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**From:** Cooper, Elizabeth A  
**Sent:** Friday, September 19, 2008 3:20 AM  
**To:** 'david.murgio@weil.com'; 'dleinwand@cgsh.com'; 'sberkenf@lehman.com';  
'michael.lubowitz@weil.com'; 'robert.messineo@weil.com'; 'thomas.roberts@weil.com';  
'akohn@cgsh.com'  
**Cc:** Brown, Alvin H; Finley, John G; Keller, Andy R; Koslowe, Jamin R; Understahl, Beth  
**Subject:** FW: Need info

**Attachments:** Signed BS.pdf



Signed BS.pdf (63  
KB)

Per Alvin's request, attached is the schedule that is referred to in the agreement.

----- Original Message -----

**From:** Victor I LEWKOW <vlewkow@cgsh.com>  
**To:** Finley, John G; david murgio <david.murgio@weil.com>; David LEINWAND <dleinwand@cgsh.com>; Brown, Alvin H  
**Cc:** Keller, Andy R; sberkenf <sberkenf@lehman.com>; michael lubowitz <michael.lubowitz@weil.com>; robert messineo <robert.messineo@weil.com>; thomas roberts <thomas.roberts@weil.com>; Arthur KOHN <akohn@cgsh.com>  
**Sent:** Thu Sep 18 22:08:41 2008  
**Subject:** Re: Need info

Arthur had tried alvin, and he didn't have it.

-----  
Victor Lewkow  
Cleary Gottlieb Steen & Hamilton LLP  
Tel: (212) 225-2370  
Fax: (212) 225-3999

----- Original Message -----

**From:** "Finley, John G" [jfinley@stblaw.com]  
**Sent:** 09/18/2008 10:00 PM AST  
**To:** Victor LEWKOW; "david murgio" <david.murgio@weil.com>; David LEINWAND; "Brown, Alvin H" <abrown@STBLAW.COM>  
**Cc:** "Keller, Andy R" <akeller@stblaw.com>; sberkenf <sberkenf@lehman.com>; "michael lubowitz" <michael.lubowitz@weil.com>; "robert messineo" <robert.messineo@weil.com>; "thomas roberts" <thomas.roberts@weil.com>; Arthur KOHN  
**Subject:** RE: Need info

alvin,  
can you respond on this. thanks.  
john

-----Original Message-----

**From:** Victor I LEWKOW [mailto:vlewkow@cgsh.com]  
**Sent:** Thursday, September 18, 2008 9:59 PM  
**To:** david murgio; David LEINWAND  
**Cc:** Finley, John G; Keller, Andy R; sberkenf; michael lubowitz; robert messineo; thomas roberts; KOHN, Arthur  
**Subject:** Need info

Section 9.1(c) of the Asset Purchase Agreement says we got a schedule of accrued bonuses.

. No one on our team has seen it to our knowledge. We have been trying to get it all day.  
Can someone please get it to us tonight.  
Thanks

-----  
Victor Lewkow  
Cleary Gottlieb Steen & Hamilton LLP  
Tel: (212) 225-2370  
Fax: (212) 225-3999

----- Original Message -----  
From: david.murgio  
Sent: 09/18/2008 08:47 PM AST  
To: david.murgio@weil.com; Victor LEWKOW; David LEINWAND  
Cc: jfinley <jfinley@stblaw.com>; akeller <akeller@stblaw.com>; sberkenf <sberkenf@lehman.com>; michael.lubowitz@weil.com; robert.messineo@weil.com; thomas.roberts@weil.com  
Subject: Re: REVISED Clarification Letter

My apologies, but we need to delay this call until 9:30.

Regards.

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David Murgio  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153  
Tel: (212) 310 8764  
Fax: (212) 310 8007  
e-mail: david.murgio@weil.com

----- Original Message -----  
From: David Murgio  
Sent: 09/18/2008 07:39 PM EDT  
To: vlewkow@cgsh.com; dleinwand@cgsh.com  
Cc: jfinley@stblaw.com; akeller@stblaw.com; sberkenf@lehman.com; Michael Lubowitz; Robert Messineo; Thomas Roberts  
Subject: REVISED Clarification Letter Please find attached a draft Clarification Letter for us to discuss at our call. As you will see, we have incorporated some of the items you suggested, but not all.

Also, we would like to push back our call to 8:45, rather than 8:30.

Please use the following call-in info:

1-800-782-1473  
Code: 0077339

Lastly, if you could distribute this to your team internally, I would appreciate it.

Thanks.

David

[attachment "Clarification Letter\_#1916861.DOC" deleted by David Murgio/NY/WGM/US]

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Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153(Document link: David Murgio)  
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