

From: Richard Kahn <[REDACTED]>
To: Rachel Masory <[REDACTED]>
Cc: Neale Attenborough <[REDACTED]>, Chris Lawler <[REDACTED]>, Tyler Shean <[REDACTED]>, Stephen Oetgen <[REDACTED]>
Subject: Re: Next Entities
Date: Fri, 01 Dec 2017 17:43:26 +0000

9:30am pacific works for monday
should we have neale on the phone too?
to move things forward, can you tell me why the promissory note for 6 million paid a week later..?
thank you

Richard Kahn
HBRK Associates Inc.

[REDACTED]
New York, NY 10022

tel [REDACTED]
fax [REDACTED]
cell [REDACTED]

On Dec 1, 2017, at 11:58 AM, Rachel Masory <[REDACTED]> wrote:

Hi Richard,
Unfortunately I'm booked solid today but I am available on Monday 9:30-12 Pacific and 1-2:30 Pacific. That is 12:30-3 Eastern and 4-5:30 Eastern. Do you have availability then?
Best regards,
Rachel

From: Richard Kahn [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Friday, December 1, 2017 3:22 AM
To: Rachel Masory <[REDACTED]>
Cc: Neale Attenborough <[REDACTED]>; Chris Lawler <[REDACTED]>; Tyler Shean <[REDACTED]>; Stephen Oetgen <[REDACTED]>
Subject: Re: Next Entities

thank you
can we set up a call today to discuss attached
please advise

Richard Kahn
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[REDACTED]

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tel [REDACTED]

fax [REDACTED]

cell [REDACTED]

On Nov 30, 2017, at 5:47 PM, Rachel Masory <[REDACTED]> wrote:

Richard,

Attached please find our proposed term sheet.

Please do not hesitate to contact me or any of the GGC team with any questions or concerns.

Best regards,

Rachel

Rachel Masory

Golden Gate Capital

[REDACTED] | San Francisco, CA 94111

Direct: [REDACTED] | Fax: +1 [REDACTED] | Cell: +1 [REDACTED]

Executive Assistant: Lisa Hansen | [REDACTED] | [REDACTED]

From: Richard Kahn [mailto:[REDACTED]]

Sent: Tuesday, November 28, 2017 12:33 PM

To: Neale Attenborough <[REDACTED]>

Cc: Chris Lawler <[REDACTED]>; Tyler Shean <[REDACTED]>; Rachel Masory <[REDACTED]>

Subject: Re: Next Entities

any update on term sheet

please advise

thank you

Richard Kahn

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cell [REDACTED]

On Nov 20, 2017, at 9:45 AM, Neale Attenborough <[REDACTED]> wrote:

Yes we will revert with a term sheet next week.

Have a wonderful Thanksgiving.

Neale

On Nov 17, 2017, at 6:00 PM, Richard Kahn <[REDACTED]> wrote:

do you have everything you need now?
please advise
thank you

Richard Kahn
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cell [REDACTED]

On Nov 14, 2017, at 5:44 PM, Neale Attenborough <[REDACTED]> wrote:

Actually, the update is the same as last time. We are still awaiting feedback from the attorney on the current litigation which was specifically promised after your last conference call with Rachel. If you can help close that loop we can move forward swiftly.

Thanks.

On Nov 14, 2017, at 2:36 PM, Richard Kahn <[REDACTED]> wrote:

can you please update me on term sheet
thank you

Richard Kahn
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cell [REDACTED]

On Oct 30, 2017, at 3:48 PM, Neale Attenborough <[REDACTED]> wrote:

Thanks for following up Richard.

The attorney (or actually I guess he is more of a legal advisor) said he would get us a set of feedback this week, and we will respond after seeing that information.

Thanks,

neale

On Oct 30, 2017, at 2:48 PM, Richard Kahn <[REDACTED]> wrote:

when can i expect your term sheet. it is obviosuly impossible to pin down exact amounts of liability...

Please advise
Thank you.

Richard Kahn
HBRK Associates Inc.

[REDACTED]
New York, NY 10022

Phone [REDACTED]

Fax [REDACTED]

Cell [REDACTED]

On Oct 21, 2017, at 9:25 AM, Neale Attenborough <[REDACTED]> wrote:

Richard can you let us know when you will connect Rachel and the company's attorneys? It is the only outstanding item to moving forward.

On Oct 10, 2017, at 9:41 AM, Neale Attenborough <[REDACTED]> wrote:

We are awaiting g your introduction of Rachel to the company's attorneys so she can discuss the legal items. (Unless that already happened last week while I was out)

On Oct 10, 2017, at 9:09 AM, Richard Kahn <[REDACTED]> wrote:

where are we?

Richard Kahn
HBRK Associates Inc.

[REDACTED]
New York, NY 10022

tel [REDACTED]

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cell [REDACTED]

On Sep 29, 2017, at 11:32 AM, Neale Attenborough <[REDACTED]> wrote:

Thanks Richard. Two questions.

First is the "Milan Issue" an action that has commenced already?

Second can you please put us in touch directly with the company's attorneys so our inside counsel, Rachel Masory copied above, can have a direct discussion with them about all the cases you forwarded from them?

Thanks,

Neale

On Sep 29, 2017, at 8:41 AM, Richard Kahn <[REDACTED]> wrote:

neale the last remaining issue is the antitrust in milan. should be in 2018..

Richard Kahn
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cell [REDACTED]

On Sep 21, 2017, at 8:48 AM, Neale Attenborough <[REDACTED]> wrote:

Is Gary the company's attorney?

On Sep 21, 2017, at 6:18 AM, Richard Kahn <[REDACTED]> wrote:

still waiting on paris and milan.. no need for you to reach out to gary..

Richard Kahn
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Tel [REDACTED]

Fax [REDACTED]

Cell [REDACTED]

On Sep 18, 2017, at 8:40 AM, Neale Attenborough <[REDACTED]> wrote:

Thanks. Let me know when you have the information on Paris and Milan and then we'll send over our proposed LOI.

Neale

On Sep 18, 2017, at 6:55 AM, Richard Kahn <[REDACTED]> wrote:

attached are known lawsuits against next. still waiting on 2 things: 1 from paris 1 from Milan
thank you

[\[cid:4531682A900F7D42854C536A13601552@exch026.domain.local\]](mailto:[cid:4531682A900F7D42854C536A13601552@exch026.domain.local])
[\[cid:DE598C32818B9540B8FF88647C634086@exch026.domain.local\]](mailto:[cid:DE598C32818B9540B8FF88647C634086@exch026.domain.local])
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[\[cid:AB99F3085762CD458D12496555CF16F2@exch026.domain.local\]](mailto:[cid:AB99F3085762CD458D12496555CF16F2@exch026.domain.local])

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cell [REDACTED]

On Sep 7, 2017, at 10:11 AM, Neale Attenborough
<[REDACTED]<[mailto:\[REDACTED\]](mailto:[REDACTED])>> wrote:

Richard,

Attached is the entity org chart for our Next Holdings.

In the transaction we are contemplating, we will be selling Claxon Inc., NEXT

Management Acquisition Limited, and NXT Company Limited.

To be clear, at the end of the transaction we would no longer own any interests in Next.

As soon as we receive your list of known actions against the company we will get you a proposed term sheet.

Regards,

Neale

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