From:

"Kyle, Jerry" <JerryKyle@andrewskurth.com>

To:

<tpollan@bickerstaff.com>

CC:

<jim@carpenteraustin.com>, "Patrick W. Lindner" <pli>plindner@davidsontroilo...

Date: Subject: 11/13/2009 3:18 PM Central Texas Airport

Tom, as a follow up to your inquiry, the draft 381 agreement and related materials provided in connection with the referenced project should be treated as confidential information provided from a business prospect pursuant to Sections 552.131 and 551.087, Gov't Code. Please call me if you have any questions. Thanks.

> Jerry V. Kyle, Jr.

> Andrews Kurth LLP

> 111 Congress Avenue, Suite 1700

> Austin, Texas 78701 > Tel: (512) 320-9271 > Fax: (512) 542-5211

> Toll Free: (800) 852-1141, ext. 81 > e-mail: jerrykyle@andrewskurth.com

>

Andrews Kurth's website can be found at www.andrewskurth.com

Confidentiality Notice: The information contained in this e-mail and any attachments to it may be legally privileged and include confidential information intended only for the recipient(s) identified above. If you are not one of those intended recipients, you are hereby notified that any dissemination, distribution or copying of this e-mail or its attachments is strictly prohibited. If you have received this e-mail in error, please notify the sender of that fact by return e-mail and permanently delete the e-mail and any attachments to it immediately. Please do not retain, copy or use this e-mail or its attachments for any purpose, nor disclose all or any part of its contents to any other person. Thank you.

Any tax advice in this e-mail (including any attachment) is not intended or written to be used, and cannot be used, by any person, for the purpose of avoiding penalties that may be imposed on the person. If this e-mail is used or referred to in connection with the promoting or marketing of any transaction(s) or matter(s), it should be construed as written to support the promoting or marketing of the transaction(s) or matter(s), and the taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.