

October 10, 2014

Writer's Direct Contact
415.268.6358
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Ms. Pauline Batarseh
Mr. Donn Diebert
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street
Sacramento, California 95812

Re: Response to Summary of Violations – Vaillant Corporation

Dear Ms. Batarseh and Mr. Diebert:

Morrison & Foerster LLP has been retained to respond to your July 3, 2014 letter to Vaillant Corporation. As we discussed, there are very few, if any, Vaillant thermostats remaining in California and the Vaillant Corporation has wound down its corporate affairs.

While we intend to cooperate with the Department, we dispute that Vaillant Corporation has violated the law in any way, and reserve any and all defenses that the company may have. We are informed that other manufacturers who have led the thermostat collection effort plan to submit a detailed response to your summary of violations. We hereby incorporate the responses of those other manufacturers in our response, and reserve the right to supplement this response as needed.

Please contact me should you have any questions.

Sincerely,



William F. Tarantino