

**BROOKS
WASHBURN, AIA
ARCHITECT**

31 March 2004

Office of The Attorney General
Bureau of Consumer Frauds and Protection
120 Broadway, Third Floor
New York, NY 10271-0332

Re: Mr. James O'Neill, d/b/a Construction Management Services and C.W. Augustine, Inc.
Deceptive Business Practices

It has recently come to my attention that a contractor who profited from the unauthorized use of my name has been working again in the public sector as a grant administrator for small towns and hamlets in New York State, and I am dismayed by this.

I enclose for your information a copy of an agreement with a public owner, the Town of Rossie, (which I was told was executed) representing that the services of the contractor included our professional services (paragraph 1.4), and a copy of a letter previously sent to our local District Attorney.


I did not agree to perform this work with him, did not discuss nor agree to a fee, and did not perform the services in the attached agreement. Since I understand he was retained to perform his services, based on the agreement presented, and agreed with his client to deliver a service including our professional service, for which he was paid in full, I feel there is some deception involved. The promise of our involvement in a project has been used to retain a client for O'Neill but the service delivered did not include our services, and evidently O'Neill was paid as if the service (ours) had been performed.

I feel it is appropriate to bring this matter to your attention as this business practices of C. W. Augustine and/or O'Neill may mislead municipalities in the state into the position of being unknowingly in possession of and/or liable for engineering and/or building code deficiencies in their public buildings.

Please do not hesitate to contact me if you have any questions or need additional information.

Thank you.

Sincerely,


Brooks Washburn, AIA

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