

July 6, 2015

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**Via First Class Mail**

Ms. Shirley Liggins  
Public Information Assistant  
North Carolina Brownfields Program  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

**THIS SUBMITTAL CONTAINS CONFIDENTIAL INFORMATION AND TRADE SECRETS ENTITLED TO PROTECTION UNDER N.C.G.S. §§ 130A-304 and 132-1.2**

Re: Addendum to Brownfields Property Application – Financial Information  
Metrolina Warehouse Brownfields Site  
301 Depot Street  
Davidson, Mecklenburg County, North Carolina  
Davidson Depot LLC (“Prospective Developer”)

Dear Ms. Liggins:

Prospective Developer’s Brownfields Property Application for the referenced Brownfields project stated that: 1) financial information to demonstrate that Prospective Developer has the financial means to implement a Brownfields agreement and assure the safe reuse of the property, and 2) estimated capital investment, would be submitted under separate cover pursuant to a request for confidential treatment. This letter provides, as Exhibit A, financial information for Prospective Developer’s manager, Miller-Valentine Partners LTD II; and estimated capital investment for Prospective Developer. This information serves as an addendum to Sections I.D. and II.H of the Brownfields Property Application.

The financial information of Prospective Developer’s manager is marked “confidential.” In accordance with N.C.G.S. § 130A-304, Prospective Developer and its manager formally request that the enclosed materials be accorded confidential treatment and not be subject to disclosure under N.C.G.S. § 132-6 because such materials, if made public, would divulge methods or processes entitled to protection as trade secrets pursuant to N.C.G.S. § 132-1.2.

The information for which confidential treatment is requested consists of private financial information of a privately held company that is routinely protected and kept

Ms. Shirley Liggins  
July 6, 2015  
Page 2

confidential. The financial information contains formulae, compilations of information, methods, techniques, and processes that are kept strictly confidential by Prospective Developer and its manager and accord Prospective Developer and its manager a competitive advantage. Thus, the financial information constitutes formulae, compilations of information, methods, techniques, or processes that derive commercial value from not being generally known or readily ascertainable by persons who can obtain economic value from its disclosure, and it is subject to efforts that are reasonable under the circumstances to maintain its secrecy. Therefore, the financial information constitutes a "trade secret" as contemplated by N.C.G.S. §§ 66-152(3) and 132-1.2(1) and thus is entitled to confidential treatment pursuant to N.C.G.S. § 130A-304(a)(1). Prospective Developer and its manager are each a private "person" as contemplated by N.C.G.S. §§ 132-1.2(2) and 66-152(2). The financial information marked "confidential" is being submitted in connection with a matter pending before the Department of Environment and Natural Resources ("DENR") and therefore meets the requirements of N.C.G.S. §§ 130A-304 and 132-1.2(1). For these and other reasons, Prospective Developer and its manager request that the enclosure to this letter be treated as confidential by the Attorney General's Office and DENR and not be subject to public disclosure pursuant to the State's open records laws.

In accordance with N.C.G.S. § 130A-304(a)(1), Prospective Developer and its manager further request that DENR provide them with notice regarding any decision that the information enclosed herewith is not entitled to confidential treatment.

Sincerely,

A handwritten signature in black ink, appearing to read 'DA Franchina', with a long horizontal flourish extending to the right.

David A. Franchina

Enclosure

cc: Charles A. Rulick (via e-mail)

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**Exhibit A**

**CONFIDENTIAL**

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## **CONFIDENTIAL**

### Financial Information for Davidson Depot LLC:

Prospective Developer's manager, Miller-Valentine Partners LTD II, has consolidated balance sheets reporting \$66,600,000 in assets (as of December 31, 2014).

### Estimated Capital Investment for Davidson Depot LLC:

Prospective Developer plans to invest approximately \$1,500,000 in the property, and anticipates spending an additional \$19-24,000,000 in project costs.