

John,

Per our discussions and your email, you have guided us that the online auction has been concluded. Furthermore, you have confirmed that Chris was the winner of the auction. Based on your email and guidance, we are willing to accept the result of the auction that was run and concluded through your site. As the broker running the auction and sales process for the SDCX 508, please notify the various parties of the decision to stand by the result of the auction.

Nothing herein is an admission of any statements set forth in your email or a waiver or release of any kind.

Thanks,

Thomas

Thomas Flynn

Tel: (212) 444-7218

Email: tflynn@sandtoncapital.com

From: John Suscheck <sales@OZARKMOUNTAINRAILCAR.COM>

Sent: Friday, July 16, 2021 7:34 PM

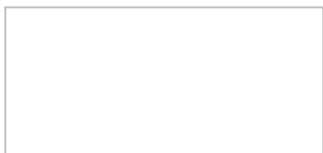
To: Thomas Flynn <tflynn@sandtoncapital.com>

Cc: Robert Rice <rrice@sandtoncapital.com>

Subject: RE: Call

I made Sandton an additional 70k and my auction system was working fine. I fulfilled my contractual obligations to Sandton by procuring the buyers and hosting the auction. I'm not getting drawn into any litigation because you keep stringing my buyers along. This will make five of my buyers now that you have pissed off and your actions are seriously damaging my business in what is a very small industry. I fully understand that you have an obligation to maximize the the revenue generated by the sale of the equipment. You had Franzin, Van Kamp and Chris all make offers on Canyon View. Then you decided to put Canyon View in an online auction and I got the offer up another 70k and then you decided not to accept the auction results because Van Kamp is throwing a fit. Now you want to do a telephone auction to try to get maybe another 1-5k out of these guys. Meanwhile they are all ready to walk and I'm the one left holding the bag. I'm the only person in the railroad industry that has a contractual responsibility to Sandton, I have proven my abilities by selling a lot of equipment during a pandemic. You have repeatedly ignored my advice and have lost sales or reduced the revenue Sandton could have made because you panicked and did not listen to my advice. You need to listen to me and accept the \$437,000.00 high offer on the car. Both Chris and Van Kamp have already got their attorneys involved and I feel this can get real ugly real fast.

7/18/2021



John Suscheck/CEO
Ozark Mountain Railcar
417.336.2401

-- On 07-16-2021, 05:54 pm, Thomas Flynn tflynn@sandtoncapital.com Wrote: -----

Yeah both are clearly angry but I do not believe either has legal standing in any case. The technical mishap was unfortunate and not a good look for us.

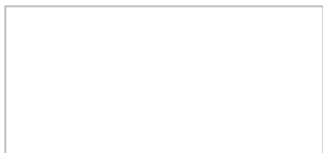
Thomas Flynn

Tel: (212) 444-7218

Email: tflynn@sandtoncapital.com

From: John Suscheck <sales@OZARKMOUNTAINRAILCAR.COM>
Sent: Friday, July 16, 2021 6:53 PM
To: Thomas Flynn <tflynn@sandtoncapital.com>
Subject: Re: Call

I have Robert Van Kamp threatening me with legal action and Chris is sounding pretty pissed off.



John Suscheck/CEO
Ozark Mountain Railcar
417.336.2401

-- On 07-16-2021, 05:50 pm, Thomas Flynn tflynn@sandtoncapital.com Wrote: -----

John,

I am on a plane back from NYC and will be for another 2 hours.

What's up?

Thomas

Thomas Flynn

Tel: (212) 444-7218

Email: tflynn@sandtoncapital.com

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