

RECEIVED DEC 19 2007

**ROBERTS
&
STEVENS**

ATTORNEYS AT LAW

JOHN S. STEVENS
JAMES W. WILLIAMS
JOHN W. MASON
MARC RUDOW
SHERYL H. WILLIAMS
WILLIAM CLARKE
VINCENT D. CHILDRESS, JR.
MARJORIE ROWE MANN*
GREGORY D. HUTCHINS
JACKSON D. HAMILTON
WYATT S. STEVENS
MARK C. KURDYS
JACQUELINE D. GRANT
CHRISTOPHER Z. CAMPBELL
PATSY BRISON
*DRC CERTIFIED MEDIATOR

BB&T BUILDING
ONE WEST PACE SQUARE, STE. 1100 28801
POST OFFICE BOX 7647
ASHEVILLE, NORTH CAROLINA 28802
TELEPHONE (828) 252-6600
FACSIMILE (828) 258-6955
www.roberts-stevens.com

DAVID L. ENGLISH
CYNTHIA S. GRADY
F. LACHICOTTE "LACH" ZEMP, JR.
M. FRANCES DURDEN
KENNETH R. HUNT
DENNIS L. MARTIN, JR.
PETER B. MCGUIRE
KEVIN P. KOPP
REBECCA JOHNSTON REINHARDT
K. DEAN SHATLEY, II
ANN-PATTON NELSON

OF COUNSEL
WALTER L. CURRIE
CARL W. LOFTIN

LONDON ROBERTS
(1921-2007)

Writer's Direct Phone No.: 828/258-6919
Writer's Direct Facsimile: 828/210-6526
Writer's E-mail: bclarke@roberts-stevens.com

December 18, 2007

Mr. Gary Davis
61 North Andrews Avenue
Hot Springs, NC 28743

Re: CTS / Mills Gap Road Associates

Dear Mr. Davis:

This firm represents Mills Gap Road Associates. Your letter of November 20, 2007, addressed to Stan Greenberg and others, has been referred to me for response. Please be aware that MGRA did not cause or contribute to any of the contamination on this property. MGRA acquired the property in the mid 1980's, after CTS had closed its operation on the property.

MGRA did sell a portion of the property to the developers of the Southside Village. There was no evidence at the time of that sale or now that there is any contamination on that property. MGRA first became aware of groundwater contamination on the east side of the facility in the late 1990's. Since the discovery of the groundwater contamination, MGRA has cooperated with the North Carolina Division of Water Quality and the United States Environmental Protection Agency in dealing with contamination on the site.

Notwithstanding the fact that it did not cause or contribute to the contamination on the property, MGRA entered into an Administrative Order on Consent with EPA to do an emergency removal of contaminants from the property. MGRA, in cooperation with EPA and CTS, has sampled numerous water supply wells in the area, and in some cases, put residents on city water. MGRA believes the AOC constitutes a bar to your clients proposed suit under RCRA. MGRA also believes your clients claims may be barred by applicable statutes of limitation.

To date, MGRA has taken all actions required by regulatory authorities with jurisdiction over the site. I would encourage you and your clients to review carefully the significant amounts of data on the site collected to date. Should your clients file action in federal court, my clients

will defend vigorously any such action and may seek to recover their attorneys fees and costs under the Federal Rules of Civil Procedure. Please let me know if you have questions.

Sincerely,

ROBERTS & STEVENS, PA

A handwritten signature in black ink, appearing to read 'William Clarke', written over a horizontal line.

William Clarke

WC/sh

cc: Mr. Mike Dolan (via e-mail: mfdolan@JonesDay.com)
Ms. Elizabeth Ahlemann (via e-mail: eahleman@ctscorp.com)