

[REDACTED]

Patrick Sharp
December 23, 2003
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“Instrumentality . . . 2. a means or agency through which a function of another entity is accomplished, such as a branch of a governing body.”

Black’s Law Dictionary, 7th ed. (1999) (emphasis added). Accord, American Heritage Dictionary of the English Language (4th ed. 2000) (definition of “instrumentality” includes “A subsidiary branch, as of government, by means of which functions or policies are carried out”).

In short, under its Articles of Incorporation and Texas statutes, [REDACTED] is an agency of the State and a political subdivision. We respectfully submit that its potential acquisition of assets from [REDACTED] is exempt from the HSR filing requirements.

Thank you for your consideration of this matter. The parties look forward to your response.

Very truly yours [REDACTED]

Attachments

cc: [REDACTED]

called [REDACTED] 12/22/2003
I agree that this transaction
is exempt under C(4).

(PS)