FETNEH AS[redacted]RI FLEISCHMANN ❖ DAVID M. F[redacted]CHGOTT
3223 KLINGLE ROAD N.W., WASHINGTON, D.C. 20008

Facsimile sent to the offices of Brian Paul Jenny (both 202-244-8257 and 703-771-9078).
Mr. Jenny, please forward this to your clients, as you indicated you would in your letter of December 2nd. Please also acknowledge receipt of this fax by return fax to my office (202-333-0758) on Monday if possible. Thank you.

Jack and Karen Turton
3225 Klingle Road, N.W.
Washington, D.C. 20008

BZA
CASE # 16260

December 7, 1997

Dear Mr. and Mrs. Turton,

We received Brian P. Jenny's letter of December 2nd sent on your behalf. We understand that you are willing to meet with us at 7:00 PM, this Wednesday evening, to discuss our renovation plans.

Mr. Jenny's letter said that you are not interested in making yourselves "available for (me) to reiterate (my) arguments and allegations." This is a meeting which we have offered *solely for the purpose of finding common ground.* It requires us all (both you and us) to go over points of difference in order to better understand each others' point of view and to see if the concessions that we are proposing adequately address the concerns that you've raised to date. We offer this meeting for discussion, again fully in the spirit of our original offer last July, and in the direction subsequently suggested by both the ANC and the BZA. If you solely wish to be informed of our plans and do not wish to discuss them directly with us, then you can wait until the date of required submission the following week and respond in that manner.

Given the above understanding (i.e. that you are willing to express your concerns and differences, and will also be willing to listen to ours; and that you are coming to meet with us to seek a mutual solution as suggested by the BZA and ANC), then we can proceed as planned:

We have spoken to our architect, and she expects to have the new drawings completed late this evening (Sunday night). We will meet with her and review them tomorrow (that is, Monday evening). If we are assured that you are planning to meet on Wednesday in the spirit noted above, then we will make a copy set for you following our Monday evening meeting with the architect and we will deliver them directly to your home that evening, in order to meet your demand of having the material "2 days before" our meeting with you. We will call prior to bringing these over to your house, if we have not received other instructions from you or your attorney to the contrary.

As previously stated, the purpose of this meeting will be to present you with a possible compromise plan based upon your previously expressed concerns, and for the four of us to discuss and to take into further consideration our mutual interests. We cannot guarantee that this "latest proposal is accurate and final" since we are proposing a serious concession both in design and in area (25% reduction) and we have limited need to pursue this concession unless it is on the basis of good faith negotiations with you. Conversely, as a result of our discussion with you on Wednesday evening, should we find other things that you might reasonably request, that we can (and are willing and able to) accommodate within our means -- then we will try to adjust those needs into the plan before our submission date to the BZA next week. Guaranteeing these as final, at this time, would negate the intention of this early meeting.

We understand that you do not intend to bring anyone with you for the meeting at our home, and we likewise intend to have no one else present. We do think that it would be useful to record the meeting, if you agree.

By final note, as regards Mr. Jenny's comment about the intimidation of certified mail: I believe that Mr. Jenny sent his first letter to us by certified mail, and we subsequently have sent at least one of each subsequent correspondence in that manner. We have been told that we should have record of delivery to either you or your attorney. It certainly is not "another effort at intimidation" --- but it does seem unnecessarily silly for next door neighbors to have to communicate that way. I hope that we are on our way toward regaining mutual trust.

BZA
CASE No. 16260
EXHIBIT No. 38

Sincerely,

David M. Furchgott and Fetneh Askari Fleischmann

CC: ANC
✓BZA
Brian P. Jenny

12/10/97

Board of Zoning Adjustment
District of Columbia
CASE NO.16260
EXHIBIT NO.38

CERTIFICATION OF SERVICE

I hereby certify that copies of the attached letter [a letter to Mr. & Mrs. Jack Turton dated December 7 , 1997] was sent to the parties listed below on December 8, 1997, sent as indicated:

1. ANC copy by regular mail
2. BZA copy by regular mail
3. Copy to Mr. & Mrs. Turton by mail.
4. Copy to the Turtons' attorney, Mr. Jenny, by fax

David M. Furchgott — 8 DECEMBER 97
David M. Furchgott Date