

To Whom It May Concern:

**Re: Litigation of Western Construction Group, Inc.**

Western Construction Group, Inc. (“Western”), in response to questions 3.2.2 and 3.2.3 on the Contractor’s Prequalification Statement, states as follows:

Western and its affiliates, (collectively the “Companies”) do business nationwide on a regular basis and operate out of branch offices in more than thirty plus cities. The Companies are involved in litigation in various jurisdictions arising out of the ordinary course of their business.

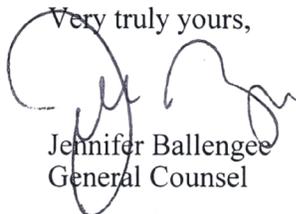
All litigation involving claims against the Companies are actively defended by the Companies or their insurance carrier. Settlements are entered into when appropriate in the business judgment of management. Neither the existence of this litigation, individually or collectively, will affect Western’s ability to perform obligations under any contracts for which this statement is submitted. Furthermore, the claims involve amounts, which, even in the event of an unfavorable outcome, would not adversely effect Western’s ability to perform such obligations. There are no liens, judgments or garnishments pending against the Company.

Litigation or arbitration with regard to Construction Contracts instituted by the Companies during the past five years is infrequent, has been for collection of amounts owed for work performed, and is within the ordinary course of the Companies business.

All matters in litigation are reviewed annually with the Companies outside auditors, Rubin Brown LLP, as part of its annual audit of the Companies financial statements.

If additional information is needed, a request stating what information is needed and the reason should be sent to the attention of the undersigned.

Very truly yours,



Jennifer Ballengee  
General Counsel

