

NATURAL HAZARD DISCLOSURE STATEMENT AND DISCLOSURE REPORT RECEIPT

This statement applies to the following property: 1487 TIERRA BUENA DR SAN JOSE, CA 95121; SANTA CLARA COUNTY; APN: 670-04-031 Date: 05/07/2024

The seller and the seller's agent(s) or a third-party consultant disclose the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the Subject Property. Seller hereby authorizes any agent(s) representing any principal(s) in this action to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the seller and the seller's agent(s) based on their knowledge and maps drawn by the state and federal governments. This information is a disclosure and is not intended to be part of any contract between the seller and buyer. THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):

A SPECIAL FLOOD HAZARD AREA (Any type Zone "A" or "V") designated by the Federal Emergency Management Agency. Refer to Report.
Yes ___ No X Do not know and information not available from local jurisdiction ___

AN AREA OF POTENTIAL FLOODING SHOWN ON A DAM FAILURE INUNDATION MAP pursuant to Section 8589.5 of the Government Code. Refer to Report.
Yes ___ No X Do not know and information not available from local jurisdiction ___

A HIGH or VERY HIGH FIRE HAZARD SEVERITY ZONE (FHSZ) as identified by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 51182 of the Government Code. Refer to Report.
Yes ___ No X

High FHSZ in a state responsibility area ___
Very High FHSZ in a state responsibility area ___
Very High FHSZ in a local responsibility area ___

A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS pursuant to Section 4125 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 4291 of the Public Resources Code. Additionally, it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code. Refer to Report.
Yes ___ No X

AN EARTHQUAKE FAULT ZONE pursuant to Section 2622 of the Public Resources Code. Refer to Report.
Yes ___ No X

A SEISMIC HAZARD ZONE pursuant to Section 2696 of the Public Resources Code. Refer to Report.
Yes (Landslide Zone) ___ Yes (Liquefaction Zone) X No ___ Map not yet released by state ___

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. SELLER(S) AND BUYER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

Signature of Seller(s) Bilabadi Homa (Trustee) Date 5/7/2024 | 8:56 PDT

Signature of Seller(s) 65818867454C... Date _____

Seller's Agent(s) Fariba Lance Date 5/7/2024 | 8:54 PDT

Seller's Agent(s) 17480CF56BE4484... Date _____

Check only one of the following:

- Seller(s) and their agent(s) represent that the information herein is true and correct to the best of their knowledge as of the date signed by the transferor(s) and agent(s).
- Seller(s) and their agent(s) acknowledge that they have exercised good faith in the selection of a third-party report provider as required in Section 1103.7 of the Civil Code, and that the representations made in this Natural Hazard Disclosure Statement are based upon information provided by the independent third-party disclosure provider as a substituted disclosure pursuant to Section 1103.4 of the Civil Code. Neither seller(s) nor their agent(s) (1) has independently verified the information contained in this statement and report or (2) is personally aware of any errors or inaccuracies in the information contained on the statement. This statement was prepared by the provider below:

Third-Party Disclosure Provider(s) _____ Property I.D. _____ Date 05/07/2024

Buyer represents that he or she has read and understands this document. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the seller's or agent's disclosure obligations in this transaction.

The items listed below indicate additional statutory disclosures and legal information that are provided in the report.

