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IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN AND
FOR FRANKLIN COUNTY, FLORIDA

WATER MANAGEMENT SERVICES, INC., a
Florida Corporation,

Plaintiff,

vs.

CASE NO.: 2006-00290-CA

ORIGINAL

MCWANE, INC., a foreign corporation,
CONSOLIDATED PIPE & SUPPLY COMPANY,
INC., a foreign corporation, BOH BROS.
CONSTRUCTION CO., LLC, a foreign limited
liability company, and BLANKENSHIP
CONTRACTING, INC., a foreign corporation,

Defendants.

MEDIATION SETTLEMENT AGREEMENT

Pursuant to the Mediation Conference held before the mediator, Neal Sivyer, on May 15,
2008, the following parties have agreed to settle this case and abide by the terms
hereinafter set forth.

1. [REDACTED]

2. [REDACTED]

[REDACTED]

[REDACTED]

3. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. [REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. [REDACTED]

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED]

10. This settlement agreement and all of its terms are confidential and may not be disclosed to any third party, unless required by law.

11. [REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dated this 15 day of MAY, 2008.

<p>CLOW WATER SYSTEMS MC WAFER, INC.</p> <p>By: <u>[Signature]</u> <u>Paul J. Keenan</u> [PLEASE PRINT NAME AND TITLE]</p>	<p>C O</p> <p>By: <u>[Signature]</u> <u>LANNIE D. HOGAN JR / McWANE, INC</u> [PLEASE PRINT NAME AND TITLE]</p>
<p>By: <u>[Signature]</u> <u>Charles Hamrick</u> [PLEASE PRINT NAME AND TITLE]</p> <p><u>Charles Hamrick</u> LINEPIPE SALES MGR. [PLEASE PRINT NAME AND TITLE]</p>	<p>By: <u>[Signature]</u> <u>R. SCOTT TRAWER</u> [PLEASE PRINT NAME AND TITLE]</p>
<p>By: <u>[Signature]</u> <u>Kenneth Blankenship</u> Vice [PLEASE PRINT NAME AND TITLE] Pres.</p>	<p>By: <u>[Signature]</u> <u>Steve Pritz</u> [PLEASE PRINT NAME AND TITLE]</p>
<p>By: _____ [PLEASE PRINT NAME AND TITLE]</p>	<p>By: _____ [PLEASE PRINT NAME AND TITLE]</p>
<p>By: <u>[Signature]</u> <u>President of Water Mng. Ser. Inc.</u> [PLEASE PRINT NAME AND TITLE]</p>	<p>By: <u>[Signature]</u> <u>MICHAEL F. COPPINS</u> [PLEASE PRINT NAME AND TITLE]</p>

COPPINS MONROE ADKINS DINCMAN & SPELLMAN, P.A.

Attorneys at Law
1319 Thomaswood Drive
Tallahassee, FL 32308

Telephone: (850) 422-2420
Federal EIN: 59-3122671

Invoice submitted to:
Mr. Gene Brown
Water Management Services, Inc.
250 John Knox Road #4
Tallahassee FL 32303

June 09, 2008

Invoice # 20610

In Reference To: Water Management Services, Inc.
Contract Dispute
Client No.: 2308

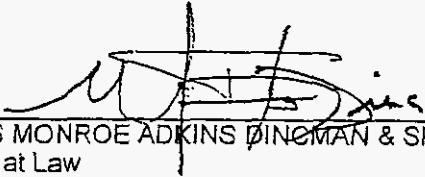
Professional Services

		<u>Hours</u>	<u>Amount</u>
5/1/2008	MFC	Prep and deposition/Larry Muzia.	10.00
	TW	Review and revise witness and exhibit lists.	3.40
	MPS	Email and fax from N. Yonclas regarding exhibit and witness list (.3); telephone conference with N. Yonclas (.2); revising and prepare for filing witness and exhibit list (1.6); letter to clerk (.1).	2.20
5/2/2008	MFC	Prep and deposition/Larry Muzia.	9.00
	TW	Review discovery documentation regarding pipe classification surveys (.6); Compile and organize potential trial exhibits (1.3); Review and organize photographs identified in exhibit list (1.3).	3.20
5/5/2008	MFC	Review of multiple discovery documents from Consolidated/Consolidated's Motion for Continuance.	0.30
	MFC	E-mail to G. Brown regarding Les Thomas' deposition/Continuance Motions; E-mail to N. Yonclas regarding Thomas deposition.	0.20
	MFC	Review of L. Muzia voicemail regarding Consolidated question and answer records.	0.20
5/6/2008	MPS	Review and analyze Boh Bros. motion to dismiss for failure to state a claim and motion regarding various elements of damages, prejudgment interest, etc., motion for judgment on pleadings (.8); review and analyze cases in response and draft response (1.3); Review and analyze	3.40

