

# ALSTON & BIRD LLP

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January 5, 2012

*VIA E-MAIL AND COURIER*

**PUBLIC VERSION**

Ms. Kim Glas, Chairperson  
Committee for the Implementation of Textile Agreements  
Room H3100, U.S. Department of Commerce  
14th and Constitution Ave., NW  
Washington, DC 20230

*Re: Commercial Availability Request  
Certain Faux Fur Fabric*

Dear Ms. Glas:

On behalf of S. Rothschild & Co., Inc. ("Rothschild"), 500 Fashion Avenue, Fl. 6, New York, NY 10018, and pursuant to Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement ("CAFTA-DR") Implementation Act (19 U.S.C. § 4033(o)(4)) and the Committee for the Implementation of Textile Agreements' ("CITA's") Modified Final Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (73 Fed. Reg. 53200 (Sept. 15, 2008)), we request a determination that certain faux fur fabric be added to the CAFTA-DR Short Supply List at U.S. Note 20(a) to Chapter 98, Subchapter XXII, Harmonized Tariff Schedule of the United States ("HTSUS"). Rothschild is filing this request because it has found it impossible to purchase such faux fur fabric in the United States or the CAFTA-DR region.

## **I. Detailed Product Information**

The subject fabric consists of a faux suede face and faux fur pile back bonded together. It is necessary that the fabric imitate the look and feel of shearling as much as possible. Rothschild will therefore require fabric meeting the below specifications, some of which are expressed in ranges:

<i>Fabric Type</i>	Faux Suede Bonded to Faux Fur Pile
<i>Fiber content</i>	Faux Suede Face: 100% Polyester Faux Fur Pile Back: 50% to 80% Polyester, 20% to 50% Acrylic
<i>Yarn Size</i>	Faux Suede Face: 74D to 76D Metric: 121.62 Nm to 118.42 Nm  Faux Fur Pile Back: Acrylic 2.5D to 3.5D, Polyester 4D to 5D Metric: Acrylic 3600.00 Nm to 2571.42 Nm, Polyester 2250.00 Nm to 1800.00 Nm  NOTE: The yarn size designations describe a range of yarn specifications for yarn in its greige condition before dyeing and finishing of the yarn (if applicable) and before knitting, dyeing and finishing of the fabric. They are intended as specifications to be followed by the mill in sourcing yarn used to produce the fabric. Dyeing, finishing and knitting can alter the characteristic of the yarn as it appears in the finished fabric. This specification therefore includes yarns appearing in the finished fabric as finer or coarser than the designated yarn sizes provided that the variation occurs after processing of the greige yarn and production of the fabric.
<i>Weight</i>	Metric: 515-575 grams per sq. meter after bonding  English: 15.19-16.96 ounces per sq. yard after bonding
<i>Width</i>	Metric: Full width is 142.24-147.32 cm, cuttable width is 142.24 cm  English: Full width is 56-58", cuttable width is 56"
<i>Weave</i>	Faux Suede (Face): Woven Faux Fur Pile (Back): Knit
<i>Coloration</i>	Faux Suede (Face): Pieced dyed Faux Fur Pile (Back): Yarn Dyed
<i>Finishing</i>	Bonded (with sponge lamination), washed, and tumble dried

The requested fabric is of a complex construction the classification of which may be difficult to determine with certainty. We suggest that the subject fabric is classifiable

under HTSUS 6001.10.2000, covering knitted long pile fabrics of man-made fibers. However, if CBP classified the fabric based on its woven face, then it would be classifiable in one of the following subheadings within heading 5407, covering woven fabrics of synthetic filament yarn, including HTSUS 5407.52.2060, 5407.53.2060, 5407.61.9935, 5407.69.2060, 5407.60.4060, 5407.72.0060, 5407.73.2060, 5407.92.2010, or 5407.92.2090, or under one of the following subheadings within heading 5512, covering woven fabrics of synthetic staple fibers, 5512.19.00, 5512.91.00, and 5512.99.00.

We have enclosed a sample that is representative of the requested fabric. This sample is identical to the sample sent to those potential producers that indicated an interest in supplying the requested fabric, as described in greater detail below and in the attachments to this letter.

