

Michael Verne

From: [REDACTED]
Sent: Monday, April 07, 2003 2:48 PM
To: Michael Verne
Cc: [REDACTED]
Subject: Bankruptcy

Hi Mike - I was hoping that you could confirm my understanding of the HSR process in a situation where the acquired person has filed under Chapter 11 of the Bankruptcy Code. Please assume that the size of parties and size of transaction tests are satisfied.

1. The waiting period is 15 days.
2. The 15 day waiting period begins to run after notification and report forms are filed by both the acquiring and acquired persons.
3. If a second request is issued, the waiting period may be extended by 10 days after certification
4. Only the acquiring person must respond to the second request

Thank you.

[REDACTED]

NOTICE TO RECIPIENT: THIS E-MAIL IS MEANT FOR ONLY THE INTENDED RECIPIENT OF THE TRANSMISSION, AND MAY BE A COMMUNICATION PRIVILEGED BY LAW. IF YOU RECEIVED THIS E-MAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

[REDACTED]

1 - 3 - OK

4 - BOTH PARTIES MUST RESPOND TO THE SECOND REQUEST (SEE 803.21), HOWEVER THE 10-DAY WAITING PERIOD STARTS WHEN THE ACQUIRED PERSON CERTIFIES SUBSTANTIAL COMPLIANCE.

B. [Signature]

4/7/03