

Ferkingstad, James H.

From: [REDACTED]
Sent: Thursday, February 02, 2006 8:10 PM
To: Ferkingstad, James H.
Subject: Inquiry re method of delivery of notice under Rule 803.5(a)(1)

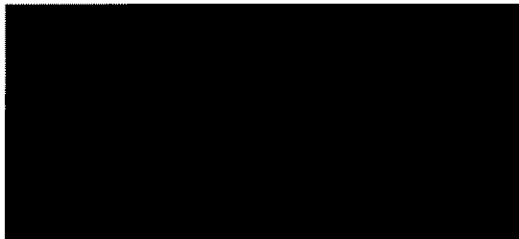
Mr. Ferkingstad,

Under Rule 803.5(a)(1), the acquiring person must attest that "the issuer whose voting securities are to be acquired has received notice in writing by certified or registered mail, by wire or hand delivery, at its principal executive offices, of..

My question is whether fax or e-mail delivery would be considered delivery "by wire" in satisfaction of this requirement do not find any published guidance on this point. The transaction at issue is not a tender offer, but rather market purchases that will cross the 10% threshold.

As a practical matter, the acquiring person would be able to file one day earlier, if electronic delivery were permitted.

Thank you for your consideration of this item. I will call to discuss.



*2/3/06 called
w. ll not accept email
as notice
Jf Nohka Conca*

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