

Verne, B. Michael

(Item 4(c))

From: [REDACTED]  
Sent: Monday, February 13, 2006 12:26 PM  
To: Verne, B. Michael  
Cc: [REDACTED]  
Subject: Item 4(c) Query

Hi Mike,

With regard to Item 4(c), would you please confirm that (a) documents that are publicly available and prepared by the Buyer in the ordinary course of business or by outside third parties and (b) documents that may not be publicly available but were prepared by Buyer in the ordinary course of business would not be responsive to Item 4(c) for the Seller (in a transaction in which the Seller is reporting only as the acquired person), even if the Seller receives and reviews such documents during the transaction due diligence period?

Any advice you can provide would be most appreciated.

Please let me know if you have any questions.

Best regards,

[REDACTED]

AS LONG AS THE BUYER D  
NOT TAKE DOCUMENTS FROM  
THE DUE DILIGENCE ROOM,  
ORDINARY COURSE DOCUMENTS  
THE SELLER WOULD NOT QUALIFY  
AS 4(c).

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