## **II. Quantity**

Rothschild will require a total of 50,000 to 150,000 yards (45,720 to 137,160 meters) of the subject fabric, deliverable within 60 days of order placement.

## **III. Due Diligence**

In performing the due diligence required by CITA's Modified Final Procedures, we identified possible CAFTA-DR suppliers for the subject fabric using four sources. First, we consulted Davison's Textile Blue Book, which is available online at <http://www.textilebluebook.net/>. This is an Internet database of manufacturers in the textile and apparel industry, which is searchable by types of textiles and by countries/regions of the world. Second, we reviewed lists of companies contacted in connection with prior commercial availability proceedings involving similar fabrics, particularly the diligence conducted in the recently approved petition involving a similar bonded, faux fur fabric.<sup>1</sup> Third, Rothschild identified potential suppliers based on its knowledge of the industry. Fourth, as is described in more detail below, we provided our due diligence inquiry to major textile trade associations in the United States and the CAFTA-DR countries. We should note that one textile association, the National Council of Textile Organizations, responded to Rothschild's request by recommending that Rothschild contact Draper Knitting, Glenoit Fabrics and Murray Fabrics. We therefore added those three potential producers to our due diligence list.

Beginning on October 17, 2011, we sent request letters via both mail and email to each of the above-listed companies and major textile trade associations in the United States and the CAFTA-DR countries. The request letter explained that Rothschild seeks to obtain fabric that could be used to produce CAFTA-DR-qualifying apparel. The request letter included a table of detailed fabric specifications, as well as information

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<sup>1</sup> Notably, our due diligence efforts led us to reach out to additional potential producers that were not contacted by Levy Group with respect to the similar faux fur fabric that was the subject of its petition.

about required quantities and delivery timeframes. Additionally, the letter included information about how a supplier wishing to offer the requested fabric should respond.

A table listing all trade associations and potential CAFTA-DR producers identified and contacted in our due diligence effort, and summarizing the communications with each potential producer and trade association is provided as Attachment A. We have also provided copies of the initial letters sent to each trade association and CAFTA-DR producer. See Attachment B. Copies of all further correspondence between potential producers or trade associations and our firm, as well as notes memorializing any conversations between our firm and potential producers, are provided as Attachment C.

The due diligence process confirmed that the subject fabric is unavailable from CAFTA-DR producers. Significantly, as described in the table at Attachment A, and pursuant to the requirement in CITA's Modified Final Procedures that, "[o]nce interest is expressed between requestors and CAFTA-DR suppliers, subsequent communications should be conducted by appropriate officials of the requestor and CAFTA-DR supplier based on normal business practice," Rothschild engaged in direct business-to-business communication with four potential suppliers that indicated any initial or potential interest in supplying the requested fabric. In all cases, the direct business-to-business communications resulted in the potential supplier confirming or agreeing that the subject fabric was not the type of fabric the supplier produces or that, for various reasons, the supplier was unable to supply such fabric at this time. Copies of the correspondence between these four potential producers and Rothschild, as well as notes memorializing conversations between Rothschild and these potential producers, are set out as Attachment D.

We request confidential treatment of Attachments B, C and D.

In its original request, Rothschild described the subject fabric as a bonded fabric (faux suede bonded to faux fur pile) in which both sides of the fabric were knit. In fact, the faux suede face should be woven; only the faux fur pile back should be knit. Rothschild therefore conducted additional due diligence with all of the potential producers and trade associations previously contacted to clarify its original description and determine whether the slight difference in specifications impacted the ability of potential producers to supply the requested fabric. Such follow-up communications are included in the correspondence provided as Attachments C and D. Pursuant to CITA's Modified Final Procedures, correspondence with parties that had already indicated an interest in supplying the fabric came directly from Rothschild, as a continuation of the business-to-business communication already established. Through its communications with potential producers and trade associations, Rothschild confirmed that allowing for the faux suede face to be woven did not affect the availability of the requested fabric in the CAFTA-DR region.

