

SCHULTE & ASSOCIATES

Building Code Consultants
880D Forest Avenue
Evanston, IL 60202
fpeschulte@aol.com
847/866-7479

September 7, 2010

Texas Forensic Science Commission
College of Criminal Justice
Sam Houston State University
Box 2296
816 17th Street
Huntsville, Texas 77341-2296

Re: The Beyler Report

Ladies and Gentlemen:

Recently, I reviewed a report dated August 17, 2009 titled "**Analysis of the Fire Investigation Methods and Procedures Used in the Criminal Arson Cases Against Ernest Ray Willis and Cameron Todd Willingham**" authored by Dr. Craig Beyler. It is my understanding that Dr. Beyler developed this report for the Texas Forensic Science Commission.

Given my experience having worked with Dr. Beyler on two projects in the last 11 years, it is my opinion that Dr. Beyler's ethical standards are questionable at best and that the Commission should be aware of this fact. My opinion is based upon the following attached documents:

1. **Texas Supreme Court decision**, Case No. 09-0224, June 2010
2. **Ethics Complaint Letter-Dr. Craig Beyler**, Society of Fire Protection Engineers, August 20, 2009
3. **Response to Petition for Review**, Texas Supreme Court, Case No. 09-0224, July 28, 2009
4. **Petition for Review**, Texas Supreme Court, Case No. 09-0224, May 8, 2009
5. **Smoke Vent Task Group Teleconference Minutes** -March 24, 2009
6. **Ethics Complaint-Dr. Craig Beyler**, Society of Fire Protection Engineers, September 9, 2008

In the Smoke Vent Task Group Teleconference minutes (page[s] 127-129 of the AAMA Conference Minutes), Dr. Beyler's client, the Smoke Vent Task Group, refers to Dr. Beyler's work as "worthless". (See page 128.)

With regards to my credentials, I acted as an expert for one of the defendants in the litigation referred to as *Ian David McAuslin, et al v. Grinnell Corporation, et al*. The litigation involved a fire which destroyed the 1 million square foot McFrugal's Warehouse in New Orleans on March 21, 1996. Dr. Beyler acted an expert for the plaintiffs in this litigation.

Additional information regarding my qualifications is available on the Building Code Resource Library website at the following internet address:

<http://buildingcoderesourcelibrary.com/about-richard-schulte/>

Given the above, I hope that you will review Dr. Beyler's work with great care.

Please contact me if I can provide additional information regarding the above.

Yours Very Truly,

Richard Schulte