

Clark-Coleman, Sheila

From: [REDACTED]
Sent: Thursday, August 16, 2007 5:10 PM
To: Clark-Coleman, Sheila
Subject: Affidavit date & agreement date

Clark - Coleman

Dear Sheila,

Thank you for speaking with me earlier today about an affidavit being filed with an HSR notification and report form. Please allow this message to confirm our conversation. As I mentioned, the affidavit refers to an agreement which is dated later than the date of the affidavit itself. I explained that the parties made certain changes to their agreement in the course of preparing the HSR filing and affidavit and that now that there is a final agreement, the final agreement would be filed with the HSR filing. You said that so long as the final agreement is substantially similar to the agreement that had been negotiated at the time the officer signed the affidavit, the affidavit would be acceptable. The affidavit's representation that it is company's good faith intent to complete the transaction contemplated in the agreement was and remains truthful. Thank you for your understanding in this matter. If I have misstated the above, please bring that to my attention.

With regard,

[REDACTED]