- Additional Reports that are enclosed herein if ordered:
 - (A) ENVIRONMENTAL RISK REPORT (Enclosed if ordered)
- Additional Statutory Disclosures:
 - (A) INDUSTRIAL USE ZONE DETERMINATION (where available) pursuant to Section 1102.17 of the California Civil Code. Refer to Report. (B) MILITARY ORDNANCE FACILITIES pursuant to California Civil Code Sections 1102.15 and 1940.7. Refer to Report. (C) AIRPORT INFLUENCE AREA pursuant to Civil Code Section 1103.4. Refer to Report. (D) NOTICE OF RIGHT TO FARM pursuant to California Civil Code Section 1103.4. Refer to Report. (E) MELLO-ROOS & SPECIAL ASSESSMENTS pursuant to Section 53311-53365.7 / 53754 of the California Government Code; Refer to Report.
- Additional Local Jurisdiction Hazards - May include the following:
 - Airports, Avalanche, Coastal Protection, Conservation Areas, Critical Habitats, Dam Failure Inundation, Duct Sealing Requirements, Erosion, Fault Zone, Fire, Groundwater, Sea Level Rise, Landslide, Liquefaction, Methane Gas, Mines, Naturally Occurring Asbestos, Oil and Gas Well Proximity, Petrochemical Contamination, Property Taxes, Radon, Right to Farm, Soil Stability, Tsunami, Williamson Act, Wind Erosion. Refer to Report.
- General Notices and Additional Forms:
 - Methamphetamine Contamination, Megan's Law - Sex Offender Database, Mold, Abandoned Wells, Carbon Monoxide Devices, Natural Gas and Hazardous Liquid Pipelines, Water Conserving Plumbing Fixtures, Notice of Supplemental Property Tax Bill, AB 38 Notice, CALFIRE Defensible Space, CALFIRE Low Cost Retrofit List, Fire Safety & Home Hardening Form, California Waterway Setback Requirements, SGMA Groundwater Basin Priority, San Jose Tree Maintenance Disclosure, BAAQMD Wood-Burning Devices Notice, Historical Significance Notice. Refer to Report.
- Governmental Guides are delivered with printed reports and linked on electronically delivered reports (also available at <https://propertyid.com/downloads>)
 - (A) ENVIRONMENTAL HAZARDS: "A Guide for Homeowners, Buyers, Landlords and Tenants" pursuant to California Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (B) EARTHQUAKE SAFETY: "The Homeowner's Guide To Earthquake Safety", including the "Residential Earthquake Risk Disclosure Statement", pursuant to California Business and Professions Code Section 10149, and Government Code Sections 8897.1, 8897.2, and 8897.5. Refer to Report. ; (C) LEAD-BASED PAINT: "Protect Your Family From Lead In Your Home" pursuant to HUD Mortgage Letter 92-94, Title X of Housing and Com. D.V. Act of 1992. Refer to Report. ; (D). MOLD: "Mold or Moisture in My Home: What Do I Do?", pursuant to Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (E). "What Is Your Home Energy Rating?", pursuant to California Civil Code Section 2079.10. Refer to Report.

This Report contains the Mandatory Natural Hazard Disclosure Report. The Environmental Risk Report is only enclosed if it has been ordered. To order the Environmental Risk Report, please contact Property I.D. Customer Service at 800-626-0106.

Signature of Buyer(s) _____ Date _____

Signature of Buyer(s) _____ Date _____

EASY NHD™**DISCLOSURE REPORT SUMMARY**

IMPORTANT NOTICE: This "Easy NHD" is a summary of the complete Property I.D.® Mandatory NHD report. This summary does not replace the complete report and it does not remove the requirement to disclose. Buyers and Sellers must read the complete report in its entirety before the close of escrow. This summary is subject to the Terms and Conditions of the complete report.

Reports can be emailed directly to recipients from Property Platinum accounts (www.propertyid.com), or call customer service at (800)626-0106.

ORDER ID #: 4008513**ORDER DATE:** 05/07/2024**ESCROW / FILE NUMBER:**

4322-710-2373

ESCROW AGENT:

MARGARET ANAYA

FIRST AMERICAN TITLE

1737 N 1ST ST #110

SAN JOSE, CA 95112

SUBJECT PROPERTY:

1487 TIERRA BUENA DR

SAN JOSE, CA 95121

SANTA CLARA COUNTY

APN: 670-04-031

ORDERED BY:

FARIBA LANCE

BRG REALTY CORP

1900 CAMDEN AVE

SAN JOSE, CA 95124

FLOOD

DISCLOSURE	SOURCE	RESULT
Flood Zone	Federal	NOT IN
FEMA Community Rating System	State	IN
Dam Inundation	State	NOT IN
Salt Water Flooding	County	NOT IN
Standard Flood Hazard Determination Form	Federal	INCLUDED

