AN OPEN LETTER TO CALIFORNIA'S U.S. SENATORS AND BERKELEY CITY LEADERSHIP

Re: Equal Treatment in Government Property Actions From Presidio Terrace to the Case of Dr. Rash Ghosh

To the Members of the United States Senate, the San Francisco Board of Supervisors, and Public Officials:

To:
The Honorable Adam Schiff, United States Senator
The Honorable Alex Padilla, United States Senator
The Honorable Adena Ishii, Mayor of Berkeley
Members of the Berkeley City Council
The Berkeley City Attorney's Office

Dear Senators Padilla and Schiff, Mayor Ishii, Councilmembers, and City Attorney:

In 2017, Senator Dianne Feinstein urged San Francisco officials to reverse the tax sale of the private street at Presidio Terrace. In advocating for the homeowners, she expressed a principle that deserves lasting public attention:

> "In the United States of America, no one should lose property at the hands of the government without knowing about it."

Her intervention concerned a street sold following years of unpaid property taxes and disputed notice. San Francisco's Board of Supervisors subsequently voted to rescind the sale. (Contemporaneous reporting)

Senator Feinstein has since passed away. I am grateful to her for her attempt to resolve this and help, but she was unable to convince Tom Bates, the mayor. The U.S. ombudsman and Indian and Bangladesh governments, and several high ranking Nobel Laureates also were unable to convince him and Judge Frank Roesch, because he had financial interest in the property, and they achieved their goal. I attempted to get a response from Senator Padilla, but I was not lucky enough. The Senator holding her seat currently is my last hope. This is not a city matter, this is a federal matter. Housing discrimination is a federal matter. This letter responds to the principle she articulated and asks those serving today to apply the same concern for fairness, meaningful notice, and the consequences of government action to people whose circumstances attract less political attention.

We ask you to examine the treatment of Dr. Rash Ghosh, the tenants affected by actions against his Berkeley properties, and the nonprofit and religious activities those properties supported. He has still not gotten an owner occupancy certificate. Dr. Ghosh is disabled, a senior citizen, and has been discriminated against, and needs his house back.

The Berkeley record deserves a public response

The accompanying letters from Nobel laureate Charles H. Townes document repeated appeals for assistance.

In September 2010, Townes wrote to the Superior Court receiver concerning properties at 1700 Dwight Way and 2507–2509 McGee Avenue in Berkeley. He described their use by the International Institute of Bengal and Himalayan Basins and a small temple welcoming people of different faiths. He expressed concern about the effects of the closures on Ghosh, tenants, volunteers, and the institute, and requested a review of the documents and assistance resolving the matter.

In January 2012, Townes appealed to Berkeley's Housing Advisory Commission regarding Ghosh's remaining residence at 1248 Ashby Avenue. He disputed the City's treatment of Ghosh, referenced repair approvals and technical reports, and asked officials to help preserve his home and resolve the dispute.

In April 2012, Townes asked Berkeley's city attorney to stop the proposed sale of the Dwight Way and McGee property. He reported that Ghosh had deposited $160,000 into the receiver's escrow account for repairs, plus permit fees at $17,00, $40,000 in professional service fees, and $6,000 from Dr. Ghosh's lenders' account, totaling $223,000. He questioned the proposed sale price, and urged officials to allow repairs so Ghosh could return home.

These letters record serious concerns and requests for intervention. They are not judicial findings, and they do not resolve every factual dispute. They do warrant a substantive explanation of what officials considered, how they responded, and what avenues for remedy remain.

The same concern for fairness should extend to everyone

The Presidio Terrace tax sale and the Berkeley enforcement and receivership proceedings involved different circumstances. Our comparison concerns the willingness of public officials to scrutinize government action when property, housing, and community institutions are at stake.

When influential homeowners sought relief, their concerns received prominent political advocacy. Did Ghosh and the affected tenants and organizations receive comparable attention to their circumstances and evidence?

Were notices meaningful and opportunities to contest decisions accessible? Were proposed repairs and alternatives to sale or displacement fairly evaluated? How were the consequences for residents, nonprofit work, and religious activities weighed? Dr. Ghosh and his tenants received no notice, although Kriss Worthington did provide shelter after their sudden eviction. The city sued Dr. Ghosh for two cases, case No. 918-626-2 and case No. 921-369-2, and both were dismissed by commissioner Rantzman, who personally visited the sites and found out the zoning violations were false, and therefore he announced at the site that he was going to dismiss the case, but did not. He continued to trial and retrial, both of which were dismissed

within one year. The city planning took separate action when the two cases were actively going on, and got it approved by the city council with the promise that nobody will be kicked out from the property. Dr. Ghosh is a senior citizen, so we will put a lean on the property after repair. The city council approved on that condition but the city zoning and building and attorney, concluded and conspired and did the opposite, kicking Dr. Ghosh out and put him in jail when that attempt failed. They brought three false felony charges, all of which were dismissed. The case continued for more than two decades, and the non profit facility work was disrupted. Both Bangladesh and Indian governments' requests were denied along with several Nobel Laureates at Berkeley and Stanford. More details on Dr. Ghosh's contributions are available online for public viewing, and his family contribution to the freedom of the Indian continent. On 30th October 2001, when Dr. Ghosh was out of the country, the city official promised something positive and they did the complete opposite. If you require more information, we will provide all necessary documentation.

Public confidence depends on clear answers. The willingness to listen, investigate, and correct mistakes should not depend on wealth, status, or political connections.

Our requests

We ask Berkeley's mayor, City Council, and City Attorney's Office to:

1. **Arrange a documented review** of the relevant enforcement, closure, receivership, and sale history, including the concerns raised in Townes's letters.
2. **Provide a written explanation** of the notices, hearings, repair opportunities, and alternatives considered, identifying the records supporting that explanation.
3. **Meet with Ghosh or his authorized representatives**, along with affected tenants and organizational representatives, to hear their concerns and clarify the present circumstances.
4. **Identify available remedies** if the review establishes errors, unfair treatment, or preventable harm, including appropriate corrective action and consideration of restitution or compensation where warranted.

We ask Senators Schiff and Padilla to review the accompanying materials, assist in obtaining responses from the appropriate agencies, and consider whether the concerns warrant referral for federal review or broader policy attention within their authority.

Please acknowledge this request and identify a point of contact and an anticipated timeline for a substantive response.

Senator Feinstein's words offer a standard against which public leadership can be measured. That standard should extend to residents facing the loss of a home and to organizations facing the loss of the places where they serve their communities.

We ask you to examine this record openly, explain the decisions made, and pursue appropriate remedies wherever the evidence establishes that harm should be corrected. Please return my house to me, I need it badly.

I am an elderly retired scientist (82) and devoted more than four decades to environmental protection, water pollution control, groundwater sustainability, and public service. I never expected that I would lose my own residence and the facilities established to advance these public-interest objectives through a prolonged dispute with the City.

What troubles me most is that I repeatedly sought assistance and a reasonable settlement. I believe that the October 30, 2001 hearing records demonstrate that City officials were aware of my circumstances and that assurances were made concerning my continued occupancy and the protection of my properties. Nevertheless, I was subsequently evicted, and my properties and nonprofit activities were lost.

I am not asking the authorities to accept every allegation without examination. I am asking for an impartial investigation based on documentary evidence, official records, witness statements, and the applicable law.

Please acknowledge receipt of this request, advise me whether an investigation can be opened or reopened, and identify the appropriate investigator or department responsible for reviewing these matters.

After so many years, I still seek accountability, an accurate historical record, and a fair examination of the circumstances that resulted in the loss of my home and nonprofit institutions.

Waiting for your guidance,

Dr. Rash Ghosh

November 7, 2026

Please see the attached online sources:

1) iibhb.org

2) audacity of hope. info

3) @ Bengal Basin Institute on Youtube → 1) 250,000 challenge
   @ rashghosh 4129 → 2) Justice Corrupted

4) https://en.wikipedia.org/wiki/Rash_Bihari_Ghosh

For additional information & Shirley Dean's unsigned declaration, please see audacity of hope.info.

$250,000 REWARDS FOR VICTIMS OF ELDER ABUSE, CORRUPTION AND SYSTEMIC RACISM, WHO CAN MATCH DR. GHOSH'S CASE



Dr Ghosh is a victim of American Injustice

We must respond to Charles Townes' call

2012 Townes and Tagore Seminar
A Call to Help Dr. Ghosh and the IIBHB

"I would like to mention here that the IIBHB's work was disrupted by the closure of its facility at 1700 Dwight Way by the City of Berkeley about 5 years ago, and I made all the efforts I could to help. Please see the poster3 that summarizes the events and how the city took over the property and sold it for 1/6 of its value plus the more than $200K which had been deposited for repair. This repair fund was used to close escrow rather than for actual repairs. I appeal and encourage all of you to stand behind Dr. Ghosh to fight this injustice and support him as best you can. Dr. Ghosh is a man of honesty, integrity, courage, and vision, and his dedication and sincerity are beyond question. Despite having lost his two properties and his $200K cash deposit, he is still here to continue his mission of over 3 decades to improve the lives of millions. He deserves our support." CH



(L-R: **David Seaborg**, Founder of World Rainforest Fund & former Vice President of IIBHB, son of Nobel Laureate **Glenn Seaborg** Co-founder of IIBHB, Nobel Laureate **Charles H. Townes**, Inventor of Laser and co-founder of IIBHB, **Dr. Rash B. Ghosh**, **Charles Townes** Professor of Water Chemistry, Inventor of Hydrogrameen and co-founder of IIBHB, Nobel Laureate **Arno Penzias**, Big Bang Theory and former student of Dr. Townes, and Nobel Laureate Douglas Osheroff (Helium 3 and Professor at Stanford)



Dr. Rash B. Ghosh, Nobel Laureate Charles Townes Professor and close associate and follower of Bangladesh Founding Father, paid the heaviest price than any scientist or scholar of our time. His house was raided on 29 August, 5 and 6 September

Dr Ghosh himself became a victim of Berkeley City officials who caused him to lose his home of 17 years, displacing many Section 8 tenants including a black single mother and 5 little children. Additionally it closed his nonprofit organization, the International Institute of Bengal and Himalayan Basins and a non denominational temple activity center without any notice from his owner occupied house, which is grossly illegal and should be prevented by the city's own law. The city evicted them unannounced using a fire truck and the police in a span of a few minutes to one hour at the direction of Berkeley officials, the mayor, and city attorneys (Manual Albaqurque, Zach Cowan and Laura Micknney). This action was supported by Judge Frank Roesch and his bosses at the appellate court. When the city's indictment attempts failed, the city brought 3 false felony charges and jailed Dr Ghosh for 3 days. All charges were dismissed. This has been a retaliation against Dr Ghosh who made a case law against the state of California, his employer, for age discrimination. The collusion between the two were investigated by Dr Felix Motzoi, Professor of Physics at Denmark University and Charles Townes. This case must be investigated by the FBI to break the current cycle of corruption and jail the law breakers. The city and the Judge Frank Roesch grossly violated the order of the Judge Richmond to remove only a small portion of the front of the 2507 McGee, but the Judge Frank Roesch took the entire property including 1700 Dwight Way and denied to real to Dr Ghosh and to his new nonpofit.

