

November 6, 2007

Seth Hurwitz  
Chairman  
It's My Party, Inc.  
6112 Lenox Road  
Bethesda, MD 20817

Dear Mr. Hurwitz,

Thank you for your letter expressing interest in our new Silver Spring music, entertainment, and community use venue.

As you know, **Montgomery County has already signed a Letter of Intent with Live Nation to open a Fillmore on the former J.C. Penney's site in Silver Spring. Montgomery County is deeply involved in negotiating final agreements with Live Nation and the Lee Development Group for this project.**

We are very excited that Live Nation, a highly successful company and a national and international leader in the provision of live concerts, music venues, and festivals, has agreed to come to the County. Not only will this help bolster economic development in Silver Spring but it provides an array of synergies between the Fillmore and the nearby American Film Institute and Discovery Communications.

**Montgomery County has negotiated a Letter of Intent with Live Nation and will not negotiate with other parties. Montgomery County has an obligation under the law to negotiate in good faith and we intend to follow the letter and the spirit of this agreement.**

**For obvious reasons, it would be inappropriate for the County to enter into an agreement with one operator only to subsequently decide to engage in simultaneous negotiations with a second proposed operator. This would be unacceptable.**

**I am aware that you met with Montgomery County Chief Administrative Officer Tim Firestine in October and that he communicated this information to you at that time, but I wanted to be sure that I responded directly to your recent letter directed to me.**

Sincerely,

**Isiah Leggett**

County

Executive

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
*County Executive*

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