

**Gillis, Diana L.**

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**From:** Verne, B. Michael  
**Sent:** Tuesday, September 02, 2014 10:34 AM  
**To:** Gillis, Diana L.  
**Subject:** FW: another question

Diana - this is another good one for the database

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**From:** Verne, B. Michael  
**Sent:** Tuesday, September 02, 2014 10:33 AM  
**To:** [REDACTED]  
**Cc:** Walsh, Kathryn E.  
**Subject:** RE: another question

[REDACTED] - Example 4 to 803.12 covers this. The filing is deemed to be withdrawn when the tender offer is withdrawn, but the acquiring person can refile without a new filing fee on the merger.

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**From:** [REDACTED]  
**Sent:** Friday, August 29, 2014 3:21 PM  
**To:** Verne, B. Michael  
**Subject:** another question

Thanks for earlier email.

Another one: In new 803.12, how does it work if you have deal that is written so that the parties can convert it from a tender offer to a regular deal, particularly if there's a second request? There's no automatic withdrawal is there?