#### IV. Substitutable Products

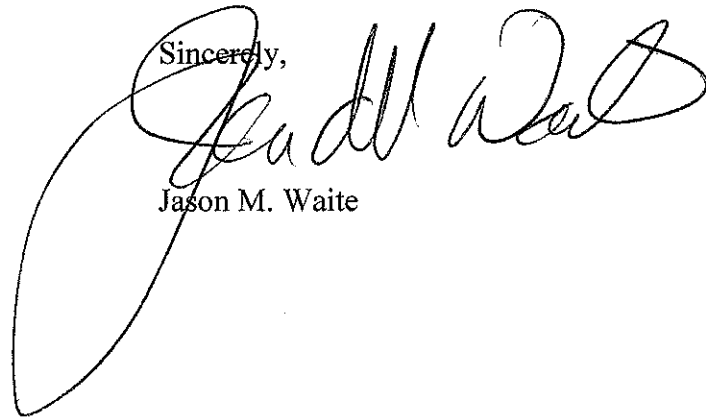
It is necessary that the requested faux fur fabric consist of a faux suede face and faux fur pile back bonded together. The fabric is used in fashion articles and must imitate the look and feel of actual shearling as much as possible and the specification is designed to do just that. Even the presence of acrylic in the knit pile backing, for example, is necessary to the fabric as it provides stiffness to the faux fur that helps to simulate the feel of shearling. As noted above, the specifications for the requested fabric are expressed in ranges, to give producers the most flexibility to provide fabric that would fulfill Rothschild's requirements. Rothschild is unaware of any fabric outside the ranges of these specifications that is substitutable for the requested fabric. Fabric not meeting the specifications above would not permit Rothschild to meet the demands of its customers.

#### V. Conclusion

Rothschild seeks to purchase the subject faux fur fabric for use in production in CAFTA-DR countries. The foregoing letter and the attached documentation confirm that the fabric Rothschild seeks is not available in commercial quantities from CAFTA-DR producers. We therefore request that CITA add this fabric to the CAFTA-DR Short Supply List.

If CITA has questions or requires further information, please contact Jason Waite at 202-239-3455 or [jason.waite@alston.com](mailto:jason.waite@alston.com), or Diego Marquez at 202-239-3003 or [diego.marquez@alston.com](mailto:diego.marquez@alston.com).

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Jason M. Waite', is written over the typed name below it.

Jason M. Waite

Attachments

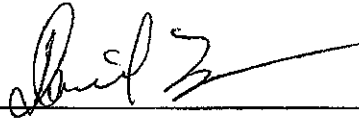
**DUE DILIGENCE CERTIFICATION**

**Interested Entity's Certification**

I, Daniel Torczyner, Chief Financial Officer, currently employed by S. Rothschild & Co., Inc., certify that:

- (1) I have read the attached submission; and
- (2) The information contained in this submission is, to the best of my knowledge, complete and accurate.

Signed: \_\_\_\_\_



Daniel Torczyner  
Chief Financial Officer  
S. Rothschild & Co., Inc.

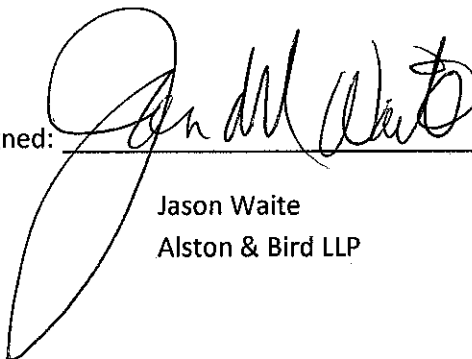
**DUE DILIGENCE CERTIFICATION**

**Legal Counsel's Certification**

I, Jason Waite, of Alston & Bird LLP, counsel to S. Rothschild & Co., Inc., certify that:

- (1) I have read the attached submission; and
- (2) Based on the information made available to me by Daniel Torczyner of S. Rothschild & Co., Inc., I have no reason to believe that this submission contains any material misrepresentations or omissions of fact.

Signed: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Jason Waite", is written over a horizontal line. The signature is stylized and cursive.

Jason Waite  
Alston & Bird LLP

## **Attachment A**

### **Summary of Due Diligence Communications**



Commercial Availability Request - Due Diligence  
 Certain Faux Fur Fabric  
 S. Rothschild Co., Inc.

