EXHIBIT 1 BUH
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HB 451

Bob Ebinger

From: eileen mcgovern [mcgov00@hotmail.com]
Sent: Thursday, July 03, 2008 6:34 PM
To: rhawk@bresnan.net
Cc: mcgov00@msn.com; JP Pomnichowski
Subject: contractor reform

Hi, my name is Eileen McGovern. I live in Bozeman, Montana. I have been corresponding with Bev Perry and Joy Ooka for several months now - since my son sent me Joy's letter that appeared in the Billings Gazette. As far as I know, her letter has not appeared in the Bozeman paper.

Our contractor walked, liened us and sued us. We have learned over almost four years of litigation that we are missing several footings and basement headers over our windows. The concrete garage walls are cracked all of the way through in two spots. Our furnace is less than half the size of the one specified on the approved plans. We freeze every winter. Our two story living room wall is cracking and we are being told it is flexing because it was not framed properly. There is a lot more, but I don't want to list everything here. The house may not be fixable and even if it is, we are being told it would most likely be cheaper to demolish it and rebuild.

He sued us even though his contract required disputes be resolved through mandatory arbitration. We have since learned that having been sued, any consumer protection and possible criminal investigation are denied us. It is an excellent tactic. We can't even file a complaint with the BBB. State agencies have replied over the last few years that they don't get involved when there is ongoing litigation. Interesting thing is that we went to the police asking for an investigation only a few days after receiving a termination letter and a 'final bill' for a completed home. The husband and wife builders tried to obtain money - the same amount as their final bill- from our mortgage fund without our knowledge or consent. The title company woman called us and we went to the police. Well, they then sued us in civil court. Soon after, the police officer told us our case would be better suited there. We have tried again to get some kind of investigation and our pleas fall on deaf ears. Sheriff's deputy told us, 'he countered.' That was it. We were liened by a supplier for materials we had paid the builder for- so had to pay again.

We did everything we thought we could in hiring these two. I called the State to check on his registration. We actually stayed in a friend's house which he built. He lived around the corner and was on the Homeowner Assn Board. We never saw this coming. I have written to the State about their worthless commercials on hiring a 'registered' contractor. It gives folks a false sense of security. I have asked the State what would make one not be able to be a registered contractor. I was told only two things. Nonpayment of the $53 or if he/she lets someone use his/her number.

Well, after sinking our life savings into this house, we are almost $200,000 in debt for our legal fees with no end in sight. Civil litigation is expensive and, combined with the stress that comes with it, has ruined our lives and my health. It is impossible to be able to recoup our losses at our age. Needless to say, the builders' insurance company is paying for his defense.

Even if we can afford to stay in until we get a trial and get a judgment-possibly over a year and a half from now - we may not collect a dime. Contractors can hide their assets and/or declare bankruptcy. We were even told that if a contractor declares bankruptcy, our suit could be thrown out because it is a liability while his suit against us would stay as it is an asset. Also, even were he to give us a check for millions, if he declares bankruptcy within a given period of time, that money would have to be paid back - even if we had spent it. We would be considered preferred creditors. In a bankruptcy proceeding, they would not allow one creditor to get money while others get nothing.

Also, we have brought the City into our suit. The framing and foundation were written up as approved on the inspection sheet.

We have had a truck pull up on the empty lot next door flashing its lights into our bedroom window at dusk. We had septage thrown on our door while we were out of town. We had a 6x8 foot third story window broken with a chunk of concrete at 1:20 a.m. The matching window was spared as the thrower missed and just dented the soffit. We don't know who did all of these acts. We live on a cul-de-sac so we are not on the way to anywhere. We were the only people in our neighborhood who had any of these problems. Even the investigating officer said we were 'targeted.'

We have been sued for filing a complaint with the Consumer Protection Agency - which didn't help us at all. We were sued for reporting the septage incident to the police. We have learned that the builder told folks and some subs and suppliers that we did not pay him. We paid him every penny he asked for until he called a termination because - he said - we talked to subs!

So, as you can see, we feel the legal cards are stacked against the consumer. The lien is still on our house as our first attorney didn't tell us we could bond it off. He had problems we only learned about later. Liens can be filed with no proof whatsoever. Once you are liened and sued, it is virtually impossible to get a home loan to help you pay your legal bills. Your construction loan funds are frozen. No lender in town would give us a loan. We were only able to get a small one on the internet.

I could go on and on, but I will stop here. We were not aware of the lack of protection until we needed it. Even the media here does not seem interested. I am being told by folks that their legislators are telling them that they are not aware of this problem. Lack of reporting by the media may be partly to blame. Joy's letter did not appear in the Bozeman Chronicle. I have written to an editor and a reporter about the 'silence' here in Bozeman. Didn't do any good.

If you would like to stop and see the house while you are in Bozeman, please give us a call. Our number is 556-9714. We are located in Bridger Creek at 801 Turnberry Court. Thanks for your time.