



**FLEISCHMAN
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February 22, 2008

Kathleen Wallman, Esq.
9332 Ramey Lane
Great Falls, Virginia 22066

**Re: Herring Broadcasting, Inc. v. Time Warner Cable Inc.
CSR – 7709-P**

Dear Kathy:

I am writing to follow up our conversation of yesterday afternoon, during which you asked me to confirm whether Time Warner Cable (“TWC”) held any ownership interest in Renaissance Media, LLC (“Renaissance”), the cable company mentioned in paragraph 3 of the Declaration of Michael Egan submitted with TWC’s Answer in this proceeding. You went on to assert that such an interest might undermine the independence of Mr. Egan and the weight afforded to his Declaration. As requested, I have looked into this matter and can confirm that TWC does not presently hold any interest in companies affiliated with Mr. Egan and that TWC’s former minority interest in Renaissance was small, only held for about a year, and was disposed of almost nine years ago.

TWC held a minority investment in Renaissance from April 9, 1998 until the sale of its cable systems in 1999. The majority and controlling equity interest in Renaissance was held by Morgan Stanley Capital Partners III, Inc. On April 9, 1998, Renaissance acquired six small cable systems from a subsidiary of TWC, and in return TWC acquired a minority (approximately 10%) interest in Renaissance. These systems were sold to Charter on April 30, 1999, and thus TWC’s minority investment in Renaissance was held for just slightly over one year. Significantly, TWC has never held any interest whatsoever in Renaissance Media Partners, LLC, the independent management consulting firm founded by Michael Egan after the sale of the Renaissance cable properties to Charter in 1999. Moreover, although TWC acquired Cablevision Industries (“CVI”) in 1996, TWC held no interest whatsoever in CVI during Mr. Egan’s entire sixteen years of employment at CVI from 1980 until its sale.

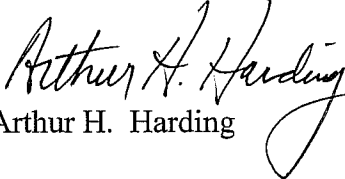
Based on these facts, we stand by the description of Mr. Egan as an “independent expert.” The bulk of the programming negotiation and other experience relied upon by Mr. Egan was derived during his sixteen-year tenure at CVI. Mr. Egan’s independence is further demonstrated by his subsequent activities as a management consultant, where he has been retained not only by some of the largest cable MSOs, but by an independent programming network (with no ownership interests held by any media company), by Microsoft TV and by several professional sports leagues with interests that are often adverse to those of the cable industry.

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I trust that the foregoing has been responsive to your inquiry.

Best regards.

Sincerely,


Arthur H. Harding

cc: Monica Shah Desai
Steven Broeckaert
Marlene Dortch

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