January 4, 2012

Association or Company Contacted	Contact	Address	Date Contacted	Response and Date	Response and Date
Adozona	Jose M. Torres, Executive Board Vice President (adozona@codetel.net.do)	Torre Empresarial AIRD Ave. Sarasota 20, 4to. Piso, La Julia 3184 Santo Domingo Dominican Republic  Website: www.adozona.org/ing/contacto.asp	Letter sent via USPS and email sent on October 17, 2011.	Jose Torres responded on October 17, 2011 and stated "we have no availability of this fabric in DR."	Jose Torres responded on December 8, 2011: "In the DR there is no availability of that type of fabric either."
American Manufacturing Trade Action Coalition	Sara Ormand Beatty, Director of International Trade (sormand@amtaacd.org)	910 16th Street, NW, Suite 410 Washington, DC 20006  Website: www.amtaacd.org/Pages/Hom.aspx	Letter sent via UPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011. Follow-up phone call and email on November 17, 2011.	Sara Ormand Beatty responded on October 19, 2011 and said that she has circulated our request to her membership and will advise of any responses received. Ms. Beatty indicated on November 17, 2011 that she did not receive any responses to Rothschild's request for faux fur fabric.	No response received
Costa Rican Chamber of Textiles	María Quirce, Director (marquateco@racsca.co.cr)  cateco@textiltescr.com	Apartado 1512 1002 Pase de Estudiantes San Jose, Costa Rica  <a href="http://www.textiltescr.com/cateco/index.htm">http://www.textiltescr.com/cateco/index.htm</a>	Letter sent via USPS and email sent on October 17, 2011. Email bounced back, tried new general email address on October 17, 2011.	Annia Segura responded on October 19, 2011 and said that no company produces this type of fabric in Costa Rica at this time.	Response received December 15, 2011: "We send your mail again to possible interested companies that produce fabric and indeed they reply that they do not produce this type of fabric."
Guatemala Apparel and Textile Association (VESTEX)	Karin de Leon Campo, Market Access/Trade Administration (kdeleon@apparel.com.gt)	15 Avenida 14-72 zona 13 2ndo. Nivel 01013-Guatemala City Guatemala  Website: www.vestex.com.gt/vx/index.php?option=com_content&view=article&id=176&Itemid=150&lang=en	Letter sent via USPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.	Karin de Leon responded on October 18, 2011 and said that she would reach out to the Guatemalan Textile mills and see whether any of them have the capability.	No response received
Honduran Manufacturers Association	Astrid Vanesa Barmica, Customer Service Agent (serviciocliente@ahm-honduras.com)  011 504 2516-9100	Astrid Barmica Edificio Yde Canahuati 3er y 4to Piso  Avenida Circunvalacion, S.O. San Pedro Sula, Cortes Honduras  Website: www.ahm-honduras.com	Letter sent via USPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.  Follow-up phone call and email on November 17, 2011. No answer - left voicemail.	Karin responded to Ms. Barmica on December 8, 2011. Response requested by December 19, 2011.  Response received December 9, 2011: "I will send your previous email to our members and hope that there are companies that can produce this type of fabric."	No response received

Commercial Availability Request - Due Diligence  
 Certain Faux Fur Fabric  
 S. Rothschild Co., Inc.

