DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510–0504

September 15, 1999

Mr. Rash B. Ghosh
2509 McGee Avenue
Berkeley, California 94703

Dear Mr. Ghosh:

Thank you for taking the time to come into my San Francisco office, I am sorry to hear that you have not received word from the Governor's office about your interest in working for his administration.

Please know that I want to do all I can to help. I will be happy to follow up with the Governor's office on your behalf. I have once again forwarded your information to his office for a response. If you wish to contact his office, please write or call:

Office of Governor Gray Davis
Office of Constituent Affairs
Sacramento, California 95814
(916)445-2841

In addition, I understand that you requested advise from my San Francisco office on pursuing legal action against the California Environmental Protection Agency. Neither I, nor my staff, can advise you on a legal matter, the choice is one that you must make for yourself after consulting with an attorney.

Again, I thank you for your letter and the opportunity to serve you. I hope you will write to me again if I can be of assistance, particularly on issues before the United States Senate.

With warmest personal regards.

Sincerely yours,

Dianne Feinstein
United States Senator

DF:pek

525 Market Street, Suite 3670, San Francisco, CA 94105

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 funds ($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 funder of international Institute of Bengal Basin

IG PERMIT APPLICATION

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

Classification _____

[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] to repair, alter or improve any structure prior to its [illegible] requires the applicant for such permit to file a signed [illegible] that he is licensed pursuant to the provisions of the Contractor's [illegible] Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he is exempt therefrom and the [illegible] for said exemption. Any violation of Section 7031.5 by any [illegible] punishable by a civil penalty of not [illegible] dollars ($5,000.00).

[illegible] I, as owner of the property, or my employees with wages as their sole [illegible] will do the work, and the structure is not intended or [illegible] (Sec. 7044, Business and Professions Code). The Contractor's License Law does not apply to an owner of property who [illegible] improvements himself, or through his own employees, provided that such improvements are not intended or [illegible] sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.

[illegible] I, as owner of the property, am exempt from the Contractor's License Law for the following reason: (Sec. 7044, Business and Professions Code): The Contractor's License Law does not apply to an owner of property who builds improvements thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law. (Sec. 7044, Business and Professions Code)

I hereby affirm that I am exempt from Contractor's License Law for the [illegible] Business and Professions Code: [illegible]

WORKERS' COMPENSATION DECLARATIONS (See 3800 LABOR C.)

I hereby affirm under penalty of perjury one of the following declarations: [illegible] to self-insure for workers' compensation, or [illegible] A Certificate of Consent to Self-Insure is hereby issued to [illegible] for this city.

I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: [illegible] I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California.

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Workers' Compensation Insurance, or a copy certified by the [illegible] Civil Code.

I certify that I have read this application and state that the information is correct. I agree to comply with all City ordinances and State laws relating to building construction, and hereby authorize representatives of the City of Berkeley to enter the above-mentioned property for inspection purposes.

Signature [illegible] Date 10/27/81

CONSTRUCTION PROJECT ADDR

2507 McGee Avenue

PERMIT

BUILDING · ELECTRICAL · MECHANICAL · PLUMBING

- Permits shall expire if [illegible] inspection is not passed within 180 days of [illegible] 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 shall 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
MAILING ADDRESS: 2509 McGee Avenue
TELEPHONE: 841-32[illegible]

OWNER
NAME: As above
ADDRESS: 2509 McGee Ave
TELEPHONE: 841-3258
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
- [ ] Mezzanine occupancy
- [ ] Office tenant improvement
- [ ] Retail tenant improvement
- [ ] Food cooking facility tenant improvement
- [ ] New apartment(s)
  No. of living units: 1
- [ ] Repair or alter family
- [x] Existing family remodel
- [ ] Apartment / condo remodel
- [ ] Garage / shed removal
- [ ] Sign
- [ ] Commercial repair
- [ ] Residential repair
- [ ] Change of occupancy
- [ ] CORRECTION OF VIOLATIONS

Description or scope of work

New 4 unit, Roof replacements or repairs. Remodeling, extension of 2507 McGee at the 1st & 2nd of 2509 McGee, Include kitchen, bathroom & 1 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 25507, 25533, 25534

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

(3) I have [ ] have not met the requirements of Health and Safety Code Sections 42303 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 94704-1193
Phone (510) 644-6077

PERMIT NUMBER
B
E
M
P

FOR OFFICIAL USE

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

- [ ] Special Inspector - 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
- [ ] Plumbing cert
- [ ] Pier Inspection
- [ ] Fill/foundation compaction cert - Foundation
- [ ] Soils engineer cert - Final
- [ ] Zoning - Final
- [ ] Landmarks - Final
- [ ] Special Inspector cert - Final