FIRE

DISCLOSURE	SOURCE	RESULT
High or Very High Fire Zone	State	NOT IN
Fire Hazard Severity Zone Risk Rating	State	IN LOW
Wildland Fire Area (SRA)	State	NOT IN
Defensible Space Flyer	State	INCLUDED
Firewise USA®	National	INCLUDED
Wildland-Urban Interface Fire Hazard	Federal	NOT IN
Wildland-Urban Interface Fire Hazard	State	NOT IN
Wildland-Urban Interface Fire Hazard	City	NOT IN
Utility Infrastructure Fire Hazard	State	NOT IN
Tree Mortality Fire Hazard	State	NOT IN
City of San Jose Weed Abatement Program	City	INCLUDED

EASY NHD™**FIRE**

DISCLOSURE	SOURCE	RESULT
Assembly Bill 38 Notice	State	INCLUDED
CALFIRE Low Cost Retrofit List	State	INCLUDED

SEISMIC

DISCLOSURE	SOURCE	RESULT
Alquist-Priolo Fault Zone	State	NOT IN
Earthquake Faults	Federal	WITHIN ¼ MILE
Earthquake Faults	State	WITHIN ¼ MILE
Earthquake Fault Rupture Zones	County	NOT IN
Ground Shaking	State	IN SEVERE
Ground Shaking	Regional	IN VERY STRONG
Earthquake-Induced Liquefaction	State	IN
Earthquake-Induced Liquefaction	Federal	IN MODERATE
Hayward Fault Liquefaction	Federal	IN
Earthquake-Induced Liquefaction	State	IN
Earthquake-Induced Liquefaction	Regional	IN MODERATE
Earthquake-Induced Liquefaction	County	IN

GEOLOGIC

DISCLOSURE	SOURCE	RESULT
Landslide Hazard Zones	State	NOT IN
Landslide Deposits	Federal	NOT IN
Landslide Inventory	State	NOT IN
Expansive Soils	Federal	IN MODERATE
Soil Subsidence/Settling Earth	Federal	IN
Compressible Soils	County	NOT IN
Geologic Hazards	City	NOT IN
Naturally Occuring Asbestos	State	NOT IN
Naturally Occuring Asbestos	City	NOT IN

OIL & GAS

DISCLOSURE	SOURCE	RESULT
Oil and Gas Wells	State	NOT WITHIN 500FT
Oil and Gas Field Administrative Boundary	State	NOT WITHIN
Natural Gas Storage Facilities	Federal	NOT WITHIN 2 MILES
Radon Gas	State	IN LOW
Perchlorate Contamination	County	NOT IN

EASY NHD™**NOISE**

DISCLOSURE	SOURCE	RESULT
Airport Influence Area	County	IN
Airport Vicinity	Federal	WITHIN 2 MILES
Railroads	State	NOT WITHIN ¼ MILE

LAND USE

DISCLOSURE	SOURCE	RESULT
Mining Operations	State	NOT WITHIN 1 MILE
Abandoned Mining Operations	State	NOT WITHIN 1 MILE
Mine Sites	Federal	NOT WITHIN ¼ MILE
Former Military Facilities (FUDS)	Federal	NOT WITHIN ONE MILE
Military Facilities	Federal	NOT WITHIN 1 MILE
Industrial/Commercial Land Use	Regional	NOT IN
Industrial/Commercial Land Use	City	IN
Industrial/Commercial Zoning	City	WITHIN ¼ MILE
Historical Significance Notice	State	INCLUDED
Critical Habitats	Federal	NOT IN
Protected Species / Habitats in Proximity	Federal	IN
Protected Species / Habitats in Proximity	State	IN
Right to Farm	State	NOT WITHIN ONE MILE
Santa Clara Right to Farm	County	INCLUDED
Williamson Act Land Conservation Program	County	NOT IN
Viewshed Study Area	County	NOT IN

ENVIRONMENTAL

DISCLOSURE	SOURCE	RESULT
Groundwater Management and Monitoring (Potential Well Regulation)	State	IN HIGH PRIORITY
Environmental Report	EPA, DTSC, CalRecycle, SWRCB	INCLUDED

EASY NHD™**ENVIRONMENTAL HAZARDS SUMMARY**

This Environmental Hazards Report provides information on known, existing and historic hazardous substance contaminated sites that may be on or near the Subject Property, as listed by the Environmental Protection Agency and/or other specified regulatory bodies.