January 4, 2012

Association or Company Contacted	Contact	Address	Date Contacted	Response and Date	Follow-up Due Diligence (to clarify that faux suede face should be woven)	Response and Date
National Council of Textile Organizations	Michael Hubbard, Vice President mhubbard@ncto.org	469 Hospital Drive, Suite C Gastonia, NC 28054	Letter sent via UPS and email sent on October 17, 2011.	Mike Hubbard responded on October 20, 2011 and said that he does not believe that any members make this fabric. He said he would check though.	Email sent to Mike Hubbard on December 8, 2011. Response requested by December 19, 2011.	Response received December 8, 2011: "I am told the same companies mentioned earlier are still the ones to check with." Those companies were included in the due diligence and the construction of the fabric was made clear to them.
National Textile Association (NTA)	David Trumbull, Vice President International Trade (DTrumbull@nationaltextile.org)	6 Beacon Street, Suite 1125 Boston, MA 02108  Website: www.nationaltextile.org	Letter sent via UPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.	Mr. Hubbard later followed up and suggested that we contact Glenat Fabrics and Murray Fabrics (in October 20, 2011 email) and then Draper Knitting (in October 21, 2011 email). These companies have been included in our due diligence	Email sent to David Trumbull on December 8, 2011. Response requested by December 19, 2011.	Response received December 21, 2011: "No one expressed interest in supplying."
Nicaraguan Textile Association (Anitec)	Dean Garcia, Executive Director (director@anitec.net)	Zona Franca "Las Mercedes" km 12 1/2 Carretera Norte Managua, Nicaragua  Website: www.anitec.net/contact.html	Letter sent via USPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.	David Trumbull responded on October 20, 2011 and asked for a Word version of letter so that he could copy/paste when circulating. Mr. Marquez of Alston & Bird sent him a Word version and included the text in the body of my email.	Follow-up email sent on December 20, 2011.	No response received
Union de Industrias Textiles (UNITEX)	Ingrid Burgos, Executive Director (iburgos@camtex.com.sv)	Camara de la Industria Textil de la Confeccion de El Salvador Calle Liverpool y Calle Roma edif. ASI. Col. Roma San Salvador, El Salvador	Letter sent via USPS and email sent on October 17, 2011. Email bounced back from Ingrid Burgos; sent to iburgos@camtex.com.sv, which also bounced back. Sent email to general account on October 17, 2011.  Follow-up email sent to general account on November 10, 2011. Follow-up phone call on November 17, 2011. Mr. Marquez spoke with a receptionist who asked me to forward the request to a new email address (asistente2@camtex.com.sv).	Dean Garcia replied on November 11, 2011 and said "we not produce the type of product your requested."	Email sent to Dean Garcia on December 8, 2011. Response requested by December 19, 2011.  Follow-up email sent on December 20, 2011.	No response received