Afterword by Dr. Townes

"I should also mention that the soundness, practicality, and science of Dr. Ghosh's approach to the remediation of toxics in surface and ground waters has been endorsed by the many highly qualified scientists, engineers, public health professionals, and medical doctors who have supported him and attended his seminars in the past. These have included the Nobel Laureates Linus Pauling, Glenn Seaborg, Arno Penzias, Martin Perl, Douglas Osheroff, and me, as well as Professor Richard Wilson of the Harvard Physics Department, who has a special interest in the arsenic toxicity of the ground and surface waters in Bengal. Additionally, Dr. Ghosh has secured the support and participatic of many other highly qualified and educated scholars and professionals in other fields. Please refer to the IIBHB.org web site for further information about Dr. Ghosh, his life's work, which is the work of our institute, and about the injustices he is suffering at the hands of city officials." CH



Dr. W. Kershaw Md. DSc, CMG VRD, Fiblst Monsonsal Hospital PhD Advisor of Dr Ghosh Examing his work at the bank of polluted Mersey Estuary UK



Dr. W. Kershaw & his Friend Double Nobel Laureate Linus Pauling Impressed with his outstanding PhD work and use the knowledge to imporve the Sanfrancisco water quality connected with Drs Glenn C Seaborg & Charls H Townes



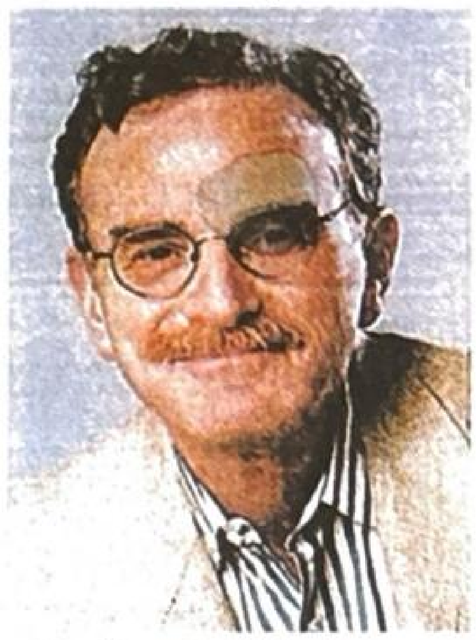
With Prof. Glenn T. Seaborg. Cofounder of IIBHB Advisor of 10 US President & Discoverer of Ten Elements



চার্লস টাউন প্রফেসর ড. রাস বিহারী ঘোষ ও কনটার অফ লেজার নোবেল প্রাইজ বিজয়ী ফিজিসিস্ট চার্লস এইচ টাউনস্ হাইড্রোগ্রামীন সম্পর্কিত আলোচনারত।



(L.R: David Seaborg Founder of World Rainforest Fund & former Vice President of MBHB son of Novel Laureate Glenn Seaborg Co-tourder of BHB Novel Laureate Charles H. Townes inventar of LASER and co-founder of BHB Dr. Rash B. Ghosh, Charles Townes Professor of water chemistry inventor of Hydrogrameen, and co-founder of BHB Novel Laureate Arno Penzias, Big Bang Theory and former student dr. Townes and Novel Laureate Douglas Otheroff (Helium 3 and Professor at Stanford)



Dr. Randy Schekman

HYDROGRAMEEN

injecting fresh water to replenish depleted Aquifers

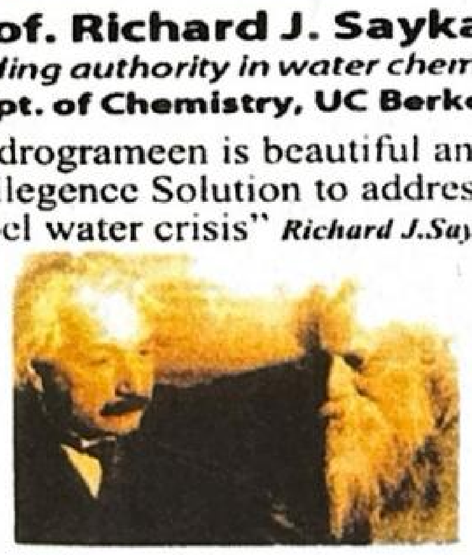


Prof. Richard J. Saykally

(Leading authority in water chemistry)

Dept. of Chemistry, UC Berkeley

"Hydrogrameen is beautiful and Intellegence Solution to address globel water crisis" ***Richard J.Saykally.***



Albert Einstien & Rabindranath Tagore

আলবার্ট আইনস্টাইন নভেল বিজয়ী বিশ্বনন্দিত পদার্থ বিজ্ঞানী এবং রবীন্দ্রনাথ ঠাকুর বিশ্বকবি বাংলা সাহিত্যে নভেল বিজয়ী। ১৯৩০ সালে জার্মানী বার্লিন শহরে আইনস্টাইন ও রবীন্দ্রনাথ ঠাকুর সাক্ষাত হয়।

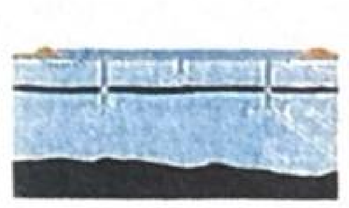


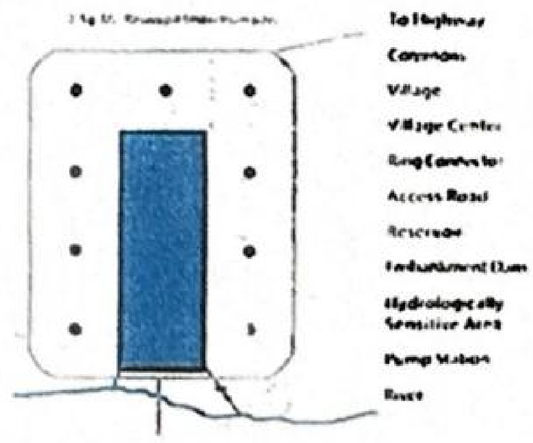
ভারতবর্ষে প্রথম প্রধানমন্ত্রী ১৯৫৮ সালে ওপেনহাইমারের বাড়িতে নেহেরুর সঙ্গে দেখা হয়। ওপেনহাইমার দ্বিতীয় বিশ্বযুদ্ধে হিরোশিমা নাগাসাকি বোম এর উদ্ভাবক; সহায়তায় ড. গ্র্যান্ড সি বর্গ চেয়ারম্যান ইউএস এটোমিক এনার্জি।



Physicist Nobel Laureate Charles H Townes. Leader of science and spiritual communities of the world Receiving Bengal Basin Award From Charles H Townes' Professor Dr. Rash Bihari Ghosh, Berkeley, Ca, USA.







Writing, layout & graphic design. John Rankin, PhD

I am running for the issues that you and I believe in: ending corruption, systemic racism; reform of the judiciary system; universal health care, end homelessness and the immigration crisis; no war (unless we are attacked), and invest more in education and R&D.

Rash B. Ghosh, Ph.D

Freedom fighter, Leader of Teachers Assoc, Water Climate and Hazardous Materials Scientist, Author, Civil Rights Activist, Philanthropist, Nobel laureate Charles Townes' Professor, inventor of Hydrogrameen (refill aquafers) and Founder of International Institute of Bengal and Himalayan Basins (40 Yeats involvement in water Politics)

STAND AGAINST INJUSTICE

BERKELEY SEIZES INSTITUTE

A Nobel Laureate's Appeal



Dr. Charles H. Townes. 1964 Nobel Laureate in Physics and inventor of the Laser, and winner of the Tagore and Templeton Awards.

NOTES

** This can be verified by city council member Kriss Worthington who disclosed the fact on 12/15/2009 during a public hearing on the boarding and seizure of the property. Mr. Worthington's statement has not been disputed by any city official. City Attorney Cowan admitted in a Berkeley Daily Planet interview (12/23/09) that the entire project had been signed off.*

§ Sold for $265,000 to a developer? A deal too good to be true? 1700 Dwight Way, Corner Lot, 2800 sq. ft. (2 stories, high ceilings 1st & 2d floor. Mixed use: commercial/ residential). 2507-09 McGee Ave., 2500 sq ft (2 stories, residential. Attic used as storage space. Rental income for McGee 1st floor $2600/ month, 2nd floor $3200). 4 parking spaces including 22 x 20 sq. ft. 2-car garage, detached. The 1/6 estimate is conservative & based on the fact that the ajacent property, 2511 McGee Ave., was purchased with a $416K + downpayment. Public record. (2+ bedroom, single story, with no garage or parking, small lot).

A Letter from Dr. Charles H. Townes

The City of Berkeley is currently selling property that was unjustly seized. This commercially valuable real estate on the corner of Dwight Way and McGee Ave. was cited for nonexistent code violations despite having been previously signed off on the project*. Additionally, nearly $500,000 of the owner's money has already been spent attempting to address the alleged violations. However the property is now up for sale at one sixth § of its estimated value.

The property in question, the location of the International Institute of the Bengal Basin (IIBB), is situated at 1700 Dwight Way and 2507-09 MgGee Ave, on a lot owned by Dr. Rashbihari Ghosh. The IIBB, for which I and several other Nobel Laureates serve as advisors, is dedicated to addressing the global water crisis and reducing toxics in drinking water resources worldwide. As a friend and associate of Dr. Ghosh for many years, I can attest to the integrity of his character, the soundness of his plans for toxic remediation, and the justice of his cause. Please join me as a volunteer and help us save our institute from this gross injustice.

Respectfully,

Chas. H. Townes

Dr. Charles Hard Townes

Latest Developments

The property is being sold and Rash Ghosh stands to lose his home, his institute, and the many years he devoted to pursuing his American dream. –A dream which was to improve the lives of the many millions of people less fortunate than himself in the Bengal and Himalayan Basins and beyond who suffer and die from the lack of safe and clean drinking water.

We desperately need your help to fight the many injustices done to this highly-respected scholar. If you can offer pro bono legal assistance or other support, please contact us. For further information, please visit our website, IIBHB.ORG, or contact Dr. Ghosh by email, director@iibhb.org, or by phone, 510-575-5112.

IIBHB.ORG

Contact IIBHB.ORG
director@iibhb.org
510-575-5112



2

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT HAS A MICROPRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

Patelco CREDIT UNION
5050 Hopyard Rd.
Pleasanton, CA 94588
Your money. More value. Smart choice.

CU SERVICE CENTERS
The Alaska-Federal Financial Network

407868789

CASHIER'S CHECK

12/06/11

03-541
820

3210

ONE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS $160,000.00

PAY TO THE ORDER OF

MR. BENJAMIN MCGREW - RECEIVER
OF ALAMEDA COUNTY SUPERIOR CT
DEPT 31 OAKLAND CA- DEPOSIT TO
HIS ESCROW ACCT PER JUDGE
ORDER - 1700 DWIGHT WAY REPAIR

VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

PAYABLE THROUGH
FIRST INTERSTATE BANK
BILLINGS, MT

⑈07868789⑈ ⑆09200 [illegible] ⑆00006058⑈

Patelco Credit Union
Check Image Search

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DR. RASH B GHOSH
2509 MCGEE AVE
BERKELEY, CA 94703-1831

1252

50-575-5112 11-100004 OK NOV 3/11

PAY TO THE ORDER OF City of Berkeley $7,285.00

Seven Thousand Two hundred Eighty five DOLLARS

Patelco

FOR 2 smith 3 UK fees

⑆321076470⑆ 74800306⑈1252

Patelco Credit Union
Check Image Search

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DR. RASH B GHOSH
2509 MCGEE AVE
BERKELEY, CA 94703-1831

1253

510-575-5112 11-100005 NOV 3/11

PAY TO THE ORDER OF City of Berkeley $837.75

Eight Thousand Two hundred & Seventy seven DOLLARS

Patelco

FOR Vehicle fee

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CITY OF BERKELEY
FOR DEPOSIT ONLY
ACCOUNT [illegible]
WELLS FARGO BANK

WELLS FARGO BANK EL CAJON
▶1221-0527◀
311626424

CITY OF BERKELEY
FOR DEPOSIT ONLY
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WELLS FARGO BANK

WELLS FARGO BANK EL CAJON
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311626423

DR. RASH B GHOSH
2509 MCGEE AVE
BERKELEY, CA 94703-1831

1254

510 575-5112 NOV 3/11

PAY TO THE ORDER OF City of Berkeley $1,359.04

One Thousand Three hundred Fifty nine & 04/100 DOLLARS

Patelco
Berkeley Office - Branch #120
2509 Hearst Avenue
Berkeley, CA 94704
415-841-8200

FOR 11-4491 OK

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FOR DEPOSIT ONLY
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WELLS FARGO BANK

WELLS FARGO BANK EL CAJON
▶1221-0527◀
311625191

U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

(22)

OFFICE OF THE NATIONAL OMBUDSMAN

December 4, 2007

Dr. Rash B. Ghosh, Founder and Chairman of the Board
Ms. Rosalie Say, Executive Director
Dr. Sterling Bunnell, President
International Institute of Bengal Basin (IIBB)
2507-09 McGee Avenue
Berkeley, CA 94703

Dear Dr. Ghosh, Ms. Say, Dr. Bunnell:

I received your Federal Agency Comment Form and supporting documentation dated November 12, 2007, in which you expressed concerns regarding the City of Berkeley's closure of two IIBB's buildings (a non-denominational temple based at 2507-09 McGee Street and a commercial building at 1700 Dwight Way, Berkeley) owned by Dr. Ghosh.

