

802.21

Michael Verne

From: [REDACTED]  
Sent: Thursday, March 20, 2003 8:31 AM  
To: Michael Verne  
Subject: 802.21

Do I have this right?

If a corrective filing is made today for an acquisition that occurred prior to February 1, 2001, the effect of 802.21 is to give the acquiring person the ability for a five-year period to acquire additional shares of the same issuer, up to but not reaching or exceeding the next higher pre-2001 threshold, without reporting. This is true for acquisitions made during 802.21's five-year window, even if the acquisition occurs after February 1, 2001. A filing is required if and when that next higher pre-2001 threshold would be crossed, or for any acquisition of additional shares occurring after expiration of the five-years.

At such time as that next filing is required, 802.21 no longer has any application, and the new thresholds and filing fees govern the filing obligation.

[REDACTED]

=====  
=

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

=====  
=

AGREE - 802.21 ALLOWS ACQUISITIONS UP TO THE NEXT HIGHER pre-2001 THRESHOLD FOR 5 YEARS FOLLOWING EXPIRATION OF THE WAITING PERIOD OF THE CORRECTIVE FILING. M. BRUNO, K. BERG } N. OVUKA CONCUR.

*B. [Signature]*  
3/24/03