**Commercial Availability Request - Due Diligence  
Certain Faux Fur Fabric  
S. Rothschild Co., Inc.**

January 4, 2012

Association or Company Contacted	Contact	Address	Date Contacted	Response and Date	Follow-up Due Diligence (to clarify that faux suede face should be woven)	Response and Date
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Cesyl Mills, Inc. 95 W Main St PO Box 133 Millbury, MA 01527	(cesylmills@hotmail.com) 508-865-6129	65 Challenger Road Ridge Field Park, NJ 07660	Letter sent via UPS and email sent on October 17, 2011. Follow-up email sent on November 10, 2011. Follow-up phone call and email on November 17, 2011.	No response.	Email sent to cesylmills@hotmail.com on December 9, 2011. Response requested by December 19. Follow-up email sent on December 20, 2011 and follow-up phone call on December 23, 2011.	No response received
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Deewoo International America Corp.	Richard Kang (dhkang@dwa.deewoo.com)	65 Challenger Road Ridge Field Park, NJ 07660 Website: www.deewoo.com/english/onil ne/brand/item.jsp?d_id=6	Letter sent via UPS and email sent on October 17, 2011.	Richard Kang responded on October 18, 2011 and said he could produce the fabric in Korea but cannot produce the fabric in the DR-CAFTA region.	Email sent to Richard Kang on December 8, 2011. Response requested by December 19, 2011.	Response received on December 14, 2011: "I cannot provide the product in CAFTA area... Is there any chance and possibility that we can supply from Korea or China?"
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Draper Knitting (suggested by Mike Hubbard of NCTO in 10/21 email)	Bob Vassi, Regional Sales Mgr. (rvassi@draperknitting.com)	Drapper Knitting Co., Inc. 28 Draper Lane Canton, MA 02021 Website: www.draperknitting.com	Letter sent via UPS and email sent on October 21, 2011.	Kristin Draper replied on October 24, 2011 and requested a sample. She also explained that "[w]e cannot make the suede fabric and cannot laminate in house but would be willing to act as the coordinator for this package as well as the producer of the pile fabric in house." We forwarded Kristin's response to the client, and Daniel Torczyner of Rothschild reached out directly to Kristin on October 31, 2011 and provided a sample. Kristin considered the sample and sent Daniel an email on November 3 saying that she could source the faux suede brushed microfiber face fabric and the lamination from third parties and asked for a deadline. Daniel responded on November 10, 2011 and explained the need for fabric to be CAFTA-originating and asked whether Draper Knitting had sourced materials for similar fabrics in the past. On November 16, 2011, Ms. Draper advised Mr. Torczyner by email that she had referred the sourcing of the face fabric and the lamination to Rob Koepffel of Shawmut.	On December 9, 2011, Mr. Torczyner sent an email to both Mr. Koepffel and Ms. Draper inquiring about the lack of further follow up on their part, pointing out that the suede face is woven, and asking that they advise of their ability to supply by December 19, 2011 (original deadline was November 17). Mr. Koepffel responded on December 9 apologizing for his delay and advising that he is working to source the faux suede. Mr. Torczyner responded on December 12, 2011 inquiring about whether Shawmut/Draper will be able to quote a price and provide a sample (as they offered to do) by December 19, 2011. Mr. Koepffel responded on December 13, 2011 advising that he found a faux suede that "comes close" to the Rothschild sample, but that it is from outside the CAFTA territory. On December 15, 2011, Mr. Torczyner reached Mr. Koepffel by telephone, and after discussing the uncertainty of CAFTA eligibility for goods made with non-originating faux suede, Mr. Torczyner's asked questions about the ability of Shawmut /Draper to provide the specific fabric, including the pile backing, meeting Rothschild's specifications, which call for an acrylic/polyester blend in the pile. Mr. Koepffel requested that they reconvene their call with Ms. Draper joining, which they did the following day. A full summary of the December 16, 2011 call between Rothschild and Draper/Shawmut is attached, but based on a number of factors affecting production of this fabric, Shawmut/Draper agreed in the call that they could not supply the requested fabric for the upcoming year.
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				Mr. Torczyner followed the call with an email on December 20, 2011 confirming the agreement that Shawmut/Draper could not supply the requested fabric for the upcoming year. Ms. Draper responded in an email of December 21, 2011, agreeing that "there were just too many obstacles to overcome this year". Mr. Torczyner responded on December 21, 2011 with some additional details about the construction of the fabric, namely that the acrylic serves an important purpose and that 100% polyester pile fabric for the back of the faux fur was likely to be unacceptable, but encouraging Shawmut/Draper to consider developing the requested fabric for opportunities that may arise in a subsequent season.
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Association or Company Contacted	Contact	Address	Date Contacted	Response and Date	Response and Date
Glenoit Fabrics	Bill Trienekens (btrienekens@glenoitfabrics.com)	3001 N. Main Street Tarboro, NC 27886  Website: www.glenoitfabrics.com	Letter sent via UPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.	Mr. Mark Friedman of Rothschild called Bill Trienekens on November 19, 2011 and they met on Monday, November 21, 2011 to discuss Rothschild's request. A complete summary of the discussion is attached. Mr. Trienekens advised that Glenoit was unable to supply the fabric at this time because of various challenges associated with completing its production in a timely fashion.	Letter from Glenoit dated December 16, 2011: "We appreciate you reaching out to Glenoit with your request. We are unfortunately not able to supply the fabric at this time."
Kamp Fabrics		Kamp Fabrics 88 Continental Ave Forest Hills, NY 11375  718 263-9200	Letter sent via UPS on October 17, 2011.  Tried calling by phone twice on November 10, 2011 but was unable to get through (busy signal).  Tried calling by phone again on November 17, 2011, multiple times, but was unable to get through.	Tried calling by phone on December 9, 2011 but was unable to get through.  Tried calling by phone again on December 20, 21 and 23, 2011, multiple times, but was unable to get through.	No response received
Monterey Mills, Inc.	Dan Koopmann, Sales Manager info@montereyinc.com	Monterey Mills, Inc. 1725 E Delavan Dr Janesville, WI 53545  Website: www.montereyinc.com	Letter sent via UPS and email sent on October 17, 2011.  Follow-up email sent on November 10, 2011.  Follow-up phone call on November 17, 2011.	Mr. Koopmann indicated during a phone conversation with Mr. Marquez on November 17, 2011 that he may be able to produce the pile back but would need to see a sample first. He indicated Monterey Mills does not produce the suede face but said he had potential suppliers in mind. He requested a one yard cut. Mr. Marquez told Mr. Koopmann that he would put him in touch with Rothschild. Daniel Torczyner of Rothschild sent a sample to Mr. Koopmann on November 21, 2011.	Dan Koopmann sent an email on December 12, 2011: "I received your sample and at this point in time we are unable to duplicate the fabric you have requested."
Murray Fabrics (suggested by Mike Hubbard in 10/20 email)	Jennifer Geraci, Sales/Purchasing Manager info.murrayfabrics.com	Murray Fabrics, Inc. 777 E 82 Street Cleveland, OH 44103	Letter sent via UPS and email sent on October 21, 2011.	Jennifer Geraci responded on October 24, 2011 and said, "Thank you for your inquiry but this is not something we offer. We are circular knitters."	Jennifer Geraci responded on December 9, 2011: "no we still can not supply what you are looking for."

