July 24, 2012

Via Email: Debra.Nelson@chartisinsurance.com

Debra Nelson
Environmental Casualty Claim Department
Chartis Insurance
P.O. Box 26067
Shawnee Mission, KS 66225

Re: Insured: City of Benicia
Claimant: Department of Toxic Substance Control
Policy: Landmark Insurance Company Policy No. SMP 800-1547
Policy Term: March 3, 1982 - March 3, 1985
Your Lead Claim Number: 182-026566

Dear Ms. Nelson:

I received your letter dated June 26, 2012 regarding the City of Benicia's claim under Landmark Insurance Company's Policy Number SMP 800-1505 (effective March 3, 1981 - March 3, 1982.) We are reviewing and analyzing your claim response.

We have not received Landmark's claim response under the above-referenced insurance policy. That claim was tendered along with the claim under Policy Number SMP 800-1505, in my letter to you dated May 1, 2012.

Under Section 2695.7(b) of the California Insurance Regulations (Title 10, Cal. Admin. Code), the insurer is required to provide its coverage response "immediately, but in no event more than forty (40) calendar days" after receipt of a claim. Landmark Insurance Company's response to the City of Benicia's claim under Policy Number SMP 800-1547 is long overdue. Please immediately provide the claim response.

Sincerely,
ERS Corp

Mark O'Brien
CEO

cc: Heather McLaughlin, Esq.