDM notification

PDMVault\Jacuzzi Quality Management System\ECO\EC - 09758\EC - 09758.xlsx

- This is an Engineering Change Notification that the ECO has been released and pending production implementation.

- KBM has been updated as necessary.
- Reason for Change: Production drawing release - anti-slip floor covering
- Description of Change: Release LX07000 FLR MAT-WIT 17.5X14 KAHUNA GRP
- Models Affected: All Walk-in tubs with anti-slip floor mat
- The EC may be viewed at \\sun_fileprint\share\Public\Released_Documents
- Any related drawings may be viewed at <http://dataserver.jacuzzibrands.com/documents.htm>.

[View](#) [Open folder](#) [Properties](#) [History](#)

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JACUZZI006668

REV JACUZZI006768

APEN 1624

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Baehr, Rich; Bachmeyer, Kurt; Torres, Ray
Sent: 6/27/2013 5:20:22 PM
Subject: RE: Emailing: Test various Non Skid Patterns for compliance to ASTM F-462 , 5229 slip resistance

You guys are very funny:)

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: Baehr, Rich
 Sent: Thursday, June 27, 2013 9:43 AM
 To: Bachmeyer, Kurt; Torres, Ray; Martinez, Audrey
 Subject: RE: Emailing: Test various Non Skid Patterns for compliance to ASTM F-462 , 5229 slip resistance

My 2 cents

A while back when we had units from Brazil they had a rougher bottom on the units. We had several complaints from mostly older people that it hurt their feet, to the point that we started toning down the non skid

Below is a possible solution

<http://www.slipxsolutions.com/tub-tattoos-clownfish>

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

From: Bachmeyer, Kurt
 Sent: Thursday, June 27, 2013 11:34 AM
 To: Torres, Ray; Martinez, Audrey
 Cc: Demeritt, William; Peetz, Chris; Baehr, Rich; Davis, Joseph N.
 Subject: RE: Emailing: Test various Non Skid Patterns for compliance to ASTM F-462 , 5229 slip resistance

I'm not sure we are done here; we're compliant which is great but are we meeting the needs and safety requirements of this particular demographic? Seems to me if we want to be the leader in this category we would want to eliminate slippage of any kind now and in the future. My two cents.

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

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

JACUZZI006669

REV JACUZZI006769

APEN 1625

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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JACUZZI006670

REV JACUZZI006770

APEN 1626

003878

From: Norm Murdock <norm.murdock@aihremodelers.com>
To: Martinez, Audrey; 'DAVE MODENA'
Sent: 7/10/2013 11:10:29 AM
Subject: Discussion Topics for Tonight/Tomorrow

Sorry, should have sent these sooner! Some of these may be a follow-up from Bob & Joey's visit to VA...

General business:

- Higher quality, higher flow faucet – Norm/Todd to test this week
- Foot spinner launch?
- Anti-scald valve improvement
- Dual drain for rapid draining of tub
- Greater slip resistance needed for our senior users
- Update on current tub problems – color matching, poor skirt panel fitting
- Tub-to-shower conference prototype... everything on schedule? Pricing update?
- Jacuzzi WF financing
- Large bariatric tub & small shower tub needed... can/will Jacuzzi develop these for us? Timeline?
- Jacuzzi wall system
- "Next generation" WIT with instant fill/drain
- Other Jacuzzi products that we could offer our customers – comfort height toilets, etc
- Warranty issues/customer service follow-through & communications with our customers
- Installer certifications as authorized service agents

Conference:

- Jacuzzi Presentation – who, what, time allotment, etc
- "Wish list" of features/options I would like to include in the tub you will be shipping to conference:
 - o New End Panel
 - o New Adjustable Anti Scald
 - o New easy-to-adjust feet
 - o Heated Seat (conceptual)
 - o New & improved ¾" high flow faucet
 - o New Door bumper (on door edge)
 - o New & improved pneumatic push buttons (easier to push/less "sticking")
 - o New spinning foot massaging jets
 - o 2nd grab bar on tub shelf next to seat
 - o New & improved skirt panel
 - o New & improved door with easier to operate door closing mechanism
 - o Dual drain/fast drain (conceptual)
 - o New & improved slip resistant bottom (more aggressive texture, ASTM certification on our tub)
 - o New "Bio-lock" anti-bacterial resistance
- Also, assuming we are moving forward with the large & small tub options, it would be great to show some initial concepts/designs of what these may look like as "teasers" for our group.
- Please also ship in a Jacuzzi comfort height toilet.

Norm Murdock, CAPS, CSA

Vice President

*first***STREET**
 for Boomers and Beyond®

Phone: 303-222-3207

Cell: 602-403-6267

Email: norm.murdock@firststreetonline.com

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

JACUZZI006671

REV JACUZZI006771

APEN 1627

LinkedIn: www.linkedin.com/company/firststreet

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REV JACUZZI006772

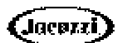
APEN 1628

From: Martinez, Audrey </O=JACUZZI ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AUDREY MARTINEZ66B76F91>
To: Davis, Joseph N.
Sent: 9/24/2014 5:51:12 PM
Subject: Non Skid Options
Attachments: 5229 Non Skid Options 92014.pptx

Buonasera Joey. Here are the non-skid options we discussed the other day. I wanted to get your approval before sending. 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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JACUZZI006673

REV JACUZZI006773

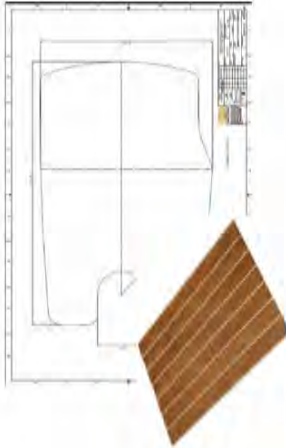
APEN 1629

003881

5229 Non Skid Options



All Jacuzzi® Walk in Bathtubs and Showers exceed the voluntary American Society for Testing and Materials Standard Consumer Safety Specification for Slip-Resistant Bathing Facilities (ASTM F462 – 79)



#1 Recommended Option

Liquiguard SolidStepCote

What: Water-based coating that dries clear and creates non-slip texture
Cost: +/- \$40 per application
Available: At once
Note: Field application only. Cannot be applied at the plant. Subjective application, unable to replicate in factory.

#2 Recommended Option

NuTeak Mat

What: NuTeak synthetic mat, custom cut to fit tub floor
Cost: +/- \$95
Available: 4 weeks
Note: Tested to exceed voluntary standard. Material appropriate for use in this application.

#3 Recommended Option

Vinyl Mat

What: Suction cup backed traditional mat, custom cut to fit tub floor
Cost: +/- \$25
Available: 6 months
Challenge: If mat isn't removed often to dry, blisters in acrylic may occur. Requires testing and tooling development.

JACUZZI LUXURY BATH

JACUZZI006674

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A-16-731244-C

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Product Liability**COURT MINUTES****August 21, 2019**

A-16-731244-C

Robert Ansara, Plaintiff(s)

vs.

First Street for Boomers & Beyond Inc, Defendant(s)

August 21, 2019**3:00 AM****Plaintiff's Motion to Expand Scope of
Evidentiary Hearing****HEARD BY:** Scotti, Richard F.**COURTROOM:** Chambers**COURT CLERK:** Elizabeth Vargas**PARTIES** Minute Order- No parties present.**PRESENT:****JOURNAL ENTRIES**

- The Court GRANTS Plaintiff s Motion to Expand Scope of Evidentiary Hearing, with the limited exception set forth below. The Court will resolve any valid objections on grounds of attorney-client privilege at the Hearing at the time of testimony, but the witnesses designated in the Motion must appear. The Court continues and re-sets the Evidentiary Hearing to commence Monday, September 16, 2019, 10:30 a.m., and continuing through that week as necessary. In this Hearing, the Plaintiff shall present first, given this stems from Plaintiff s Motion for Sanctions. The Court Orders that Defendant Jacuzzi must produce the designated witnesses without the need for a subpoena by Plaintiff. Any other witnesses must be brought forth by subpoena. Plaintiff is not entitled to examine at this Hearing any outside counsel for Jacuzzi (either present or past), unless such outside counsel either takes the stand in opposing the Motion for sanctions, or otherwise requests this Court to accept any sworn statement of outside counsel in opposition to the Motion for Sanctions. The Court will not accept any further pre-Hearing briefing on this matter, but will require post-Hearing written closing arguments. The Court will only continue this Evidentiary Hearing upon stipulation of the parties, or upon a showing of good cause.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Elizabeth Vargas, to all registered parties for Odyssey File & Serve. //ev 8/22/19

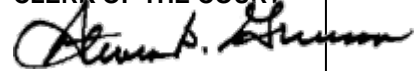
PRINT DATE: 08/22/2019

Page 1 of 1

Minutes Date: August 21, 2019

29

29



BENJAMIN P. CLOWARD, ESQ.
Nevada Bar No. 11087
IAN C. ESTRADA, ESQ.
Nevada Bar No. 12575
RICHARD HARRIS LAW FIRM
801 South Fourth Street
Las Vegas, Nevada 89101
Phone: (702) 444-4444
Fax: (702) 444-4455
E-Mail: Benjamin@RichardHarrisLaw.com
Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

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,

Plaintiffs,

vs.

FIRST STREET FOR BOOMERS & BEYOND, INC.;
AITHR DEALER, INC.; HALE BENTON, Individually,
HOMECLICK, LLC; JACUZZI INC., doing business as
JACUZZI LUXURY BATH; BESTWAY BUILDING &
REMODELING, INC.; WILLIAM BUDD, Individually
and as BUDDS PLUMBING; DOES 1 through 20; ROE
CORPORATIONS 1 through 20; DOE EMPLOYEES 1
through 20; DOE MANUFACTURERS 1 through 20;
DOE 20 INSTALLERS I through 20; DOE
CONTRACTORS 1 through 20; and DOE 21
SUBCONTRACTORS 1 through 20, inclusive,

Defendants.

AND ALL RELATED MATTERS

CASE NO.: A-16-731244-C
DEPT NO.: II

**HEARING REQUESTED
(IN CHAMBERS)**

**PLAINTIFFS' REPLY IN
SUPPORT OF MOTION TO
EXPAND SCOPE OF
EVIDENTIARY HEARING**



1 Plaintiffs, by and through their attorneys of record, BENJAMIN P. CLOWARD, ESQ.
2 and IAN C. ESRADA, ESQ., of RICHARD HARRIS LAW FIRM, hereby submit Plaintiffs'
3 Reply In Support of Plaintiffs' Motion to Expand Scope of Evidentiary Hearing.

4 DATED THIS 20th day of August, 2019.

5 **RICHARD HARRIS LAW FIRM**

6
7 */s/ Benjamin P. Cloward*
8 BENJAMIN P. CLOWARD, ESQ.
9 Nevada Bar No. 11087
10 IAN C. ESTRADA, ESQ.
11 Nevada Bar No. 12575
12 801 South Fourth Street
13 Las Vegas, Nevada 89101
14 *Attorneys for Plaintiffs*



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RICHARD HARRIS
LAW FIRM

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Since Plaintiffs' Motion to Enlarge the Scope of the Evidentiary Hearing and other relief to include pre-hearing discovery, Jacuzzi has again produced hundreds of additional pages of documents containing more similar incidents. Jacuzzi claims that the recent productions were simply to comply with outstanding discovery – this is inaccurate – the disclosures were made because it was inevitable that Plaintiffs would find the incidents. The disclosures were made 1 to 4 business days before 5 critical events were scheduled to take place. Here is a brief timeline:

1. July 26, 2019 – Friday afternoon – nearly 500 pages of documents were disclosed, which contained up to 46-47 additional incidents – most of which were *prior* to Sherry's incident.
2. July 29, 2019 – the following Monday, the depositions of the several key witnesses had been scheduled to take place:
 - a. Kurt Bachmeyer – Director of Customer Service;
 - b. Mayra Lopez – Kurt Bachmeyer's personal assistant;
 - c. Eda Rojas – Customer Service Agent;
 - d. Deborah Nuanes – Customer Service liaison for *firstSTREET* and all dealers
3. July 30, 2019 – the next day, Tuesday, the deposition of Mark Allen, the Rule 30(b)(6) designee was scheduled.
4. July 31, 2019 – the next day, Wednesday, the first phase of the Forensic Computer Search was conducted of the Salesforce database.
 - a. ***VERY IMPORTANT – Plaintiffs have yet to receive ANY of the Salesforce documents retrieved pursuant to the search.*** Jacuzzi is still reviewing the results for privilege. What this means is that all of the documents produced thus far were not as a result of the Salesforce search.¹

¹ It should also be noted that major discrepancies took place at the search which will be addressed in a subsequent motion dealing with multiple irregularities that took place during the search.

Therefore, for Jacuzzi to claim that it turned the documents over in good faith is a farce. Jacuzzi had its' back against the wall and the inevitable was about to take place – so to create the appearance of good faith it did a last-minute document dump.

Then, *after* the Motion to Enlarge was filed, and *after* the Salesforce search, Jacuzzi *did a second* document dump which contained nearly an equal number of new claims that had to date never been revealed. Plaintiffs do not know whether these incidents are the same as those that would have been retrieved as a result of the Salesforce forensic search or not, but suspect that again – to avoid the appearance that Plaintiffs found something, Jacuzzi quickly turned documents over to appear as though it is acting in good faith – again a farce. Following is a summary of those documents:

Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Betty Cox	Rev Jacuzzi005953 – Rev Jacuzzi005957; and Rev Jacuzzi006099 – Rev Jacuzzi006144	“customer called and the floor is too slippery . Tub is slow to fill and drain.”	May/2016 Aug./2016
Frank & Helen Armstrong	Rev Jacuzzi006175 – Rev Jacuzzi006186; and Rev Jacuzzi006283 – Rev Jacuzzi006284; and Rev Jacuzzi006302 – Rev Jacuzzi006303	“the customer states the tub is extremely slippery when she allows the water to drain completely, because the bottom is slippery . She broke her tub on the drainer.” “the customer states water is leaking underneath their tub... water is leaking when the faucet is not on.”	Nov./2018
Ryan Chenoweth	Rev Jacuzzi005965 – Rev Jacuzzi005966	“tub leaking water on the floor.”	Dec./2013

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888300

RICHARD HARRIS
LAW FIRM

Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Michael S. Fried & Barbara J. Fried	Rev Jacuzzi005744 – Rev Jacuzzi005798	“the customer called and is very upset. He says they have to use the breakers in the garage to turn the tub on and off. He says that <u>he is afraid that this will trap his wife in the tub</u> because if she takes a bath, she won’t be able to stop the jets.” <u>“Consumer got stuck in her tub</u> because they had to turn it off at the breaker.”	May/2015
Karen Sommers	Rev Jacuzzi005767 – Rev Jacuzzi005771; and Rev Jacuzzi005799 – Rev Jacuzzi005800	“the customer called and said she used a whole bottle of bubble bath and <u>it caused her to fall and the tub is still slick,</u> no matter what she does. <u>She slides off the seat.</u> ”	Feb./2016
Nellie R. McDiffett	Rev Jacuzzi005775 – Rev Jacuzzi005777	“the customer called and said I already wrote what I do not like about the jacuzzi walk-in tub I bought in 2014. ² I cannot reach the spigots to turn them on once... <u>I can’t lie back in it or would slide down into the bottom</u> ... too short to brace feet at other end... advertising is misleading... Takes a long time to fill and <u>there was no non-skid bottom</u> to it so they did come out and put one in and on the seat...”	July/2017
Louise Diane Marbury	Rev Jacuzzi005778 – Rev Jacuzzi005789	“consumer reporting that her drain release is not working. She said that it had stuck once before <u>causing her to be trapped in the tub.</u> ”	May/2017

² This written complaint has never been turned over.



