

Dear Mr. Hsieh,

Thank you for the sales data I received.

I had the expectation that we could work this out together without any need for legal procedures or attorney's any more, but then there need to be a little trust. Therefore it is quite disappointing to see that the information provided is not correct and about 30-40% too low.

There are many ways we can proceed now: we can try to solve this case together, but then you will need to provide true information or we can start a legal procedure again to prove you show false information or we can start a procedure to get the € 500,= per day penalty since you did not give a copy of the invoices as requested. It seems you told your attorney you do not keep invoices but in Europe it is obligatory for companies to store invoices at least 5 years so you can ask also explain the situation to your clients and ask them to send you the copies of the invoices.

So now we have 3 items to agree on.

1. the balance until 30 November 2009
2. my commission from 1 December 2009 until 30 April 2012
3. my commission from May 2012 until July 2014

at 1.

Your attorney has written a letter with the balance at 30-nov-2010 on € 42.032,96, where also € 6.092,83 needs to be deducted, however he forgot the € 12.647,50 CW needs to pay to Red-D (for carbide deliveries), also noted in all correspondence of the court case. So the total comes to: € 42.032,96 - € 6.092,83 - € 12.647,50 = € **23.292,63** that I owe you, see also attachment 1. Including the legal interest until end of the month the amount I owe you comes to € **29.905,26**

at 2.

I have calculated the 3% commission from December 2009 to April 2012 based on the data that Simon has send and the legal interest rates that are applicable (see verdict and attachment 2). The result is given in attachment 3 (EURO) and 4 (USD). However as stated before the amounts you give me are 30-40% too low so I made the correction by a factor 1,35. So CW owes me:

- € 115.038,07 x 1,35 = € **155.301,39**
- \$ 18.570,51 x 1,35 = \$ **25.070,88**

My proposal is that you accept these amounts or to provide the correct data. If that is not possible we will prove to the court that you have given us wrong data and we will also start the procedure to get all invoices and the procedure to get the € 500,= penalty per day since this has been the verdict.

at 3.

Based on the data at 2. I will receive € 155.301,39 and \$ 25.070,88, which is roughly a total of € 175.000 over a period of 29 months, which is over € 6.000,= per month.

We still have 27 more months to go, which will give a total of € 162.000 (27 x € 6.000)

My proposal is to receive € **120.000** at once for the remaining period and then close this case once and for all. The alternative is that you send me a copy of every invoice for all PO's that have been ordered and manufactured in 2012 and will be ordered in the future for all PO's until July 21, 2014. If you have different ideas please let me know.

If you let me know your decision I will send the appropriate invoices with Euro and USD account. If you do not let me know any decision by the end of this week we will start legal procedures again.

With kind regards

Eltjo Vos

**Attachment 1.****Balance per 30 november 2010**

Red-D need to pay to CW	€	-130.850,00
CW need to pay to Red-D	€	12.647,50
Provisie tm juli 2009	€	42.749,00
Balance 2008	€	-12.647,00
Commission Geissler 2008	€	4.842,00
Commission jan/july 2009	€	50.544,00
aug-nov 2009 by court	€	38.424,00
expenses	€	7.644,04
buitengerechtelijke en proceskosten	€	6.092,83
	€	3.450,00
	€	242,93
	€	2.400,00
<b>Total based on verdict</b>	<b>€</b>	<b>-23.292,63</b>
<b>Interest</b>		
Legal interest aug-dec 2009 (8,00%, 5months)	€	-776,42
Legal interest jan-jun 2010 (8,00%)	€	-962,76
Legal interest jul-dec 2010 (8,00%)	€	-1.001,27
Legal interest jan-jun 2011 (8,00%)	€	-1.041,32
Legal interest jul-dec 2011 (8,25%)	€	-1.116,82
Legal interest jan-jun 2012 (8,00%)	€	-1.127,65
Legal interest jul-sep 2012 (8,00%, 3 months)	€	-586,38
<b>Eltjo owes CW including interest:</b>	<b>€</b>	<b>-29.905,26</b>