I referred your case to the City of Berkeley for a high-level review and consideration.

The Office of the National Ombudsman was created by Congress under the Small Business Regulatory Enforcement Fairness Act (SBREFA) to receive comments from small businesses regarding concerns of unfair or excessive Federal regulatory actions.

Should you have any questions or concerns in this matter, please contact my office by telephone at (202) 205-2417, fax at (202) 481-5719 or e-mail at Ombudsman@sba.gov.

Thank you for bringing your concerns to my attention.

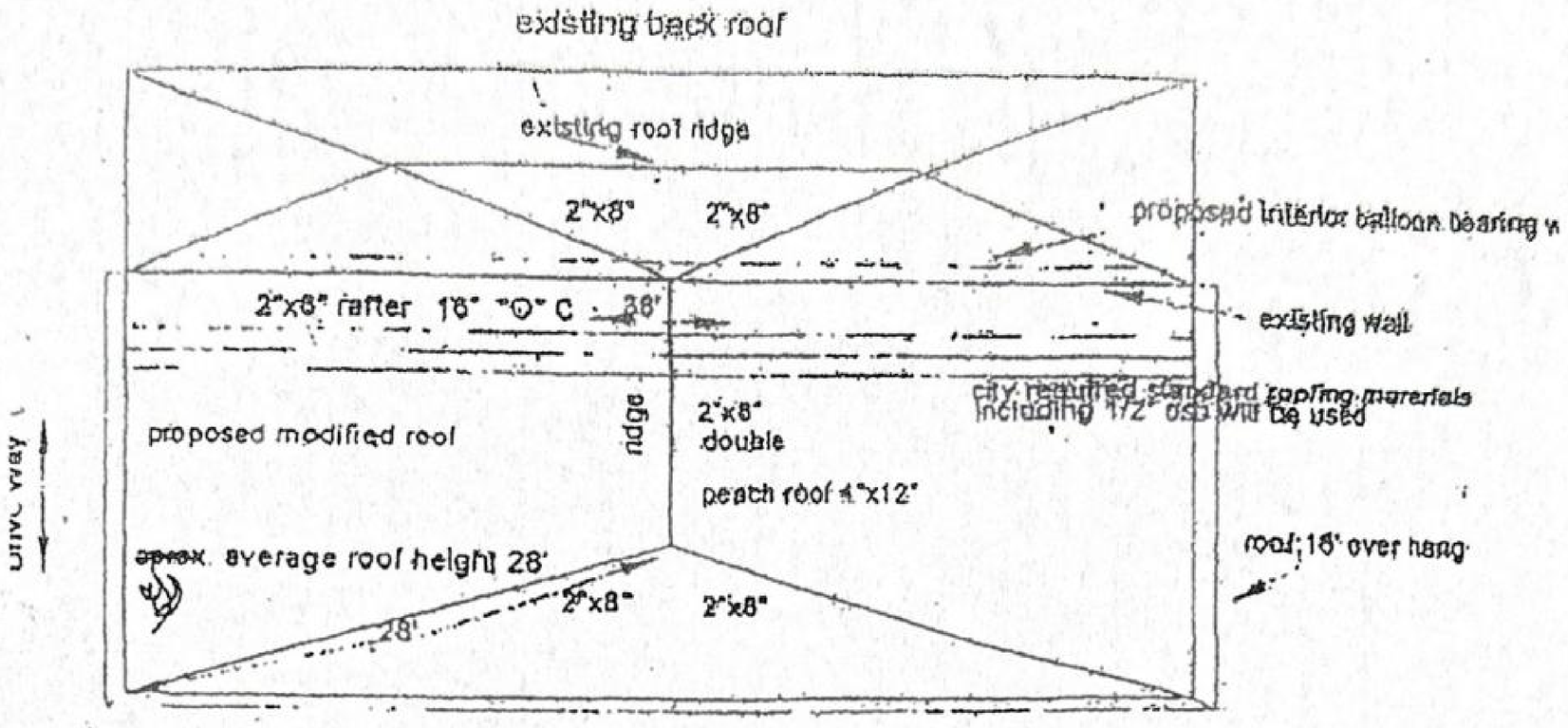
Sincerely yours,

Nicholas N. Owens
National Ombudsman and
Assistant Administrator for Regulatory Enforcement Fairness

2507-09 McGee Avenue proposed modified roof

Permit No. 95-3641 February 19,1998

A1



APPROVED PLAN

[signature] 2-20-98

CURRENT PLANNING DATE

O.K as long as ~~roof~~ average height not greater than 28' in height -DH

NO. 25550

CITY OF BERKELEY

CITY PLANNING DEPARTMENT
Current Planning Division
TEL. 510 644-6570 FAX: 644-8607 TDD: 644-6915

Date 3-18-98

RECEIVED OF: Rosh B. Ghosh PHONE _____

PROPERTY INVOLVED: 2507-9 McGee Ave.

☐ PUB. HANG. ☐ USE PERMIT ☒ ADMIN. UP ☐ HOME OCCUPATION ☐ VARIANCE

☐ MODIFY ☐ LANDMARKS: $ _____ ☐ TIC/CONDO $ _____

☐ TRANSFER ☐ ENV. INITIAL STUDY ☐ DESIGN REVIEW: $ _____

ZONING PERMITS: ☐ RES. ☐ NON-RES. ☐ PENALTY FOR LATE FILING $ _____

☐ OTHER: _____

TENTATIVE HEARING DATE _____

(12/93) TOTAL PAID $ 288.50 ☐ CHECK ☒ CASH Received by: [signature]

A asked to apply for use permit for attic & he did → they took no action on the app.

A2

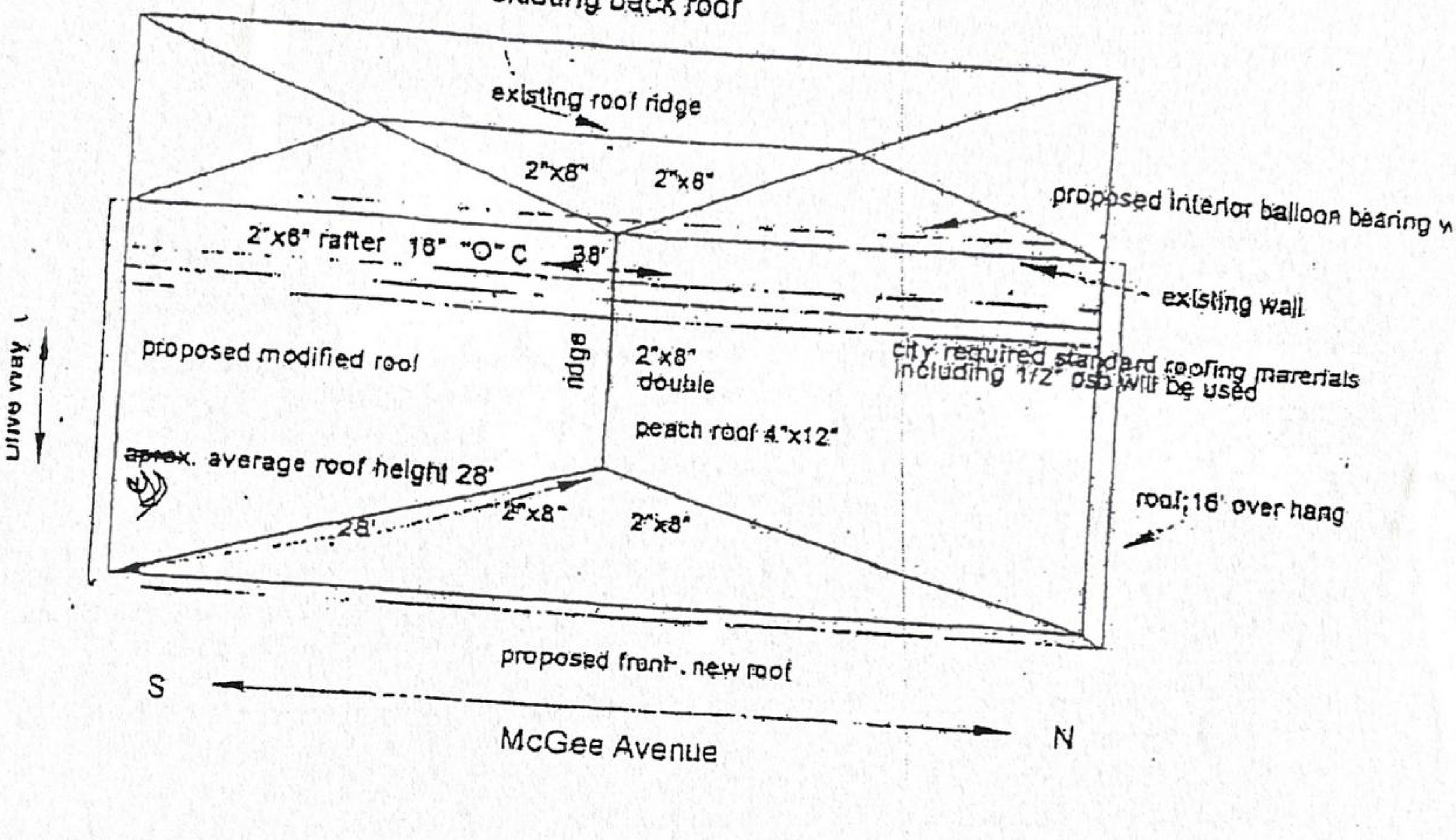
(32)
(3)

(21)

2507-09 McGee Avenue proposed modified roof

Permit No. 95-3841

February 19,1998



APPROVED PLAN

[signature] 2-20-98

CURRENT PLANNING DATE

O.K as long as roof ~~height~~ average height not greater than 28' in height -DW

nregistered Shareware

(34)

(31)

Planning and Development Department
Land Use Planning Division

January 4, 2006

Marie Bowman
1532 Blake Street
Berkeley, CA 94703

Dear Ms. Bowman:

RE: Conversion to condominiums: Notice of Selection – 2507 McGee/1700 Dwight Way, Berkeley

The above-referenced condominium conversion project has been selected for processing during the period between March 13, 2006 and April 12, 2006. If this period of time is not convenient please contact me at this office to reschedule your processing period. If you have decided not to apply, please let me know in order to allow other applications to be reassigned to the time allotted to your project.

Please note that the selection of this application is contingent upon your verification of information you submitted with the Request for Selection. This office may request additional information about the ownership and rental history of the property and tenants' statements of willingness to purchase.

To continue in the condominium conversion process the following items must be submitted during the time period noted above.

- Zoning Project Application Form (enclosed)
- Local Law Compliance Documentation Worksheet (enclosed). Submit supporting documentation
- Dimensioned and scaled floor plans and a site plan illustrating the footprint of all buildings, parking spaces and property lines
- $1,799.00 required fee

The application should be submitted to the Land Use Planning Division's customer service counter, which is located at 2120 Milvia Street. It is open from 8 a.m. to 5 p.m. Monday, Tuesday, Thursday and Friday, and 9 a.m. to 5 p.m. Wednesdays. Please contact me at (510) 981-7412 if you have questions about the information required by this office to continue the condominium application process.