688300

RICHARD HARRIS
LAW FIRM

Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Alice Roehl	Rev Jacuzzi005935 – Rev Jacuzzi005939: and Rev Jacuzzi006197 – Rev Jacuzzi006217	“Jacuzzi tub has slippery bottom even though it’s supposed to be non-skid... <u>she slipped when trying to get out and almost drowned.</u> ”	Nov./2017
Bettie Crawford	Rev Jacuzzi005948 – Rev Jacuzzi005952; and Rev Jacuzzi006089 – Rev Jacuzzi006093	“drain stopper not closing – won’t seal... bottom of floor is <u>very slippery.</u> ”	Dec./2015
Robert Brannock	Rev Jacuzzi005960 – Rev Jacuzzi005961	“consumer called in stating that the floor is <u>very slippery</u> ...she is requesting that someone sends her a bath mat that is slip resistant. She has bought a few and had not worked.”	Aug./2013
Carmen Perilloux	Rev Jacuzzi005965 – Rev Jacuzzi005967	“per Mrs. Perilloux, she is 80 years old and has slipped on her tub once and she is afraid to use it. She in complaining that her bathroom floor keeps getting wet, there is water leaking from underneath the tub onto the bathroom floor.”	Dec./2013
Judy Lippincott	Rev Jacuzzi005968 – Rev Jacuzzi005969	“Mrs. Lippincott called today to advise that <i>she is not happy with her unit.</i> <u>She slips on the seat</u> and has to hold onto the handle to take a bath. She also said that she almost slipped this morning getting out and said there was soap residue on the floor after she used the shower. Her final complaint was the door being too narrow and she has to move around after she is in the unit to be able to close the door.”	Jan./2014

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Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Charles Horn & Esther L. W. Horn	Rev Jacuzzi005974 – Rev Jacuzzi005980; and Rev Jacuzzi006233 – Rev Jacuzzi006243	“customer called and said the floor is slippery and fell . He also wanted me to note that <i>he is not happy</i> that he slipped in the tub and Jacuzzi will not do anything to correct the non-slip. ” “the customer is complaining that even with that on there, the surface becomes hazardously very slippery when he stands up to take a shower and uses soap.”	July/2014
Suzanne P. Murphy	Rev Jacuzzi005981 – Rev Jacuzzi005992; Rev Jacuzzi006048 – Rev Jacuzzi006052; and Rev Jacuzzi006372 – Rev Jacuzzi006381	“ floor in tub is very slippery. She hasn’t used in a year.” “ floor is slippery and was not that way when she purchased the tub.” “customer called in about her slippery floor on her tub and very upset that nobody that she has talked to in the past has ever gotten back to her.”	April/2015
Clovis Ball	Rev Jacuzzi005993 – Rev Jacuzzi005998 and Rev Jacuzzi006248 – Rev Jacuzzi006252	Needs to have extra grab installed “felt the floor was too slippery ”	September/2014
Joan Carrison	Rev Jacuzzi006017 – Rev Jacuzzi006021 And Rev Jacuzzi006312 - Rev Jacuzzi006316	Tub is too slippery and does not know how to adjust the jets	March/2015
Lois Gordee	Rev Jacuzzi006022 - Rev Jacuzzi006027 and Rev Jacuzzi006325 - Rev Jacuzzi006328	Slippery tub	March/2015

003890

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Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Racheal Mayes	Rev Jacuzzi006043 - Rev Jacuzzi006047 and Rev Jacuzzi006359 - Rev Jacuzzi00636	Dissatisfied with walk-in tub "is too small to reach the handles" "scared when if she slips the handle will be the first thing she hits"	
Jean Tarbutton	Rev Jacuzzi006053 - Rev Jacuzzi006057 and Rev Jacuzzi006279 - Rev Jacuzzi006282	AITH sent someone out when he reported the floor was slippery "reported the floor was slippery to put some product on the flooring of the tub – it has worked – but has left stain at bottom of tub"	July/2015
Nancy A. Horstmeyer	Rev Jacuzzi006058 - Rev Jacuzzi006062 and Rev Jacuzzi006337 - Rev Jacuzzi006340	Slipped and also cold air blows from under tub	August/2015
Dale J. Kilburn, Jr.	Rev Jacuzzi006063 - Rev Jacuzzi006067 and Rev Jacuzzi006252 - Rev Jacuzzi006258	Slippery on bottom "customer not happy with tub, wants to return if possible, him and his wife have trouble slipping , says unit is too <u>slippery even on seat area.</u> "	August/2015
Mr. Bregman & Eleanor Anita Bregman	Rev Jacuzzi006068 - Rev Jacuzzi006072 and Rev Jacuzzi006333 - Rev Jacuzzi006258	Walk in tub slippery on bottom	September/2015
Patricia Cloud & Richard Sowards Cloud	Rev Jacuzzi006073 - Rev Jacuzzi006081 and Rev Jacuzzi006350 - Rev Jacuzzi006354	Her and her son slips and falls in the tub while using	November/2015

003891



Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Doris Celentano	Rev Jacuzzi006082 - Rev Jacuzzi006087 and Rev Jacuzzi006271 - Rev Jacuzzi006274	She cannot get into tub and close the door without sitting. Floor is far too slippery Water cannot be turned on while sitting She is 4" 120 lbs	November/2015
Delvina L. Posch & Norbert M. Posch	Rev Jacuzzi006094 - Rev Jacuzzi006098 and Rev Jacuzzi006264 - Rev Jacuzzi006270	Wants extra grab bar and non-slip mat	April/2016
Robert W. Thwaites, Jr.	Rev Jacuzzi006104 - Rev Jacuzzi006108 and Rev Jacuzzi006367 - Rev Jacuzzi006371	Tub is slippery – <u>he falls</u>	June/2016
Robert M. Bair, Sr.	Rev Jacuzzi006109 - Rev Jacuzzi006122 and Rev Jacuzzi006363 - Rev Jacuzzi006366	Slipped in the tub and broke hand-held shower	June/2016
Herminio Ballio	Rev Jacuzzi006123 - Rev Jacuzzi006127 and Rev Jacuzzi006275 - Rev Jacuzzi006278	Wife is handicapped and slips easily, <u>tub is slippery at bottom, seat slippery too</u>	August/2016
Karen W. Lugo	Rev Jacuzzi006128 - Rev Jacuzzi006138 and Rev Jacuzzi006316 - Rev Jacuzzi006321	Mom slipped <u>and got her foot and leg so lodged into the corner of the tub she couldn't get out. It took two paramedics to dislodge her from this slip</u> <u>She is afraid to slip now</u>	August/2016
Kathe W. Dolan	Rev Jacuzzi006128 - Rev Jacuzzi006138 and Rev Jacuzzi006321 - Rev Jacuzzi006325	<u>Slipped and fell in bath and it took 45 minutes for her to get up and out of the bath</u>	August/2016



Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Maile Marie Good	Rev Jacuzzi006175- Rev Jacuzzi006186 and Rev Jacuzzi006294- Rev Jacuzzi006297	“tub is <u>extremely slippery when</u> she allows the water to drain completely, because the bottom is slipper[y] , she broke her tub on the drainer. Do you have any suggestions the customer can use to avoid the slippery feeling in the tub?”	Jan./2017
Paul Taubman	Rev Jacuzzi006187- Rev Jacuzzi006190 and Rev Jacuzzi006355- Rev Jacuzzi006358	“looking for slip resistant mat ” and “Need replacement diverter”	July/2017
Lucille Marie Burgess and her husband	Rev Jacuzzi006192- Rev Jacuzzi006195	“Consumer called because her husband noticed that the bottom of her walk-in tub was a little slippery. She wanted to know if we offered a bath mat for the tub. Told her that we do not offer mats with our tubs however; she could probably try and locate one through her local hardware store. She said that they do not have the correct size and that the suction covers do not stay attached.”	Aug./2017
David L. Williams and Debbie Williams	Rev Jacuzzi006218- Rev Jacuzzi006222 and Rev Jacuzzi006259- Rev Jacuzzi006263	“customer not happy with tub; wants to trade this in as this is too big; this is also <u>too slippery</u> ; light does not work; black flakes coming out of tub... Consumer called in stating that she wanted to purchase some bath mats for her mother's walk-in tub... Consumer's daughter called back and wants to know what we are doing about the bath mat. I explained these are accessory and not a warranty item. She thought we were sending it out for free. sending mat out as a 1x courtesy... <u>wants to purchase more kahuna grip mats.</u> ”	Jan./2018



Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Christen Manual	Rev Jacuzzi006223- Rev Jacuzzi006227 and Rev Jacuzzi006244- Rev Jacuzzi006247	“walk in tub, slipping on bottom... 3 years old tub, lady is <u>slipping on floor they have tried everything I suggested.</u> ”	Jun./2018
Carolyn Austin	Rev Jacuzzi006285	“faucet started leaking a couple of weeks ago, and it won't stop dripping even after they turn off the knob. I spoke with the installer and he states that the faucet may need to be replaced and request one be ordered.”	Nov./2016
Dennis Mullins & Ida Mullins	Rev Jacuzzi006285	“chrome on the handles inside the tub is coming off.”	Dec./2016
Doris Hales	Rev Jacuzzi006286	“hot water handle has come off and cannot get it to re-attach”	Dec./2016
Davey Henderson and Lyndell Henderson	Rev Jacuzzi006287; Rev Jacuzzi006293	“Per our installer we need to order a mixing valve for this customer, there's an issue with the hot water valve, customer is unable to get any hot water.”	Feb./2017
Jeanne Achenbach	Rev Jacuzzi006288- Rev Jacuzzi006291	“...two front whirlpool adjusters came off. The customer has offered pics, please see the attachment.”	Feb./2017
Thomas Maxwell and Janice Maxwell	Rev Jacuzzi006289; Rev Jacuzzi006292	“...need to order a Universal Teak Shower Seat 18 [inch], the screws on the current teak bench is coming loose causing the flats to move when sitting.”	Feb./2017
Roger Grapes and Mary Grapes	Rev Jacuzzi006290	“...plastic film seems to be peeling back on tub and the chrome is peeling off the handle, there are tiny cracks along the outside of the jacuzzi tub.”	Feb./2017



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RICHARD HARRIS
LAW FIRM

Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Darwin Jones and Dora Jones	Rev Jacuzzi006299- Rev Jacuzzi006301	"...customer is stating they have to run the shower and bath at the same time, the lever [sic] will not separate it. Also the chrome is coming off the handles..."	Jan./2017
Terry Brown and Linda Brown	Rev Jacuzzi006305; Rev Jacuzzi006308	"jet's [sic] and lights are not working..."	Sep./2016
Donald Jackson	Rev Jacuzzi006306- Rev Jacuzzi006307; Rev Jacuzzi006309- Rev Jacuzzi006310	"Customer is having problems with the jets. Some of the jets are not working anymore and the pure air is not working as well. They claim the tub is used only once a week, so the customer is not sure what caused the issue."	Sep./2016
Byron Wise	Rev Jacuzzi006311	"Per the customer the Jacuzzi stopped working. He did turn the breaker on/off and nothing worked."	Aug./2016
Mary M. King & Robert King	N/A	<u>Mary fell off the seat and ended up in the tub and had to call for help out. She fell at least twice, and it is hard to get out of the tub from the bottom of the tub floor. She feels it was a safety issue and could not reach the handles of the tub to turn the water on and off and can't let water out of the tub. She must have an attendant with her at all times and feels it was a very expensive mistake to purchase the walk-in tub.</u>	Unknown
Virginia Nicklas	N/A	Ms. Nicklas had a problem with the <u>slipperiness of the bottom</u> of the tub and that <u>she had to install 6 strips on the bottom of the Jacuzzi tub so that she could get out.</u> Due to her height of 5'9", exiting the tub is a bit cramped and a tight fit.	Unknown

003895

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003896RICHARD HARRIS
LAW FIRM

Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Arnold Kemper and Norma Kemper	N/A	Mr. Kemper fears using the tub <u>because of the slippery floor and slippery seat.</u> He will also testify about his concerns that the tub was too narrow, and he had trouble turning around in the tub. He will also testify about the installer's agreement to take out the tub and install a new shower or tub.	Unknown
Cyrus Stair and Catherine Stair	N/A	Cyrus complained that there was very poor follow-up after the installation and they were told that at a follow-up visit someone would come out to apply something on the floor of the tub to help with the slippery surface, but they still did not hear.	Unknown
Dorothy Kostro	N/A	The floor of her tub <u>was slippery,</u> and the seat was too low.	Unknown
Robert Kirby and Patricia Kirby	N/A	<u>The floor was slippery,</u> and the tub takes a long time to fill up.	Unknown
Carole Bruen	N/A	Ms. Bruen found the <u>floor of the tub to be very slippery.</u>	Unknown
Stephen Kuseryk, Sr. and Shirley Kuseryk	N/A	The shower grip was slippery and hard to hold and that the <u>tub seat is slippery causing one to slide off.</u>	Unknown

003896



Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Benjamin J. Blunt and Dorothy Blunt	N/A	Mr. Blunt was very surprised because there were no nonskid surfaces on both the seat and floor of the tub and that he had to call Jacuzzi and Aging in the Home Remodelers about the problem and that AITHR sent someone to install a non-skid pillow for the seat. He has concerns regarding the planning stages of the product he purchased, and he was not sold the product that was advertised and that he was possibly sold an old tub and/or a reject tub.	Unknown
Artie Lee Gatewood and Elisabeth Gatewood	N/A	The first time that Ms. Gatewood got in the tub, <u>she fell flat to the floor</u> because the floor is so slick.	Unknown
Mr. & Mrs. Ed Jacobson	N/A	The tub bottom and tub seat are slippery.	Unknown
Arthur Salerno and Nancy Salerno	N/A	The floor of the tub was slippery when wet and requires a bathmat for safety. He did not feel that the tub met his expectation as advertised as non-slip. The pillow that was provided was hard and uncomfortable and could not be used.	Unknown
Milton Leblanc and Shirley Leblanc	N/A	The seat and bottom were a little slippery and required a mat to be put down.	Unknown



Customer Name	Bates-Stamps	Summary of Complaint	Date (Month/Year)
Michael Lindsey and Maritta Jane Lindsey	N/A	There were not enough details on the unit, so he could not tell whether the promised water filtration system worked or not and the lack of information provided with the unit. The water jets need water pressure controls by the occupant, and the top two jets need to be relocated to hit the occupant's calves. The door gasket needs to be elongated by about four inches and that there should be a better non-slip floor.	Unknown
Gladys Manning	N/A	Gladys almost slid off the seat the first time she used the tub and almost did not get out. Without the pillow she would not be able to use the tub at all.	Unknown
Clifford Gerhart and Ruth Gerhart	N/A	The door should open outward and not inward and that the tub is too confining to get into the tub and that it takes too long to fill with water. Mr. Gerhart will also testify that the bottom of the tub and the seat are slippery.	Unknown
Terry A. Hendee & Cheryl A. Hendee	N/A	The Hendees have criticisms regarding the design of the Jacuzzi walk-in bathtub they purchased, including the tub seat and tub floor being very slippery , the drain knob being difficult to operate, the door being difficult to close and misrepresentations made during the sales process regarding the capabilities of the tub.	Unknown

1 Again, it cannot be overstated that Plaintiffs have not even received the results from the
2 first phase of the Salesforce forensic search and it is believed that the 100+ incidents disclosed
3 in the past month are just the tip of the iceberg.

4 5 **II. STATEMENT OF FACTS**

6 Sadly, Jacuzzi's recalcitrant attitude toward discovery is never-ending. Rather than
7 acknowledge the misbehavior, Jacuzzi instead digs in, doubles-down and continues to try and
8 shift the Court's focus onto Plaintiffs. Jacuzzi does this in two ways:

9 First, Jacuzzi tries to create an illusion that Plaintiffs claims are continuously and
10 neverendingly changing and evolving and that because of this, it has had a hard time complying
11 with the Court's Orders and/or Plaintiffs' discovery requests. Jacuzzi does this to divert the
12 Court's attention away from the complete and utter failure to disclose relevant evidence
13 pertaining to the slipperiness issue. Jacuzzi accuses Plaintiffs of misrepresenting what the Police
14 Officers said when in reality it is Jacuzzi that grossly miscites and misquotes Plaintiffs' brief.³
15 Additionally, Jacuzzi claims that the versions of Plaintiffs' complaint significantly evolved over
16 time and seek refuge arguing that this also contributed to Jacuzzi's failure to disclose relevant
17 evidence – essentially arguing that, “hey the story keeps changing so we're trying to disclose the
18 evidence the best we can.”

19 While it is true that when the complaint was first filed, there was good faith belief that
20 the drain also malfunctioned, that issue (for the most part)⁴ was resolved when the first
21 responders were deposed and explained what they saw and observed. The first responder
22 depositions began in April of 2017 and ended in November of 2017. This is critical because the
23 parties have known since November of 2017 exactly what happened and how Sherry became

24 ³ In several motions, Jacuzzi has cited to Plaintiffs' FN 16 for the proposition that, “Contrary to Plaintiffs' statement
25 in FN 16 suggesting Decedent told multiple police officers and paramedics that she ‘slipped when she was reaching
26 for controls,’ only one police officer testified to this, Officer Bradley Van Pamel.” See, Def. Opp'n. At 5: lines 21-
27 23. Plaintiffs ***never stated what Jacuzzi claims***. Period. Instead for comparison, the Court should look no further
28 than the actual text of FN 16 in Plaintiffs' Renewed Motion to Strike which stated, “The police officers and
paramedics who responded when she became trapped testified, she told them what happened.” See, Pls' Renewed
Mot. To Strike, at 4, FN 16. This is just one example of how Jacuzzi is careless with the truth and takes dangerous
liberties with the factual record by simply misstating what was even said!