MAPPED

DISCLOSURE	REGULATORY	SITE COUNT
NPL/SEMS National Priorities List / Superfund Enterprise Management System	EPA	0
RCRA Resource Conservation and Recovery Act	EPA	20
ENVIROSTOR Hazardous Substance Contamination Sites, Site Mitigation & Brownfield Reuse Program Sites	CA Department of Toxic Substances Control	1
SWIS Solid Waste Information System	CalRecycle	0
GEOTRACKER Underground Storage Tanks, Department of Defense Site Cleanup Program, Land Disposal Sites	CA Water Resources Control Board	3

UNMAPPED

DISCLOSURE	REGULATORY	SITE COUNT
NPL/SEMS - Unmapped National Priorities List / Superfund Enterprise Management System	EPA	0
RCRA - Unmapped Resource Conservation and Recovery Act	EPA	6
ENVIROSTOR - Unmapped Hazardous Substance Contamination Sites, Site Mitigation & Brownfield Reuse Program Sites	CA Department of Toxic Substances Control	0
SWIS - Unmapped Solid Waste Information System	CalRecycle	0
GEOTRACKER - Unmapped Underground Storage Tanks, Department of Defense Site Cleanup Program, Land Disposal Sites	CA Water Resources Control Board	0

GENERAL NOTICES OF REQUIRED DISCLOSURES & FORMS

NOTICE	
Methamphetamine & Fentanyl Disclosure Requirement	INCLUDED
Megan's Law - Sex Offender Database	INCLUDED
Mold Notice	INCLUDED
Abandoned Wells	INCLUDED
Radon Notice	INCLUDED
Well Stimulation Treatments Notice: Hydraulic Fracturing	INCLUDED
Carbon Monoxide Devices	INCLUDED
Natural Gas and Hazardous Liquid Pipelines	INCLUDED
Water Conserving Plumbing Fixtures	INCLUDED
Notice of Duct Sealing Requirements	INCLUDED
Notice of Assembly Bill 1482: Tenant Protection Act of 2019	INCLUDED

EASY NHD™**GENERAL NOTICES OF REQUIRED DISCLOSURES & FORMS**

NOTICE	
California Waterway Setback Requirements	INCLUDED
Bay Area Air Quality Management District Wood Burning Devices Notice	INCLUDED
City of San Jose Tree Maintenance	INCLUDED

PROPERTY TAX RECORDS

The following Total Annual Tax amount represents the annual property taxes based on the levies and property valuation as listed in the assessor's tax records as of the beginning of the identified tax year. This amount is subject to change pursuant to the purchase price of the property and/or changes to the assessed value, and does not include supplemental tax bills or penalty fees. For an estimate of future property taxes, [click here](#).

Mello-Roos Total		0.00
Direct Charge (Special Assessment/1915) Total		\$1,529.96
Variable (Ad Valorem) Tax Total		\$1,000.54
Variable (Ad Valorem) Tax Rate		1.277500%
2023-2024 Property Tax Bill Total		\$2,530.50

TERMS AND CONDITIONS

IMPORTANT NOTICE: This "Easy NHD" is a summary of the complete Property I.D.® Mandatory NHD report. This summary does not replace the complete report and it does not remove the requirement to disclose. Buyers and Sellers must read the complete report in its entirety before the close of escrow. This summary is subject to the Terms and Conditions of the complete report. Reports can be emailed directly to recipients from Property Platinum accounts (www.propertyid.com), or call customer service at (800)626-0106.

