

Walsh, Kathryn E.

From: Verne, B. Michael
Sent: Wednesday, June 25, 2014 1:55 PM
To: Jones, Robert L.; Johnson, Janice C.; Walsh, Kathryn E.
Subject: RE: Corrective Filing Fee

I don't think it matters who paid the fee. It was a different acquiring UPE that filed so it's a different transaction requiring a new filing fee. If we started applying that logic, any fund within a family that has the same GP who paid the fee would be able to do a corrective filing if the wrong fund was initially identified without paying a new fee.

From: Jones, Robert L.
Sent: Wednesday, June 25, 2014 1:51 PM
To: Johnson, Janice C.; Verne, B. Michael; Walsh, Kathryn E.
Subject: RE: Corrective Filing Fee

That seems to make sense. Mike and Kate?

From: Johnson, Janice C.
Sent: Wednesday, June 25, 2014 1:50 PM
To: Jones, Robert L.; Verne, B. Michael; Walsh, Kathryn E.
Subject: Corrective Filing Fee

Another Issue – Fee

In today's package [REDACTED] a corrective has been made because the parties misidentified the correct UPE in a 2007 acquisition. Counsel asked if another fee would be required "since the company already paid" in 2007. I told him yes.

He said:

In 2009, he made four corrective filings for the same reason – the UPE of the A side was incorrectly identified [REDACTED]. [REDACTED] should have filed as the UPE in all four transactions, but an entity within it filed instead. He also says that the parties were not required to pay any additional fee for their corrective filings because [REDACTED] already paid in the original filings, which were consummated in 2006 and 2007. Does this reasoning make any sense to anyone?