⁴ William Lewis, Sherry's friend testified that she told him in the hospital that she did have problems with the drain
too. But he is the only witness who offered testimony on this issue.

1 wedged in the bottom of the tub – she slipped off of the seat while reaching for the controls.⁵ As
2 Plaintiffs have already addressed *ad nauseum* in prior motion-practice, the versions of the
3 complaint were very similar and have not substantively changed and since 2017 Plaintiffs have
4 been seeking discovery regarding the slipperiness of the tub. As the Court is well aware, the
5 term “slip” was one of the very first search terms requested.

6 Despite the very clear testimony of Officer Van Pamel – grasping for straws, Jacuzzi
7 creates a narrative to explain away why it failed to disclose the thousands of pages of relevant
8 evidence and manufactures a dispute about the “first responder” testimony by minimizing
9 Officer Van Pamel’s testimony. This is yet another attempt at misdirection to explain away the
10 obvious, calculated and intentional non-disclosure of relevant evidence pertaining to the
11 slipperiness issue. It cannot be overstated that since 2017 the slipperiness of the tub has been an
12 important issue – regardless of how Jacuzzi tries to spin the narrative. Again, as the Court is
13 well aware, of the 20 search terms, slip was one of the first terms requested to be searched. It is
14 highly disingenuous for Jacuzzi to claim that this is a new issue.

15 The second way Jacuzzi has tried to throw the Court off the obvious stench of
16 misbehavior is by implying that it has diligently worked to find and turn over relevant evidence.
17 This is flatly misleading. Jacuzzi has suggested in an almost Indiana Jones-fashion that it has
18 “po[ured] through dusty boxes filled with old warranty claims . . .” to comply with the Court’s
19 orders. This claim is preposterous and statements like these are aimed at coaxing this Court into
20 believing that it has participated in good faith and basically implies that “we’ve tried really hard
21 and searched high and low to get Plaintiffs exactly what they want.” As will be shown below,
22 based on the very recent (within the last couple weeks) deposition of Kurt Bachmeyer, who is
23 the national customer service director, Jacuzzi has the ability to easily filter claims to compile
24 lists of nearly any issue received about the tubs at issue.

25 Yet prior to Mr. Bachmeyer’s deposition, Jacuzzi has consistently in hearing after hearing
26 and in multiple motions/oppositions tried to lure the Court into believing that it is a lengthy,
27 time-consuming and difficult process to obtain the data Plaintiffs have requested.

28

⁵ See, *infra*, FN 21 & 22.



1 **III. LEGAL ARGUMENT**

2 **1. Jacuzzi has Known Since 2017 that the Slipperiness Issue is Critical, and**
 3 **Officer Van Pamel was the Only Officer who was Certain about What**
 4 **Sherry Said, i.e. – She Slipped off the Seat**

5 Officer Van Pamel was the only first responder who offered certain and unwavering
 6 testimony about exactly **how** Sherry became stuck in the bottom of the tub – she slipped off of
 7 the seat. Despite the very clear testimony offered by Officer Van Pamel, Jacuzzi instead chooses
 8 to selectively cite other first responder witnesses while omitting parts of their testimony where
 9 they admit they are speculating regarding how Sherry ended up in the bottom of the tub. Jacuzzi
 10 disingenuously cites to first responders who mentioned that Sherry “*fell*” in the tub.

11 Because Jacuzzi failed to participate in discovery in good faith, it has backed itself into
 12 a corner and must do this to explain away why it failed to turn over critical evidence regarding
 13 the *slipperiness issue*. Jacuzzi has no problem trying to mislead this Honorable Court in an
 14 effort to justify its misdeeds.

15 For the Court’s benefit, below is a summary of **all** first responder testimony, in
 16 chronological order. It should be noted that most of the first responder’s testimony was very
 17 short because they simply could not remember what took place or were not dealing directly with
 18 Sherry but were taking care of other assignments associated with the call. For instance, Officer
 19 Lemire’s deposition only lasted five-minutes and Sergeant Larsen’s deposition only lasted 15
 20 minutes and is all of 14 pages long (of which the first 10 pages were admonitions.)

- 21 • **April 18, 2017 – Officer Matthew Shake (26-minute, 28-page deposition)**

22 Q: What do you recall about the incident on February 21st, 2014, at 3881 Sedgwick
 23 Court?

24 A: I think the only clear memory that I have is finding an older lady inside a
 25 bathtub. And just the memory that sticks out the most is being happy we found
 26 somebody that could get help, that we helped them.⁶

27 ...

28 Q: Did she give you any indication of why she was stuck?

A: ***I don’t remember.***⁷

...

⁶ See, Depo of Matthew Shake, at 9, attached hereto as **Exhibit 10**.

⁷ See, Depo of Matthew Shake, at 10, attached hereto as **Exhibit 10**.

1 Q: . . . You said she was conscious and that you felt like she needed help; is that
2 right? Or that you were happy that you could help her or that she could help?

3 A: So any time I do a check the welfare, because a lot of times somebody might be
4 dead inside, so any time I find somebody alive that needs help, it does make me happy.
5 I hate saying this because it was so long ago and I'm not trying to make light of the
6 subject, but it wasn't a monumental call that I would go to. ***I believe that she had told
me that she had fallen down and just couldn't get up. But I mean, I wouldn't – I
wouldn't bet money that that's what she said.***⁸

7 • **May 23, 2017 – Firefighter Raymond Leclair** (49-minute, 36-page deposition)

8 Q: What do you recall specifically about the incident. . .

9 A: . . . I believe the faucet was here (indicating), seat was towards the back, and
10 she had seemingly ***slipped and was wedged in between the seat.***⁹

11 . . .

12 Q: I just asked you about her position in the tub. And you recall there being a seat
13 in the tub; is that correct?

14 A: Yes.

15 Q: And she was down in kind of the footwell portion of the tub?

16 A: Yes.¹⁰

17 . . .

18 Q: Did you ever get any indication of how Ms. Cunnison had came to be stuck in
19 the tub to begin with?

20 A: **No.**

21 Q: Was there anything in the tub that appeared to have caused Ms. Cunnison to fall
22 or slip into that footwell portion of the tub?

23 A: **I don't remember any of that.**¹¹

24 . . .

25 Q: I just have a couple follow-up questions. I just want to unpack what you said
26 in terms of believing that she was stuck in the tub. Can you just explain to us what you
27 mean by that?

28 A: She was unable to get herself out of the tub. She was unable to pick herself up
onto the seat. And when we tried to lift her up, we could not lift her up at that point.
When we have to cut somebody out of something, I generally consider them having
been stuck.¹²

29 • **June 15, 2017 – Sergeant Allen Larsen** (15-minute, 14-page deposition)

30 Q: Before we start do you have any questions about the process or any questions
31 for me?

⁸ See, Depo of Matthew Shake, at 17-18, attached hereto as **Exhibit 10**. (emphasis added).

⁹ See, Depo of Raymond Leclair, at 9, attached as **Exhibit 11** (emphasis added).

¹⁰ See, Depo of Raymond Leclair, at 10, attached as **Exhibit 11**.

¹¹ See, Depo of Raymond Leclair, at 21, attached as **Exhibit 11**.

¹² See, Depo of Raymond Leclair, at 36, attached as **Exhibit 11** (emphasis added).

1 A: My only question would be because I have absolutely zero recollection of this
2 incident to any point . . . I have zero recollection of this call in any capacity. . .”¹³

3 . . .

4 Q: . . . Do you know whether you responded to this incident as well?

5 A: I do not . . . I don’t recall responding to this. It’s quite possible that I did . . .

6 . . .

7 Q: Sure. It’s fair to say you don’t recall responding to an incident where there was
8 an elderly woman who was, I guess, stuck in a bathtub?

9 A: I do not.

10 Q: For several days?

11 A: ***I do not recall that.***¹⁴

12 • **June 15, 2017 – Officer Kevin Lemire (5-minute, 7-page deposition)**

13 Q: Officer Lemire, briefly we had a discussion off the record. You informed me
14 that you were on the CAD report, which is why I believe that you were subpoenaed for
15 this matter, but the CAD report shows that you were diverted from the call prior to you
16 actually arriving. Is that an actual representation of the off-the-record discussion that
17 we had prior to starting today?

18 A: Yes, it is.

19 Q: . . . Fair to say *you did not arrive at this call*?

20 A: ***That is correct.***

21 . . .

22 Q: Fair to say . . . you have no independent recollection of any of the events
23 because you were not called to that and you were not told about that event; is that fair?

24 A: That is correct.¹⁵

25 • **June 15, 2017 – Sergeant Dana Pickerel (1-hour, 42-page deposition)**

26 Q: In this case do you have an idea as to why you were called in this specific
27 incident?

28 A: A patrol officer called me. It was – I believe it was Officer Scanlon.

29 . . .

30 Q: Did he give you any indication as to why, you know, like we think this happened
31 or hey, we think, you know, that happened, or why in that particular instance it would
32 rise to your level?

33 A: He is a squared-away officer. I don’t remember the conversation, but would
34 have told me details, brief detail of what he had.

35 Q: Fair enough. Do you recall any of those details and what those were?

¹³ See, Depo of Sergeant Allen Larsen, at 12-13, attached as **Exhibit 12**.

¹⁴ Id.

¹⁵ See Depo of Officer Lemire, at 6-7, attached hereto as **Exhibit 13**.

- 1 A: Specifically, no.¹⁶
- 2 ...
- 3 Q: Inasmuch detail as you can recall, what did she say to you?
- 4 A: Well, as we roll into the bedroom, I remember the master – as we rolled into the master bedroom, the master bedroom I remember as being to our left. As we roll in – I was not the first one in the bathroom.
- 5 Q: Do you know who was?
- 6 A: I don't remember who was. In fact, I remember Matt Scanlon being on the call, and I don't remember the other officers on the call. As we entered, we see a woman in a bathtub, she was an elderly woman. You could tell she was in the bathtub for a while. If I recall, it was feces and stuff like that. You could tell she was there for a while. She was very grateful, and you could tell she needed medical attention right away.
- 7 Q: Was she expressing gratitude like oh, thank you guys for being here?
- 8 A: *I don't remember exactly what she was saying to be honest.*¹⁷
- 9 ...
- 10 Q: *Do you recall her saying anything that would have, I guess, explained how she got into the predicament that she was in? Did she tell you, hey, I fell or, you know, anything along those lines?*
- 11 A: *Me specifically, no.* I can't speak for the other officers . . . I know once we roll into that scenario, I have responsibilities. . . I'm not even – to be honest with you, *I'm not even paying attention to what she's saying...*¹⁸
- 12 ...
- 13 Q: Did you have any conversations with any of the officers about what maybe she said to them that you can remember?
- 14 A: No.
- 15 Q: And you don't remember other than her being grateful that you guys were there, you don't remember any specific details of conversations like, hey, I slipped and I fell or, you know, this happened or, you know, whatever, anything along those lines? All you recall is that she seemed grateful and was aware of your presence and was thankful that you were there; is that fair?
- 16 A: Correct. She could have been talking to the officers. FD gets there quick. That's their expertise as far as medical assistance. Like I said, she was talking to the officers. I am immediately walking out getting resources. . .¹⁹
- 17
- 18
- 19
- 20
- 21
- 22 • **October 16, 2017 – Officer Matthew Scanlon (57-minute, 55-page deposition)**
- 23
- 24 Q: Now, can you tell me, I guess, the first thing that you recall observing once you got back to where Ms. Cunnison was?
- 25 A: It was a shower tub that had a door, but I don't know if the door opened in or out. But somehow she tripped or fell or got wedged so like she was curled up in the little alcove of it to where she pinned herself.
- 26

¹⁶ See, Depo of Sergeant Pickerel, at 12-13, attached hereto as **Exhibit 14**.

¹⁷ See, Depo of Sergeant Pickerel, at 23-24, attached hereto as **Exhibit 14**.

¹⁸ See, Depo of Sergeant Pickerel, at 25, attached hereto as **Exhibit 14**.

¹⁹ See, Depo of Sergeant Pickerel, at 29, attached hereto as **Exhibit 14**.



1 Q: Now, regarding the, I guess, the tripped or fallen, was that something that you
2 surmised based on your observation? I guess, is that speculation on your part or did
3 she tell you, hey, I tripped or I –

4 A: **No. That was just me, from what you know, what – it looked – like whether
5 she – it's – I mean, it's – there's no way to prove if – you know, what exactly occurred,
6 but she was fallen and pinned.**

7 Q: Okay.

8 A: **So it's unknown how and whether she tripped or fell or – you know, but she
9 was pinned in there.**

10 Q: . . . But was there anything that she said that gave you information as to her
11 being in that position? **Did she say like I slipped or fell or I – or was she –**

12 A: **I can't recall.** I mean, I remember the water still pouring on her, so the – so
13 there was still watering coming out, and she said she's been trapped there for several
14 days.²⁰

15 . . .

16 Q: So, I guess, all I'm trying to find out is if you remembered seeing a level of
17 water. . .

18 A: . . . I didn't get up close. **As soon as I saw what I saw, I ran – you know, not
19 ran, but, you know, I – you know, I had Officer Van – you know, Vanpamel stay with
20 her and comfort her** while I had to go out there and do other stuff since I was the –
21 you know, that was a call assigned to me, so it was technically like my call. So I had
22 to go out there and brief our sergeant and get FD rolling out there, and stuff like that.²¹

23 . . .

24 Q: Fair to say, I guess, the only thing that you remember her communicating is that
25 she was stuck for a number of days?

26 A: Yes.²²

27 • **November 20, 2017 – Officer Bradley Van Pamel (33-minute, 38-page deposition)**

28 Q: So she was vocalizing words or commands?

29 A: Yes.

30 Q: Okay. Now, as you gain access to the bathroom, can you walk us through that.

31 A: Basically as soon as we walked in the bathroom, we could see her sitting in the
32 tub. We -- I basically asked her, "Oh, what happened? Are you okay?" I wanted to make
33 sure -- obviously we didn't know a hundred percent --

34 Q: Yeah.

35 A: -- how long she had been there or what circumstances were. So she -- **her basic
36 story was, "I was -- I took a bath." The tub that she was in, she was sitting in like a seat.
37 She said that she went to go turn the water off and to drain the tub out and she
38 slipped off the seat and wedged herself between the seat and like the side of the
39 tub.**

40 Q: Okay. And she was able to vocalize all of that?

²⁰ See, Depo of Officer Matthew Scanlon, at 18-19, attached as **Exhibit 15** (emphasis added).

²¹ See, Depo of Officer Matthew Scanlon, at 21-22, attached as **Exhibit 15** (emphasis added).

²² See, Depo of Officer Matthew Scanlon, at 29-30, attached as **Exhibit 15**.

1 A: Yes.²³

2 . . .

3 Q: Okay. Did you stay with her and comfort her during that time?

4 A: Yes.

5 Q: Was she able to continue to vocalize, continue to discuss the issues with you?

6 A: We didn't really talk a whole lot.

7 Q: Okay. Other than her explaining, I guess, how she got into that predicament, which I understand **she was reaching forward and that kind of caused her bottom to slip off of the seat and get wedged -- is that accurate?**

8 A: Yes.²⁴

9 As the Court can plainly see from the foregoing, the only Officer who could actually
10 remember exactly what Sherry said about what happened was Officer Van Pamel who testified
11 that she told him she slipped off of the seat and became wedged in the bottom of the tub. Despite
12 this, Jacuzzi tries to contort the other speculative first responder testimony. But again, Jacuzzi
13 must do this to justify not turning over the slipperiness evidence.

14 Most important though is that since November of 2017, when Officer Van Pamel
15 testified, Jacuzzi was on notice of the "claims" that would be presented and should have turned
16 over the slipperiness evidence. Instead – for the next two years, Jacuzzi engaged in bad faith
17 litigation tactics by "claiming"²⁵ different understandings of what was supposed to be turned
18 over, i.e. "claim versus incident," meant to harm Plaintiffs and prevent Plaintiffs from proving
19 that the tub at issue is dangerous. Jacuzzi suggests that Plaintiffs only want to prove a case of
20 damages – not true. Plaintiffs have diligently attempted to prove liability, but Jacuzzi has
21 withheld the evidence to make that task impossible.

22 . . .

23 . . .

24 . . .

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28

²³ See, Depo of Officer Bradley Van Pamel, at 15-16, attached as **Exhibit 16** (emphasis added).

²⁴ See, Depo of Officer Bradley Van Pamel, at 18-19, attached as **Exhibit 16** (emphasis added).

²⁵ No pun intended.