**Attachment 2.**  
**Wettelijke handelsrente**

**Wettelijke rente voor handelstransacties:**

<b>Datum ingang</b>	<b>Percentage</b>
01-07-2012	8 %
01-01-2012	8 %
01-07-2011	8,25 %
01-01-2011	8 %
01-07-2010	8 %
01-01-2010	8 %
01-07-2009	8 %
01-01-2009	9,5 %
01-07-2008	11,07 %
01-01-2008	11,2 %
01-07-2007	11,07 %
01-01-2007	10,58 %
01-07-2006	9,83 %
01-01-2006	9,25 %
01-07-2005	9,05 %
01-01-2005	9,09 %
01-07-2004	9,01 %
01-01-2004	9,02 %
01-07-2003	9,1 %
01-01-2003	9,85 %
01-12-2002	10,35 %
08-08-2002	7 %

**Attachment 3.**

**Commission calculation from december 2009 to april 2012, based on CW data.**

**EURO only**

	Legal interest rate per 1/2 year:		Legal rates 2010		Legal rates 2011		Legal rates 2012		Totals / month including interest	
	€		jan-june 8,0%	july-dec 8,0%	jan-june 8,0%	july-dec 8,25%	jan-june 8,0%	july-sep 8,0%		
dec-09	€	2.272,09	€	90,88	€	94,52	€	98,30	€	2.823,02
jan-10	€	2.370,42	€	79,01	€	97,98	€	101,90	€	2.926,31
feb-10	€	2.043,70	€	54,50	€	83,93	€	87,29	€	2.506,70
mrt-10	€	2.985,65	€	59,71	€	121,81	€	126,69	€	3.638,26
apr-10	€	3.000,87	€	40,01	€	121,64	€	126,50	€	3.632,91
mei-10	€	3.735,02	€	24,90	€	150,40	€	156,41	€	4.491,94
jun-10	€	3.835,83			€	153,43	€	159,57	€	4.582,63
jul-10	€	3.462,26	€		€	115,41	€	143,11	€	4.109,81
aug-10	€	3.687,62	€		€	98,34	€	151,44	€	4.349,08
sep-10	€	3.360,34	€		€	67,21	€	137,10	€	3.937,36
okt-10	€	4.399,43	€		€	58,66	€	178,32	€	5.121,19
nov-10	€	3.650,35	€		€	24,34	€	146,99	€	4.221,26
dec-10	€	4.775,75	€		€		€	191,03	€	5.486,10
jan-11	€	2.047,20	€		€		€	68,24	€	2.336,63
feb-11	€	2.611,99	€		€		€	69,65	€	2.962,03
mrt-11	€	2.972,63	€		€		€	59,45	€	3.349,11
apr-11	€	3.006,63	€		€		€	40,09	€	3.365,28
mei-11	€	3.268,57	€		€		€	21,79	€	3.634,39
jun-11	€	3.188,85	€		€		€		€	3.522,27
jul-11	€	3.799,06	€		€		€	130,59	€	4.168,58
aug-11	€	3.433,92	€		€		€	94,43	€	3.742,88
sep-11	€	5.181,43	€		€		€	106,87	€	5.609,83
okt-11	€	4.409,20	€		€		€	60,63	€	4.741,59
nov-11	€	4.738,08	€		€		€	32,57	€	5.060,71
dec-11	€	4.830,96	€		€		€		€	5.124,68
jan-12	€	2.619,51	€		€		€		€	2.760,96
feb-12	€	4.591,12	€		€		€		€	4.807,82
mrt-12	€	3.696,65	€		€		€		€	3.845,99
apr-12	€	4.042,91	€		€		€		€	4.178,75
<b>TOTAL AMOUNT IN EURO THAT CW OWES ELTJO FROM DEC-2009 TO APRIL-2012 BASED ON CW DATA</b>									<b>€ 115.038,07</b>	

Attachment 4.

Commission calculation from december 2009 to april 2012, based on CW data.