Yours sincerely,

Stephen R. Ford
Associate Planner
Planning & Development Department
City of Berkeley

2120 Milvia Street, 1st Floor, Berkeley, CA 94704 Tel: 510.981.7410 Dir: 510.981.7430 TDD: 510.981.6903 Fax: 510.981.7420
E-mail: vnguyen@ci.berkeley.ca.us

10. With respect to the roof at 1700 Dwight Way, I approved that roof in 1992. The City issued a permit to Dr. Ghosh that allowed him to build a roof not to exceed 28 feet in height (Exhibit 6). The roof height is approximately 24 feet. I approved this roof, as did my colleague at the time, Jo Clubb (Exhibit 7).

11. I reviewed an additional number of documents from Dr. Ghosh including approval documents for 1700 Dwight Way from the Senior Zoning Officer, Matthew Lee Grand, for a first floor kitchen remodel dated November 1993 (Exhibit 8); and a zoning approval certificate for six second floor windows approved by Planner Nathan Dahl dated August 13, 2007 (Exhibit 9). If these documents are valid, and I see no evidence that they are not, there should not have been any problem with the approval of this work.

12. I reviewed the construction documents for both front and back roofs at 2507-09 McGee. The roofs were approved and signed off by the City Building and Zoning Inspectors and Planners in January 1998 (Exhibit 10). On February 20, 1998 the front and back roofs of the building were approved by Senior Zoning Planner, Gisell Sorenson (Exhibit 11) in addition to previous zoning approvals by Ms. Sorenson.

13. I have reviewed the documents relating to the electrical work and inspections for both buildings. A valid permit was issued to Gil's Electric and the work was done in accordance with all state and local electrical codes and ordinances. Gil's Electric, upon completion of the their work requested an inspection from the City of Berkeley and the work was approved after inspection by Steve Messinger in March 2009. After approval a release to PG&E to turn on the electricity at the address should have occurred. However the City of Berkeley failed to notify PG&E of the approval and as a result of this failure, undue harm was caused to Dr. Ghosh. All electrical issues were in compliance and therefore the City should not have held back the release to PG&E.

I declare under penalty of perjury that the foregoing is true and correct, and that if called upon to testify I could do so competently thereto. Executed in Albany, California on October 20, 2011.

By: _____
Robert Kendall (Bar 510-528-5001)
1530 Posen Ave., Albany, CA 94706

DECLARATION IN SUPPORT OF 1700 DWIGHT WAY and 2507-09 MCGEE PERMIT APPLICATIONS

1. I, Robert Kendall, declare: I am a retired certified ICBO (International Congress of Building Officials) senior building/electrical/mechanical/plumbing inspector of the City of Berkeley from 1984-94; and I have specific knowledge of the properties at 1700 Dwight Way and 2507-09 McGee Avenue. I am quite familiar with the prior owners of these properties and (I was assigned by the City of Berkeley as the building inspector for these properties) for the period of time up to and including the time of my retirement in 1994.

2. I have reviewed more than 60 pages of Dr. Ghosh's property related files including plans showing multiple city approvals of his remodeling project and his interaction with the City of Berkeley in obtaining permits for his properties at 1700 Dwight Way and 2507-09 McGee Avenue. I refer to several of these documents here. Also attached is declaration I gave on 10/20/2011 in support of Dr. Ghosh's permit application.

3. I have reviewed a document dated 3/18/1998 that appears to be an administrative use permit application which indicates a payment of $288 in cash in order to regularize his attic space as suggested by project inspector. I also noticed a hand written note "*I asked to apply for use permit for attic and he did. They took no action on the app.*" No signature or initial is present. As I understand it, most of the time such administrative use permits are issued over the counter unless there are complexities that require supervisory approval. If this permit had been allowed, the issue would have been resolved at that time. Unfortunately, this did not happen.

4. Based on the review of this and other documents, I recommend that this use permit be reactivated under permit number #953641, which appears to have been signed off in early 1998. It was clearly documented that Dr. Ghosh did additional foundation, structural and new electrical work by Gills Electric and other highly qualified professionals.

5. I also reviewed the documents relating to the zoning approval of Dr. Ghosh's McGee building remodeling project. These documents showed he has at least five zoning approvals from my colleague Giselle Sorenson who is by no means a "line-level" employee, but a widely respected senior zoning officer who recently retired. She approved the zoning through the entire process of remodeling from 1991 through 1998. The first zoning approval was in 1991, the second on 9/21/1995, the third on

DECLARATION IN SUPPORT OF PERMIT APPLICATIONS FOR 1700 DWIGHT WAY AND 2507-09 MCGEE. [Case number: 4002-043750] October 20, 2011

I, Robert Kendall, declare:

1. I am a retired certified ICBO (International Congress of Building Officials) senior building/ electrical/ mechanical/ plumbing inspector of the City of Berkeley from 1984-94.

2. I have specific knowledge of the properties at 1700 Dwight Way and 2507-09 McGee. I am quite familiar with the prior owners of these properties and [I was assigned by the City of Berkeley as the building inspector for these properties] for the period of time up to and including the time of my retirement in 1994.

3. As the assigned building inspector and electrical inspector for the above-mentioned properties, as to the electrical matters. I have reviewed the documents related to the electrical work and inspections for both buildings (Dwight Way and McGee). This corrective work was undertaken and executed by Gil's Electric, a licensed Electrical Contractor. a company that I knew well. It has an excellent reputation for quality work. Gil's Electric, was, in fact, recommended by the City of Berkeley (Exhibit 1 is a memo from Patrick Emmons from the City of Berkeley to Malcolm Prince regarding electrical contractor's suggestions for Dr. Ghosh indicating Gil's Electric as a recommended electrician).

4. I have reviewed a letter from March 4, 2009 (Exhibit 2) from Gil's Electric to Dr. Ghosh regarding City of Berkeley Electrical Permit nos. 07-6027; 08-90 (with respect to McGee Avenue) and 07-6017 (with respect to 1700 Dwight Way) indicating that all electrical work is being completed by Gil's Electric per the City of Berkeley's Inspection Department codes and permits, that the main electrical service upgrade was completed and approved by the City of Berkeley in August of 2008 and that all work completed by Gil's Electric was installed with all new materials. This work was apparently delayed due to the City of Berkeley Building Department's decision in regard to accepting the permit that Gil's Electric had originally obtained in December of 2007, and Gil's report indicates that after the final inspection by the City of Berkeley, the building will be safe to occupy. (Exhibit 2).

5. Also I have reviewed a document (Exhibit 3) Gil's Electric letterhead signed by Greg Carey, Vice-President of Gil's, confirming that 1700 Dwight Way was accepted by the City to

occupy. I also have reviewed Exhibit 4, a copy of a statement from Gil's Electric, including a copy of a check from Dr. Ghosh, indicating that $32,744.78 had been paid for electrical work by Dr. Ghosh.

6. I also reviewed a Correction Notice Building and Safety Division dated February 21, 2008 from the City of Berkeley prepared by Steve Messinger, a City building inspector, indicating that, on behalf of the City, he had approved the repair work of Gil's Electric at 1700 Dwight Way per Permit No. 07-6017.

7. I reviewed Exhibit 5, an Inspection Inquiry prepared by Mr. Messinger on March 19, 2009, indicating the 2507 McGee Avenue electrical work had been approved and was final and the inspection had been completed. The Inquiry then further indicates some comments that apparently the inspection approval had been countermanded by Joan, who I take to be Joan McQuarry, a Building Department officer, and that her disapproval, without explanation, included both 2507-09 McGee and 1700 Dwight Way. The property had been posted with a Notice and Order to Board Up Building and cut power by 3/21/09 and further directing that no revision should be taken in and no inspections were to be given. It is highly unusual to have a field inspector's work, particularly when a project has been finalled, to be countermanded, particularly without reference to any reason why.

8. From my review of these documents, it is clear that Dr. Ghosh received approval and sign-off of the electrical work for both properties. The documentation indicates that the City was obligated to give a release to PG&E for electrical connections to these buildings but has apparently refused to do so for reasons not apparently connected to any electrical work.

9. A valid permit was issued to Gil's Electric, a licensed California contractor, the work was done in accordance with all state and local electrical codes and ordinances. Gil's Electric, upon completion of their work, requested an inspection from the City of Berkeley. The City of Berkeley after Inspector Messinger approved the work, i.e. a release to PG&E to turn on the electricity at the address should have been occurred. As a result of the City of Berkeley not notifying PG&E, undue harm was caused to Dr. Ghosh. Whatever issues were outstanding at the time, all issues relating to the electrical were in compliance, and therefore, the City should not have held back the release to PG&E.

9/27/1997 and that approval was done almost page by page, the fourth approval was on 1/23/1998, and the final approval was on 2/20/1998 which provides approval for both the front roof and back roof of the McGee building. In the last approval, Ms Sorenson made a hand-written notation to the effect that all was in order provided that the average roof height did not exceed 28 feet. She also corrected the labeling of the drawing with the addition of the word "average" along with her initials. It is therefore surprising how the City has alleged that Dr. Ghosh did work without a permit. The City Council resolution of 2001 clearly stated that height violation is not an issue. If the roof height is in fact not an issue, then I do not see any problem. If others remain, the use permit can address this and/or Dr. Ghosh can avail of the strong unpermitted policy of the City of Berkeley.

6. If other lot coverage or other zoning issues are later discovered, they should be taken care of through a paper regularization. Since if these are now issues, the City's mistake is not identifying them earlier. In any case, the burden should not fall on the property owner who has made efforts to act in good faith (see note from Kristin Personett who made presentation to the city council hearing on December 15, 2009 and Architect William Coburn's letter to the city Manager dated April 6, 2010).

7. It appears from reviewing Mr. Coburn's letter of 4/6/2010 that the lot coverage is in favor of the property owner because the lot size is bigger than is indicated in the record. The city council resolution of 10/24/2001 states the existing 59% was increased to 67% and the illegal addition of 963 square feet of attic space. The city issued required permits, inspected and signed off and later, the City requested the property owner to apply for an attic use permit, which he did on March 18, 1998. The allegation that Dr. Ghosh is in violation of the zoning law by covering more than what is allowed and the "illegal addition of Attic/3rd floor" is untrue and must be corrected. Based on my review of the documents it appears that the current lot coverage is about 59%. Moreover, Mr. Coburn's recent letter dated 10/20/2011 clearly stated that the back roof is not a part of the abatement order.

8. If the building height is under 27 feet, and the area between the roof ceiling and the floor of the top level does not exceed the useable space requirement, I don't see why this roof needs to be removed. The roof is in compliance and the space is legitimate for storage or attic space. However, there is no harm in obtaining a use permit for the attic space as already requested by Dr. Ghosh in March 1998. I am pleased to see that Dr. Ghosh offered to reduce the size of the building and bring the roofline five feet inside at Attic level, which substantially reduces the size of the building and the rest of the roof

ceiling height can be reduced by using drop ceiling or by following Mr. Coburn's drawing for Commissioner Rantzmann's settlement, which was rejected by the City in 2001. Based on my review, the documents approved by the City are correct.

9. I am pleased that Dr. Ghosh has finally been allowed to participate in obtaining permit and he has the opportunity to provide required information to complete his remodeling project. Dr. Ghosh should be given the opportunity to return to his house as soon as possible. He has been out of his house for more than years and this does not benefit anybody, as the property is now becoming a nuisance problem to the neighborhood because of vandalism. I understand that the current building chief is familiar with the project and was involved in issuing and approving the 1995-98 remodeling project – which could facilitate the resolution of this matter.

10. I declare under penalty of perjury that the foregoing is true and correct, and that if called upon to testify I could do so competently thereto.

