



Date: July 28, 2010

To: Registered Bidders at the Cap\*Rock Winery auction on July 12<sup>th</sup>, 2010 and Potential Sealed Bid Participants

From: Jacob D. Erhard, Deputy General Counsel, Williams & Williams Marketing Services, Inc.

Re: Sealed Bid Auction for Cap\*Rock Winery

Dear Registered/Prospective Bidder,

After the Cap\*Rock Winery auction on July 12<sup>th</sup>, registered bidders were notified that the high bidder might not be able to close on the sale and were invited to send their best and highest offer to purchase the winery with a deadline of Tuesday, August 3<sup>rd</sup>, 2010.

We want to update you on the Cap\*Rock auction. The high bidder has notified Max Tarbox, the Cap\*Rock Chapter 11 Bankruptcy Trustee, that he is not able to perform per the terms of the contract of sale. Therefore, as of Tuesday, July 27<sup>th</sup>, the Bankruptcy Court has given the Cap\*Rock Trustee and Williams & Williams the authorization to hold another auction in the form of a sealed bid auction. Please see attached the Order of the United State Bankruptcy Court for the Northern District of Texas, Lubbock Division granting Mr. Tarbox, the Trustee, the authority to hold a sealed bid auction.

Please also find attached the Auction Instructions and Bid Agreement setting forth the sealed bid auction requirements. You still have to opportunity to submit your best and highest offer for the Cap\*Rock Winery with a deadline of 11:59pm (prior to midnight) on Tuesday, August 3<sup>rd</sup>, 2010 by following the procedures set forth in the attached Auction Instructions.

If you have any questions about the bidding process, please contact D C Roberts with Williams & Williams at 918/362-6794.

Sincerely,

Jacob D. Erhard  
Deputy General Counsel  
Williams & Williams Marketing Services, Inc.