

NOTICE REGARDING NON-DESTRUCTION OF COMPUTER FILES

As of April 28, 2005, **Optowave Co., Ltd.** hereby puts **Precision Technology Group ("PTG")** on notice regarding the use of its networked computers, including any shared computers or servers, personal computer(s), laptop/notebook computer(s), personal digital assistants and/or palm pilots or other similar hand held devices. If any of the aforementioned computers and/or electronic devices are used in a manner which alters or destroys any or all information of any type you may be liable for spoliation of evidence and subject to sanctions. Accordingly, you are hereby on notice to preserve the evidence on any and all of these computers and/or electronic devices, including the following:

- (a) PTG should not initiate any procedures which would alter any active, deleted, or fragmented files. Such procedures may include, but are not limited to, storing (saving) newly created files to existing drives and diskettes, loading new software such as application programs, running data compression and disk defragmentation (optimization) routines, or the use of utility programs to permanently wipe files, disks or drives.
- (b) PTG should stop any rotation, alteration and/or destruction of electronic media that may result in the alteration or loss of any electronic data.
- (c) PTG should not alter and/or erase active, deleted files or file fragments on any electronic media that may have any relation to this matter.
- (d) PTG should not dispose of any electronic media storage devices replaced due to failure and/or upgrade that may contain electronic data having any relation to this matter.

PTG may comply with this Notice Regarding Non-Destruction of Computer Files by immediately making a copy of the hard drive(s) on all network servers, computers, and/or laptop computers. Any and all copies made must include deleted files resident on the hard drive(s). Copies of hard drive(s) may be made by transferring all information onto an empty, clean hard drive.

Additionally, you may comply with the Notice Regarding Non-Destruction as it relates to personal digital assistants and/or palm pilots or other similar hand held electronic devices by downloading all information contained therein onto a floppy disk or CD-ROM disk.

All information preserved in this manner shall remain in the possession of PTG in a secure location so as to avoid tampering with evidence. PTG will not be under an obligation to produce such information until served with a formal request from Optowave.