2 No. of stories 3 2' Building Height N
Area 1 - R-3 Fire Sprinklers
No. required exits Value of work Construction Type (See reverse side)

NOTE: ALL PERMITS ARE SUBJECT TO A MINIMUM PERMIT FEE

PERMIT FEES	FEES DUE AT	LABOR VALUE
BUILDING PERMIT		
Total Valuation 14,000.00		
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 fastrack revisions	Permit issuance	
Title 24 Energy	Permit issuance	
Title 24 Disabled	Permit issuance	
SMI (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

_____

_____

_____

BY SIGNATURE I ACKNOWLEDGE I HAVE READ AND AGREE TO THE CONDITIONS ON THE REVERSE SIDE OF THIS PERMIT

367

EXHIBIT-

26

International Institute of Bengal Basin (IIBB)

Ghosh Research Associates International (GRAI) International Environmental & Ecological Services
2507-9 McGee Ave., Berkeley, CA 94703, U.S.A. Phone: (510) 841-3253, P.o. Box 419, Saltlake Kolkata 64, India
18 Rowan Avenue, Manchester, M16 8AP, U.K. Phone: 0161-796-5666
e-mail: bengal_basin@hotmail.com URL: nvo.com/ghosh_research
Dr. Rash B. Ghosh, Chairman; Mr. David Seaborg, Vice Chairman; Dr. Derek Whitworth, Secretary General; Ms. Rosalie Say, Executive Director; Dr. Richard Wilson, Executive Chairman for USA Chapter; Prof S. R. Basu, Executive Chairman, West Bengal, India Chapter; Advisers: Nobel Laureate Charles Townes, National Prof. Kabir Choudhury, Dr. Kanu Chatterjee, Dr. Sirajul Islam, Ustad Ali Akbar Khan, Prof. Dilip Sinha, Writer Sunil Gangapadhyay, Dr. H. Maiti, Dr. Inge Harding Barlow, and Prof Anisuzaman, Representatives: Journalist Ashfaque Swapan, California; Dr. Hari Chowdhury, UK, Mr. N. Mazumder Coordinator for West Bengal, Ms. Mumtaz Faruki Choudhury, Organizing Secretary IIBB symposium in Dhaka Bangladesh, Member Secretary of Bangladesh, Baharuddin Khelon

His Royal Highness Prince Philip
The Duke of Edinburgh
Buckingham Palace
London SW1A 1AA

24 March 2005

Honorable Prince Philip

I am inviting your kind attention regarding the Spirituality gathering at the Buckingham palace in April 2005. I am founder Chairman of (non-Profit) International Institute of Bengal Basin based in Berkeley, California, USA. We are working to mitigate the Toxic Crisis of the Basin. There are over 80 million people out 220 million are suffering from Arsenic Crisis in water of the basin Nobel laureate Charles Townes . Berkeley is the adviser of our institute who will be awarded the Spirituality award for this year.. We are delighted to know that our adviser is selected for this year's award. I am interested to attend the award ceremony at the Palace in April and am away from California for several weeks and contributing lectures on seal level rise and Global warming in Europe. Today I arrived in Dhaka and will return to England on 4th of April. My home and England office address in Manchester is 18 Rowan Avenue, M16 8Ap.(Bengal_basin@hotmail.com).

I wrote to Professor Charles Townes regarding this matter who indicated that the ceremony would be in the Palace and the capacity may be limited.. Therefore, I am inviting your attention if possible I would like to attend this ceremony. This would offer an opportunity to share my work on Bengal Basin. I am grateful to you for your support of my study in Salford University during 1976-1979 as the Chancellor of my graduate University. I obtained my Ph.D on the ecology of Brittain's most polluted Estuary of the Rivers Mersey. I met you during the exhibition that we presented at the University on environment of the Northwest of England. You personally were very impressed with work on the Mersey. I worked with Professor W.E. Kershaw M.D., D.Sc and Dr. M.Pugh Thomas

I shall be pleased if I could attend the Ceremony of the spirituality award on behalf of the Bengal Basin/ Institute.

I look forward to hearing from you.