		<u>Hours</u>	<u>Amount</u>
	Blankenship's motion to dismiss counts 9 and 10 (.7); review and analyze response (partial) (.6)		
5/6/2008	MFC Preparation for Brown and Thomas depositions/multiple e-mails regarding scheduling issues.	0.50	
	MFC Telephone conference with Attorney L. Hough - comprehensive case review and discussions regarding early mediation.	0.50	
5/7/2008	TW Compile and review discovery documentation regarding contract history between Consolidated and WMSI.	2.10	
	MPS Review contract from Consolidated and consider limitation of remedy defense (.5); continued analysis of response to Boh motion to dismiss (.4), Blankenship motion to dismiss (.7); review Consolidated expert interrogatories and request for production to plaintiff, and begin drafting responses (1.4)	3.00	
	MFC Multiple e-mails regarding Thomas/Brown depositions; Possibility of early mediation; Analysis of pending motions.	0.50	
5/8/2008	MFC Review and analysis of disputed issue regarding production of Muzia e-mails; Direct legal research.	0.30	
	MFC Analysis of Consolidated damage cap argument; Multiple e-mails/ telephone conferences with G. Brown regarding Les Thomas deposition.	1.10	
	MFC Multiple telephone conferences/e-mails between and among Hough regarding mediation and deposition scheduling; Telephone conference with N. Yonclas and G. Brown.	1.00	
	SJS Conference with attorney regarding disclosure obligations under work product and attorney client privilege doctrine (.3); Begin review and analysis of statutory and case law regarding same (4.0).	4.30	NO CHARGE
	TW Compile, review, and organize discovery documentation in preparation for G. Brown deposition and mediation.	1.20	
5/9/2008	MFC E-mail to L. Hough regarding mediation and Brown deposition; Continued analysis of limitations of remedy issue--Clow and Consolidated direct legal research; Draft mediation summary; Multiple e-mails and Telephone conferences regarding mediation.	1.90	
	SJS Analysis of limitation of remedy provision as limitation for breach of warranty only and enforceability of "return of purchase price" limited remedy (.2); Review and analysis of warranty's limitations effect on breach of contract claims; Draft of memorandum to Coppins regarding same (6.6).	6.80	

		<u>Hours</u>	<u>Amount</u>
5/9/2008	TW	Compile and organize documentation for transmittal to mediation (1.3); Identify and organize additional documentation in preparation for mediation (.8).	2.10
5/11/2008	MFC	Multiple e-mails with Attorney N. Sivyver regarding mediation.	0.20
	SJS	Continue review and analysis of "breach of warranty" vs. "breach of contract" in light of our contractual limitation of remedies; Review of enforceability of "refund only" limited remedy; Revise memorandum to Coppins regarding same issues.	4.50
5/12/2008	MFC	Preparation for mediation/Brown deposition.	0.50
	TW	Compile, review, and organize discovery documentation received from Blankenship and Consolidated in preparation for G. Brown deposition.	3.20
5/13/2008	MFC	Preparation for mediation: conference with G. Brown.	3.00
	MPS	Review circumstances regarding production of documents to defendant Boh Bros. and assess procedures with other defendants.	0.30
	TW	Compile documentation listed in Deposition Notice of G. Brown; Compile and organize photographic evidence and expert reports/documentation (2.1); Compile and organize discovery documentation and expert materials regarding G. Brown deposition preparation and mediation (2.1).	4.20
5/14/2008	SJS	Finalize case review of contractual issues in preparation for mediation (05-15-08); Finalize memorandums to attorney regarding same.	4.00
	MFC	Preparation for mediation; Conference with N. Yonclas and Gene Brown.	2.00
	TW	Prepare for and attend deposition of G. Brown (9.0); Compile and organize documentaion from G. Brown deposition and prepare for mediation (1.8).	10.80
5/15/2008	MFC	Preparation for and attend mediation; Post mediation administration.	10.50
	TW	Prepare for and attend mediation,	9.50
5/16/2008	MFC	Telephone conference with N. Yonclas regarding post-mediation administration; Review of final mediation agreement; E-mail agreement to Silver and Latimer for Final Signature.	0.40
	MFC	Telephone conference with L. Muzia regarding case termination; Cost to cure issues; Final review and transmission of Settlement Agreement.	0.50
	TW	Post mediation/settlement organization of case documentation.	0.80
			NO CHARGE
5/19/2008	MFC	E-mail to attorneys regarding settlement proceeds check; Review Muzia e-mail.	0.20

	<u>Hours</u>	<u>Amount</u>
5/19/2008 MFC Letter to Judge Hankinson regarding settlement/cancellation of trial dates.	0.30	
5/22/2008 MFC Multiple e-mails regarding settlement status.	0.20	
5/27/2008 MFC Telephone conference with G. Brown regarding settlement.	0.10	
5/28/2008 MFC [REDACTED] Multiple e-mails to/from defense counsel regarding settlement.	1.00	
5/29/2008 MFC Multiple e-mails/telephone conferences regarding settlement/Release.	0.50	
5/30/2008 MFC Review of multiple e-mails regarding settlement proceeds; E-mail to G. Brown.	0.30	
For professional services rendered	114.20	\$17,449.00
<i>Additional Charges :</i>		
5/6/2008 Fee paid to USA Photo & Graphics for copies of DVDs, May 6, 2008.		96.75
5/7/2008 Fee paid to All Florida Mediaworks, Inc. for dvd copying, April 30, 2008.		150.00
5/14/2008 Travel Expenses: MFC, Orlando, FL for deposition of Larry Muzia, April 30 - May 2, 2008.		505.94
5/22/2008 Fee paid to Ivize of Tallahassee, LLC for copies, May 14, 2008.		58.05
5/27/2008 Court Reporter Fees: Sclafani Williams Court Reporters, Inc. for deposition of Larry Muzia, May 1, 2008.		1,045.20
5/29/2008 Long Distance Telephone Calls.		17.92
5/31/2008 Photocopy Charges		184.50
Postage		7.04
Total additional charges		<u>\$2,065.40</u>
Total amount of this bill		\$19,514.40
Previous balance		\$17,976.99
BALANCE DUE		<u><u>\$37,491.39</u></u>



