

YOUNG QUALLS, P.A.
ATTORNEYS AND COUNSELORS AT LAW

216 South Monroe Street
Tallahassee, Florida 32301

Reply To:
Post Office Box 1833
Tallahassee, FL 32302-1833

Telephone: (850) 222-7206
Facsimile: (850) 765-4451

September 22, 2017

VIA EMAIL

mark.svozil@davey.com

Mark Svozil
The Davey Expert Tree Company
309 Campus Street
Celebration, FL 34747

RE: Final Payment for Open Invoices

Dear Mr. Svozil:

Our firm represents the Harmony Community Development District. As you know, The Davey Tree Expert Company, Inc. exercised its contractual right to terminate the agreement with the District dated October of 2016, effective July 31, 2017. A final "true-up" invoice dated September 1, 2017 was received on September 5, 2017.

Pursuant to the contract, "upon termination . . .the Contractor shall be entitled to payment for all work and/or services rendered up until the effective termination of this Agreement, subject to whatever claims or offsets the District may have against the Contractor." Given that there will be claims and offsets that our client has against Davey, we are working diligently with the client to determine those offset amounts so that the District's contractual obligations may be fulfilled. Our client's position is that the invoices sent by Davey are not final until we determine the proper amount to be paid pursuant to the binding contract. Additionally, there have been several invoices sent to the District by Davey for payment that we believe were sent in error.

Thank you for your understanding. We would also request that you send us any invoices you believe to be due and owing from the District so that we may ensure that we are looking at the most accurate information.

Mark Svozil
The Davey Expert Tree Company
September 22, 2017
Page 2

Should you have any questions, comments or concerns please do not hesitate to contact us at the number above.

Sincerely,



Timothy R. Qualls, Esq.
Young Qualls, P.A.

TRQ/srt

cc: Harmony Community Development District Board of Supervisors
Severn Trent Services