

April 19, 2005

In regards to: Arbor Woods

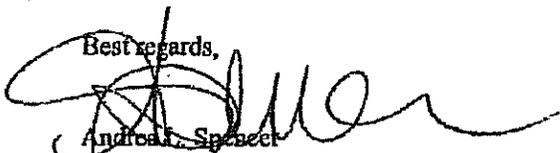
Chris Martin
Affordable Housing Construction
5910 North Central Expressway #1145
Dallas, TX 75206

Subject: Buildings 8 & 9 walkways

Dear Chris,

In order to achieve the broom finish required at the walkways on buildings 8 & 9, we intend on using Shep-Patch Plus manufactured by Lyons Manufacturing, Inc. Attached is a material spec sheet detailing the products applications and features. If you have any questions, please call.

Best regards,



Andrew J. Spence
LCG Development Group
469-826-6337

cc: Ron-Slo, Inc; Ron Slovacek

USA v. SLOVACEK
3:07-CR-289
DEFENDANT'S
EXHIBIT NO. 39

SWH 006037

**TWO COMPONENT ACRYLIC POLYMER MODIFIED
REPAIR AND TOPPING / UNDERLAYMENT MATERIAL**

Shep-Patch Plus

***Bonds to Virtually Any Surface**

***Light Gray to Blend with Existing Concrete**

***Improved Bond and Compressive Strength.**

PRODUCT DESCRIPTION

SHEP-PATCH PLUS is a two component polymer modified concrete repair and underlayment material. The **SHEP-PATCH PLUS** liquid is a high solids content acrylic polymer. The **SHEP-PATCH PLUS** Powder #205 is a portland cement based mix with graded silica and special chemical additives. Polymer modified concrete gives improved bonding, improved chemical resistance, improved water resistance and improved tensile, compressive and flexural strength.

This high strength portland cement/acrylic polymer combination provides a smooth durable semi-resilient surface which can be used as a finished floor in most applications. **SHEP-PATCH PLUS** is easy to mix and apply, requiring no special tools. It is suitable for use as a flowable topping and underlayment, or as a floor, wall or overhead repair material when mixed to a stiffer trowelable consistency. **SHEP-PATCH PLUS** has been approved by the USDA for use in most processing plants and may be used where there is exposure to potable water.

PRODUCT APPLICATIONS

SHEP-PATCH PLUS is designed to be used horizontally as a topping or underlayment when mixed to thick pancake batter consistency. When mixed to a stiffer consistency, **SHEP-PATCH PLUS** can be used for walls, or other vertical and overhead applications. Use **SHEP-PATCH PLUS** to level and smooth rough or rained on concrete. **SHEP-PATCH PLUS** may be used to level low areas inside or outside. It will bond to and may be used to level virtually any concrete surface.

Mixed as a repair material, **SHEP-PATCH PLUS** may be used to repair walls, floors, tilt panels, driveways, sidewalks, precast members, etc. **SHEP-PATCH PLUS** may be applied from featheredge to 2-1/2 inches. Suitable for interior or exterior applications. Suitable for application where there is rubber tired forklift and vehicle traffic.

PRODUCT FEATURES

- Outstanding Bonding
- Improved Water Resistance
- Interior or Exterior Use
- From Featheredge to 2-1/2 Inches
- May Be Used as Screedable Underlayment
- May Be Used as a Trowelable Repair Material
- Improved Compressive Strength
- No Moist Curing Required
- High Solids Acrylic Polymer
- May Be Stained or Used with Integral Color
- May Be Used for Stenciled or Patterened Concrete

PRODUCT TEST RESULTS (TYPICAL)

WORKING TIME: Approximately 25 minutes

COLOR: Light Gray, Available in White

INITIAL SET: 4 Hours

FLOWABLE CONSISTENCY: (1 Bag to 1 Gallon)
Compressive Strength (ASTM C-109, Air Cured)
7 Days - 4120 PSI 28 Days - 5500 PSI

Flexural Strength (ASTM C-348, Air Cured)
7 Days - 1260 PSI 28 Days - 1535 PSI

Slant Shear Bond (ASTM C-1042, Air Cured)
28 Days - 1250 PSI

TROWELABLE CONSISTENCY: (1 Bag to .8 Gallon)
Compressive Strength (ASTM C-109, Air Cured)
7 Days - 4550 PSI 28 Days - 6000 PSI

Flexural Strength (ASTM C-348, Air Cured)
7 Days - 1360 PSI 28 Days - 1720 PSI

Slant Shear Bond (ASTM C-1042, Air Cured)
28 Days - 1550 PSI

SWH 006038

SURFACE PREPARATION - All surfaces must be clean and structurally sound; free of dust, grease, oil, paint, sealers, etc. Pores of the concrete surface must be open to permit proper bonding. Any necessary surface preparation may be done by etchblasting, scarifying, sandblasting or acid etching. If acid etch is used, be sure to neutralize surface, clean and brush thoroughly. For heavy traffic applications, mechanical abrasion of the surface is recommended. Concrete surfaces should be kept damp for 1/2 hour prior to installation, but no standing water should remain.

Do not bridge cracks with SHEP-PATCH PLUS. They will "telegraph" through. Fill cracks prior to placement of SHEP-PATCH PLUS. Expansion joints should be extended through the SHEP-PATCH PLUS.

MIXING - SHEP-PATCH PLUS may be mixed in a mortar mixer, with a heavy duty low-to-medium speed drill or by hand. Always use a clean mixing container. Place SHEP-PATCH PLUS Acrylic Polymer #201 in container and add SHEP-PATCH PLUS Powder #205, mixing while adding powder. DO NOT ADD WATER. Added water will reduce strength and bonding. Mix for 2 to 3 minutes until a smooth, lump-free mixture is obtained. Mixing time should not exceed 3 minutes. DO NOT OVERMIX and DO NOT entrap air while mixing.