COPPINS MONROE ADKINS DINGMAN & SPELLMAN, P.A.
Attorneys at Law

	<u>Amount</u>
Client funds transactions	
Previous balance of Trust Account	\$0.00
6/3/2008 [REDACTED]	[REDACTED]
6/3/2008 [REDACTED]	[REDACTED]
6/3/2008 [REDACTED]	[REDACTED]
6/5/2008 [REDACTED]	[REDACTED]
6/5/2008 [REDACTED]	[REDACTED]
6/5/2008 [REDACTED]	[REDACTED]
6/5/2008 [REDACTED]	[REDACTED]
6/9/2008 [REDACTED]	[REDACTED]
New balance of Trust Account	<u>[REDACTED]</u>

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Telephone: (850) 422-2420
Federal EIN: 59-3122671

Invoice submitted to:
Mr. Gene Brown
Water Management Services, Inc.
250 John Knox Road #4
Tallahassee FL 32303

July 02, 2008

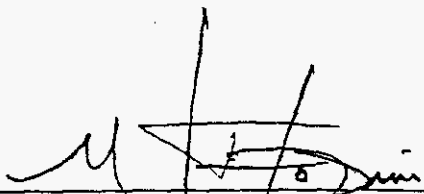
Invoice # 20615

In Reference To: Water Management Services, Inc.
Contract Dispute
Client No.: 2308

Professional Services

		<u>Hours</u>	<u>Amount</u>
6/2/2008	MFC Review of settlement proceeds checks, etc.; [REDACTED]	0.40	
6/3/2008	MFC Multiple e-mails to counsel regarding settlement status.	0.50	
	MFC Continued e-mails/telephone conferences and file review regarding closure of settlement.	1.00	
6/4/2008	MFC Continued e-mails/telephone conferences and document review regarding settlement closure.	1.80	
6/5/2008	MFC [REDACTED] Review G. Brown e-mail regarding disbursements;	0.60	
6/10/2008	MFC [REDACTED]	0.30	
6/11/2008	MFC [REDACTED] - review Yonclas e-mail.	0.30	
6/12/2008	MFC [REDACTED] E-mail to Traweck; Telephone conference with Attorney N. Yonclas.	0.40	
	MFC [REDACTED]; E-mail to Traweck; Telephone conference with Attorney N. Yonclas.	0.40	

	<u>Hours</u>	<u>Amount</u>
6/19/2008 MFC Review of multiple e-mails [REDACTED] disbursal of settlement proceeds.	0.30	
For professional services rendered	6.00	\$1,500.00
Additional Charges :		
6/4/2008 Federal Express: BM to Lisa Michael/Coppins, Sclafani & Williams Court Rep, Orlando, FL, April 30, 2008.		13.18
Federal Express: MPS to Marcia M. Johnson, Franklin County Circuit Court, Apalachicola, FL, May 01, 2008.		12.85
Federal Express: MFC to Neal A. Sivyer, Sivyer Barlow & Watson, PA, Tampa, FL, May 09, 2008.		12.90
6/10/2008 Court Reporter Fees: Sclafani Williams Court Reporters, Inc. for deposition of Laurence Muzia, May 28, 2008.		800.00
Total additional charges		<u>\$838.93</u>
Total amount of this bill		<u>\$2,338.93</u>
Previous balance		\$37,491.39
Accounts receivable transactions		
6/10/2008 Payment - thank you		(\$37,491.39)
7/1/2008 Credit per Michael F. Coppins.		(\$500.00)
7/2/2008 Payment from trust funds.		<u>(\$1,838.93)</u>
Total payments and adjustments		(\$39,830.32)
BALANCE DUE		<u><u>\$0.00</u></u>



 COPPINS MONROE ADKINS DINCAMAN & SPELLMAN, P.A.
 Attorneys at Law

	<u>Amount</u>
Client funds transactions	
Previous balance of Trust Account	
6/20/2008 [REDACTED]	[REDACTED]
6/23/2008 [REDACTED]	[REDACTED]
7/1/2008 Withdrawal from trust account, per Michael F. Coppins, to apply to current invoice.	(\$1,838.93)
7/1/2008 Withdrawal from trust account, per Michael F. Coppins, for payment to Water Management Services, Inc.	(\$38,161.07)
New balance of Trust Account	<u>\$0.00</u>