1 **2. Jacuzzi has Mislead the Court Regarding: A) the Difficulty in Finding and**
 2 **Producing Other Incidents and/or Claims and B) Its' Knowledge of Other**
 3 **Incidents**

4 **A. Jacuzzi has the Ability to Easily Filter All Walk-In Tub Complaints**

5 Jacuzzi suggests to this Court, much like an Indiana Jones movie that it has gone through
 6 boxes and boxes of information to obtain the documentation requested by Plaintiffs.²⁶ However
 7 just recently (within the last couple weeks), the absurdity of Jacuzzi's claims were on full display
 8 when Kurt Bachmeyer, the national director of customer service testified that Jacuzzi has the
 9 ability to easily compile lists of nearly any and all complaints made about the walk-in tubs.

10 This ability came to light when one of the emails addressed to Mr. Bachmeyer that was
 11 recently produced had an excel spreadsheet attached to the email. The spreadsheet contained
 12 customer complaints pertaining to a singular issue with the walk-in tubs that Jacuzzi wanted to
 13 investigate. Mr. Bachmeyer was asked about the email and spreadsheet and explained that
 14 Jacuzzi has the ability to easily select certain criteria and can effortlessly filter a Microsoft
 15 Access database that narrows the results from thousands of entries to just those pertaining to the
 16 specific issue being investigated. For instance, if Jacuzzi wanted to find out how many customers
 17 complained about the buttons being too hard to push (an actual search that was performed), the
 18 person collecting the data opens up the database, enters the criteria, and viola – the database
 19 automatically filters out just those complaints. This process takes less than an hour. Those
 20 results can then be exported to an excel spreadsheet and forwarded. There were several emails
 21
 22
 23
 24
 25
 26

27 ²⁶ See, Def. Opp'n. at 3, FN 3 ("Counsel for Jacuzzi spent a week in a warehouse poring through dusty boxes filled
 28 with old warranty claims . . . and has endeavored to produce documents that might have some sort of remote relation
 to Plaintiffs' current, vague theory of their case and which are within the Court's guidance as to the permissible
 scope of discovery.")

1 THE WITNESS: About certain issues that they're saying? Yes.

2 BY MR. CLOWARD: Q. Okay. And that would include, you know, the issues that
3 we've gone over that are contained in those customer surveys, issues like the grab bar,
4 issues like the door opening in or out, issues like the tub being too slippery or the
5 floor being slippery, issues like the seat being too slippery; true?

6 A: True.²⁸

7 **B. Bill Demeritt and Jacuzzi Purposefully Misled Plaintiffs and This Court
8 Regarding Jacuzzi's Knowledge of Prior and Subsequent Claims**

9 Next Mr. Bachmeyer testified that as early as 2013, *before* Sherry's incident, he was
10 asked by Bill Demeritt to meet with several of the key employees involved with the walk-in tub
11 project to "get together and discuss steps to resolve so we don't see these issues *continually*
12 *coming up.*"²⁹

13 Further, he was asked what "these issues" meant and testified to the following:

14 Q: Okay. Now, the next I want to go over is JACUZZI5621 to 5623, and in
15 particular your email on 5622 to Ray and Audrey. And it says -- on June 24, 2013, it
16 says, "Service Issues on 5230 and 5229." That's the subject line. You agree with that;
17 right?

18 A: Correct.

19 Q: And then you say, "quote, "Are you both in this week? I've been tasked by
20 Bill D. to get this group together and discuss steps to resolve so we don't see these
21 issues continually coming up. Let me know. Thank you." Did I read that correctly?

22 A: Yup.

23 Q: And Bill D. is Bill Demeritt; true?

24 A: Correct.

25 Q: And "these issues" are people slipping in the tub; correct?

26 A: I don't know. I'm not sure yet. I don't --

27 Q: Well, take a look at 5623, and this is where Regina sends an email to you that
28 says, quote, "Kurt here are the tubs we talked about. 5230, 10-15-12, customer, I.
Stold, installed 9-18-12, installer Keith Cottett. Customer reported that unit would not
drain. She got stuck in tub and had to crawl out of door." Then the next line,
"Customer D Greenwell, installed 4-17-13, installer Home -- American Home
Design. Customer reported tub didn't work; during conversation he mentioned he
slipped in tub; got stuck in foot well; had to call fire department to get out." And then
the next line, "10-19-12, customer C Lashinsky, installed 12-29-12. Customer called
to request we replace her door under warranty. Partner slipped in tub. They had to

²⁸ See, Kurt Bachmeyer deposition at 179-180 attached as **Exhibit 18**.

²⁹ See, Kurt Bachmeyer deposition at 186 (citing direction from Bill Demeritt) (emphasis added).

1 remove the door to get her out." So you agree the services issues were people getting
2 stuck in the tub?

3 A: Correct.

4 Q: And –

5 A: We agree that they were escalated issues.

6 Q: Okay. This was known by you and by Bill Demeritt and basically by Jacuzzi
7 back on June 21 of 21, 2013; true?

8 A: This email, yes.³⁰

9 Further, Mr. Bachmeyer testified that Bill Demeritt would be notified of nearly any and
10 all communications where a customer was complaining about slipping and falling in the tub. He
11 testified to the following:

12 Q: Sure. So, for instance, if a claim comes in and -- because there's been maybe
13 some confusion of what the word, "claim," means, I'm just going to say an email
14 comes in, you know, whether they're demanding remuneration or demanding
15 replacement of the tub or not. So if an email communication comes in, and it says --
16 and it states it's either directly from the customer or it's directly from a dealer or it's
17 directly from a customer service agent or it's directly from a marketing partner, like
18 First Street, any email, any correspondence from anyone comes in, and the person in
19 it says, "Hey, somebody slipped and fell in the walk-in bathtub," what happens to that
20 email?

21 A: I would get as much information as I can from whoever the email originated
22 from and then provide that information to our sales and marketing folks or
23 engineering folks and then to Ron and Bill.³¹

24 Despite being in the thick of things on all of the complaints regarding the slipperiness
25 issues – some of which involved folks being trapped for several hours requiring the fire
26 department to extract them – when deposed, Bill Demeritt flatly denied that there were any
27 claims of any sort before or after Sherry's incident, other than the two claims being prosecuted
28 by Plaintiffs' counsel – i.e., Sherry's claim and the Smith claim.

...

...

³⁰ See, Kurt Bachmeyer deposition at 186, **Exhibit 18**.

³¹ See, Kurt Bachmeyer deposition at 26, **Exhibit 18** (emphasis added).

1
2 **IV. CONCLUSION**

3 There can be no question that Jacuzzi has attempted to mislead the Plaintiffs in
4 prosecuting their claims against Jacuzzi. Plaintiffs' respectfully reiterate and request the relief
5 sought in the Motion to Enlarge the Scope of the Evidentiary hearing to include the scope being
6 expanded and to allow pre-hearing discovery.

7 DATED THIS 20th day of August, 2019.

8 **RICHARD HARRIS LAW FIRM**

9 /s/ Benjamin P. Cloward

10 BENJAMIN P. CLOWARD, ESQ.

11 Nevada Bar No. 11087

12 IAN C. ESTRADA, ESQ.

13 Nevada Bar No. 12575

14 801 South Fourth Street

15 Las Vegas, Nevada 89101

16 *Attorneys for Plaintiffs*



CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), the amendment to EDCR 7.26, and Administrative Order 14-2, I hereby certify that on this 21st day of August, 2019, I caused to be served a true copy of the foregoing **PLAINTIFFS' REPLY IN SUPPORT OF MOTION TO EXPAND SCOPE OF EVIDENTIARY HEARING** as follows:

☐ U.S. Mail—By depositing a true copy thereof in the U.S. mail, first class postage prepaid and addressed as listed below; and/or

☐ Facsimile—By facsimile transmission pursuant to EDCR 7.26 to the facsimile number(s) shown below; and/or

☐ Hand Delivery—By hand-delivery to the addresses listed below; and/or

☒ Electronic Service — in accordance with Administrative Order 14-2 and Rule 9 of the Nevada Electronic Filing and Conversion Rules (N.E.F.C.R.).

Meghan M. Goodwin, Esq.
Philip Goodhart, Esq.
Thorndal Armstrong Delk Balkenbush & Eisinger
1100 East Bridger Ave.
Las Vegas, NV 89101-5315
Telephone: 702-366-0622
Fax: 702-366-0327
E-mail: MMG@thorndal.com
E-mail: png@thorndal.com

Mail to:
P.O. Box 2070
Las Vegas, NV 89125-2070
Attorneys for Defendants/Cross-Defendants first STREET for Boomers and Beyond, Inc. and AITHR Dealer, Inc. and Defendant, Hale Benton

Vaughn A. Crawford, Esq.
Morgan Petrelli, Esq.
Snell & Wilmer, LLP
3883 Howard Hughes Pkwy.,
Suite 1100
Las Vegas, NV 89159
Telephone: 702-784-5200
Fax: 702-784-5252
E-mail: vcrawford@swlaw.com
E-mail: mpetrelli@swlaw.com

D. Lee Roberts, Esq.
Brittany M. Llewellyn, Esq.
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
6385 S. Rainbow Blvd., Suite 400
Las Vegas, Nevada 89118
Fax: 702.938.3864
E-mail: lroberts@wwhgd.com
E-mail: bllewellyn@wwhgd.com

Attorneys for Defendant/Cross-Defendant, Jacuzzi, Inc. dba Jacuzzi Luxury Bath

/s/ Nicole M. Griffin

An employee of RICHARD HARRIS LAW FIRM



003912
RICHARD HARRIS
LAW FIRM

003912

EXHIBIT 10

003913

003913

EXHIBIT 10

1 DISTRICT COURT
2 CLARK COUNTY, NEVADA
3
4

5 ROBERT ANSARA, as)
Special Administrator of)
6 the Estate of SHERRY) CASE NO.:
LYNN CUNNISON, Deceased;) A-16-731244-C
7 MICHAEL SMITH)
individually, and heir)
8 to the Estate of SHERRY)
LYNN CUNNISON, Deceased;)
9 and DEBORAH TAMANTINI)
individually, and heir)
10 to the Estate of SHERRY)
LYNN CUNNISON, Deceased,)
11)
12 Plaintiffs,)
13 vs.)
14 FIRST STREET FOR BOOMERS)
& BEYOND, et al.)
15)
Defendants.)
16)
AND RELATED CLAIMS.)
17)

18
19
20 DEPOSITION OF MATTHEW SHAKE
21 LAS VEGAS, NEVADA
22 TUESDAY, APRIL 18, 2017
23

24 REPORTED BY: KAREN L. JONES, CCR NO. 694
25 JOB NO.: 382619

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DISTRICT COURT
CLARK COUNTY, NEVADA

ROBERT ANSARA, as)	
Special Administrator of)	
the Estate of SHERRY)	CASE NO.:
LYNN CUNNISON, Deceased;)	A-16-731244-C
MICHAEL SMITH)	
individually, and heir)	
to the Estate of SHERRY)	
LYNN CUNNISON, Deceased;)	
and DEBORAH TAMANTINI)	
individually, and heir)	
to the Estate of SHERRY)	
LYNN CUNNISON, Deceased,)	
)	
)	
Plaintiffs,)	
)	
vs.)	
)	
FIRST STREET FOR BOOMERS)	
& BEYOND, et al.)	
)	
Defendants.)	
)	
AND RELATED CLAIMS.)	
)	

DEPOSITION OF MATTHEW SHAKE
LAS VEGAS, NEVADA
TUESDAY, APRIL 18, 2017

REPORTED BY: KAREN L. JONES, CCR NO. 694
JOB NO.: 382619

1 DEPOSITION OF MATTHEW SHAKE, taken at Snell
2 & Wilmer, located at 3883 Howard Hughes Parkway,
3 Suite 1100, Las Vegas, Nevada, on Tuesday, April 18,
4 2017, at 9:05 a.m., before Karen L. Jones, Certified
5 Court Reporter, in and for the State of Nevada.

6

7 APPEARANCES:

8 For the Plaintiffs:

9 RICHARD HARRIS LAW FIRM
10 BY: GARNET BEAL, ESQ.
801 South 4th Street
Las Vegas, Nevada 89101
11 702-444-4444
garnet@richardharrislaw.com
12

13 For Jacuzzi Inc.:

14 SNELL & WILMER, L.L.P.
15 BY: JOSHUA COOLS, ESQ.
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
16 702-784-5200
jcools@swlaw.com
17

18 For Homeclick, LLC:

19 OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
20 BY: DANIELA LaBOUNTY, ESQ.
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
21 702-384-4012
dlabounty@ocgas.com
22

23

24

25

1 APPEARANCES (continued):

2 For AITHER:

3 THORNDAL ARMSTRONG DELK
4 BALKENBUSH & EISINGER
5 BY: MEGHAN M. GOODWIN, ESQ.
6 1100 East Bridger Avenue
7 Las Vegas, Nevada 89125
8 702-366-0622
9 mg@thorndal.com

10 For BUDDS PLUMBING:

11 LIPSON, NEILSON, COLE, SELTZER, GARIN, P.C.
12 BY: ERIC N. TRAN, ESQ.
13 9900 Covington Cross Drive, Suite 120
14 Las Vegas, Nevada 89144
15 702-382-1500
16 etran@lipsonneilson.com

17 For The Chicago Faucet Company:

18 KOLESAR & LEATHAM
19 BY: JENNIFER MICHELI, ESQ.
20 400 South Rampart Boulevard, Suite 400
21 Las Vegas, Nevada 89145
22 Las Vegas, Nevada 89146
23 702-362-7800

24 For for BESTWAY BUILDING & REMODELING, INC.:

25 SKANE WILCOX LLP
BY: SARAI L. BROWN, ESQ.
1120 Town Center Drive, Suite 200
Las Vegas, Nevada 89144
702-363-2535
sbrown@skanewilcox.com

1 I N D E X

2 WITNESS: MATTHEW SHAKE

3 EXAMINATION PAGE

4 BY: Mr. Cools 5, 26

BY: Ms. LaBounty 15

5 BY: Mr. Tran 20, 25

BY: Mr. Beal 21

6 BY: Ms. Goodwin 23

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E X H I B I T S

9

NUMBER DESCRIPTION PAGE

10

Exhibit 1 Officer's Report 9

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1 LAS VEGAS, NEVADA; TUESDAY, APRIL 18, 2017

2 9:05 A.M.

3 -oOo-

4 Whereupon --

5 MATTHEW SHAKE,

6 having been first duly sworn to testify to the

7 truth, the whole truth, and nothing but the truth,

8 was examined and testified as follows:

9

10 EXAMINATION

11 BY MR. COOLS:

12 Q. Could you state your full name for the
13 record?

14 A. It's Matthew Shake.

15 Q. And Mr. Shake, have you ever given a
16 deposition before?

17 A. I have.

18 Q. On how many different occasions?

19 A. Possibly two times.

20 Q. When was the last deposition that you
21 gave?

22 A. Probably 2005.

23 Q. I'll just run through the kind of
24 general rules. As I'm sure you're aware, this is a
25 question-and-answer period in which the attorneys

1 A. I did.

2 Q. And did you bring any documents with you
3 today?

4 A. I checked with our records and I didn't
5 have any documents.

6 Q. And I provided you with an Officer's
7 Report that I'll mark as Exhibit 1, and you have
8 that in front of you.

9 (Exhibit 1 marked.)

10 BY MR. COOLS:

11 Q. Have you seen this report before?

12 A. Not before today.

13 Q. What do you recall about the incident on
14 February 21st, 2014, at 3881 Sedgwick Court?

15 A. I think the only clear memory that I
16 have is finding an older lady inside a bathtub. And
17 just the memory that sticks out the most is being
18 happy we found somebody that could get help, that we
19 helped them.

20 Q. Do you have any recollection of how --
21 what brought you to do the well check?

22 A. It was a call for service. That
23 somebody would call in and say that there was--
24 excuse me, a suspicious circumstances that they
25 hadn't seen somebody for a while.

1 Q. And do you know who made that call?

2 A. Without looking at this Officer's
3 Report, no, I do not remember that.

4 Q. And you're referencing that in the call
5 it states that William Lewis made the call; is that
6 correct?

7 A. Correct.

8 Q. Do you recall arriving on scene at the
9 property?

10 A. I don't.

11 Q. What do you recall about finding
12 Ms. Cunnison if her home?

13 A. That she was laying down in the bathtub
14 and she was still responsive.

15 Q. And when you say that she was
16 responsive, describe what you mean by that.

17 A. I think she was able to answer my
18 questions and tell me that she was stuck in the
19 bathtub.

20 Q. Did she give any indication of why she
21 was stuck?

22 A. I don't remember.

23 Q. Did she indicate being in pain?

24 A. I don't remember.

25 Q. Do you remember her location in the

1 this the only reason this report was generated is
2 because we caused damage to the house making entry.