Kind regards
Rash B. Ghosh

Rash B. Ghosh
usak2@yahoo.com
18 Rowan Avenue M16 8AP
and
2507 –09 McGee Avenue
Berkeley Ca 94703
(510) 841-3253

95-3641

ENEWAL OF PERMIT #92-2046 FOR 2507 McGEE PROPOSED REMODELING AND EXTENSION OF BATHROOM AND KITCHEN.PLANS SUBMITTED AS REQUESTED BY CITY SENIOR PLANNERS

The detailed modified plans for the proposed remodeling and extension of the kitchen and athroom at 2507 McGee is being presented here after two consultation meetings in ugust '95 with the city senior plnners. Most of the previously approved drawings with ittle or no modifications are being included in the present package with new drawings equired by the city. The reasonable permit renewal fees will be paid as determined by the ity. The new roof and roof framing part of the project needs tolbe completed before the oming rainy season. Additional delays will increase the chance of further damage to the xisting structure(s) and may compel us to demolish the building, therefore further ncreasing the remodeling costs.

The totalremodelling area is 1150 sq.ft.,of,which 325 sq.ft. will be new additions due to xpansion of the bedrooms, bathrooms, and kitchen at 2507 McGee.

CODES AND INSPECTION DIVISION
City Planning Department
APPROVED
By
SEP 2 0 1995

This set of plans and specifications MUST be kept on the job at all times and it is unlawful to make any changes or alterations on same without written permission from the City of Berkeley, Codes and Inspection Division. The stamping of this plan and specifications SHALL NOT be held to permit or to be an approval of the violation of any provisions of any City ordinance or State law.

Zoning was approved
By G. Sorensen 9/21/95

925 7494

NO. 47333

CITY OF BERKELEY

CITY PLANNING DEPARTMENT
Current Planning Division
TEL: 510 644-6570 FAX: 644-6607 TDD: 644-6915

Date 3-18-98

RECEIVED OF: Rash B. Ghosh PHONE

PROPERTY INVOLVED: 2507-9 McGee Ave.

☐ PUB. HRNG. ☐ 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

Δ asked to apply for use permit for attic & he did -

they took no action on the app.

(1)

(4)

City of Berkeley
*** CUSTOMER RECEIPT ***
OPER: REGISTER1 DC DRAWER: 1
DATE: 10/02/02 01 RECEIPT: 0001053

DESCRIPTION	QTY	AMOUNT	TP
2002 20000124	1	$316.00	*PZ
PLANNING & ZONIN			

TENDER DETAIL

CK	366749	$158.00
CK	366748	$158.00

DATE: 10/02/02 TIME: 15:00:01

TOTAL	$316.00
AMOUNT TENDERED	$316.00

366749

DATE 09/27/02

VOID AFTER 90 DAYS

90-7159
3211

AND 00/100 DOLLARS $158.00

ORDER OF CITY OF BERKELEY PLANNING ZONING FOR 2507 MCGEE USE PERMIT (Administrative) CONTINUATION OF NONCONFORMING STRUCTURE ON MCGEE SIDE

2507 & 2509 McGee Ave Berkeley.

NCUA

⑈366749⑈ ⑆321671595⑆ 00004530098⑈

CAL STATE 9 Credit Union

P O Box 271768
Concord, California
94527-1768
(925) 363-2700

366748

DATE 09/27/02

VOID AFTER 90 DAYS

90-7159
3211

PAY ONE HUNDRED FIFTY-EIGHT AND 00/100 DOLLARS $158.00

TO THE ORDER OF CITY OF BERKELEY CURRENT PLANNING FOR 2507 MCGEE BEDROOMS EXTN. USE (Administrative) PERMIT Continuing Nonconforming Structural Coverage 2507-09 McGee Ave Berkeley.

NCUA

⑈366748⑈ ⑆321671595⑆ 00004530098⑈

B

Telephone 510-238-4190
Fax 510-444-1704

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

Email oaklandlawyer@prodigy.net

May 11, 2012

Placer Title Company
2997 Shattuck Avenue, Suite D
Berkeley, CA 94709

Attn: Jan Benner

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

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

Dear Ms. Benner:

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

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

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

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

I would ask you to keep me informed of your company's position in this matter and to forward a

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

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 this 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

Robert Kendall (fax 510-528-5001)
1530 Posen Ave., Albany, CA 94706

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 be 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 Kendall

Robert Kendall
1530 Posen Avenue
Albany, CA 94706

A14

A14
(1 of 1)

Alameda County
Grand Jury

1401 Lakeside Drive
Suite 1104
Oakland, California 94612

510.272.6259
fax 510.465.9647
www.acgov.org/grandjury

September 9, 2009

Mr. Rash B. Ghosh
PO Box 11553
Berkeley, CA 94712

Dear Mr. Ghosh:

The Alameda County Grand Jury received your complaint on September 3, 2009. The Grand Jury welcomes communications from the public because citizens can provide valuable information to the Grand Jury regarding matters for investigation.