The Report is subject to each of the following Terms and Conditions. Each Recipient (as that term is defined below) of the Report hereby acknowledges and agrees that the Report is subject to the following Terms and Conditions, and each Recipient agrees to be bound by such Terms and Conditions. Use of this Report by any Recipient constitutes acceptance of the Terms and Conditions to the Report. The Terms and Conditions below are hereby incorporated by this reference into the Report. This Report is not an insurance policy.

The following persons or entities are deemed "Recipients" of this Report: (1) the seller of the real property that is the subject of the specific transaction for which this Report was issued; (2) that seller's agent and broker; (3) the buyer of the real property that is the subject of the specific transaction for which this Report was issued; (4) that buyer's agent and broker; (5) Transaction Coordinator; and (6) the escrow officer and escrow company handling the specific transaction for which this Report was issued. This Report is for the exclusive use of the Recipients. No person or entity, other than the Recipients, shall be entitled to use or rely on the Report. This Report may not be used, referred to, or relied upon by any person or entity other than the Recipients. No person or entity, other than the Recipients, shall be deemed, treated, or considered to be a beneficiary (intended or otherwise) of this Report. Recipients are obligated to make disclosures that are within their actual knowledge. This Report has been issued in connection with a particular transaction for the sale of the real property described in the Report. The Report may only be used in connection with that particular transaction. If an escrow number has been provided to Property I.D., then this Report may only be used in connection with that particular escrow. The Report may not be used for any other transaction or escrow.

The Report may not be used, for any purpose, if the Recipients have not paid for the Report.

This Report is made for the real property specifically described in the Report (the "Subject Property"). The Subject Property shall not include any property beyond the boundaries of the real property described in the Report. The Subject Property shall not include any structures (whether located on the Subject Property, or not), easements, or any right, title, interest, estate, or easement in any abutting streets, roads, alleys, lanes, ways, or waterways.

No determination is made and no opinion is expressed, or intended, by this Report concerning the right, entitlement, or ability to develop or improve the Subject Property. Property I.D. has no information concerning whether the Subject Property can be developed or improved. Property I.D. expresses no opinion or view, and assumes no responsibility, with respect to the development or improvement of the Subject Property.

No determination is made and no opinion is expressed, or intended, by this Report as to title to the Subject Property. No determination is made and no opinion is expressed, or intended, by this Report concerning whether the Subject Property is comprised of legal lots in conformance with the California Subdivision Map Act or local ordinances.

No determination is made and no opinion is expressed, or intended, by this Report concerning architectural, structural, mechanical, engineering, or legal matters. No determination is made and no opinion is expressed, or intended, by this Report concerning structures or soils on or outside of the Subject Property, including, without limitation, habitability of structures or the Subject Property, suitability of the Subject Property for construction or improvement, potential for soil settlement, drainage, soil subsidence, or other soil or site conditions. No determination is made and no opinion is expressed, or intended, by this Report concerning the marketability or value of the Subject Property. Property I.D. has not conducted any testing of the Subject Property. Property I.D. has not conducted any physical or visual examination or inspection of the Subject Property. This Report is not a substitute for a physical or visual examination or inspection of the Subject Property. If detailed on-site information regarding geologic, environmental, engineering, planning, or other professional studies is desired, Property I.D. recommends that an appropriate qualified professional consultant be retained.

No determination is made and no opinion is expressed, or intended, by this Report concerning the existence of hazardous or toxic materials or substances, or any other defects, on or under the Subject Property, unless specifically described in the Report.

No determination is made and no opinion is expressed, or intended, by this Report concerning any condition of the Subject Property, unless that condition is specifically described in the Report. The Report is intended to address only those matters expressly described in the text of the Report. The Report is not intended to address any matter (either expressly or impliedly) not specifically described in the text of the Report.

This Report is issued as of the date identified in the Report. Property I.D. shall have no obligation to advise any Recipient of any information learned or obtained after the date of the Report even if such information would modify or otherwise affect the Report. Subsequent to Property I.D.'s acquisition of Government Records, changes may be made to said Government Records and Property I.D. is not responsible for advising the Recipients of any changes. Property I.D. will update this Report upon request and at no charge during the transaction process for which this Report was issued, but not to exceed one year from the date of the Report. Likewise, Property I.D. is not liable for any impact on the Subject Property that any change to the Government Records may have.