3 Q. And that was because you found no other
4 unsecured entry into the house?

5 A. That's what I would believe.

6 Q. When you entered the house at first, did
7 you hear anything or see anything? I guess, what
8 led you to find Ms. Cunnison where she was?

9 A. I don't remember. But on a typical
10 check the welfare, I'll check every room including
11 closets, bathrooms, any room to make sure there's
12 nobody inside.

13 Q. Were there any animals in the house, do
14 you remember?

15 A. I don't remember.

16 Q. You said that you saw -- all you really
17 remember is you saw a woman laying down in a
18 bathtub.

19 You said she was conscious and that you
20 felt like she needed help; is that right? Or that
21 you were happy that you could help her or that she
22 could get help?

23 A. So any time I do a check the welfare,
24 because a lot of times somebody might be dead
25 inside, so any time I find somebody alive that needs

1 help, it does make me happy. I hate saying this
2 because it was so long ago and I'm not trying to
3 make light of the subject, but it wasn't a
4 monumental call that I would go to.

5 I believe that she had told me that she
6 had fallen down and just couldn't get up. But I
7 mean, I wouldn't -- I wouldn't bet money that that's
8 what was said.

9 Q. Do you remember what her reaction was
10 when she saw you?

11 A. I believe she was pretty happy to see
12 us.

13 Q. Do you remember the layout of the
14 bathroom when you went in?

15 A. I don't.

16 Q. You said she was conscious. Was she
17 lucid or was she kind of a little not lucid when you
18 found her?

19 A. As much as I can remember, I would say
20 that she was lucid.

21 Q. Was she laying on her back?

22 A. As much as I can recall, yes.

23 Q. And you said that to the best of your
24 recollection, you thought that there was water in
25 the bathtub?

1 CERTIFICATE OF REPORTER

2 STATE OF NEVADA)
)SS:
3 COUNTY OF CLARK)

4 I, Karen L. Jones, a duly commissioned and
5 licensed Court Reporter, Clark County, State of
6 Nevada, do hereby certify: That I reported the
7 taking of the deposition of the witness, MATTHEW
8 SHAKE, commencing on Tuesday, April 18, 2017, at
9 9:05 a.m.

10 That prior to being examined, the witness was,
11 by me, duly sworn to testify to the truth. That I
12 thereafter transcribed my said shorthand notes into
13 typewriting and that the typewritten transcript of
14 said deposition is a complete, true and accurate
15 transcription of said shorthand notes.

16 I further certify that I am not a relative or
17 employee of an attorney or counsel of any of the
18 parties, nor a relative or employee of an attorney
19 or counsel involved in said action, nor a person
20 financially interested in the action.

21 IN WITNESS HEREOF, I have hereunto set my
22 hand, in my office, in the County of Clark, State of
23 Nevada, this 2nd day of May, 2017.

24 Karen L. Jones
KAREN L. JONES, CCR NO. 694

25

EXHIBIT 11

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EXHIBIT 11

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DISTRICT COURT

CLARK COUNTY, NEVADA

ROBERT ANSARA, as Special)
 Administrator of the Estate)
 of SHERRY LYNN CUNNISON,)
 Deceased; MICHAEL SMITH)
 individually, and heir to the)
 Estate of SHERRY LYNN CUNNISON,)
 Deceased; and DEBORAH) Case No.
 TAMANTINI individually, and) A-16-731244-C
 heir to the Estate of SHERRY) Dept. No.
 LYNN CUNNISON, Deceased,) I
)
 Plaintiffs,)
)
 vs.)
)
 FIRST STREET FOR BOOMERS &)
 BEYOND, INC., et al.,)
)
 Defendants.)
 _____)

DEPOSITION OF RAYMOND LECLAIR

LAS VEGAS, NEVADA

TUESDAY, MAY 23, 2017

Reported By: HOLLY LARSEN, CCR NO. 680, CA CSR 12170
 Job No.: 387899

1 DEPOSITION OF RAYMOND LECLAIR, taken at
2 3883 Howard Hughes Parkway, Suite 1100, Las Vegas,
3 Nevada, on Tuesday, May 23, 2017, at 9:19 a.m.,
4 before Holly Larsen, Certified Court Reporter, in
5 and for the State of Nevada.

6

7 APPEARANCES:

8 For the Plaintiffs:

9 RICHARD HARRIS LAW
10 BY: BRYAN H. BLACKWELL, ESQ. (Telephonic)
801 South Fourth Street
Las Vegas, Nevada 89101
11 702.444.4444
bryan@richardharrislaw.com
12

13 For Jacuzzi, Inc.:

14 SNELL & WILMER, LLP
15 BY: JOSHUA D. COOLS, ESQ.
3883 Howard Hughes Parkway
Suite 1100
16 Las Vegas, Nevada 89169
702.784.5200
17 jcools@swlaw.com

18 For Chicago Faucets:

19 KOLESAR & LEATHAM
20 BY: JENNIFER MICHELI, ESQ.
400 South Rampart Boulevard
21 Suite 400
Las Vegas, Nevada 89145
22 702.362.7800
jmicheli@klnevada.com
23

24

25

1 APPEARANCES (Continued):

2 For First Street For Boomers & Beyond, Inc., and
3 AITHR Dealer, Inc.:

4 THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER
5 BY: MEGHAN GOODWIN, ESQ.
6 1100 East Bridger Avenue
7 Las Vegas, Nevada 89101
8 702.366.0622
9 mgoodwin@gmail.com

10 For William Budd and Budds Plumbing:

11 LIPSON, NEILSON, COLE, SELTZER, GARIN, P.C.
12 BY: JOE GARIN, ESQ.
13 9900 Covington Cross Drive
14 Suite 120
15 Las Vegas, Nevada 89144
16 702.382.1500
17 jgarin@lipsonneilson.com

18 For Bestway Building & Remodeling, Inc.:

19 SKANE WILCOX, LLP
20 BY: SARAI L. BROWN, ESQ.
21 1120 Town Center Drive
22 Suite 200
23 Las Vegas, Nevada 89144
24 702.363.2535
25 sbrown@skanewilcox.com

For Homeclick, LLC:

OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
BY: BRANDON SMITH, ESQ.
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
702.384.14012
bsmith@ocgas.com

For Deponent:

CAROLYN CAMPBELL, ESQ.
Clark County District Attorney's Office

1 I N D E X

2 WITNESS: Raymond LeClair

3 EXAMINATION PAGE

4 By Mr. Cools 5, 35

By Ms. Micheli 22

5 By Ms. Goodwin 27

By Mr. Smith 30

6 By Mr. Garin 30

By Mr. Blackwell 31

7

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9 E X H I B I T S

10 NUMBER PAGE

11 Exhibit 1 Deposition Notice 8

12 Exhibit 2 Prehospital Care Report 14
Summary

13

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1 LAS VEGAS, NEVADA; TUESDAY, MAY 23, 2017

2 9:19 a.m.

3 -oOo-

4

5 (In an off-the-record discussion held prior
6 to the commencement of the proceedings,
7 counsel agreed to waive the court reporter's
8 requirements under Rule 30(b)(4) of the
9 Nevada Rules of Civil Procedure.)

10

11 Whereupon,

12

RAYMOND LECLAIR,

13 having been first duly sworn to testify to the
14 truth, was examined, and testified as follows:

15

16

EXAMINATION

17 BY MR. COOLS:

18 Q. Sir, my name is Joshua Cools. I represent
19 Jacuzzi in this case.

20 Could you please state your full name for
21 the record.

22 A. Sure. Raymond LeClair.

23 Q. Have you ever given a deposition before?

24 A. No, sir.

25 Q. As I'm sure your counsel has already

1 testimony today? I want to be clear I'm not asking
2 for any communications that you might have had with
3 your counsel. Those are protected.

4 A. I reviewed the subpoena, and I reviewed the
5 incident report.

6 Q. Prior to looking at the incident report,
7 did you recall anything about this particular
8 incident?

9 A. I remember this call was one that stands
10 out just because of the fact that it was a lady
11 stuck in a tub.

12 Q. What do you recall specifically about the
13 incident? We'll go through the report in detail as
14 well, but I'm just curious kind of what you recalled
15 specifically about the incident maybe before kind of
16 taking a look at the incident report.

17 A. I remember getting the call, and it was
18 a -- I believe it was a welfare check. It was an
19 odd one just because Metro was already on scene.
20 Generally we get called before Metro, so the fact
21 that Metro was already on scene and directed us into
22 the bathroom. And then we found this woman that
23 was -- seemed to be stuck in the tub between the
24 seat and the faucet, if you will. I believe the
25 faucet was here (indicating), seat was towards the

1 back, and she had seemingly slipped and was wedged
2 in between the seat.

3 Q. And do you recall her position in terms of
4 like her legs? Were her knees up, or how was she
5 positioned in the tub? Do you know?

6 A. It was -- it's hard to recall that. I just
7 know that she was a larger lady. So I don't know --
8 I couldn't tell you specifically. I know she was
9 stuck in there and her feet were under her. But I
10 couldn't tell you exactly where her knees were.

11 MR. COOLS: Let's take another quick break
12 and try to get this phone working.

13 (A break was taken.)

14 BY MR. COOLS:

15 Q. I just asked you about her position in the
16 tub. And you recall there being a seat in the tub;
17 is that correct?

18 A. Yes.

19 Q. And she was down in kind of the footwell
20 portion of the tub?

21 A. Yes.

22 Q. Do you recall how her body was in position
23 to the door on the tub?

24 A. The door would have been on her left side.

25 Q. Was she up against the door?

1 A. Correct.

2 Q. Prior to it being submitted, did you review
3 what was in the report?

4 A. Nick Stalberger would have sent it, so at
5 that point he was the final -- as the paramedic,
6 he's the final reviewer of that report.

7 Q. Did you see anything at the scene that
8 indicated that there was something wrong with the
9 bathtub?

10 A. I don't remember. Nothing stood out.

11 Q. Did you see anything broken on the tub?

12 A. Not that I remember.

13 Q. Was there anything in the tub that appeared
14 to have caused Ms. Cunnison to fall or slip into
15 that footwell portion of the tub?

16 A. I don't remember any of that.

17 Q. Since the incident and prior to receiving
18 the deposition for this case, did you ever discuss
19 this incident with other people?

20 A. Just my crew after the fact, the engine
21 company. Through the course of our day, we have an
22 incident like that, we'll discuss it and go over it.
23 But that would have been two years ago, I believe,
24 or whenever --

25 Q. I think we're up to three now.

1 believing that she was stuck in the tub.

2 Can you just explain to us what you mean by
3 that?

4 A. She was unable to get herself out of the
5 tub. She was unable to pick herself up onto the
6 seat. And when we tried to lift her up, we could
7 not lift her up at that point. When we have to cut
8 somebody out of something, I generally consider them
9 having been stuck.

10 Q. And was there any indication that she had
11 tried to lift herself up or exit the tub?

12 A. None that I could see.

13 Q. And was there anything about the tub itself
14 that made her unable to lift herself up or get out,
15 get into a standing or sitting position?

16 A. I don't understand.

17 Q. Was there something specific to the tub
18 that caused her to be unable to exit the tub?

19 A. I couldn't answer that.

20 MR. COOLS: I think that's all. Thank you
21 very much. We appreciate your time coming down
22 here. Sorry for the delays. You will have the
23 opportunity to read and sign.

24 MS. CAMPBELL: We'll waive.

25 (Proceedings concluded at 10:08 a.m.)

1 CERTIFICATE OF REPORTER

2 STATE OF NEVADA)
)SS
3 COUNTY OF CLARK)

4 I, Holly Larsen, a duly commissioned and
5 licensed Court Reporter, Clark County, State of
6 Nevada, do hereby certify: That I reported the
7 taking of the deposition of the witness, Raymond
8 LeClair, commencing on Tuesday, May 23, 2017, at
9 9:19 a.m.

10 That prior to being examined, the witness was,
11 by me, duly sworn to testify to the truth. That I
12 thereafter transcribed my said shorthand notes into
13 typewriting and that the typewritten transcript of
14 said deposition is a complete, true, and accurate
15 transcription of said shorthand notes.

16 I further certify that I am not a relative or
17 employee of an attorney or counsel of any of the
18 parties, nor a relative or employee of an attorney
19 or counsel involved in said action, nor a person
20 financially interested in the action.

21 IN WITNESS HEREOF, I have hereunto set my hand,
22 in my office, in the County of Clark, State of
23 Nevada, this 29th day of May, 2017.

24
25


HOLLY LARSEN, CCR NO. 680

EXHIBIT 12

003936

003936

EXHIBIT 12

1 DISTRICT COURT

2 CLARK COUNTY, NEVADA

3

4 ROBERT ANSARA, as Special)
 Administrator of the Estate of)
 5 SHERRY LYNN CUNNISON, Deceased;)
 MICHAEL SMITH, individually and)
 6 heir to the Estate of SHERRY LYNN)
 CUNNISON, Deceased; and DEBORAH)
 7 TAMANTINI, individually, and heir)
 to the Estate of SHERRY LYNN)
 8 CUNNISON, Deceased,)

9 Plaintiffs,)

10 vs.)

CASE NO.
 A-16-731244

11 FIRST STREET FOR BOOMERS &)
 BEYOND, INC; AITHR DEALER, INC.;)
 12 HALE BENTON, individually;)
 HOMECCLICK, LLC; JACUZZI LUXURY)
 13 BATH, doing business as JACUZZI,)
 INC; BESTWAY BUILDING &)
 14 REMODELING, INC.; WILLIAM BUDD,)
 individually and as BUDDS)
 15 PLUMBING; DOES 1-20; ROE)
 CORPORATIONS 1-20; DOE EMPLOYEES)
 16 1-20; DOE MANUFACTURERS 1-20; DOE)
 20 INSTALLERS 1-20; DOE)
 17 CONTRACTORS 1-20; and DOE 21)
 SUBCONTRACTORS 1-20, inclusive,)

18 Defendants.)

19 _____)

20

21 DEPOSITION OF ALLEN LARSEN

22 LAS VEGAS, NEVADA
 THURSDAY, JUNE 15, 2017

23

24 REPORTED BY: DONNA E. MIZE, CCR NO. 675, CSR 11008

25 JOB NO: 388212B

003937

003937

1 DEPOSITION OF ALLEN LARSEN taken at 801 South
2 Fourth Street, Las Vegas, Nevada, on Thursday, June 15,
3 2017, at 10:30 a.m., before Donna E. Mize, Certified
4 Court Reporter, in and for the State of Nevada.

5

6

7 APPEARANCES

8

9 For Plaintiff:

10 BENJAMIN CLOWARD, ESQ.
11 Richard Harris Law Firm
12 801 South Fourth
13 Las Vegas, Nevada 89010
14 702.444.4444
15 benjamin@richardharrislawfirm.com

16 For Homeclick:

17 DANIELA LaBOUNTY, ESQ.
18 Olson, Cannon, Gormley, Angulo
19 & Stoberski
20 9950 West Cheyenne Avenue
21 Las Vegas, Nevada 89129
22 702.384.4012
23 dlabounty@ocgas.com

24

25

1 For First Street For Boomers & Beyond:

2 MEGHAN GOODWIN, ESQ.
3 Thorndal, Armstrong, Delk
4 Balkenbush & Eisinger
5 1100 East Bridger Avenue
6 Las Vegas, Nevada 89101
7 702.366.0622
8 mmg@thorndal.com

9 For Budds Plumbing:

10 ERIC TRAN, ESQ.
11 Lipson, Neilson, Cole
12 Seltzer & Garin
13 9900 Covington Cross Drive
14 Suite 120
15 Las Vegas, Nevada 89144
16 702.382.1500
17 etran@lipsonneilson.com

18 For Chicago Faucet Company:

19 JENNIFER MICHELI, ESQ.
20 Kolesar & Leatham
21 400 South Rampart Boulevard
22 Suite 400
23 Las Vegas, Nevada 89145
24 702.362.9472

1 For Bestway Building & Remodeling:

2 SARAI L. BROWN, ESQ.
3 Skane Wilcox, LLP
4 1120 North Town Center Drive
Suite 200
Las Vegas, Nevada 89144
702.363.2535

6 For Jacuzzi Brands:

7 ALEXANDRIA LAYTON, ESQ.
8 Snell & Wilmer
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169
702.784.5200
mpetreli@swlawcom

ALLEN LARSEN - 06/15/2017

Page 5

1 INDEX OF EXAMINATION

2

3 WITNESS: ALLEN LARSEN

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5 EXAMINATION

PAGE

6 By Mr. Cloward:

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1 Las Vegas, Nevada; Thursday, June 15, 2017

2 10:30 a.m.

