

**From:** Boris Nikolic <[REDACTED]>  
**To:** "Jeffrey Epstein (jeevacation@gmail.com)" <jeevacation@gmail.com>  
**Subject:** FW: Foundation Medicine  
**Date:** Sun, 07 Jul 2013 20:15:49 +0000

**Attachments:** Foundation\_Medicine\_Cap\_Table\_6-30-13\_-\_Summary.xls;  
FM\_Fifth\_Amended\_and\_Restated\_Charter\_Series\_B\_(Filed).pdf;  
FM\_Series\_B\_Stock\_Purchase\_Agreement\_Executed.pdf;  
FM\_Third\_A&R\_Stockholders\_Voting\_Agreement\_Series\_B\_Executed.pdf;  
FMI\_Second\_Closing\_-\_Amendment\_to\_SPA\_(2).pdf; FMI\_Second\_Closing\_-\_  
IRA\_Adoption\_Agreements.pdf; FMI\_Second\_Closing\_-\_  
ROFR\_Adoption\_Agreements.pdf; EXECUTED\_FM\_Gates\_Side\_Letter.pdf;  
Charter\_Amendment.pdf; FM\_A&R\_Right\_of\_First\_Refusal\_and\_Co-  
Sale\_Agreement\_Series\_B\_Executed.pdf;  
FM\_A&R\_Investor\_Rights\_Agreement\_Series\_B\_Executed.pdf

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Check EXECUTED FM Gates sides letter – under 10 – Bill is THE ONLY investor and the owner of BGV

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**From:** Rodi Guidero [mailto:[REDACTED]]  
**Sent:** Sunday, July 7, 2013 8:13 AM  
**To:** Boris Nikolic  
**Cc:** John O'Brien; Mike Rodden; Alan Heuberger  
**Subject:** RE: Foundation Medicine

Hi Boris,

Here are the documents and current cap table.

We don't have a distribution analysis, but that wouldn't apply in the context of a public offering since the preferred would convert to common.

If there was a sale of the company instead, the preferred stockholders do have a liquidation preference that is equal to the amount they have invested - after that the remaining proceeds would go to common. This means that the liquidation preference would only come into play in a low value sale context. Above a certain value, the preferred holders would get more if they converted to common.

We still understand that the company is pursuing a public offering. Have you heard something else?

Thanks,Rodi

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**From:** Boris Nikolic [mailto:[REDACTED]]  
**Sent:** Saturday, July 06, 2013 10:43 AM  
**To:** Rodi Guidero  
**Cc:** John O'Brien; Mike Rodden; Alan Heuberger  
**Subject:** RE: Foundation Medicine

Thank you so much!

Please can you please send me the original closing documents between FM and BGV?  
Any distribution table of common and preferred stock?

Thank you!

Boris

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**From:** Rodi Guidero [mailto: ]  
**Sent:** Friday, July 5, 2013 5:34 PM  
**To:** Boris Nikolic  
**Cc:** John O'Brien; Mike Rodden; Alan Heuberger  
**Subject:** RE: Foundation Medicine

Hi Boris,

The lock-up agreement that we negotiated in connection with the proposed public offering is attached. This will become effective once the company files its preliminary prospectus (they will give us notice) and continue for 180 days after the public offering.

In the meantime, the private company securities we hold have restrictions on transfer – you can see the language in section 2.8 and 2.10 of the Investor Rights Agreement – so we would need to run some traps with the company in order to sell shares before the company goes public and the lock-up expiration.

What do you have in mind / how can we help?

Rodi

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**From:** Boris Nikolic [mailto: ]  
**Sent:** Friday, July 05, 2013 3:41 PM  
**To:** Rodi Guidero  
**Subject:** Foundation Medicine

Hi Rodi,

Hope you are having great 4<sup>th</sup>!

Sorry to bother you – can you please send me a copy of closing documents with Foundation Medicine, any documents describing restrictions (of sale) etc!

THANK YOU

Boris