

Mandy Wilson

From: Gill Lindsay
Sent: 12 May 2008 19:30
To: Fitchie, Andrew; Willie Gallagher; Graeme Bissett (external contact); Susan Clark
Subject: RE: Signing authorities

As discussed with Susan, both Tie and tel Operating agreements have now been signed by me to be held as strictly undelivered by DLA for CEC pending Tie's receipt of authorisation to sign the contracts following Policy and Strategy Committee.

Willie, all the documents/certification is now complete (rest is unsigned pending approval tomorrow) and I am leaving copies here for Susan to collect to have access this evening and to immediately advise if any issues/adjustments reqd.

I will be available at any time by mail or mobile. At our end we will consider the CAF letters shortly and the final DLA letter as soon as recvd.

Gill

From: Fitchie, Andrew [mailto:Andrew.Fitchie@dlapiper.com]
Sent: 12 May 2008 15:19
To: Willie Gallagher; Gill Lindsay
Subject: RE: Signing authorities

Would be best.

A

Andrew Fitchie
Partner, Finance & Projects
DLA Piper Scotland LLP
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From: Willie Gallagher [mailto:Willie.Gallagher@tie.ltd.uk]
Sent: 12 May 2008 15:17
To: Fitchie, Andrew; Gill Lindsay
Subject: RE: Signing authorities

Does it need signed today?

From: Fitchie, Andrew [mailto:Andrew.Fitchie@dlapiper.com]
Sent: 12 May 2008 15:16
To: Gill Lindsay
Subject: Signing authorities
Importance: High

Gill

13/05/2008

WED00000400_0001

We have now reached the critical point, I regret. I cannot sensibly hold off BBS's legal counsel in relation to the tie Operating Agreement any longer. I am now holding the complete suite (save for a Siemens Board minute expected later today).

It would be non productive and potentially embarrassing for them to be conducting due diligence on a lengthy Agreement (as opposed to the other parties' Board minutes/powers of attorney which take a few seconds to review against what we have been sent already) tomorrow and I am concerned that things run as smoothly as possibly. as you can appreciate there a very considerable volume of documentation to be handled

Please could we have this document in hand today, on DLA Piper's undertaking as advisers to CEC that it will not be released until authorised Close.

It would also be the fall of the dice if, Close were slightly delayed, but another Cow's Corner occurred and the protection of the Operating Agreement was absent.

kind regards

Andrew Fitchie
Partner, Finance & Projects
DLA Piper Scotland LLP

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