3 -oOo-

4 (The court reporter was relieved of her
5 duties under NRCF Rule 30(b)(4).)

6 Whereupon,

7 ALLEN LARSEN,

8 was called as a witness, and having been first duly
9 sworn, was examined and testified as follows:

10 EXAMINATION

11 BY MR. CLOWARD:

12 Q. How are you today?

13 A. Good.

14 Q. Would you mind for the record please
15 providing us with your name and spelling?

16 A. Yeah, absolutely. My name is Allen Larsen,
17 A-l-l-e-n L-a-r-s-e-n.

18 Q. And are you an officer?

19 A. I'm a sergeant.

20 Q. Sergeant, have you ever been deposed before?

21 A. No, I have not.

22 Q. Let me spend just a couple minutes and go
23 over the ground rules, if you will. As you can see the
24 nice court reporter to my left, she is typing down word
25 for word my questions. She will also type down your

1 **When you indicated that there was a sister**
2 **area, is that what you --**

3 A. Yes. Referencing him as a sister sergeant.
4 It's just what we call -- at the time I worked
5 Southeast Area Commanders. It's broken down into two
6 areas, John area which is what Sergeant Pickerel was in
7 charge of, and I'm in charge of Henry King area which
8 geographically it's half of the area command so Officer
9 Scanlon worked for Sergeant Pickerel.

10 **Q. After reviewing the officer's report, did**
11 **this document refresh your recollection about this**
12 **incident?**

13 A. It did not. To be fair as a sergeant we do
14 go on every suspicious circumstance or potential dead
15 body call that there is in the area, generally
16 speaking. At least one sergeant has to respond so it
17 wasn't out of the ordinary for me to respond to two or
18 three of those types of calls per night. I worked in
19 that area for approximately six months on graveyard so
20 I probably responded to a little over 100 different
21 suspicious circumstances slash dead body type calls.

22 **Q. Now, is it standard practice for there to be**
23 **two sergeants that would show up to a call?**

24 A. I wouldn't say that it's standard, but it's
25 not outside of the ordinary.

1 Q. We just finished deposing Sergeant Pickerel a
2 half hour ago, and he indicated he responded to this --
3 he recalled responding to this incident.

4 Do you know whether you responded to this
5 incident as well?

6 A. I do not and that was why I was asking if
7 there is any documentation because I don't recall
8 responding to this. It's quite possible that I did.
9 The address doesn't jump out at me, so if I did respond
10 I was probably there only briefly because, otherwise, I
11 think I would remember that specific scene had I
12 actually entered the premises.

13 Q. Sure. It's fair to say you don't recall
14 responding to an incident where there was an elderly
15 woman who was, I guess, stuck in a bathtub?

16 A. I do not.

17 Q. For several days?

18 A. I do not recall that.

19 Q. If you don't recall, then you don't recall.
20 I don't have any other questions.

21 Some of the other attorneys may have some
22 questions that may try and jog your memory or refresh
23 your recollection but I'm satisfied. Thank you.

24 A. No problem.

25 MS. LaBOUNTY: No questions.

1 STATE OF NEVADA)
COUNTY OF CLARK)

2

3

CERTIFICATE OF REPORTER

4

I, Donna E. Mize, a licensed court reporter,
5 Clark County, State of Nevada, do hereby certify:

6

That I reported the taking of the deposition of
7 Allen Larsen, commencing on June 15, 2017, at the hour
8 of 10:30 a.m.;

9

That the witness was, by me, duly sworn to
10 testify to the truth and that I thereafter transcribed
11 my shorthand notes into typewriting, and that the
12 typewritten transcript of said deposition is a
13 complete, true, and accurate transcription of said
14 shorthand notes;

15

I further certify that I am not a relative or
16 employee of any of the parties involved in said action,
17 nor a person financially interested in said action;

18

That the reading and signing of the transcript
19 was not requested.

20

IN WITNESS WHEREOF, I have hereunto set my hand
21 in my office in the County of Clark, State of Nevada,
22 this 24th day of June 2017.

23

24

25



DONNA E. MIZE, CCR NO. 675

EXHIBIT 13

003946

003946

EXHIBIT 13

1 DISTRICT COURT
2 CLARK COUNTY, NEVADA

3

4 ROBERT ANSARA, as Special)
Administrator of the Estate of)
5 SHERRY LYNN CUNNISON, Deceased;)
MICHAEL SMITH, individually and)
6 heir to the Estate of SHERRY LYNN)
CUNNISON, Deceased; and DEBORAH)
7 TAMANTINI, individually, and heir)
to the Estate of SHERRY LYNN)
8 CUNNISON, Deceased,)

9 Plaintiffs,)

10 vs.)

CASE NO.
A-16-731244

11 FIRST STREET FOR BOOMERS &)
BEYOND, INC; AITHR DEALER, INC.;)
12 HALE BENTON, individually;)
HOMECLICK, LLC; JACUZZI LUXURY)
13 BATH, doing business as JACUZZI,)
INC; BESTWAY BUILDING &)
14 REMODELING, INC.; WILLIAM BUDD,)
individually and as BUDDS)
15 PLUMBING; DOES 1-20; ROE)
CORPORATIONS 1-20; DOE EMPLOYEES)
16 1-20; DOE MANUFACTURERS 1-20; DOE)
20 INSTALLERS 1-20; DOE)
17 CONTRACTORS 1-20; and DOE 21)
SUBCONTRACTORS 1-20, inclusive,)

18 Defendants.)

19 _____)

20

21 DEPOSITION OF KEVIN LEMIRE

22 LAS VEGAS, NEVADA
THURSDAY, JUNE 15, 2017

23

24 REPORTED BY: DONNA E. MIZE, CCR NO. 675, CSR 11008

25 JOB NO: 388212D

003947

003947

1 DEPOSITION OF KEVIN LEMIRE taken at 801 South
2 Fourth Street, Las Vegas, Nevada, on Thursday, June 15,
3 2017, at 1:15 p.m., before Donna E. Mize, Certified
4 Court Reporter, in and for the State of Nevada.

5

6

7 APPEARANCES

8

9 For Plaintiff:

10 BENJAMIN CLOWARD, ESQ.
Richard Harris Law Firm
11 801 South Fourth
Las Vegas, Nevada 89010
12 702.444.4444
benjamin@richardharrislawfirm.com

13

14 For Homeclick: (by telephone)

15 DANIELA LaBOUNTY, ESQ.
Olson, Cannon, Gormley, Angulo
16 & Stoberski
9950 West Cheyenne Avenue
17 Las Vegas, Nevada 89129
702.384.4012
18 dlabounty@ocgas.com

19

20

21

22

23

24

25

1 For First Street For Boomers & Beyond:(by telephone)

2 MEGHAN GOODWIN, ESQ.
3 Thorndal, Armstrong, Delk
4 Balkenbush & Eisinger
5 1100 East Bridger Avenue
6 Las Vegas, Nevada 89101
7 702.366.0622
8 mmg@thorndal.com

9 For Chicago Faucet Company:(by telephone)

10 JENNIFER MICHELI, ESQ.
11 Kolesar & Leatham
12 400 South Rampart Boulevard
13 Suite 400
14 Las Vegas, Nevada 89145
15 702.362.9472

16 For Bestway Building & Remodeling:(by telephone)

17 SARAI L. BROWN, ESQ.
18 Skane Wilcox, LLP
19 1120 North Town Center Drive
20 Suite 200
21 Las Vegas, Nevada 89144
22 702.363.2535

23 For Jacuzzi Brands:

24 ALEXANDRIA LAYTON, ESQ.
25 Snell & Wilmer
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169
702.784.5200
mpetreli@swlawcom

1 INDEX OF EXAMINATION

2

3 WITNESS: KEVIN LEMIRE

4

5 EXAMINATION

PAGE

6 By Mr. Cloward:

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1 Las Vegas, Nevada; Thursday, June 15, 2017

2 1:15 p.m.

3 -oOo-

4 (The court reporter was relieved of her
5 duties under NRCF Rule 30(b)(4).)

6 Whereupon,

7 KEVIN LEMIRE,

8 was called as a witness, and having been first duly
9 sworn, was examined and testified as follows:

10 EXAMINATION

11 BY MR. CLOWARD:

12 Q. Please state your name for the record.

13 A. My name is Officer Kevin Lemire.

14 Q. Officer Lemire, briefly we had a discussion
15 off the record. You informed me that you were on the
16 CAD report, which is why you believe that you were
17 subpoenaed for this matter, but the CAD report shows
18 that you were diverted from the call prior to you
19 actually arriving. Is that an actual representation of
20 the off-the-record discussion that we had prior to
21 starting today?

22 A. Yes, it is.

23 Q. And counsel for Jacuzzi is also here, and she
24 can verify that that is what was discussed.

25 Fair to say you did not arrive at this call?

1 A. That is correct.

2 Q. Did you have a chance to talk to anybody
3 after being diverted from the call, say at a debriefing
4 or at a meeting closing the shift where anything was
5 discussed regarding this particular call?

6 A. No. The way I read the CAD report, I was
7 operating as a two officer unit, myself and Officer
8 Bryant who is not here. We are swing shift officers
9 who were initially assigned to that call. We were then
10 diverted to another higher priority call, and it was
11 actually a graveyard officer and graveyard sergeant who
12 responded to that call and handled that call.

13 I honestly don't even know how they handled
14 it. I know there was a officer's report that was
15 dictated indicating there was damage to like maybe a
16 window sill or flower pot on a sill or something like
17 that when they went in through a window. That is the
18 extent of my knowledge on that.

19 That is solely due to research to find out
20 why I was subpoenaed on this.

21 Q. Fair to say other than what you learned doing
22 the research, you have no independent recollection of
23 any of the events because you were not called to that
24 and you were not told about that event; is that fair?

25 A. That is correct.

1 Q. Officer, I have zero other questions for you.

2 I appreciate your willingness to come down here for

3 this very limited purpose. Thank you.

4 MS. LAYTON: I have no questions.

5 MR. CLOWARD: Counsel for Jacuzzi has no

6 other questions, I have no other questions so if any of

7 you have any questions, please let us know.

8 MS. GOODWIN: No questions for me, Meghan.

9 MS. MICHELI: This is Jennifer Micheli for
10 Chicago Faucet, and I don't have any questions.

11 MS. LaBOUNTY: Daniela LaBounty for
12 Homeclick, no questions.

13 MS. BROWN: Sarai Brown for Bestway, no
14 questions.

15 MR. CLOWARD: Thanks everybody.

16

17 (Deposition Adjourned at 1:20 p.m.)

18

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24

25

1 STATE OF NEVADA)
COUNTY OF CLARK)

2

3

CERTIFICATE OF REPORTER

4

I, Donna E. Mize, a licensed court reporter,
5 Clark County, State of Nevada, do hereby certify:

6

That I reported the taking of the deposition of
7 Kevin Lemire, commencing on June 15, 2017, at the hour
8 of 1:15 p.m.;

9

That the witness was, by me, duly sworn to
10 testify to the truth and that I thereafter transcribed
11 my shorthand notes into typewriting, and that the
12 typewritten transcript of said deposition is a
13 complete, true, and accurate transcription of said
14 shorthand notes;

15 I further certify that I am not a relative or
16 employee of any of the parties involved in said action,
17 nor a person financially interested in said action;

18 That the reading and signing of the transcript
19 was not requested.

20 IN WITNESS WHEREOF, I have hereunto set my hand
21 in my office in the County of Clark, State of Nevada,
22 this 24th day of June 2017.

23

24

25

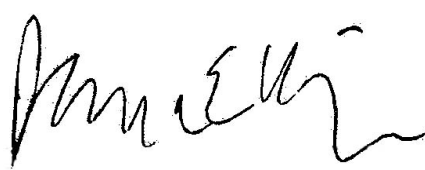

DONNA E. MIZE, CCR NO. 675

EXHIBIT 14

003955

003955

EXHIBIT 14

1 DISTRICT COURT

2 CLARK COUNTY, NEVADA

3

4 ROBERT ANSARA, as Special)
 Administrator of the Estate of)
 5 SHERRY LYNN CUNNISON, Deceased;)
 MICHAEL SMITH, individually and)
 6 heir to the Estate of SHERRY LYNN)
 CUNNISON, Deceased; and DEBORAH)
 7 TAMANTINI, individually, and heir)
 to the Estate of SHERRY LYNN)
 8 CUNNISON, Deceased,)

9 Plaintiffs,)

10 vs.)

CASE NO.
 A-16-731244

11 FIRST STREET FOR BOOMERS &)
 BEYOND, INC; AITHR DEALER, INC.;)
 12 HALE BENTON, individually;)
 HOMECCLICK, LLC; JACUZZI LUXURY)
 13 BATH, doing business as JACUZZI,)
 INC; BESTWAY BUILDING &)
 14 REMODELING, INC.; WILLIAM BUDD,)
 individually and as BUDDS)
 15 PLUMBING; DOES 1-20; ROE)
 CORPORATIONS 1-20; DOE EMPLOYEES)
 16 1-20; DOE MANUFACTURERS 1-20; DOE)
 20 INSTALLERS 1-20; DOE)
 17 CONTRACTORS 1-20; and DOE 21)
 SUBCONTRACTORS 1-20, inclusive,)

18 Defendants.)

19 _____)

20

21 DEPOSITION OF DANA PICKEREL

22 LAS VEGAS, NEVADA
 THURSDAY, JUNE 15, 2017

23

24 REPORTED BY: DONNA E. MIZE, CCR NO. 675, CSR 11008

25 JOB NO: 388212A

003956

003956

1 DEPOSITION OF DANA PICKEREL taken at 801 South
2 Fourth Street, Las Vegas, Nevada, on Thursday, June 15,
3 2017, at 9:05 a.m., before Donna E. Mize, Certified
4 Court Reporter, in and for the State of Nevada.

5

6

7 APPEARANCES

8

9 For Plaintiff:

10 BENJAMIN CLOWARD, ESQ.
11 Richard Harris Law Firm
12 801 South Fourth
13 Las Vegas, Nevada 89010
14 702.444.4444
15 benjamin@richardharrislawfirm.com

16 For Homeclick:

17 DANIELA LaBOUNTY, ESQ.
18 Olson, Cannon, Gormley, Angulo
19 & Stoberski
20 9950 West Cheyenne Avenue
21 Las Vegas, Nevada 89129
22 702.384.4012
23 dlabounty@ocgas.com

24

25

1 For First Street For Boomers & Beyond:

2 MEGHAN GOODWIN, ESQ.
3 Thorndal, Armstrong, Delk
4 Balkenbush & Eisinger
5 1100 East Bridger Avenue
6 Las Vegas, Nevada 89101
7 702.366.0622
8 mmg@thorndal.com

9 For Budds Plumbing:

10 ERIC TRAN, ESQ.
11 Lipson, Neilson, Cole
12 Seltzer & Garin
13 9900 Covington Cross Drive
14 Suite 120
15 Las Vegas, Nevada 89144
16 702.382.1500
17 etran@lipsonneilson.com

18 For Chicago Faucet Company:

19 JENNIFER MICHELI, ESQ.
20 Kolesar & Leatham
21 400 South Rampart Boulevard
22 Suite 400
23 Las Vegas, Nevada 89145
24 702.362.9472

25

1 For Bestway Building & Remodeling:

2 SARAI L. BROWN, ESQ.
3 Skane Wilcox, LLP
4 1120 North Town Center Drive
Suite 200
Las Vegas, Nevada 89144
702.363.2535

6 For Jacuzzi Brands:

7 ALEXANDRIA LAYTON, ESQ.
8 Snell & Wilmer
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169
702.784.5200
mpetreli@swlawcom

1 INDEX OF EXAMINATION

2

3 WITNESS: DANA PICKEREL

4

5 EXAMINATION

PAGE

6 By Mr. Cloward:

6

7 By Ms. LaBounty:

32

8 By Ms. Layton:

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9 By Ms. Brown:

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1 Las Vegas, Nevada; Thursday, June 15, 2017

2 9:05 a.m.

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4 (The court reporter was relieved of her
5 duties under NRCF Rule 30(b)(4).)

6 Whereupon,

7 DANA PICKEREL,
8 was called as a witness, and having been first duly
9 sworn, was examined and testified as follows:

10 EXAMINATION

11 BY MR. CLOWARD:

12 Q. How are you doing today?

13 A. Good, how are you?

14 Q. Are you Sergeant Pickerel?

15 A. I am.

16 Q. Have you ever been deposed before?

17 A. Say again.

18 Q. Have you ever had your deposition taken
19 before?

20 A. It's been a long time.

21 Q. All right. Let's go over some very brief
22 admonitions that will help with the process. The nice
23 lady to my left, she is the court reporter and she is
24 typing down my questions. She will also type down any
25 objections the other attorneys make. She will also

1 Q. I'm assuming that because this fell within
2 that John unit, that's why you were involved, correct?

3 A. Correct.

4 Q. Normally if there is a call to a residence,
5 do you go and report to all of those calls or just when
6 maybe you're requested? How does that work?