USE OF AGGREGATE - For areas with a thickness over 1/2", aggregate should be added to SHEP-PATCH PLUS. Add 1 part by volume of 3/8" pea gravel to 2 parts by volume of SHEP-PATCH PLUS. DO NOT ADD WATER.

USE AS UNDERLAYMENT OR TOPPING - For use as an underlayment, mix to desired flowable consistency, no more liquid than 1 bag to 1 gallon of polymer. As an underlayment, apply from featheredge to 2-1/2". Material may be screeded for low places or spread into place with a squeegee. When using as a wearing surface topping and for deeper fills, mix to a stiffer consistency (about 7/8 of gallon to a bag of powder) and install at least 3/8" thick. DO NOT FEATHEREDGE as a wearing surface topping.

USE AS A TROWELABLE NON-SAG REPAIR MATERIAL- For floor, wall and overhead repairs, mix about 3/4 to 7/8 of liquid polymer to a bag of powder to get a stiffer, trowelable non-sag consistency. Make a trial batch to get desired consistency. Lubricate trowel with polymer to prevent dragging.

INSTALLATION - To insure proper bonding, use P-100 PRIMER or apply a bond slurry coat scrubbed into the surface. The P-100 PRIMER will give more reliable and consistent results. Allow the primer to dry (30-45 minutes) and install SHEP-PATCH PLUS material. Material may be applied up to 24 hours after the primer. The primer will re-emulsify one time and may be used for inside and outside applications.

CONTAINS PORTLAND CEMENT. Avoid eye contact or prolonged contact with skin. Wash thoroughly after handling. In case of eye contact, flush with plenty of water for at least 15 minutes. Consult a physician immediately. Keep out of the reach of children.

LIMITED WARRANTY

Lyons Manufacturing, Inc. warrants the high quality of its products. However, because of many factors beyond our control in its use, such as job conditions, workmanship, etc., the liability of all parties making and selling this product is expressly limited to the refund of the purchase price or replacement of this material used. Lyons Manufacturing, Inc. will replace any product proven to have a manufacturing defect, FOB Factory, provided Lyons Manufacturing, Inc. is notified of such defect within six (6) months from the date of shipment from the factory. This warranty is in lieu of all other warranties, expressed or implied. Lyons Manufacturing, Inc. makes no warranty of suitability of its products for any particular application and sells its products upon the condition that customer shall conduct their own test to determine the suitability of the product for their purposes. Under no circumstances will Lyons Manufacturing, Inc. be liable for economic, special, incidental or consequential damages or losses of any kind.

Manufactured for SHEPLER'S by LYONS MANUFACTURING, INC.



www.sheplers.cc

Texas: 800-729-1150 • Florida: 800-825-0250 • South Carolina: 803-779-4116

07/02

SWH 006039

The bond slurry coat is a syrup-like consistency mix of SHEP-PATCH PLUS Powder and SHEP-PATCH PLUS Acrylic Polymer. Scrub the slurry coat into the moist surface. Place SHEP-PATCH PLUS in place and smooth and spread while slurry coat is still damp. DO NOT LET SLURRY COAT DRY. Screed off to get a smooth flat surface. Use a trowel for touch-up and featheredging. DO NOT OVERTROWEL. Lubricate trowel with polymer to prevent dragging. The #201 polymer makes the materials darker. Less polymer will give a lighter finished surface. For best results, smooth and spread into place and touch-up as needed. A latex film will form when SHEP-PATCH PLUS begins to set. This is normal and will disappear.

Normally floor coverings may be applied the next day. With thick applications or cold or damp weather, another day may be required. No heavy traffic should be permitted for 4 to 5 days. When used as an underlayment, always follow the directions of floor covering manufacturers concerning maximum moisture content and perform required tests.

Paints and coatings may be applied over SHEP-PATCH PLUS as you would over concrete. For wall applications such as coating or filling concrete block, SHEP-PATCH PLUS may be applied with a hopper gun and then floated smooth.

PRECAUTIONS - Do not use below 40°F. The best temperature to use is 60°-90°F. DO NOT LET SHEP-PATCH PLUS ACRYLIC POLYMER #201 FREEZE. Always make a trial installation first under actual job conditions to be sure you get the desired results before using on larger areas.

CONTAINS SILICA SAND AND FREE SILICA. Do not breathe dust. Avoid inhalation by wearing respirator. Continuous exposure and inhalation may cause silicosis and crystalline silica is classified as a known human carcinogen.

SHEP-PATCH PLUS Acrylic Polymer is resistant to most petroleum solvents, sealers, and cure'n seal products. SHEP-PATCH PLUS may soften slightly, but will harden after evaporation of solvent. Wait 4 to 5 days after SHEP-PATCH PLUS installation before applying a sealer. Always do a sample area first.

Areas subject to fast drying and outside applications should be covered with damp burlap or plastic for 48 hours. Weathering and surface oxidation may cause a bonding problem with exterior applications. Exterior surfaces should be scarified or sand-blasted prior to application of SHEP-PATCH PLUS.

COVERAGE - One 45 lb. bag of SHEP-PATCH PLUS Powder #205 and one gallon of SHEP-PATCH PLUS Acrylic Polymer #201 will cover 45 sq. ft. at 1/8" thickness.

PACKAGING - SHEP-PATCH PLUS Powder #205 is packaged in 45 lb. moisture resistant bags. SHEP-PATCH PLUS Acrylic Polymer #201 is packaged in 1 gallon jugs, 4 to a carton.