

Verne, B. Michael

Item 4(c)

From: [REDACTED]  
Sent: Thursday, March 16, 2006 10:45 AM  
To: Verne, B. Michael  
Subject: Question re Item 4(c)

Mike,

I understand that the PNO has taken the view that a regularly prepared business plan (for example, an annual strategy plan), prepared by or for an officer of one of the parties after signing of the purchase agreement but before filing HSR is not required to be produced pursuant to Item 4(c) even if it has 4(c) content relating to the transaction (for example, market shares), because it is not "prepared for the purpose of evaluating or analyzing the transaction."

Can you please confirm that my understanding is correct?

Many thanks,

[REDACTED]

[REDACTED]

AGREE  
Bluchler  
3/16/06  
ORDINARY COURSE DOCUMENTS  
ARE NOT 4(c) FOR THE  
PARTY THAT PREPARED THEM  
BUT COULD BE FOR THE  
OTHER PARTY IF A COPY  
IS GIVEN TO THEM.