7 A. It all depends on the circumstances. I could
8 be requested by a patrol officer. I could be advised
9 by dispatch, whether it be in the details of the call,
10 dispatch realizes a sergeant didn't have to be there.
11 She will advise me over the radio through what's called
12 am, the computer. There are several reasons why I
13 would or would not be there.

14 Q. In this case do you have an idea as to why
15 you were called in this specific incident?

16 A. A patrol officer called me. It was -- I
17 believe it was Officer Scanlon.

18 Q. Do you know why he would have requested your
19 presence on that specific call?

20 A. The call he was on -- in this scenario I
21 don't remember word for word, but the phone call would
22 have went along the lines of, Hey, Sergeant I'm on this
23 call, look it up on the computer, read the details, you
24 might have to come out here.

25 Q. Did he give any indication as to why, you

1 know, like we think this happened or hey, we think, you
2 know, that happened, or why in that particular instance
3 it would rise to your level?

4 A. He is a squared-away officer. I don't
5 remember the conversation, but he would have told me
6 details, brief detail of what he had.

7 Q. Fair enough. Do you recall any of those
8 details and what those were?

9 A. Specifically, no.

10 Q. All right. As you sit here today, even
11 though you don't remember that conversation do you
12 remember, I guess, responding to the scene and so
13 forth?

14 A. I do. I know that I read the details in CAD,
15 which is the system in the car, the computer in the
16 car, and my leadership style is he won't be calling me
17 out there if there wasn't a reason.

18 Q. You feel confident with your guys if they are
19 calling it's probably something that you need to be
20 there?

21 A. 100 percent.

22 Q. When you arrived what is it that you recall
23 observing?

24 A. By the time I arrived in that scenario I
25 would have known the details of the call what we had in

1 safety of everybody inside and the officers. Our
2 initial step is to start rolling through the house to
3 clear it.

4 We weren't in there maybe two seconds, and I
5 remember at that point we hear a faint like help me,
6 help me. At that point given we all audible out of
7 clearing the residence and immediately started rolling
8 towards --

9 Q. The sound?

10 A. The sound. Skipping everything else to get
11 to the female asking for help.

12 Q. Inasmuch detail as you can recall, what did
13 she say to you?

14 A. Well, as we roll into the bedroom, I remember
15 the master -- as we rolled into the master bedroom, the
16 master bathroom I remember as being to our left. As we
17 roll in -- I was not the first one in the bathroom.

18 Q. Do you know who was?

19 A. I don't remember who was. In fact, I
20 remember Matt Scanlon being on the call, and I don't
21 remember the other officers on the call.

22 As we entered, we see a woman in a bathtub,
23 she was an elderly woman. You could tell she was in
24 the bathtub for a while. If I recall, it was feces and
25 stuff like that. You could tell she was there for a

1 while. She was very grateful, and you could tell she
2 needed medical attention right away.

3 Q. Was she expressing gratitude like oh, thank
4 you guys for being here?

5 A. I don't remember exactly what she was saying
6 to be honest.

7 Q. Was she verbal at all?

8 A. Yeah, she was talking.

9 Q. Was she talking in sentences, words, was
10 she --

11 A. I have to be honest and say I don't remember
12 exactly how she was saying it, her mannerisms. I
13 remember either myself or I was ordering someone to get
14 FD in here for medical attention.

15 Q. That was a bad question. Was she conscious
16 and aware enough that you felt like she was able to
17 communicate, or was she just completely out of it and
18 not making any sense?

19 A. No, I wouldn't say that. She was
20 communicating. She knew we were the police. She was
21 communicating in a way that helped us get the job done.
22 She wasn't -- I don't remember her being lethargic. I
23 just remember her almost had that dehydrated, thank God
24 you're here, help me type of --

25 Q. So your recollection is that she was

1 conscious enough to know what was going on and was
2 grateful that you guys were there?

3 A. Uh-huh.

4 Q. Is that a yes to both of those questions?

5 A. I would have to say yes.

6 Q. Do you recall her saying anything that would
7 have, I guess, explained how she got into the
8 predicament that she was in? Did she tell you, hey, I
9 fell or, you know, anything along those lines?

10 A. Me specifically, no. I can't speak for the
11 other officers. I know once we roll into that
12 scenario, I have responsibilities. My guys are
13 handling her, getting her the medical attention. I'm
14 getting on the radio, getting resources I need. I'm
15 not even -- to be honest with you, I'm not even paying
16 attention to what she's saying. I'm dealing with
17 what's in front of me. The officers are the ones
18 talking to her.

19 Q. I'm going to test your knowledge here.
20 Inasmuch detail as you can, can you give us an idea of
21 whether she was sitting on the ground, whether she was
22 sitting on the bench in the tub, whether it was split
23 between the two, whether she was standing straight up?
24 Do you recall any of those details?

25 A. I remember it was one of those bathtubs which

1 A. There might have been, but I can't accurately
2 say that, no.

3 Q. Fair to say as you sit here today, you can't
4 say whether there was or there was not water in the
5 tub?

6 A. Correct.

7 Q. Did you have any conversations with any of
8 the officers about what maybe she said to them that you
9 can remember?

10 A. No.

11 Q. And you don't remember other than her being
12 grateful that you guys were there, you don't remember
13 any specific details of conversations like, hey, I
14 slipped and I fell or, you know, this happened or, you
15 know, whatever, anything along those lines?

16 All you recall is that she seemed grateful
17 and was aware of your presence and was thankful that
18 you were there; is that fair?

19 A. Correct. She could have been talking to the
20 officers. FD gets there quick. That's their expertise
21 as far as medical assistance. Like I said, she was
22 talking to the officers. I am immediately walking out
23 getting resources. FD is there very quickly. Once FD
24 gets there and the captain gets there, we are kind of
25 at the same rank so I defer to him during the medical.

1 STATE OF NEVADA)
COUNTY OF CLARK)

2

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CERTIFICATE OF REPORTER

4

I, Donna E. Mize, a licensed court reporter,

5

Clark County, State of Nevada, do hereby certify:

6

That I reported the taking of the deposition of

7

Dana Pickerel, commencing on June 15, 2017, at the hour

8

of 9:05 a.m.;

9

That the witness was, by me, duly sworn to

10

testify to the truth and that I thereafter transcribed

11

my shorthand notes into typewriting, and that the

12

typewritten transcript of said deposition is a

13

complete, true, and accurate transcription of said

14

shorthand notes;

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I further certify that I am not a relative or

16

employee of any of the parties involved in said action,

17

nor a person financially interested in said action;

18

That the reading and signing of the transcript

19

was not requested.

20

IN WITNESS WHEREOF, I have hereunto set my hand

21

in my office in the County of Clark, State of Nevada,

22

this 24th day of June 2017.

23

24



25

DONNA E. MIZE, CCR NO. 675

EXHIBIT 15

003969

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EXHIBIT 15

1 DISTRICT COURT
2 CLARK COUNTY, NEVADA
3

4 ROBERT ANSARA, as Special)
Administrator of the Estate of)
5 SHERRY LYNN CUNNISON,)
deceased; MICHAEL SMITH)
6 individually, and heir to the)
Estate of SHERRY LYNN)
7 CUNNISON, deceased; and)
DEBORAH TAMANTINI)
8 individually, and heir to the)
Estate of SHERRY LYNN)
9 CUNNISON, deceased,)
)

10 Plaintiffs,)
11)

12 vs.

)CASE NO.: A-16-731244-C

)DEPT. NO.: I

13 FIRST STREET FOR BOOMERS &)
BEYOND, INC.; AITHR DEALER,)
INC.; HALE BENTON,)
14 Individually; HOMECLICK, LLC.;)
JACUZZI LUXURY BATH, doing)
15 business as JACUZZI INC;)
BESTWAY BUILDING & REMODELING,)
16 INC.; WILLIAM BUDD,)
Individually and as BUDDS)
17 PLUMBING; DOES 1 through 20;)
ROE CORPORATIONS 1 through 20;)
18 DOE EMPLOYEES 1 through 20;)
DOE MANUFACTURERS 1 through)
19 20; DOE 20 INSTALLERS I)
through 20; DOE CONTRACTORS 1)
20 through 20; and DOE 21)
SUBCONTRACTORS 1 through 20,)
21 inclusive,)
)

22)
Defendants.)
23)

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DEPOSITION OF
OFFICER MATTHEW SCANLON
LAS VEGAS, NEVADA
MONDAY, OCTOBER 16, 2017

REPORTED BY: JOHANNA VORCE, CCR NO. 913

JOB NO.: 422754

1 DEPOSITION OF OFFICER MATTHEW SCANLON, taken at
2 801 South Fourth Street, Las Vegas, Nevada 89101, on Monday,
3 October 16, 2017, at 10:11 a.m., before Johanna Vorce,
4 Certified Court Reporter, in and for the State of Nevada.

5

6 APPEARANCES:

7 For the Plaintiff:

8 RICHARD HARRIS LAW FIRM

9 BENJAMIN P. CLOWARD, ESQ.
801 South Fourth Street
10 Las Vegas, Nevada 89101
702-444-4444
11 Benjamin@RichardHarrisLaw.com

12

13 For the Defendant, HOMECCLICK, LLC.:

14 OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI

15 DANIELA LABOUNTY, ESQ.
9950 West Cheyenne Avenue
16 Las Vegas, Nevada 89129
702-384-4012
17 dlabounty@ocgas.com

18

19 For the Defendant, JACUZZI LUXURY BATH, doing business as
20 JACUZZI INC:

21 SNELL & WILMER

22 ALEXANDRIA LAYTON, ESQ.
3883 Howard Hughes Parkway
23 Suite 1100
Las Vegas, Nevada 89169
24 702-784-5200
alayton@swlaw.com
25

1 For the Defendant, Bestway Building & Remodeling:

2 ROPERS MAJESKI KOHN BENTLEY

3 ARTHUR N. BORTZ, ESQ.
4 3753 Howard Hughes Parkway
Suite 200
5 Las Vegas, Nevada 89169
702-954-8313
6 arthur.bortz@rmkb.com

7 For the Defendant, CHICAGO FAUCET:

8 KOLESAR & LEATHAM

9 SCOTT R. COOK, ESQ.
400 South Rampart
10 Suite 400
Las Vegas, Nevada 89145
11 702-362-7800
SCOOK@KLNEVADA.COM

12
13 For the Defendant, WILLIAM BUDD, Individually and as BUDDS
14 PLUMBING:

15 LIPSON NEILSON

16 ERIC N. TRAN, ESQ.
9900 Covington Cross Drive
17 Suite 120
Las Vegas, Nevada 89144
18 702-382-1500
etran@lipsonneilson.com

19
20 For the Defendant, FIRST STREET FOR BOOMERS & BEYOND,
21 INC.:

22 THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER

23 MEGHAN M. GOODWIN, ESQ.
1100 E. Bridger Ave., P.O. Box 2070
24 Las Vegas, Nevada 89125
702-366-0622
25 mmg@thorndal.com

1 I N D E X

2

3 WITNESS: OFFICER MATTHEW SCANLON

4

5 EXAMINATION

PAGE

6 By Mr. Cloward

7

7 By Ms. LaBounty

32

8 By Ms. Layton

38

9 By Mr. Bortz

42

10 By Mr. Tran

47

11 By Mr. Cook

49

12 FURTHER EXAMINATION

13 By Mr. Bortz

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14 By Ms. Layton

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1 Officer Matthew Scanlon
2 Ansara, et al. vs. First Street For Boomers & Beyond, Inc.,
3 et al.

4 Monday, October 16, 2017

5 Johanna Vorce, CCR No. 913

6

7 EXHIBITS

8

9 NUMBER MARKED

10

11 Exhibit 1 Photos 14

12 Exhibit 2 Photos 16

13 Exhibit 3 Photos 26

14 Exhibit 4 Photos 27

15 Exhibit 5 Photos 27

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1 LAS VEGAS, NEVADA; MONDAY, OCTOBER 16, 2017

2 10:11 A.M.

3 -oOo-

4 (The Court Reporter was relieved of her duties
5 under NRCP 30(b)(4).)

6 Whereupon,

7 OFFICER MATTHEW SCANLON,
8 having been first duly sworn to testify to the truth, was
9 examined and testified as follows:

10

11 EXAMINATION

12 BY MR. CLOWARD:

13 Q. Officer, would you mind please stating your name
14 for the record?

15 A. Sure thing. My name is Officer M. Scanlon, P No.
16 13517.

17 Q. Officer Scanlon, prior to today, a few minutes
18 before the deposition where we chatted in the presence of
19 all the other lawyers, had you ever spoken to myself or
20 anyone from my law firm about this case?

21 A. No.

22 Q. Other than -- I guess not including me, have you
23 talked with any of the other lawyers in the case regarding
24 your involvement?

25 A. No.

1 for help. Can you -- can you, I guess, walk -- walk us
2 through what you recall after you -- well, strike that
3 question.

4 Who was the other officer that you were with?

5 A. Brad Vanpamel.

6 Q. Brad Vanpamel?

7 A. Yeah. So it's B-r-a-d V-a-n-p-a-m-e-l, I believe.

8 Q. Do you know what his P number is?

9 A. I don't.

10 Q. Is he still employed with Metro?

11 A. Yes, he is.

12 Q. Now, were you a motorcycle officer back then?

13 A. I was not.

14 Q. Do you know, is he still doing the same type of
15 work?

16 A. I believe he's in the investigative unit in gangs.

17 Q. Let me just make one note real fast.

18 Okay. Thank you.

19 Now, can you tell me, I guess, the first thing
20 that you recall observing once you got back to where
21 Ms. Cunnison was?

22 A. It was a shower tub that had a door, but I don't
23 know if the door opened in or out. But somehow she tripped
24 or fell or got wedged so like she was curled up in the
25 little alcove inside of it to where she pinned herself.

1 Q. Now, regarding the, I guess, the tripped or
2 fallen, was that something that you surmised based on your
3 observation? I guess, is that speculation on your part or
4 did she tell you, hey, I tripped or I --

5 A. No. That was just me, from what, you know,
6 what -- it looked -- like whether she -- it's -- I mean,
7 it's -- there's no way to prove if -- you know, what exactly
8 occurred, but she was fallen and pinned.

9 Q. Okay.

10 A. So it's unknown how and whether she tripped or
11 fell or -- you know, but she was pinned in there.

12 Q. Okay. Was there anything that she said -- and I'm
13 just -- I'm going to actually get a picture of the tub to
14 have you kind of help us understand the positioning and so
15 forth.

16 But was there anything that she said that gave you
17 information as to her being in that position? Did she say
18 like I slipped or I fell or I -- or was she --

19 A. I can't recall. I mean, I remember the water
20 still pouring on her, so the -- so there was still watering
21 coming out, and she said she's been trapped there for
22 several days.

23 Q. Now, the water that was coming out on her --

24 A. It was coming out of like a showerhead.

25 Q. Was it -- was it overflowing onto the -- I guess,

1 MR. BORTZ: Sure. Just whatever standard
2 objections would apply to drawing as to scale, foundation --

3 MR. CLOWARD: Absolutely.

4 MR. BORTZ: -- those things.

5 MR. CLOWARD: Absolutely.

6 MS. LABOUNTY: And that would be a tub without a
7 wall?

8 MR. CLOWARD: Yeah, for sure. I guess -- and you
9 guys can see where I'm going.

10 MR. COOK: I understand where you're going. But
11 just for the record, I'm going to object to the
12 representation of the tub to the -- to the deponent --

13 MR. CLOWARD: No problem.

14 MR. COOK: -- and to -- and to the characteristics
15 of the drawing.

16 Go ahead.

17 MR. CLOWARD: No problem.

18 Q (By Mr. Cloward) So, I guess, all I'm trying to

19 find out is if you remembered seeing a level of water.

20 Like, if Ms. Cunnison was here in this mark -- in the spot
21 marked X, and the seat was here -- because you said you --
22 she fell into the little spot, I guess.

23 A. The little -- I don't even -- I mean, I haven't
24 seen -- I didn't get up close. As soon as I saw what I saw,
25 I ran -- you know, not ran, but, you know, I -- you know, I

1 had Officer Van- -- you know, Vanpamel stay with her and
2 comfort her while I had to go out there and do other stuff
3 since I was the -- you know, that was a call assigned to me,
4 so it was technically like my call. So I had to go out
5 there and brief our sergeant and get FD rolling out there,
6 and stuff like that.