Executed in Albany, California on October 24, 2011

By: Robert T. Kendall

Robert Kendall
1530 Posen Avenue
Albany, CA 94706

J. BENJAMIN MCGREW, CPM®, CCIM
Mailing Address:
P.O. Box 994
Carmichael, CA 95609-0994
(916) 482-5100
(916) 482-6100 Fax
email: jbmcgrew@receivertrustee.com

Receiver

ENDORSED
FILED
ALAMEDA COUNTY

JUN 18 2012

CLERK OF THE SUPERIOR COURT
By AN Kanae, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

RASH B. GHOSH

Petitioner,

vs.

SHIRLEY DEAN, ET AL,

Defendants.

CITY OF BERKELEY,

Cross-Complaint,

vs.

RASH B. GHOSH and DOES 1-100,

Cross-Defendants.

Case No. 2002-043750

STIPULATED CONSENT OF PARTIES TO COURSE OF ACTION TO CLOSE PLACER TITLE ESCROW NO. 810—13677-JH IN ORDER TO EFFECTUATE COURT CONFIRMED SALE OF PROPERTY TO MR. ROBERT W. RICHERSON AND ~~[PROPOSED]~~ ORDER

Date: June 18, 2012
Time: 4:00 pm
Dept: 24
Resv. No.: R-1300028

Cross-Complainant, CITY OF BERKELEY, and Petitioner and Cross-Defendant, RASH B. GHOSH and Receiver, J. BENJAMIN McGREW, hereby stipulate and agree as follows:

1. On November 22, 2011 an Order was issued AUTHORIZING RECEIVER TO LIST AND SELL 2507-2509 MCGEE AVE AND 1700 DWIGHT WAY, BERKELEY CALIFORNIA 94703 (APN: 054-1807-22). (the Property).

2. On May 3, 2012 an Order was issued CONFIRIMING SALE OF REAL PROPERTY LOCATED AT 2507-2509 MCGEE AVE AND 1700 DWIGHT WAY, BERKELEY, CALIFORNIA 94703 (APN: 054-1807-22) to Robert W. Richerson.

~~3. Mr. Ghosh refuses to fully comply with demands of the Receiver and Placer Title Company to perform the actions that would allow Escrow Number 810-13677-JH to close.~~ 6/18/12 6/18/12 6/18/12

4. All parties hereto agree that Receiver, J. Benjamin McGrew, shall have all powers and authority to execute any and all documents to ~~facilitate~~ conclude the closure of Placer Title Company Escrow Number 810-13677-JH in order to effectuate the Court-confirmed sale of the Property to Robert W. Richerson. These powers and authorities shall include, but shall not be limited to, the ability to review, initial, execute and or record all documents including, but not limited to, escrow statements, deeds and/or tax reporting documents. These actions shall be taken by Receiver McGrew in his official capacity as Receiver for the Superior Court utilizing the tax payer identification reporting number of Mr, Ghosh.

Dated: June 18, 2012

By: _____
Paul Steiner
Attorney for Petitioner and Cross-Defendants
Rash B. Ghosh

Dated: June 18, 2012

By: _____
Laura McKinney
Attorney for Cross-Complainant
City of Berkeley

Dated: June 18, 2012

By: _____
J. Benjamin McGrew
Receiver for the Superior Court
County of Alameda

ORDER

The stipulations set forth above are hereby entered as the order of the Court. IT IS SO ORDERED.

Dated: 6/18/12

_____
Judge Frank Roesch

Ghosh v City of Berkeley et al

I, Felix Motzoi, a PhD. physicist and research scientist at UC Berkeley have been a tenant of Dr. Rash Ghosh nearly 2 years. I have had the opportunity to observe Dr. Ghosh, his daily activities and his work on the water crisis, and am impressed with his dedication and devotion despite ongoing harassment by the City of Berkeley.

I have witnessed such harassment pertaining to my apartment at 1248A Ashby Ave. where I have been living quite happily without problems. I have a small studio apartment where the electrical heater was functioning with no problems. I observed that the City required Dr. Ghosh to do new electrical work, which ended up being bulky and ineffective, and which required significant investment on his part. PG&E also contributed to the problems by not expediting the new service connection, and accusing me of "stealing" electricity, which was an absurd claim (my bill was increased significantly as a result of the alleged "stealing" period, during which I was out of town and used no electricity). They required me to provide all my personal information for a lengthy investigation, which kept my apartment hostage without power for a week, but I was never provided the results or an explanation. I provided a detailed letter to Dr. Ghosh about this matter, and I authorized him to use it to support our case.

The purpose of this declaration is to bring to the attention of the honorable judge of the San Francisco federal court that I discovered that the City of Berkeley targeted Dr. Ghosh, a senior scientist. I did not understand why, but later discovered that he had won a civil case against the Cal EPA. Since that time he has had trouble with the City regarding non-existent zoning violations. As I continued my research I found that the City targeted Dr. Ghosh to obtain his property and give it to their developer friend Bob Richerson and Ng Korman at a price of $265,000 (well below market value). The City also kept the $177,000 repair deposit which was never used for this purpose.

In general, the City does not enforce code violations regarding nuisances according to a study by Gregory Harper. In one case, the community was forced to seek relief but the court failed to impose receivership. The City passed stronger zoning laws in 1999, which were inappropriately used against Dr. Ghosh to seize his property, while a nearby established drug house for some 2 decades was not targeted. Please see the Alameda investigative report detailing this.

Similarly the City did not take any action regarding the Pacific Steel toxic waste site which was determined to be a public nuisance and created a toxic environment.

They also regularized the unpermitted and illegal work done by Mr. Ryan Lau, a zoning board member at his property who is still working for the City council member Darryl Moore.

Attached is also the letter of Noble Laureate Charles H. Townes who tried to help Dr. Ghosh to retain his house and the non-profit facility at 1700 Dwight Way and 2507 McGee. His letter clearly indicates that the property at 1628 Park Street, owned by a causcasian was converted from a single story into a 4 story residence without using a licensed contractor, architect, or structural engineer. But in the case of Dr. Ghosh's property, despite the use of the best available qualified professionals including the best architects and licensed contractors, he lost his property due to "code violations".

I declare under the penalty of perjury the foregoing are true and correct to the best of my knowledge.

Felix Motzoi, PhD.
Department of Chemistry
UC Berkeley, CA 94709

Attachments: A,B,C

SEE NOTARY'S CERTIFICATE

Lee, Amy Y.

T

From: Emmons, Patrick
Sent: Thursday, November 01, 2007 6:04 PM
To: Prince, Malcolm
Subject: ELECT . CONTRACTOR SUGGESTIONS FOR DR GOSH

Categories: Red Category

1) Roberts elect.
2) Gils elect.
3) Plaza elect.
4) Blue elect.

Exhibit 1-2 (16) O

BBB MEMBER GOLDEN GATE

www.gillselectric.com

1410 WEBSTER ST., OAKLAND, CA 94612-3118

gill's electric
ELECTRICAL CONTRACTOR
Tel (510)536-GILL (925)524-GILL
Fax (510)834-2192

NECA

info@gillselectric.co

CONTRACTOR'S LICENSE NUMBER 19522

March 4, 2009

Rash Ghosh
2507 McGee Avenue
Berkeley, Ca 94608

Re: 2507 McGee Ave. (Electrical Permit#07-6027)
2509 McGee Ave. (Electrical Permit #08-90)
1700 Dwight Way (Electrical Permit #07-6017) IS SAFE TO OCCUPY 6A

Dear Rash:

This letter is to inform you that electrical work is being completed by Gill's Electric Co., Inc. per the City of Berkeley electrical inspection department codes and permits in regards to the above-referenced properties which fall under Building Permit #07-1981.

The main electrical service upgrade was completed and approved by the City of Berkeley in August 2008. Any and all work completed by Gill's Electric Co., Inc. was installed with all new materials.

The work had been delayed due to the building department's decision in regards to accepting the permit that Gill's Electric Co., Inc. had originally obtained in December 2007.

We are complete with our portion of the work pending final inspection and any additions or corrections made by the City of Berkeley. After the final inspection by The City of Berkeley, this building will be safe to occupy.

6A

(15)

GILL'S ELECTRIC CO., INC.
2410 WEBSTER STREET
OAKLAND, CA 94612
(510) 451-2929 Fax (510) 834-2192

STATEMENT

CUSTOMER #: GHOSH

STATEMENT DATE: 03/16/09

BILL TO:
RASH*(GC) GHOSH
2509 MAGEE AVE.
BERKELEY, CA 94806

Attn: Mr. Peter Bellinger

DATE	DESCRIPTION	AMOUNT	BAL DUE	AGE	DISCOUNT / EXPIRES
12/12/08	Inv# 154735-B	8770.21	146.44	94	0.00
02/19/09	Inv# 154735-C	5679.26	5679.26	-5	0.00
02/20/09	Inv# 154735-D	1944.93	1944.93	21	0.00
			7770.63		0.00

PLEASE PAY THIS AMOUNT: 7,770.63

AGEING OF	CURRENT	OVERDUE	30+	60+	[illegible]
BALANCE DUE:	5679.26	1944.93	0.00	0.00	[illegible]

DR. RASH B GHOSH
2509 MCGEE AVE
BERKELEY, CA 94703-1831

1060
11-7047/3210

March 18, 2009

PAY TO THE ORDER OF Gills Electrics, Oakland $7,847.83

Seven Thousand, Eight hundred forty Seven dollars & 83/cents

Patelco CREDIT UNION
Berkeley Office - Branch #122
2033 Shattuck Avenue
Berkeley, CA 94704
415-442-6200

FOR Final Payment for 2509 McGee 1700 Dwight Way

SHOULD
INFOR

CARD TYPE: VISA M/C DISCOVER A/EXPRESS: AMOUNT: $

CARD # EXP/DATE:

CARD HOLDER NAME: & SIGNATURE:

Paid in full. Total paid $32,724.78 (1)

EXHIBIT-50

MEMBER
GOLDEN GATE

www.gillselectric.com

gill's electric
ELECTRICAL CONTRACTOR
Tel (510)536-GILL (925)524-GILL
Fax (510)834-2192

NECA

2410 WEBSTER ST., OAKLAND, CA 94612-3118

info@gillselectric.com

CONTRACTOR'S LICENSE NUMBER 195222

57

If you or anyone else involved with this project has any questions or concerns, please feel free to contact me at the above-referenced number or at greg@gillselecetric.com.

1708 DWIGHT WAY : IS ACCEPT TO OCCUPY. GPC

Thank you,

Greg Carey
Vice President

Exhibit 1-5

Rash B. Ghosh
Main Identity

From: "MacQuarrie, Joan" <JMacQuarrie@ci.berkeley.ca.us>
To: "Heidenreich, Greg" <GHeidenreich@ci.berkeley.ca.us>
Cc: "Emmons, Patrick" <PEmmons@ci.berkeley.ca.us>; <greg@gillselectric.com>
Sent: Wednesday, March 18, 2009 3:23 PM
Subject: Electrical Service 2507/09 McGee and 1700 Dwight

Greg H.,

For the record, Greg Carey at Gill's Electric just called me. He is cc'd on this e-mail. On Monday 3/16, the day of the posting of the Notice and Order, Dr. Ghosh went to Gill's Electric to request that Gill's schedule an inspection. Hence today's request for inspection Greg Carey at Gill's o told me two things;

1) He believes that the electrical to McGee is not hot and is disconnected at the pole across the street. If we have to do the board up next week, I would like you to request that PG and E disconnect the overhead and take them back to the poles. For both buildings.