USD only

	Legal rates 2010		Legal rates 2011		Legal rates 2012		Totals / month including interest
	jan-june 8,0%	july-dec 8,0%	jan-june 8,0%	july-dec 8,25%	jan-june 8,0%	july-sep 8,0%	
Legal interest rate per 1/2 year:							
dec-09	\$ 19,35	\$ 20,13	\$ 20,93	\$ 22,45	\$ 22,67	\$ 11,79	\$ 601,16
jan-10	\$ 6,83	\$ 8,47	\$ 8,81	\$ 9,45	\$ 9,54	\$ 4,96	\$ 252,95
feb-10	\$ 6,20	\$ 9,55	\$ 9,94	\$ 10,66	\$ 10,76	\$ 5,60	\$ 285,36
mrt-10	\$ 4,31	\$ 8,78	\$ 9,14	\$ 9,80	\$ 9,89	\$ 5,14	\$ 262,37
apr-10	\$ 6,59	\$ 20,04	\$ 20,84	\$ 22,35	\$ 22,57	\$ 11,74	\$ 598,57
mei-10	\$ 3,86	\$ 23,32	\$ 24,25	\$ 26,01	\$ 26,26	\$ 13,66	\$ 696,52
jun-10	\$ 539,88	\$ 21,60	\$ 22,46	\$ 24,09	\$ 24,32	\$ 12,65	\$ 644,99
jul-10	\$ 385,41	\$ 12,85	\$ 15,93	\$ 17,09	\$ 17,25	\$ 8,97	\$ 457,49
aug-10	\$ 340,14	\$ 9,07	\$ 13,97	\$ 14,98	\$ 15,13	\$ 7,87	\$ 401,15
sep-10	\$ 295,41	\$ 5,91	\$ 12,05	\$ 12,93	\$ 13,05	\$ 6,79	\$ 346,14
okt-10	\$ 181,92	\$ 2,43	\$ 7,37	\$ 7,91	\$ 7,99	\$ 4,15	\$ 211,77
nov-10	\$ 532,59	\$ 3,55	\$ 21,45	\$ 23,00	\$ 23,22	\$ 12,08	\$ 615,89
dec-10	\$ 559,92	\$ 583,32	\$ 22,40	\$ 24,02	\$ 24,25	\$ 12,61	\$ 643,20
jan-11	\$ 721,29	\$ 19,44	\$ 19,44	\$ 24,86	\$ 25,11	\$ 13,05	\$ 665,79
feb-11	\$ 628,23	\$ 19,23	\$ 30,55	\$ 30,55	\$ 30,84	\$ 16,04	\$ 817,95
mrt-11	\$ 716,76	\$ 12,56	\$ 26,43	\$ 26,43	\$ 26,69	\$ 13,88	\$ 707,79
apr-11	\$ 1.276,44	\$ 9,56	\$ 29,96	\$ 29,96	\$ 30,25	\$ 15,73	\$ 802,26
mei-11	\$ 968,16	\$ 8,51	\$ 53,00	\$ 53,00	\$ 53,52	\$ 27,83	\$ 1.419,30
jun-11	\$ 1.272,30		\$ 39,94	\$ 39,94	\$ 40,32	\$ 20,97	\$ 1.069,39
jul-11	\$ 1.253,77		\$ 43,74	\$ 43,74	\$ 52,64	\$ 27,37	\$ 1.396,05
aug-11	\$ 429,78		\$ 34,48	\$ 34,48	\$ 51,53	\$ 26,80	\$ 1.366,57
sep-11	\$ 1.119,66		\$ 8,86	\$ 8,86	\$ 17,55	\$ 9,12	\$ 465,31
okt-11	\$ 694,41		\$ 15,40	\$ 15,40	\$ 45,40	\$ 23,61	\$ 1.204,07
nov-11	\$ 436,89		\$ 4,77	\$ 4,77	\$ 27,97	\$ 14,54	\$ 741,69
dec-11	\$ 475,71				\$ 17,48	\$ 9,09	\$ 463,45
jan-12	\$ 467,34				\$ 15,86	\$ 9,83	\$ 501,40
feb-12	\$ 352,50				\$ 12,46	\$ 9,60	\$ 489,40
mrt-12	\$ 73,32				\$ 7,05	\$ 7,19	\$ 366,74
apr-12					\$ 0,98	\$ 1,49	\$ 75,78
<b>TOTAL AMOUNT IN USD THAT CW OWES ELTJO FROM DEC-2009 TO APRIL-2012 BASED ON CW DATA</b>							<b>\$ 18.570,51</b>