No determination is made and no opinion is expressed, or intended, by this Report concerning the need to purchase earthquake, fire, or flood insurance, or any other insurance, for the Subject Property.

In preparing the Report, Property I.D. has accurately reported on information contained in Government Records. Property I.D. has reviewed and relied upon those Government Records specifically identified and described in the Report. Property I.D. has not reviewed or relied upon any Government Records that are not specifically identified in the Report. Property I.D. also has not reviewed any parcel maps, plat maps, survey maps, surveyor maps, assessor maps, assessor parcel maps, developer maps, or engineering maps, whether or not such maps have been recorded. No determination is made and no opinion is expressed, or intended, by the Report concerning any matters identified in Government Records that were not reviewed by Property I.D. If any Recipient has a question concerning the specific Government Records reviewed (or not reviewed) by Property I.D., then the Recipients should contact Property I.D.'s Customer Service Department at (800) 920-5603.

Mapped hazard zones may represent generalized hazard information. If the questionable edge of a hazard zone impacts any portion of the Property, the report will reflect that the Property is "IN" the zone. If the Subject Property shares a common area with other properties (examples include condominiums, planned developments, town homes, and mobile homes) and any portion of the common area of the complex in which the Subject Property is located is situated in the specified hazard zone, due to the quality and availability of the parcel boundary information supplied by the county, "IN" may be reported even if the property/unit/lot that is the subject of this report is itself not in the specified hazard zone. If the county's parcel boundaries include only the individual unit's boundaries and do not include common areas for which property owners may also be responsible, hazards that exist only in the common areas may not be reported as "IN". When found in the hazard determination the terms "zone", "area", or "mapped" are words strictly defined as geographic locations delineated by specific boundaries identified in the maps and/or data prepared by the applicable governmental agency.

Property I.D. has relied upon the Government Records specifically identified in the Report without conducting an independent investigation of their accuracy. Property I.D. assumes no responsibility for the accuracy of the Government Records identified in the Report.

To the extent that any Recipient has provided information to Property I.D. (including, without limitation, a legal description of the Subject Property), Property I.D. has relied upon that information in preparing this Report. Property I.D. has not conducted an independent investigation of the accuracy of the information provided by the Recipient. Property I.D. assumes no responsibility for the accuracy of information provided by the Recipient. Property I.D. shall be subrogated to all rights of any claiming party against anyone including, but not limited to, another party who had actual knowledge of a matter and failed to disclose it to the Recipients in writing prior to the close of escrow.

Except as specifically described in the Report, Property I.D. makes no warranty or representation of any kind, express or implied, with respect to the Report. Property I.D. expressly disclaims and excludes any and all other express and implied warranties, including, without limitation, warranties of merchantability or fitness for a particular purpose.

Property I.D. shall have no responsibility, or liability, for any lost profits, consequential damages, special damages, indirect damages, or incidental damages allegedly suffered as a result of the use of, or reliance on, the Report.

The Report shall be governed by, and construed in accordance with, the laws of the State of California.

This Report constitutes the entire, integrated agreement between Property I.D. and Recipients, and supersedes and replaces all prior statements, representations, negotiations, and agreements.

If any provision of the Terms and Conditions to this Report is determined to be invalid or unenforceable for any reason, then such provision shall be treated as severed from the remainder of the Terms and Conditions, and shall not affect the validity and enforceability of all of the other provisions of the Terms and Conditions.

Any dispute, controversy, or claim arising out of, or relating in any way, to the Report, shall be resolved by arbitration in Los Angeles, California, in accordance with the arbitration rules of the Judicial Arbitration and Mediation Service ("JAMS"). The prevailing party in the arbitration shall be entitled to its attorneys' fees and costs, including, without limitation, the fees of the arbitrator.