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Welcome to the Buscemi Hallett LLP Downloadable Form Bank

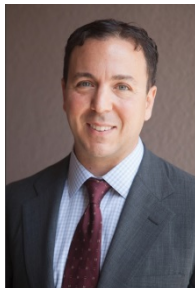
Thank you for visiting our website and downloading this form. We hope you find the information and forms useful.

Buscemi Hallett LLP specializes in construction disputes, including prosecution of mechanic's lien rights, stop notices and bond claims on both private and public works of improvement throughout California. Buscemi Hallett LLP has a successful track record and will work on your behalf to recover the maximum amount in the shortest time possible.

Attorneys Michael R. Buscemi and David E. Hallett have represented some of the largest national and multinational construction companies, material suppliers, and engineering firms doing business in the State of California and routinely assist smaller contractors and vendors avoid the often drastic impact of non-payment. Buscemi Hallett LLP has successfully prosecuted and defended our clients through trial and has recovered millions of dollars for their clients through aggressive, cost-effective representation.

We provide these forms as a courtesy only and no legal advice or attorney client relationship is established by the use of these forms. It is recommended that you consult with our office before attempting to use self-help. This is especially true if your case involves unique or complicated issues. Most construction, transactional and creditor issues affect significant legal rights. In many cases these rights cannot be adequately protected without the assistance of an attorney. We can help you protect your rights and achieve results.

You are invited to contact the attorneys at Buscemi Hallett LLP today at (619) 231-5900 for a *free consultation* or review www.BuHaLaw.com for more information.



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**CONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: _____
Name of Customer: _____
Job Location: _____
Owner: _____
Through Date: _____

Conditional Waiver and Release

This document waives and releases lien, stop payment notice and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or materials delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: _____
Amount of Check: \$ _____
Check Payable to: _____

Exceptions:

This document does not affect any of the following:

- (1) Retentions.
- (2) Extras for which the claimant has not received payment.
- (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:

Date(s) of waiver and release: _____

Amount(s) of unpaid progress payment(s): \$ _____

- (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

Claimant's Signature: _____
Claimant's Title: _____
Date of Signature: _____