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October 28, 2013

Mr. Kirk Grundahl  
Executive Director  
Structural Building Components Association  
6300 Enterprise Lane  
Madison WI 53719

Re: Your September 23, 2013 Letter to APA-The Engineered Wood Association

Dear Mr. Grundahl:

I represent APA-The Engineered Wood Association. My client has provided copies of your recent correspondence above referenced for my review.

APA is aware of your unsubstantiated claims and theories that OSB shear design values are overstated. The claims are based on non-standard test methods without test details that could result in substantially biased conclusions. In accordance with credible test results documented in a variety of sources including universities and other research organizations, the consensus opinion of the code and standard committees, and the extensive performance history of wall assemblies sheathed with OSB sheathing, APA believes the current shear design values provided in the APA publications and the Special Design Provisions for Wind and Seismic, as referenced in the International Building Code, are valid..

There will be no further correspondence or communications from my client to you concerning your unsubstantiated claims and theories. Moreover, my client's silence is not to be taken as an indication that your unsubstantiated claims and theories have merit.

I also want to caution you that this letter and any correspondences between you and my client are not to be used in their entirety or in excerpts unless approved by our client. If you continue to publish or communicate in any commercial way your unsubstantiated claims and theories, there are avenues of relief available to my client under federal and state laws proscribing false or misleading representations of fact in commercial advertising or promotion. Specifically, the Lanham Act at Section 43(a) has been held to apply to a Trade Association as well as to its members where there is clearly false and misleading commercial speech that causes

October 28, 2013

Page 2

injury. I trust that you will refrain from future communications or inquiries to my client concerning your unsubstantiated claims and theories and that you will conduct yourself in accordance with the requirements imposed by the Lanham Act.

Very truly yours,

  
Guy J. Sternal

GJS:gjs

cc: Dennis Hardman

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