



January 9, 2015

Via Fax, Email & Overnight Mail

Gordon N. Ball Inc.

General Engineering Contractors

Tel 925.838.5675

Fax 925.838.5915

333 Camille Avenue

Alamo, CA 94507

Earl Seaberg, Chief, Office of Contract Awards & Services
John McMillan, Deputy Division Chief
Office Engineer – MSC 43
California Department of Transportation
1727 30th Street
Sacramento, CA 95816-7005

Dear Mr. McMillan:

Thank you for your response on behalf of the Director this date relative to Contract Numbers 04-4S0504, 04-2G8604, and 04-1SS024. We are once again appealing to you for reason on this matter. The statement and conclusion in your response is incorrect.

It is incorrect to assert that because of ongoing litigation, the Department is “unable to comment further on the award of any of these contracts”. It is in fact a very common practice for parties to resolve issues outside of litigation once said litigation commences. Such practice is endorsed by the legal system, and is a desired course of action for all concerned.

Please reconsider and discuss this matter with your legal counsel. To be clear, the legal counsel for Gordon N. Ball, Inc. is in complete support of our repeated attempts to discuss these matters with the Department under proper rules and guidelines.

Thank you for your consideration.

GORDON N. BALL, INC.

Hal Stober
President