2) Greg Carey also indicated that Gill's had not hotted up either building. I indicated that Gill's was a reputable contractor and didn't think they had anything to do with work covered up in McGee without inspection or any illegal connections. He was surprised that we had granted an extension to the electrical permit. I said that was a mistake, a case of the counter and Building not communicating clearly

A6
(1 of 1)

18

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY. DAVIS. IRVINE .LOS ANGELES. MERCED .RIVERSIDE. SAN DIEGO. SAN FRANCISCO. SANTA BARBARA. SANTA CRUZ

CHARLES H. TOWNES
DEPARTMENT OF PHYSICS
366 LE CONTE HALL #7300
BERKELEY, CALIFORNIA 94720-7300

TEL: 510/642-1128
FAX: 510/643-8497

September 3, 2010

Mr. Benjamin McGrew CPM; CCIM
Trustee in Bankruptcy and Superior Court Receiver
P.O. Box 994
Carmichael, CA 95609-0994

Dear Mr. McGrew:

I understand you have inspected the property at 1700 Dwight Way and 2507-09 McGee Avenue Berkeley Ca 94703. For many years, the non-profit International Institute of Bengal and Himalayan Basins has been using this property for its activities and events as well as the location of a small monotheist temple where people of all faiths and culture can come together to pray. I have attended meetings at both the buildings. Things were going well until the city suddenly closed this property. I have written several letters to various organizations and individuals, including the Berkeley City Council before and after closure in order to assist the Institute, Dr Ghosh and his tenants and volunteers.

The property has loans greater than it is currently worth but this is Dr. Ghosh's residence and he has spent his entire savings and some personal loans to improve the property from its original condition when he bought it in 1991. The City of Berkeley has done injustice to Dr. Ghosh and the institute, temple and the tenants. This housing problem has already impacted Dr. Ghosh's health, and four doctors have written the City regarding his health and unstable living conditions.

Dr. Ghosh and his structural engineer have high hopes you could help the Institute, which has been doing good work. In addition to myself, Nobel Laureates Linus Pauling and Glenn T Seaborg also helped to establish this organization.

I would appreciate any assistance you could extend to resolve this matter. I request you to review the documents and make your own assessment of the situation.

Sincerely

Nobel laureate Charles H Townes
Adviser of the International Institute
of Bengal Basin

EXHIBIT-10

RECEIVED
CITY MANAGER
2010 APR 13 PM 4:37

April 6, 2010

To: City Manager, Phil Kamlarz
City of Berkeley
Berkeley CA:

Re: 2507/09 McGee Ave, Berkeley CA permit #07-0M181 MM

I have been involved with this property since April 2001. My involvement has been somewhat intermittent and has been largely acting on the behalf of Rash Ghosh in providing architectural documents and permitting for this property. The initial work performed was to provide clarification of required modifications to the house as required by the Zoning Department. At that time, I had shown some removal of portions of the front of the building, and at the attic level to make this attic non-habitable by reducing the height under 6'-0" by introducing framing into this space. But after lengthy negotiation this plan was not accepted and with no resolution went to the City Council. This was, as I remember, done when Dr. Ghosh was out of the country.

Although proposals for this were developed, ultimately the contested issues were adjudicated at a court order dated April 8, 2004. Implicit with the issuance of that court order came the directives that any permit drawings were to follow the specifics of the order. In regards to the roof the order mandated complete removal of the third floor. With this directive, I worked in consultation with the Planning and Building Departments (Steve Ross, planner in charge) to respond to those requirements. At this time, the city wanted to work with myself and not directly with Dr Ghosh. Conceptual approval from the Planning Department was secured on May 5th, 2007. At that time Dr Ghosh agreed to proceed with required permitting, as required by the Court Order, and Dr Ghosh made this his highest priority. Drawings were prepared and eventually a permit was secured in June 2008. With that permit approval, it was agreed that Dr Ghosh would start the construction immediately, which is what happened.

Work was started with some required demolition, revised framing and electrical work. Work proceeded as money was available to the Owner and inspections were held as required.. There was a good faith understanding between the city and Rash Ghosh that, as work proceeded in an orderly and continuous fashion, it would be allowed to be continued until completed. However, in late August city officials performed an inspection with multiple inspectors from multiple divisions and shut down the property. This prevented the continuation of work and the relationship between Rash Ghosh and the city seems to have deteriorated.

During the construction period, some framing revisions were required as a requirement of a framing inspection. After some time, these items were submitted as revisions to the permit and they were approved around the beginning of this year. The revisions were done by my office, along with Arun Shah, Engineer for the project. These revisions were approved at the end of December 2009.

A couple of things have been pointed out to me recently, which deserve some attention. One of these involves the upper roof. Although the abatement order requires the entire upper roof be removed, it appears that the eastern portion of the upper froof was not subject to removal. This concern was addressed in an email to City Attorney, Mr. Zach Cowan as early as May 4, 2007, just before the preliminary approval of the plans.

WILLIAM P. COBURN, ARCHITECT,
OAKLAND CA 94607
wpcoburn@pacbell.net
(510) 893-8826
1224 CENTER ST,
FAX (510)465-2637

EXHIBIT G

The second issue pointed out is the abatement order had apparently not correctly stated the actual property size, thus skewing the building coverage numbers in its favor. This property at one point in time had a section of an adjacent lot annexed to it, but this was not reflected in the city's analysis

There has been a confused history of approvals for work at this property and although I have worked diligently to follow local ordinances and permit requirements as well as to work in conjunction with building department and planning department staff, I feel the two points concerning the upper roof removal and the property size and coverage deserve re-examination, meanwhile I would think the buildings could be opened to allow continued construction with the current active permit.

It seems to me that if these issues could be clarified, and work continued, then this project could more easily move forward with a unified focus and consistency.

Respectfully submitted,

Bill Coburn, Architect

WILLIAM P. COBURN, ARCHITECT, 1224 CENTER ST,
OAKLAND CA 94607 (510) 893-8826 FAX (510)465-2637
wpcoburn@pacbell.net

Engineering Calculations
for
2507 McGee Ave., Berkeley
Addendum to Plan
5/2/96

(35)

PERMIT NO. 953641, ISSUED: 9/21/95

Calculations for Total Loads: (Roof Load = 30 psf)
(Floor Load = 50 psf)

Total Roof Load = (13 ft * 38 ft * 30 lbs) = 14820 pounds

2nd Floor Load = (13 * 2 * 50) = 1300 pounds
(13 * 2 * 50) = 1300 pounds
Total Load = 17420 pounds

Calculations for Roof Load on Posts: 14820/5 posts = 2964 pounds per post

2nd Floor Load: 2600/5 = 520 pounds per post

Calculations for Heavy Load: Roof Load on Posts (2964 ppp)
+ Floor Load (520 ppp) = 3484 ppp

Distributed between existing and planned foundation posts

Heavy Load is at the middle post in Drawing .

CODES AND INSPECTION DIVISION
City Planning Department
APPROVED
By
JUN 4 1996
I certify that plans are accurate copies of the Office set 6-28-96
384

JOB SITE

EXHIBIT-29

IG PERMIT APPLICATION

[illegible] I am licensed under [illegible] Chapter 9 (commencing with Sec. 7000) of the Business and [illegible] and my license is in full force and effect

Classification [illegible]

[illegible] I am exempt from the Contractor's [illegible] for the following reason: (Sec. 7031.5 Business and [illegible] Any city or county which requires a permit to [illegible] the work for which he is employed has complied with Section 7031.5 by [illegible] before issuing the permit.

I [illegible] (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he is exempt therefrom and [illegible] the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant subjects the applicant to a civil penalty of not [illegible] ($5,000.00).

[illegible] employees with wages as their sole [illegible] will perform the work and the structure is not intended or [illegible] (Sec. 7044, Business and Professions Code). The Contractor's Law does not apply to an owner of property who [illegible] himself or herself, and does not apply to such owner who builds or improves [illegible] thereon, and who does such work himself or herself or through [illegible] employed for such purpose, so long as such improvements are not intended or [illegible] within one year from the date of completion. However, if any such owner builds or improves [illegible] thereon, and sells, within one year, any portion of the property on which such [illegible] have been built or improved, the burden of proving that he did not build or improve for the purpose of sale [illegible]

[illegible] I am familiar with the requirements of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

[illegible] Bus. & Prof. Code

[illegible] I am exempt from the Contractor's License Law for the following reason: [illegible]

[illegible] City of Berkeley Building Division

[illegible] Civil Code

[illegible] I certify that to all the information is [illegible] and Safety Code and State laws relating to [illegible] authorize representatives of the City of [illegible] property for inspection purposes.

[illegible] City and its agents [illegible] which may in any way [illegible] granting of this permit.

Signature [illegible] Date NOV 7, 91

CONSTRUCTION PROJECT ADDR

2507 McGee Avenue

PERMIT

BUILDING · ELECTRICAL · MECHANICAL · PLUMBING

- Permits shall expire 3 months after inspection is not passed within 180 days of the issuance or within 180 days of a previously passed inspection.
- Issuance of a permit shall not be construed as an approval of any violation of Building, Electrical, Mechanical, Plumbing or Municipal codes.
- Clearances from all departments and jurisdictions and payment of all applicable fees are required before final inspections will be made.

NOTE: This permit does not become valid until signed by the building official or his deputy and fees are paid and receipt is acknowledged in the space provided

APPLICANT
NAME: Rash B. Ghosh
TELEPHONE: 841-32[illegible]
MAILING ADDRESS: 2509 McGee Ave.
CITY: Berkeley STATE/ZIP: CA 94703

OWNER
NAME: As above
TELEPHONE: 841-3253
ADDRESS: 2509 McGee Ave
CITY: Berkeley STATE/ZIP: CA 94703

ARCH/ENG
NAME: LICENSE #:
ADDRESS: TELEPHONE:
CITY: STATE/ZIP:

CONTRACTOR
I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code and my license is in full force and effect.
NAME: CITY BUSINESS TAX #:
ADDRESS: TELEPHONE:
CITY: STATE/ZIP:
SIGNATURE: DATE:

Check type of building
- New construction
- "Shell only" construction
- Interior/tenant improvement
- Office, tenant improvement
- Retail, tenant improvement
- Food cooking facility, tenant improvement
- Other improvement

No. of living units: 1

- New one or two family dwelling
- Addition to family residence
- Apartment / condo remodel
- Garage / attic remodel
- Sign
- Commercial remodel
- Residential remodel
- Change of occupancy
- CORRECTION OF VIOLATION

Description or scope of work:
New entry, Roof replacements or repairs. Remodeling, extension of 2507 McGee at the top of 2509 McGee, Include kitchen, bathroom & a new bedroom, permit desired for Electrical, Plumbing, Building & Mechanical

COMMERCIAL OCCUPANCIES

(1) I am [ ] I am not required to comply with the hazardous materials requirements of Health and Safety Code Sections 25404, 25533, 25534

(2) The building is [ ] is not within 1,000 feet of any school boundary

(3) I am [ ] I have met the requirements of Health and Safety Code Sections 4217 and 25514

NOTE:
A CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL REQUIREMENTS OF HEALTH AND SAFETY CODE SECTIONS 25533, 25534 ARE MET

CITY OF BERKELEY
MAIL TO
Codes & Inspection Division
2180 Milvia Street
Berkeley, CA 94704-1120
Phone (510) 644-6077

PERMIT NUMBER
D
C
M
P

FOR OFFICIAL USE

Prior to scheduling the inspections noted below provide the [illegible] calculations, special inspections, etc. indicated

- [ ] Special inspection - start of work
- [ ] Glu-Lam certificate - Roof/floor frame
- [ ] Truss Calculation - Roof/floor frame
- [ ] Fire Department - Final
- [ ] Engineering, PWD - Final
- [ ] Traffic Engineering, PWD - Final
- [ ] Economic Development - Final
- [ ] Health Dept. - Final
- [ ] Planning Dept. - Final
- [ ] Pier Inspection
- [ ] Full foundation compaction report - Foundation
- [ ] Soils engineer cert. - Final
- [ ] Zoning - Final
- [ ] Landmarks - Final
- [ ] Special Inspection cert. - Final

2 No. of stories 321 Building height N
Area 1K Fire Sprinklers
No required exits Value of work R-3 Construction type
Occupancy type

NOTE: ALL PERMITS ARE SUBJECT TO A MINIMUM PERMIT FEE

PERMIT FEES	FEES DUE AT	LATE INVESTIGATION
BUILDING PERMIT		
Total Valuation 1,000.00		
Filing fee	Application	
Permit fee (inspection)	Permit issuance	
Plancheck fee	Permit issuance	158.00
Preplancheck fee	Application	
Reinspection fee	When required	
Investigation fee	Application	
Accelerated plancheck fee	Application	
Fast track/partial permits fee	Application	
Plancheck for revisions	Permit issuance	
Plancheck for subsequent revisions	Permit issuance	
Title 24 Energy	Permit issuance	
Title 24 Disabled	Permit issuance	
ESMI (earthquake)	Permit issuance	
ELECTRICAL PERMIT		
Filing fee	Application	
Plancheck fee	Application	
Permit fee (inspection)	Permit issuance	
MECHANICAL PERMIT		
Filing fee	Application for permit	
Plancheck fee	Application	
Permit fee (inspection)	Permit issuance	
PLUMBING PERMIT		
Filing fee	Application	
Plancheck fee	Application	
Permit fee (inspection)	Permit issuance	
ZONING	Application	35.00
OTHER		
	TOTAL FEE	

Comments

367

EXHIBIT-1

THE BERKELEY DAILY PLANET January 21-27, 2010

30

COMMENTARY

commentary and letters to the editor are those of the authors and do not necessarily reflect the views of the Daily Planet or its staff.

