

SINCE 1895

WILCOX SAVAGE

ATTORNEYS AT LAW

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January 8, 2009

Mr. Joe Vaccaro
Town Manager
Town of Cape Charles
Municipal Building
2 Plum Street
Cape Charles, Virginia 23310

Re: Webtide Unsolicited Proposal

Dear Mr. Vaccaro:

This firm represents Webtide which submitted an unsolicited proposal concerning the development of a regional water and waste water system to the Town of Cape Charles on December 28, 2008 and on its behalf, we acknowledge receipt of your letter dated January 6, 2009.

You indicate that much of the information contained in Volume 2 of Webtide's proposal is in your opinion generic in nature and consequently, should be made available to the public. We adamantly disagree. While there is generic information available on various components of the proposed system, the complete package with design calculations and component configuration brought together as a system is our intellectual property and as such, is entitled to protection as confidential and proprietary information under the provisions of the PPEA and the guidelines adopted by the Town of Cape Charles in connection therewith. If there is a better solution to the region's water and waste water needs, a competing proposal should provide it with separate and independent design materials.

Please be advised that we will hold the Town of Cape Charles and its Town Council responsible for the protection of all information contained in Volume 2. Furthermore, we intend to take whatever legal action is necessary to assure this protection.

I-855378.1
01/08/2009

Reply to Norfolk Office

ONE COMMERCIAL PLACE SUITE 1800 NORFOLK, VIRGINIA 23510 757.628.5500 FACSIMILE 757.628.5566
222 CENTRAL PARK AVENUE SUITE 1500 VIRGINIA BEACH, VIRGINIA 23462 757.628.5600 FACSIMILE 757.628.5659

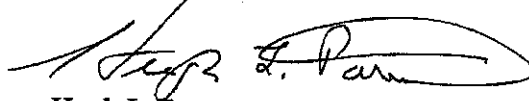
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Willcox & Savage

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If you have any questions or would like to discuss this matter further, please don't hesitate to contact Joe Corrado or me at the number shown above. Webtide's planning group would be more than happy to meet with you at any time to discuss its position on this matter.

Very truly yours,



Hugh L. Patterson

HLP:sh

CC: Mr. Joe Corrado
Northampton County Administrator
Cape Charles Council Members
Mayor of Cheriton
Mr. Bob Panek