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PLEASE RESPOND TO TRENTON

December 3, 2008

VIA FIRST CLASS MAIL AND FACSIMILE: 732-302-2930

Special Agent Richard Pires
FBI Newark
11 Centre Place
Newark, New Jersey 07102-9889

Re: Ellen Nevins vs. Toll Brothers, et al
Docket No. L-1102-01

Dear Special Agent Pires:

As we discussed on the telephone yesterday afternoon, this office represents the defendants, Toll Bros., Inc. and Estates at Rivers, LP ("Toll") in the above-referenced matter. Just prior to our discussion, we received the attached fax from Jack Seelig, Esq., as counsel for plaintiff, Ellen Nevins ("Ms. Nevins," together with Toll, the "Parties"), indicating that you had made a request of Ms. Nevins for information relating to the litigation between Toll and Ms. Nevins for alleged construction defects at her house, 1 Silverthorn Lane, Belle Mead, NJ (the "Premises"). As we discussed, the dispute between Ms. Nevins and Toll regarding the Premises involved a settlement agreement (the "Settlement") containing a confidentiality provision that precludes Ms. Nevins from discussing or providing information about her claims or the dispute.

Toll does not want to in any way interfere with any investigations and we recognize the Bureau's entitlement. At the same time, as counsel for Toll, I have an obligation to protect my client's rights under the Settlement in this case including, without limitation, Toll's rights under the confidentiality provision. My concern is that disclosure of certain information related to the dispute could limit Toll's ability to enforce the protections agreed to by the Parties. Accordingly, after receipt of the attached fax transmission from counsel to Ms. Nevins, I promptly wrote to Mr. Seelig and asked him to hold off on the production and to provide me additional information that could allow Toll to make an educated decision as to whether further action should be taken to protect the integrity of the Settlement. A copy of my letter is attached for your reference.

As previously indicated, we will cooperate in any way required but request that the integrity of the Settlement be considered during that process. As we also discussed, the Hon. Anthony F. Picheca, Jr., JSC, is currently administering the Settlement between the Parties and is scheduled to conduct a final proof hearing to resolve the final outstanding issues involved with the Settlement. Accordingly, I have copied him on this letter so that he is aware of the situation.

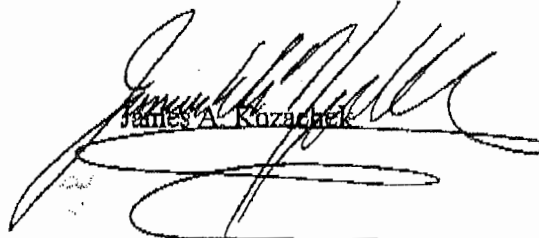
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At this point in time, my objective is simply to protect my client's interests. Concomitantly, we have no intention to limit or interfere with any efforts or investigations you are conducting. Because we do not know any of the details regarding the referenced request made by you to Ms. Nevins, it appears prudent to ask that the production of the referenced Roop/Hunt report wait or be restricted until such time as the matter can be fully and properly addressed. If that is not acceptable, please let me know so that we can discuss alternatives that would allow my client's interests under the Settlement to be protected while concomitantly allowing you and your office to proceed to satisfy all of your objectives. Naturally, we will ensure that whatever information you need it promptly provided. In addition, if you would like to discuss this matter with anyone at Toll please let me know and we will make the necessary arrangements.

Thank you.

Very truly yours,

FLASTER/GREENBERG P.C.


James A. Kozachek

JAK/ea
Enclosures

cc: Hon. Anthony F. Picheca, Jr., J.S.C. (w/ enclosures via facsimile and First Class Mail)
Jack L. Seelig, Esq. (w/ enclosures via facsimile and First Class Mail)
Sophia Moore (w/ enclosure via e-mail)