City Targets Berkeley Senior Scientist And a Nonprofit

By ROSALIE SAY

On Dec. 15, 2009, the Berkeley City Council held a public hearing on the city's proposed $8,000 lien concerning the boarding-up of Dr. Rash Ghosh's McGee and Dwight property. City officials supervised the city's boarding-up of Dr. Ghosh's buildings, which violated its own order to board from the inside as well as a court order, and defeated the alleged purpose for boarding.

All the city accomplished was our eviction, and it is now delaying our return to our affordable and safe housing. The proposed lien is another attempt by the city to push the property owner into additional financial hardship and make it more difficult for him to get his property back.

We believe that the lien is completely unjustified. This is especially true considering that the staff of building chief Joan MacQuarrie signed off on the remodeling of both buildings in 1993 and early 1998. A senior zoning planner signed off the McGee property in February of 1998. Unfortunately, the city did not honor its own approval. Is it wrong to trust your local government and rely on its approval and spend thousands of dollars following that approval? The city now admits publicly that it signed off on the previous permit, yet the city's subsequent actions have caused Dr. Ghosh tremendous financial hardship and have severely impacted his health. The boarding-up is one of the many examples of the city's gross mistreatment of Dr. Ghosh.

On Sept. 6, 2007, without notice, the city ordered our landlord and his eight minority tenants to vacate our residence at 2507 McGee immediately for "safety" reasons. Our non-profit organization and activities center (temple) at the same address were also closed. The circumstances of the building's closure were very unusual, as is the manner in which the city suddenly evicted us without any court order and denied the due process allowed to other city residents.

The city sent about eight people to inspect the property, and this happened during a staff shortage and reduced public services. Why so many people, especially under such conditions? Is this the normal practice for a house inspection? If not, why the different treatment? On several occasions after the closure, city officials including the building chief entered Dr. Ghosh's buildings illegally and without notice. These officials should not have so little regard for the law.

Our rights for a mandatory hearing as aggrieved parties were denied repeatedly. A relocation notice was sent to our landlord weeks after the city evicted us illegally. We appealed to the Housing Commission, but have received no response. The Peace and Justice Commission was explicitly told not to entertain our case. Why is the city preventing us from being heard?

Dr. Ghosh was complying with the city's undue demand to undo the work that he did with their approved permit and he notified us about the relocation. If the work was not completed within a short time, the house was supposed to be put into receivership and given to for-profit developer Ali Kashani, and his partner, former city of Berkeley zoning manager Mark Rhoades. While the owner was in Washington, D.C., the city made an arrangement to inspect the house with someone improperly claiming to represent the nonprofit, although he had no authorization to do so. The city had received no formal complaint from tenants or neighbors, so what was their authority to compel this inspection?

The highly reputed Gill's Electric completed electrical work with new material at the cost of $33,000. The foundation and structure were done for $75,000. The city approved both these jobs in Sept. 2008, and we were awaiting the final signoff allowing us to return to our home. Instead the city has prevented legal work for the last 15 months. Why?

To understand the irregularity of the present case, it must be understood in its larger context. In 1990, a private consulting firm assessed the property as severely damaged by the 1989 earthquake and suggested demolition. The former owner agreed and informed the planning department of his intent to do so and initiated action to remove his Caucasian tenants on the same "safety issue" used to evict us. The city refused to allow the eviction, stating that the property was not a candidate for demolition. Yet the condition of the building at that time was in fact seriously compromised. Why did the city do this when Caucasian tenants lived there, but now takes this unprecedented action against minority tenants?

To us, this is a plain and simple seizure of private property and an overstepping of the city's authority. The city's actions were intended to deliver the property to their proposed receiver. Our landlord is clearly an easy target—a Bengali retired senior citizen (East Indian origin) and a minority who has been forced by the city to bear the costs of its deliberate mistakes on property which they now publicly admit has been approved with permits signed off.

This property has been improved over time and provides safe and affordable housing to me and others. It is a place where people of diverse cultures, faiths, colors, and disciplines live in a collegial environment. The city has moved swiftly against this property but has ignored real problem properties. The Southwest Berkeley drug houses have a thirty-year history of criminal activity and community complaints, yet the city refuses to deal effectively with these problems. In 2008 the Alameda County Civil Grand Jury issued a report stating as such. According to its testimony to the Grand Jury, the city claimed that "under the law it must have a high benchmark for seizure of private property, particularly a home."

Thanks to the Daily Planet, the city now publicly admits that the whole project was signed off on in 1998. I am worried that I will lose my permanent affordable housing forever. I lived in the back attic which is legal. Attorney Zach Cowan admitted this in writing that "the rear part of the third floor is not covered by the abatement order" but now they wanted this removed.

Rosalie Say is with the International Institute of Bengal Basin.

CITY OF BERKELEY

SPEAKER CARD FOR PUBLIC HEARING

Name: RASH B. GHOSH
(Please Print)

Subject of Public Hearing 2,5 MILLION Re- PUBLIC
NOT. SPACE IF 2527-29 MCGEE ☐ Support
OR EXTEND 7 - DAYS PERIOD OF TIME. ☐ Oppose
PREPARE CLEAR
Signature LOOKING GLASS

Address 2527-29 MCGEE AVE

Date 2/25/03 Phone 55 644-3253

(see reverse for instructions)

Telephone 510-238-4190
Fax 510-644-1704

ROBERT J. EVANS
Attorney at Law
1736 Franklin Street
Tenth Floor
Oakland, CA 94612

Email oaklandlawyer@prodigy.net

May 11, 2012

acer Title Company
97 Shattuck Avenue, Suite D
erkeley, CA 94709

ttn: Jan Benner

a First Class Mail and Via Fax to 510-644-8188

Re: Escrow No. 810-13677-JH
1700 Dwight Way
Berkeley, CA 94703

ear Ms. Benner:

his will confirm our telephone conversation of this afternoon in which I informed you that I epresent Mr. Tushar Mazumder, holder of the second deed of trust in the sum of $200,000.00 on e above property.

confirmed to you that although I appeared specially at the hearing May 9 which led to the court's anting an application for ex parte order purporting to declare Mr. Mazumder's deed of trust void, r. Mazumder has never been served with the City's motion and has not been made a party to the tion. Although I previously represented another party (International Institute of Bengal Basin) in nnection with its deed of trust on the property, that deed of trust was reconveyed, and I do not rrently represent it. I have never represented Dr. Ghosh.

he City of Berkeley obtained an order appointing a receiver and enjoining Dr. Ghosh from cumbering the property without the consent of the Court and/or the Receiver (I do not have a copy the order in front of me and do not recall for sure if the Receiver alone could consent; I assume copy is in your file). However, the order was not recorded, and my client informs me he had no owledge of it. It is also my understanding that at the time the loan was made and the deed of trust livered and recorded, the property was vacant and there was nothing which would amount to quiry notice to Mr. Mazumder of the injunction or of the receivership.

the absence of authority for the Court's power to rule on the validity of the deed of trust in a oceeding to which Mr. Mazumber is not a party, my assumption is that it will be our position that s the Court's order which is void (as to Mr. Mazumber, at any rate), and that any deed or deed of ust which post-dates the recordation of Mr. Mazumber's deed of trust will be subject to that deed trust.

would ask you to keep me informed of your company's position in this matter and to forward a opy of this letter to you. gal department in the hope that your attor will contact me.

hank you for your cooperation in this matter.

Very truly yours,

ROBERT J. EVANS

:el

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
San Francisco District Office

901 Market Street, Suite 500
San Francisco, CA 94103
(415) 356-5100
TTY (415) 356-5098
FAX (415) 356-5046

FOR IMMEDIATE RELEASE April 29, 1999

CONTACT: William R. Tamayo; Regional Attorney (415) 356-5084
Jonathan T. Peck, Supervisory Trial Attorney (415) 356-5085
David F. Offen-Brown, Trial Attorney (415) 356-5114

EEOC SUES CAL EPA FOR RETALIATION

San Francisco, California – The United States Equal Employment Opportunity Commission (EEOC) has filed suit against the **California Environmental Protection Agency** (Cal. EPA), a state agency with an office in Berkeley, California. The EEOC alleges that Cal. EPA violated the Age Discrimination in Employment Act (Age Act) when it retaliated against Rash Ghosh, a Hazardous Substances Scientist, for filing a charge with the EEOC alleging age discrimination

After Mr. Ghosh filed his age discrimination charge with the EEOC on August 7, 1996, the Cal. EPA subjected him to written progressive discipline beginning on September 16, 1996, culminating in a six-month salary reduction on June 27, 1997. Mr. Ghosh was subject to punishment quite out of proportion to his alleged misconduct and the bases for discipline were mostly minor. Co-workers who engaged in similar misconduct were not disciplined. In addition, one of Mr. Ghosh's managers interfered with his attempt to transfer; the manager warned the supervisor considering Mr. Ghosh that he was "litigious." It therefore appears that Mr. Ghosh was retaliated against for filing an EEOC charge, which is expressly prohibited by the Age Act.

EEOC District Director Susan McDuffie observed that cases of retaliation are among the most serious of federal employment law violations. "Retaliatory conduct by employers penalizes employees for exercising federally-protected rights, and may chill others from exercising their rights. An employee who files a charge is protected from retaliatory action."

✦✦✦✦✦

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex, and national origin; the Age Discrimination in Employment Act; sections of the Civil Rights Act of 1991; the Equal Pay Act; and Title I of the Americans with Disabilities Act. The San Francisco District's jurisdiction includes Northern and Central California, Hawaii, Guam, American Samoa, Wake Island and the Commonwealth of the Northern Mariana Islands.

US EEOCE FINALLY SUED CALEPA FOR RETALIATION AGAINT DR.RASH B GHOSH. EEOCE DETERMINED TWICE IN FAVOR OF DR GHOSH'S DISCRIMINATION AND RETALIATION CHARGES AGAINST CALEPA DTSC FOR PREVENTING HIS PROMOTION.

CALEPA SETTLED THE CASE IN 2000 WITH DR GHOSH WHICH BECAME A RARE CASE LAW IN THE HISTROY OF OUR LEGAL SYSTEM.

