

7828 Campbell Rd  
Orange, TX 77632  
August 15, 2015

Alan Shaw  
Wind River Farms  
2392 Shiloh Ave  
Bryan, TX 77803

Dear Mr. Shaw,

As you know, I sold two horses this year during Wind River Farms' First Annual Consignment Sale. This email marks my third written attempt to contact you regarding lack of payment for the sale of my livestock. I require compensation for these sales immediately; in absence of timely payment, I will seek legal counsel. The following letter outlines my understanding of our agreement, unanswered attempts to secure payment, and the legal action I will take in the event of not receiving full payment of \$2,245.00 by August 25.

**Our agreement specified payment for livestock within ten days of the sale**

I am disappointed by your inability to deliver upon promises made regarding the Wind River Farms' Consignment Sale. I met my obligations, sending entry forms and fees, by the specified February 5 deadline. These fees included \$1,250.00 in non-refundable consignment fees (\$250.00 per horse) and \$400.00 for shavings. According to our agreement, proceeds from the sale—less a 10% commission fee—would be distributed within ten days following the date of sale. This date was three and a half months ago, and I have yet to receive payment for my horses.

**I have contacted you multiple times regarding my payment with little to no response**

Attempting to resolve my concerns regarding payment, I have made repeated efforts to contact you without satisfactory reply. Ten days after the sale, I called and left a message requesting payment. I received no call in return. Four calls over the following weeks went unanswered.

You responded on June 30 and assured me that you would send a check the next day. I received your check on July 15 — 76 days after the sale. I cashed the check that same day. On July 16, the check bounced due to insufficient funds, and my bank charged a \$25.00 fee to my account.

After attempting to contact you again by phone, I sent a letter requesting payment. The return receipt indicated you received the letter on July 31. I received no reply. I sent you a second letter, which you received on August 10; I again received no reply. Today, August 15, is the last time I will request payment from you directly.

**Without full payment by August 25, I will seek legal intervention**

I kindly ask you meet your contractual obligations by responding to this letter and distributing the money I am owed. Further, I request that you pay me the \$2,400.00 from the sale of the horses, as well as \$25.00 for the bounced check fee, in the form of a valid check. In the event that I do not receive full payment of \$2,425.00 by August 25, I will take legal action.

Please be assured I do not wish to involve lawyers. However, I am eager to receive payment for the sale of my horses promised to me by the consignment sale. If you have any questions regarding my request, you may call me at (409) 239-6421, email me at [MMcKenzie@gmail.com](mailto:MMcKenzie@gmail.com), or respond to the return address specified above. I look forward to your reply.

Sincerely,

Marilyn McKenzie