7 Q. So fair to say you don't recall one way or another
8 whether there was a level of water or where the water was?

9 A. I can't recall that.

10 Q. But you do recall that the -- the water was on?

11 A. The water was on.

12 Q. Do you know was it like just a drip? Was it full
13 blast? Was it --

14 A. It was like you regular turn on the shower.

15 Q. You just turn on the shower and it's flowing?

16 A. Turn on the shower.

17 Q. But you do not remember the water flowing over?

18 A. I can't recall that.

19 Q. So, I guess, there's a distinction that I want to
20 try and find out whether I understand.

21 The distinction is whether you recall that --
22 thanks -- or whether you -- or whether you don't remember,
23 you have no -- no memory whatsoever or that -- or that you
24 actually do remember not having it flow over.

25 Do you see what I mean?

1 Q. Do you have any memory, I guess, of -- of her not
2 making sense or her babbling or her talking -- making no
3 sense, or was it -- was it that you just don't remember what
4 she said?

5 A. I don't remember what she said.

6 Q. Based on your -- your experience as a -- as an
7 officer, do you often encounter individuals that when
8 they're speaking they don't make any sense at all?

9 A. Yes.

10 Q. Is that -- is that something that you would have
11 remembered if she was just babbling not making sense?

12 A. To an extent. I mean, it kind of depends on what
13 type of call it is. You know, it is due to health? Is it
14 due to being under the influence? Is it due to something,
15 you know, like else going on? You know, what -- and on
16 something like this, I'm really not going to try to keep
17 track of -- of what she's saying because there's not really
18 anything criminal --

19 Q. Sure.

20 A. -- going on. It's more of like we're there to
21 assist her because she, you know, she was hurt or something
22 like that. So nothing criminal is really going to come, so
23 I'm not going to be trying to jot down what she's, you know,
24 saying.

25 Q. Fair to say, I guess, the only thing that you

1 remember her communicating is that she was stuck for a
2 number of days?

3 A. Yes.

4 Q. So she was at least able to communicate to you
5 that she had -- that she was stuck and had been for at least
6 a few days?

7 A. Yes.

8 Q. Anything other than that that she communicated
9 that you recall?

10 A. No. It was when we broke the window. We -- you
11 know, and that's when I sounded off, you know, "Police. Is
12 anybody inside here?" And then I could hear a faint cry for
13 help. So I can -- you know, I can state that. And that's
14 when we, you know, came in there.

15 We went into the back room into her bathroom area,
16 and that's where we, you know, saw her. And we immediately
17 turned off the water. And we were trying to comfort her.
18 And, you know -- you know, we -- I know she said she was --
19 you know, she was like, "Thank you. Thank you. I've been,"
20 you know, "stuck here," for -- for a period amount of time.

21 Q. Okay.

22 A. But -- but it wasn't -- I mean, I can't exactly
23 say what she said. But I know she was thankful that we were
24 there. And then as soon as we turned off the water, I left
25 my partner in there to comfort her. I went out to brief our

1 REPORTER'S CERTIFICATE

2 STATE OF NEVADA)
) SS
3 COUNTY OF CLARK)

4 I, Johanna Vorce, Certified Court Reporter, do
5 hereby certify:

6 That I reported the taking of the deposition of
7 the witness, OFFICER MATTHEW SCANLON, commencing on Monday,
8 October 16, 2017, at 10:11 a.m.

9 That prior to being examined, the witness was by
10 me duly sworn to testify to the truth.

11 That I thereafter transcribed my shorthand notes,
12 and the typewritten transcript of said deposition is a
13 complete, true, and accurate transcription of said shorthand
14 notes.

15 That a request has not been made to review the
16 transcript.

17 I further certify that I am not a relative or
18 employee of an attorney or counsel of any party involved in
19 said action, nor a relative or employee of the parties
20 involved, nor a person financially interested in said
21 action.

22 Dated this 30th day of October, 2017.

23
24
25

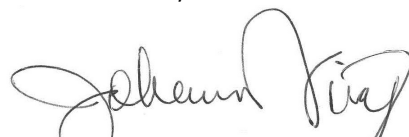

Johanna Vorce, CCR No. 913

EXHIBIT 16

003984

003984

EXHIBIT 16

1

DISTRICT COURT

2

CLARK COUNTY, NEVADA

3

4

ROBERT ANSARA, as Special) Case No. A-16-731244-C
 Administrator of the)
 Estate of SHERRY LYNN)
 CUNNISON, Deceased; et)
 al.,)

6

Plaintiffs,

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vs.

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FIRST STREET FOR BOOMERS
 & BEYOND, INC.; et al.,

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Defendants.

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(Complete caption on page 2)

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DEPOSITION OF BRADLEY S. VAN PAMEL

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Taken on Monday, November 20, 2017

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By a Certified Court Reporter

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At 2:06 p.m.

20

At 6980 South Cimarron Road, Suite 210

21

Las Vegas, Nevada

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23

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Reported by: William C. LaBorde, CCR 673, RPR, CRR

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Job No. 24843

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1 DISTRICT COURT

2 CLARK COUNTY, NEVADA

3 ROBERT ANSARA, as Special) Case No. A-16-731244-C

4 Administrator of the)

5 Estate of SHERRY LYNN)

6 CUNNISON, Deceased;)

7 MICHAEL SMITH)

8 individually, and heir)

9 to the Estate of SHERRY)

LYNN CUNNISON, Deceased;)

and DEBORAH TAMANTINI)

individually, and heir)

to the Estate of SHERRY)

LYNN CUNNISON, Deceased,)

Plaintiffs,)

vs.)

FIRST STREET FOR BOOMERS)

& BEYOND, INC.; AITHR)

DEALER, INC.; HALE)

BENTON, Individually,)

HOMECLICK, LLC; JACUZZI)

LUXURY BATH, doing)

business as JACUZZI INC;)

BESTWAY BUILDING &)

REMODELING, INC.; WILLIAM)

BUDD, Individually and as)

BUDDS PLUMBING; DOES 1)

through 20; ROE)

CORPORATIONS 1 through)

20; DOE EMPLOYEES 1)

through 20; DOE)

MANUFACTURERS 1 through)

20; DOE 20 INSTALLERS 1)

through 20; DOE)

CONTRACTORS 1 through 20;)

and DOE 21 SUBCONTRACTORS)

1 through 20, inclusive,)

Defendants.)

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1 APPEARANCES:

2
3 For the Plaintiffs:

4 BENJAMIN P. CLOWARD, ESQ.
5 Richard Harris Law Firm
6 801 South Fourth Street
7 Las Vegas, Nevada 89101

8
9 For firstSTREET for Boomers and Beyond, Inc., and
10 AITHR Dealer, Inc.:

11 MEGHAN M. GOODWIN, ESQ.
12 Thorndal, Armstrong, Delk,
13 Balkenbush & Eisinger
14 1100 East Bridger Avenue
15 Las Vegas, Nevada 89101

16 For HomeClick, LLC:

17 DANIELA LaBOUNTY, ESQ.
18 Olson, Cannon, Gormley, Angulo & Stoberski
19 9950 West Cheyenne Avenue
20 Las Vegas, Nevada 89129

21 For Jacuzzi Brands LLC:

22 ALEXANDRIA LAYTON, ESQ.
23 Snell & Wilmer L.L.P.
24 3883 Howard Hughes Parkway
25 Suite 1100
Las Vegas, Nevada 89169

For Bestway Building & Remodeling, Inc.:

ARTHUR N. BORTZ, ESQ.
Ropers Majeski Kohn & Bentley
3753 Howard Hughes Parkway
Suite 200
Las Vegas, Nevada 89169

1 APPEARANCES (continued):

2

For The Chicago Faucet Company:

3

JENNIFER L. MICHELI, ESQ.
Kolesar & Leatham, Chtd.
400 South Rampart Boulevard
Suite 400
Las Vegas, Nevada 89145

6

7 For Budd's Plumbing (via telephone):

8

ERIC N. TRAN, ESQ.
Lipson, Neilson, Cole, Seltzer & Garin, P.C.
9900 Covington Cross Drive
Suite 120
Las Vegas, Nevada 89144

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WITNESS

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BRADLEY S. VAN PAMEL

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Examination by:

5

Mr. Cloward

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Ms. Goodwin

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Ms. Layton

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Ms. LaBounty

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Mr. Cloward

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E X H I B I T S

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NUMBER

DESCRIPTION

MARKED

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(No exhibits were marked.)

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1 P R O C E E D I N G S

2 (Counsel stipulated to waive

3 the reporter requirements

4 under Rule 30(b)(4).)

5 (Witness sworn.)

6 BRADLEY S. VAN PAMEL,

7 having been first duly sworn, was

8 examined and testified as follows:

9 EXAMINATION

10 BY MR. CLOWARD:

11 Q. Officer, how you doing today?

12 A. Good.

13 Q. Good. So my name is Ben Cloward. I

14 represent the family in this matter.

15 You're probably wondering why you're
16 here. My understanding is you responded to an event
17 several years ago. We want to just discuss that
18 with you. Is that fair?

19 A. Yeah.

20 Q. Okay. Have you ever had your deposition
21 taken before?

22 A. Yes, I have.

23 Q. On how many occasions?

24 A. Two.

25 Q. Okay. Since it's just limited to those

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1 what you recall about the event?

2 A. As soon as we go inside, the house was
3 completely dark. I was kind of eerie. Me and my
4 partner both began to yell, "Hey, Metro Police. Is
5 anybody in here?" pretty loud. It was a relatively
6 small house.

7 As we walk into the back bedroom, we can
8 hear a woman yelling basically from a bathroom area,
9 at which point we go in there and we find
10 Ms. Cunnison in the bathroom.

11 Q. Do you remember what she was yelling as
12 you --

13 A. She was --

14 Q. -- gained access to the home?

15 A. I believe it was like, "Help," something
16 along that lines, "I'm back here."

17 Q. So she was vocalizing words or commands?

18 A. Yes.

19 Q. Okay. Now, as you gain access to the
20 bathroom, can you walk us through that.

21 A. Basically as soon as we walked in the
22 bathroom, we could see her sitting in the tub.

23 We -- I basically asked her, "Oh, what happened?

24 Are you okay?" I wanted to make sure -- obviously
25 we didn't know a hundred percent --

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1 Q. Yeah.

2 A. -- how long she had been there or what
3 circumstances were.

4 So she -- her basic story was, "I was --
5 I took a bath." The tub that she was in, she was
6 sitting in like a seat. She said that she went to
7 go turn the water off and to drain the tub out and
8 she slipped off the seat and wedged herself between
9 the seat and like the side of the tub.

10 Q. Okay. And she was able to vocalize all
11 of that?

12 A. Yes.

13 Q. Okay. Now, this is kind of a -- kind of
14 a strange question to ask, but it's an important
15 issue in the case: My understanding is from other
16 testimony that there was some human feces in the
17 tub?

18 A. The smell was like nothing that you could
19 imagine.

20 Q. It was pretty bad?

21 A. Yes.

22 Q. Okay.

23 A. It smelled like death. If you've been
24 around people that have passed away, it smelled like
25 that.

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1 A. No, I don't believe so.

2 Q. Okay. What else can you remember? What
3 other facts can you remember about, I guess, the
4 situation as you arrived?

5 A. She said that she had -- she was able to
6 turn on the water; so she said at times she was like
7 using the water to drink.

8 Q. Okay.

9 A. That's about it. At the -- she was
10 heavier; so we wanted to try to move her, but
11 because of the way she was stuck in there, there was
12 not really a whole lot we could do.

13 Q. Okay.

14 A. So we called for the Fire Department
15 obviously, and they came probably a short time
16 later. I don't know how long it was. Maybe 15
17 minutes or so.

18 Q. Okay. Did you stay with her and comfort
19 her during that time?

20 A. Yes.

21 Q. Was she able to continue to vocalize,
22 continue to discuss the issues with you?

23 A. We didn't really talk a whole lot.

24 Q. Okay. Other than her explaining, I
25 guess, how she got into that predicament, which I

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1 understand she was reaching forward and that kind of
2 caused her bottom to slip off of the seat and get
3 wedged -- is that accurate?

4 A. Yes.

5 Q. Okay. Other than her explaining that and
6 then explaining that she was able to turn on the
7 water and drink, was there anything else that she
8 discussed?

9 A. Not that I can remember.

10 Q. Did she mention anything about the drain
11 or the drain protocol or -- or not the drain
12 protocol, but the drain mechanism?

13 A. No.

14 Q. Okay. Anything else that she attributed,
15 I guess, as the cause of her getting in that
16 position?

17 A. No.

18 Q. Okay. Now, this is kind of an odd
19 question, but if you could help us understand this,
20 my understanding is, say, for instance, that if
21 she's seated in one direction, you guys walk in from
22 one direction, can you help us understand a little
23 bit, I guess, of how she was seated, how she would
24 have had to turn to see you guys? Was she able to
25 make eye contact when you walked into the room?

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1 REPORTER'S CERTIFICATE

2 STATE OF NEVADA)
3) ss
4 COUNTY OF CLARK)

5 I, William C. LaBorde, a duly certified court
6 reporter licensed in and for the State of Nevada, do
hereby certify:

7 That I reported the taking of the deposition
8 of the witness, BRADLEY S. VAN PAMEL, at the time
and place aforesaid;

9 That prior to being examined, the witness was
10 by me duly sworn to testify to the truth, the whole
truth, and nothing but the truth;

11 That I thereafter transcribed my shorthand
12 notes into typewriting and that the typewritten
transcript of said deposition is a complete, true
13 and accurate record of testimony provided by the
witness at said time to the best of my ability.

14 I further certify (1) that I am not a
15 relative, employee or independent contractor of
counsel of any of the parties; nor a relative,
16 employee or independent contractor of the parties
involved in said action; nor a person financially
17 interested in the action; nor do I have any other
relationship with any of the parties or with counsel
18 of any of the parties involved in the action that
may reasonably cause my impartiality to be
questioned; and (2) that transcript review pursuant
19 to NRCP 30(e) was waived.

20 IN WITNESS WHEREOF, I have hereunto set my
21 hand in the County of Clark, State of Nevada, this
20th day of November 2017.

22
23 William C. LaBorde
24 William C. LaBorde, CCR 673, RPR, CRR
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EXHIBIT 17

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EXHIBIT 17

EXHIBIT 18

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EXHIBIT 18

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DISTRICT COURT

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CLARK COUNTY, NEVADA

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5 ROBERT ANSARA, as Special)
 Administrator of the Estate of)
 6 SHERRY LYNN CUNNISON, Deceased;)
 et al.,)

7

Plaintiffs,)

8

vs.)

9

10 FIRST STREET FOR BOOMERS &) CASE NO. A-16-731244-C
 BEYOND, INC.; AITHR DEALER,)
 INC.; HALE BENTON, Individually;)
 11 HOMECCLICK, LLC; JACUZZI INC.,)
 doing business as JACUZZI LUXURY)
 12 BATH; et al.)

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Defendants.)

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 AND ALL RELATED MATTERS)

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VOLUME I

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VIDEOTAPED DEPOSITION OF KURT BACHMEYER, a witness

19

herein, noticed by Richard Harris Law Firm, taken

20

at 600 Anton Boulevard, Suite 1400, Costa Mesa,

21

California, at 8:33 a.m., Monday, July 29, 2019,

22

before Nancy L. Dennis, CSR 13001.

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Job No. 562915A

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1 APPEARANCES OF COUNSEL:

2

3 For Plaintiffs:

4 RICHARD HARRIS LAW FIRM
5 BY BENJAMIN P. CLOWARD
6 801 South Fourth Street
7 Las Vegas, Nevada 89101
8 (702) 444-4444 (702) 444-4455 Fax
9 Email: Benjamin@RichardHarrisLaw.com

8

For Defendants/Cross-Defendants, FIRST STREET for BOOMERS
& BEYOND, INC.; AITHR Dealer, Inc.; HALE BENTON:

10 THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER
11 BY PHILIP GOODHART
12 1100 East Bridger Avenue
13 Las Vegas, Nevada 89125
14 (702) 366-0622 (702) 366-0327 Fax
15 Email: Png@thorndal.com

16 For Defendant/Cross-Defendant, JACUZZI, INC. dba JACUZZI
17 LUXURY BATH:

18 WEINBERG, WHEELER, HUDGINS, GUNN & DIAL, LLC
19 BY CHRISTOPHER T. BYRD
20 6385 South Rainbow Boulevard, Suite 400
21 Las Vegas, Nevada 89118
22 (702) 938-3838 (702) 938-3864 Fax
23 Email: Unavailable

20

21 Also Present:

22 RON TEMPLER - JACUZZI LUXURY BATH

23 KRISTY PITTMAN - VIDEOGRAPHER, Litigation Services

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