10

Jackie Hutty
Placer Title Company
1797 Shattuck Ave.,#D
Berkeley, CA 94709
Phone: 510-644-8088/Fax: 510-644-8188

From: J Benjamin McGrew [mailto:JBMcGrew@receivertrustee.com]
Sent: Monday, June 11, 2012 4:57 PM
To: Rash Ghosh (usak2@yahoo.com)
Cc: okrashna@yahoo.com; McKinney, Laura N. ; Cowan, Zach ; Martha Nash (mnash@cityofberkeley.info); Hilliary Rolls ; Bob Evans (oaklandlawyer@prodigy.net); Jackie Hutty; Dayna Trento
Subject: FW: W-9 form required

Dr. Ghosh-I have also left a message on your voicemail as well with your attorney's office phone.

Placer Title has informed me (see below) that you talked with them today and bluntly and summarily refused cooperate with them to advance/close the sale and escrow as ordered by the Honorable Frank Roesch. You are hereby in contempt (again) of the Order(s) of the Alameda Superior Court to cooperate with this Receivership Estate in closing this sale.

Please accept this email as formal and final demand that should you not fully comply with all requests of this Receiver and Placer Title by noon tomorrow I will move to have you appear in front of the Department 24 – Alameda Superior Court-Honorable Frank Roesch and have you answer to him.

Clearly understand that you are to cooperate with this Estate through the successful close of escrow/transfer of the property including but not limited to signature of documents, providing personal information and or anything else reasonably required to close the escrow and transfer the property.

I look forward to you cooperation.

My cell is 916-804-3900- do not hesitate to call me.

Kindly read Judge Rosech's comments on the immediate left how he exposed himself.

P.S. After you got to hear Judge Roesch's comments about "chickens coming back to roost" (re: contempt) –not to mention his multiple Orders to comply–I thought you would cooperate—you still have the chance to do the right thing. I would also mention that this Court and Receiver WILL succeed in closing the escrow and transferring the property but unfortunately at great additional expense (read less $$ to Mazumder) to the estate –not to mention additional personal trauma for you.

J. Benjamin McGrew CPM CCIM
Trustee in Bankruptcy
Superior Court Receiver
P.O. Box 0994
Carmichael, CA 95609-0994
W 916.482.5100 Ext 15
F 916.482.6100

The former City Council and its evil members Mr. Anderson and Mr.Moore Singled out Dr. Rash B Ghosh and played a key roles to take his money and his properties.

Council votes to aid homeowners

BY DOUG OAKLEY
DAILY NEWS STAFF WRITER

The Berkeley City Council on Tuesday night directed its staff to come up with possible programs for those about to lose their homes to foreclosure, including one-time loans, counseling and mandated mediation between homeowners and banks.

The council also asked staff to investigate how hard Berkeley has been hit by the problem of rising foreclosures.

Berkeley foreclosures rose 330 percent, from 10 in the first 10 months of 2006 to 43 in the same period this year, according to DataQuick, a San Diego company that tracks real estate trends.

And the number of Berkeley homeowners behind on mortgage payments who are facing foreclosure rose 85 percent, from 67 in the first 10 months of 2006 to 124 in the same period this year.

"People who own homes may be feeling overwhelmed, and this item is to make them feel that they are not all by themselves," Council Member Darryl Moore said. "We're asking the city manager to come back with some programs and proposals the council can look at."

The Global Water Situation

California and Beyond

Townes and Tagore 7th Annual Seminar for Science and Technology
of The International Institute of Bengal & Himalayan Basins (IIBHB)
on the Occasion of Dr. Townes' 101th and Rabindranath Tagore's 155th Birthday

Global Crisis and Global Solutions:
Hydrogramin Water that Works for Everybody



Prof. Richard J. Saykally
(Leading authority in water chemistry)
Dept. of Chemistry, UC Berkeley

"Hydrogramin is beautiful & an Intelligent solution to the water crisis."
Richard Saykally

Richard Saykally (UCB Chemistry) - Convener

Rash B. Ghosh (IIBHB)-"Canopy Chemistry and Hydrogramin"

Nir Krakauer (CCNY-Hydrogeology)-"Climate-adaptive research and technology transfer for rural Nepal"

Inez Fung (UCB Earth and Planetary Science)-"Precipitation Variability and Trends"

Robert Kostecki (LBNL)-"Forward osmosis water desalination via lower critical solution temperature ionic liquids/water phase transition"

Charlie Kuffner (SkyH2O Inc) -"Condensing Relative Humidity in the air for Commercial Atmospheric Water Generation (AWG) Applications

Tarek Zohdi (UCB Mechanical Eng)-"Due Diligence When Considering New Water Technologies: An Engineer's Point of View"

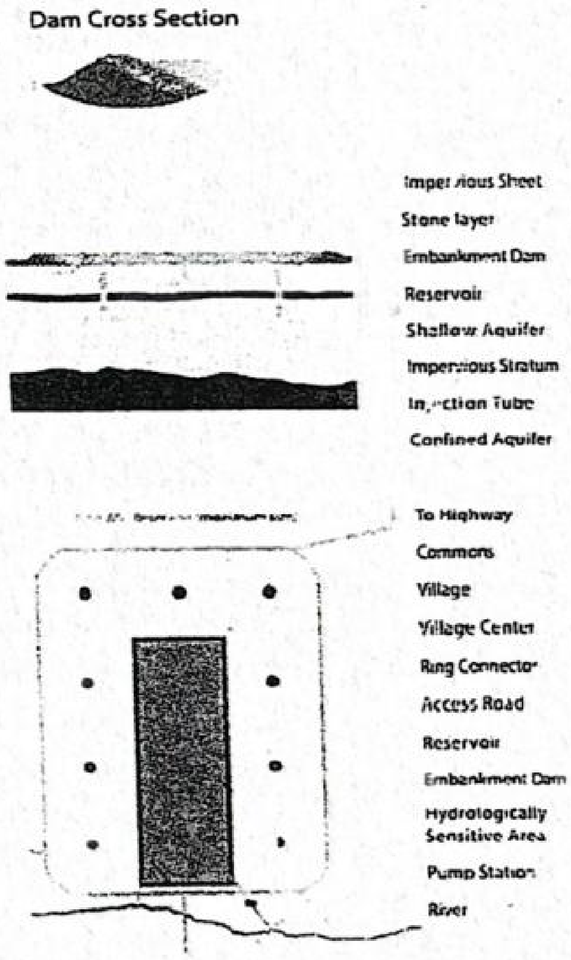
Khalid Mosalam (UCB Mechanical Eng)

Teresa Head Gordon (UCB Chemistry)



Dr. Randy Schekman
(Noble Laureate in Medicine)
Advisor

HYDROGRAMIN
injecting fresh water to replenish depleted Aquifers





Rabindranath Tagore (1861-1941)
1913 Nobel Laureate in Literature



Charles Townes (1915-2015)
1964 Nobel Laureate in Physics
Laser Inventor, Tagore Award Recipient
Co-founder of IIBHB



Dr. Rash B. Ghosh,
Charles Townes Prof. of Water Chemistry
Co-Founder of IIBHB
Inventor of HYDROGRAMIN

Saturday, September 17th, 2016
775 Tan Hall (Adjacent to Latimer Hall)
UC Berkeley Campus

One day seminar 10:00am - 3:00pm

Free admission, Refreshments will be served

Jointly sponsored by the UC Berkeley, Departments of Chemistry, Molecular & Cell Biology, Public Health, & International Institute of Bengal and Himalayan Basins (IIBHB)

Contact: Ms. Rosalie Say, Director IIBHB
usak2@yahoo.com 510.575.5112 www.iibhb.org

Part time grant writers needed

Printed @ICLP, 2138 University Ave., 510.704.9700

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY, DAVIS, IRVINE, LOS ANGELES, MERCED, RIVERSIDE, SAN DIEGO, SAN FRANCISCO, SANTA BARBARA, SANTA CRUZ

CHARLES H. TOWNES
DEPARTMENT OF PHYSICS
366 LE CONTE HALL #7300
BERKELEY, CALIFORNIA 94720-7300

TEL: 510/642-1128
FAX: 510/643-8497

Declaration of Nobel Laureate, Charles H. Townes
Case Number: 2002043750

Hearing date on April 30, 2012
9:00 AM Dept. 24

Dear Judge Roesch:

I, Charles H Townes Professor Emeritus of Physics in the U. C. Berkeley, recipient of the 1964 Nobel Prize in Physics for my invention of Laser, and 2005 Templeton laureate, am appealing to you to consider carefully the case of my friend and colleague; Dr. Rashbihari Ghosh. I am writing you because I am 97 years old, and my advanced age makes it very difficult for me to make a personal appearance. I have known Dr. Ghosh, owner of 1700 Dwight way and 2507-09 McGee Ave. in Berkeley for many years, and I am thoroughly impressed by his selfless dedication to the remediation of toxic substances in ground and surface waters throughout the world. If necessary I can appear in person to testify that he is man of the greatest integrity and has dedicated his life to his cause.

Last week, I wrote an appeal letter to Berkeley City attorney, Zach Cowan, to prevent the sale of these properties and to allow Dr. Ghosh's fund s ($160,000) that he deposited at the order of the court to address code violations to be used for their intended purpose. Currently the City of Berkeley is selling the property at one sixth of its value with little public notice to a zoning board member, which may be a conflict of interest. It should be noted that Dr. Ghosh was not allowed the opportunity to repair the property which was given him by the City of Berkeley in 2008. This permit is still valid (copy enclosed). The International Institute of the Bengal Basin (IIBB) had a lien on the property which would have been removed at Dr. Ghosh's request to borrow additional funds to guarantee that the repairs were properly executed and completed. I have enclosed a copy of my appeal letter to the city attorney for your review and consideration.

I am appealing you to prevent the sale of this property so our nonprofit, the IIBB, can resume its good work. Over the past 12 years, I have attended many meetings at the property regarding the impact of toxics on the environment and human health, the global water crisis, and its dedication to democracy and religious freedom in cultures where these values are imperiled.

I hope and believe that you are able to help us save this property, and allow us to continue the good work of the IIBB. Dr. Ghosh has been paying the mortgage, taxes, and insurance, in addition to other expenses for the last 54 months while the property was closed. Much work has been done on this property, and Dr. Ghosh has already spent hundreds of thousands of dollars taking care of many of the issues cited. He had hoped that he would be able to return to his home on McGee St. years ago, and I hope he is given this opportunity, if he complies.

I declare under the law of the state of California that both the details of this case mentioned above and the attached information is true to the best of my knowledge.

Chas. H. Townes

Respectfully requested.
Nobel laureate Charles H Townes
Professor of Physics and co founder of international Institute of Bengal Basin

SHIRLEY DEAN
MAYOR

June 24, 1999

By Fax - 916-445-4722

Senator John Burton
Chair, California Senate Rules Committee
Capital Mall
Sacramento, CA 95814

Dear Senator Burton:

I am writing to request that your office review the circumstances and status of the complaint which has been filed against the California Environmental Protection Agency (EPA) on behalf of Dr. Rash B. Ghosh. The U.S. Equal Employment Opportunity Commission (EEOC) delivered this suit against the EPA contending that the EPA unfairly disciplined Dr. Ghosh after he alleged age and national origin discrimination by the agency Dr. Ghosh has contacted my office to gain assistance in resolving this matter outside of court.

Dr. Ghosh is a highly qualified scientist who has been employed by the State since 1986. As detailed by the attached EEOC press release, the EEOC believes that after Dr. Ghosh filed an age discrimination charge against the EPA in August 1996, he was subjected to written progressive discipline beginning in September 1996 and culminating in a six-month salary reduction on June 27, 1997. The EEOC found that Dr. Ghosh was subject to unreasonable punishment for acts for which other co-workers were not disciplined. It appears that Dr. Ghosh suffered retaliation for filing the EEOC charge.

Dr. Ghosh has contacted a number of local and state officials to request their help in settling this problem. I would appreciate any assistance your office can give to Dr. Ghosh.

Sincerely,

Shirley Dean

Shirley D.
Mayor

Martin Luther King, Jr. Civic Center 2180 Milvia Street Berkeley, California 94704
Tel. (510) 644-6484 Fax (510) 644-6255 e-mail: sh31@ci.berkeley.ca.us