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 Certain Faux Fur Fabric  
 S. Rothschild Co., Inc.

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Association or Company Contacted	Contact	Address	Date Contacted	Response and Date	Follow-up Due Diligence (to clarify that faux suede face should be woven)	Response and Date
Pettenati Centro America S.A. de C.V.	<p>Francesco Pilenga                      General Director                      Phone: 503 2526 1300                      {fpilenga@pettenati.com}</p> <p>Carla Pettenati                      Group Vice President of Sales                      {carla@pettenati.com.br}</p>	<p>KM 42 Carreterra a Santa Ana                      Canton la Joya, Santa Ana                      El Salvador</p> <p>Website:                      www.pettenati.com.br</p>	<p>Letter sent via USPS and email sent on October 17, 2011. Email to Almagan (amagana@pettenati.com.sv) bounced back, sent emails to Carla Pettenati and Francesco Pilenga on October 17, 2011.</p>	<p>Carla Pettenati replied on October 17, 2011 and asked Francesco Pilenga to respond.</p> <p>Mr. Pilenga replied on October 20, 2011 and explained that he does not have the equipment to produce this fabric.</p> <p>He also copied James Zeiba of Polartec and asked whether Polartec could produce the fabric.</p>	<p>Francesco Pilenga responded on December 8 and explained that he is not able to supply the fabric and "can not make bonded either woven fabrics."</p>	
Polartec	<p>James Zeiba                      Zeiba@polartec.com                      Mark Webster-Webster@Polartec.com</p>	<p>Polartec, LLC                      46 Stafford St                      PO Box 809 (01842)                      Lawrence, MA 01841</p> <p>Website: www.polartec.com</p>	<p>Francesco Pilenga (of Pettenati Centro) copied James Zeiba on his email on October 20, 2011.</p>	<p>Mr. Zeiba emailed on October 22, 2011 requesting a copy of the letter. Mr. Marquez responded on October 24, 2011 and provided a copy of the letter.</p> <p>Mr. Zeiba followed up on November 1, 2011 and requested a sample in order to know for certain whether Polartec can produce the fabric.</p> <p>Mr. Torczyner communicated with Mr. Zeiba directly by letter on November 9, 2011 and provided a sample.</p>	<p>Mr. Torczyner sent a follow-up communication on December 9, 2011 inquiring about the lack of response, pointing out that the faux suede face of the fabric is woven, and requesting a response by December 19, 2011. A second follow up communication was sent on December 20, 2011, again inquiring about the lack of response.</p> <p>Marc Webster, Manager of New Product Development in North America, sent an email on December 20, 2011: "Sorry for the delay, I wanted to check with a couple of my colleagues before I responded. We at this time cannot replicate the sample you have provided. The fabric structure is of a different construction than what we make here."</p>	

**Attachment B**

**Copies of Initial Letters Sent to Trade Associations and  
Potential Producers**

**Contents of Attachment B Redacted as Business Confidential  
Information**

**Attachment C**

**Copies of Further Correspondence Between Potential  
Producers or Trade Associations and Alston & Bird**

**Contents of Attachment C Redacted as Business Confidential  
Information**

**Attachment D**

**Copies of Correspondence Between S. Rothschild & Co., Inc.  
and Four Potential Producers that Indicated an Interest in  
Supplying the Requested Fabric**

**Contents of Attachment D Redacted as Business Confidential  
Information**