

## AFFIDAVIT/DECLARATION OF PABLO RAMIREZ

- 1) My name is Pablo Ramirez and I am the owner of the construction company Painting and Demolition Ramirez Company.
- 2) I worked on a total of eight projects for BluSky in the following locations.
  - a) South Ridge Apts, Williston, ND
  - b) South Ridge Apts, Kansas City
  - c) Iowa Center for Architecture, Capital Square, Des Moines, Iowa
  - d) Park 67 Apts, Shawnee, KS
  - e) Gene Field Apts, St. Joseph, MO
  - f) Oak Tree Square Apts, Grandview, MO
  - g) Cottage Grove, Cedar Rapids, IA
  - h) Westdale Apts, Cedar Rapids, IA
- 3) BluSky has blamed me in the media and press for the \$30,000 workers were owed on the Cottage Grove restoration project in Cedar Rapids in November 2020.
- 4) They said they would remove contractors who violated their strict contractor standards.
- 5) This is not true. My contact at BluSky was executive named Wayne Gibson. Wayne Gibson, the Operations Manager for BluSky, kept me working on the Cottage Grove restoration project after the November 2020 incident and in fact asked me to urgently switch to a restoration project at the Westdale Apartments, also in Cedar Rapids. That project continued into the Spring of 2021 and has ruined me financially. I am about to lose my home.
- 6) BluSky's practice was to front me a portion of my payment at the beginning of a project, with a promise that they would pay me the rest at the end. When my workers and I completed the project, they would tell me my payment would come later, or find problems in my work as a reason not to pay. In some cases, such as the Des Moines project, I did not receive any pay.
- 7) When I would tell them I was owed money to cover wages and materials, they would offer me a "new" project, and provide a partial up-front payment once again, which I had to use to pay workers and costs from the last project.
- 8) This led to a cycle of debt where I now believe I am owed between \$80-\$100,000 dollars. Wayne Gibson of BluSky would have me sign a contract but not give me copies of the signed document. I do have receipts for materials and labor.
- 9) I believe they knew they were systematically underpaying me because they Wayne- would offer to do me "favors". For example, when he hadn't paid me enough to complete a job and my workers were asking to be paid, Wayne offered to do me a "favor" and loaned me \$3,000.

- 10) When I couldn't pay it back, Wayne did me another "favor" and hired me for a \$3,000 porch remodel on Wayne's personal home, but only paid me \$1500 and said the other \$1500 he would keep toward my debt to him.
- 11) Then, since he was happy with the work on his house, Wayne did me another "favor" and referred me to a side job on the home of a BluSky Vice President.
- 12) The systemic underpayment is what led to the Cedar Rapids wage incident in November 2020 since I did not have enough money to pay my workers to complete the project based on what BluSky had given me.
- 13) Wayne from BluSky called me to ask if I knew anything about it. After talking with the community delegation, I called Wayne, who instructed me to offer Hector (the crew leader) \$10,000 if they'll all go away and leave this alone.
- 14) I asked Wayne what to do if the workers refuse the \$10,000 and Wayne told me not to offer anything else. When the workers rejected the offer, I called Wayne and told him to tell them no.
- 15) After the \$30,000 wage incident I brought on Rogelio Gamez as a new crew leader along with 5 new workers to work on the Westdale Apartments Projects, also in Cedar Rapids.
- 16) Wayne told me that he came to ask Rogelio how much money he would need to finish the job by an earlier date, and they agreed on an amount of money. Everyone worked very quickly and finished the job early. Rogelio told me that when he called Wayne to get paid, Wayne wouldn't answer his calls, and finally answered and said the payment is, "Pablo's problem - ask Pablo for the money".
- 17) In March 2021, I called Wayne Gibson because Rogelio and his workers were getting stressed and upset about not receiving three weeks of pay for the work on the Westdale Apartments. Rogelio wanted to take my truck as a form of payment. I told Wayne about what was happening and he promised to step in and pay the workers. (Like what had happened in November of 2020.)
- 18) I spoke with one of Rogelio's workers who confirmed they had been paid and signed some kind of payment agreement the week of March 15, 2021.

This statement is true and correct and made under penalty of perjury.

Signed the \_\_\_\_\_ day of March, 2021 by <sup>26</sup>

Signature \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_