The information you have provided will be carefully reviewed to assist the Grand Jury in deciding what action, if any, to take. If the matter is determined not to be within the Grand Jury's authority to investigate (e.g., a matter involving federal or state agencies or institutions, court decisions, or a private dispute), there will be no further contact by the Grand Jury. If the matter is within the legally permissible scope of the Grand Jury's investigative powers and warrants further investigation, the Grand Jury will confidentially contact those individuals or entities who may be able to provide additional information.

By law, the Grand Jury is precluded from communicating the results of its investigation, except in one of its formal public reports. All communications are considered, but may not result in any action or report by the Grand Jury.

Sincerely,

SUSAN KAWAICHI, Foreman
2009-2010 Alameda County Grand Jury

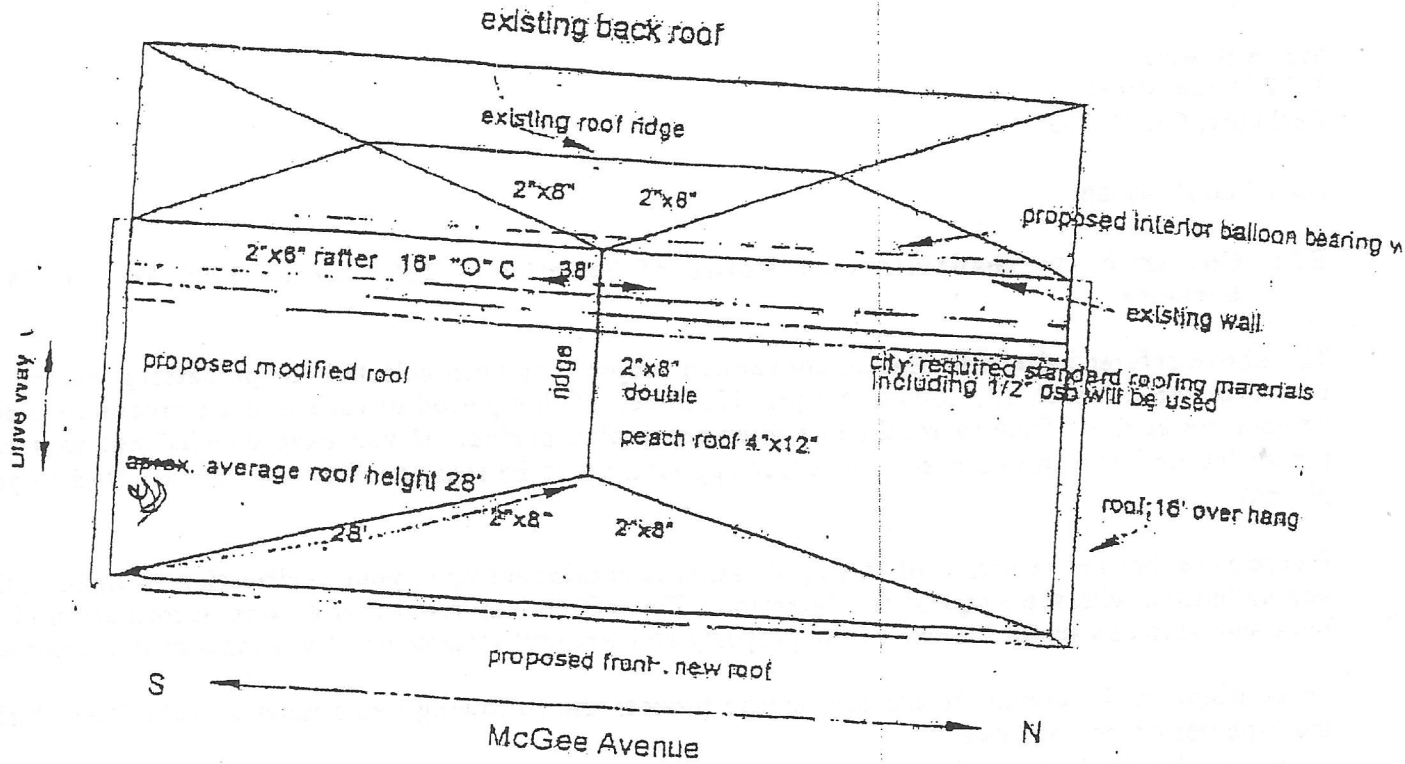
encl

25

2507-09 McGee Avenue proposed modified roof

Permit No. 95-3841

February 19,1998



APPROVED PLAN

URRENT PLANNING

2-20-98

DATE

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

nreg ed Shareware