

## **Exhibit 4**

ACKNOWLEDGEMENT

1. NISHA MODY declare:

1. I reside at 2223 Leavenworth St. [Street Address]  
SF, CA 94133 [City, State, Zip code].

2. I am employed by HOWREY [Employer] located at  
525 Market St. 3600 [Street Address]  
SF, CA 94105 [City, State, Zip code] as  
SR. VP - CapAnalysts [Position or Title]

3. I have read and understand the provisions of the Confidentiality Stipulation and Protective Order ("Protective Order") entered in the U.S. District Court for the District of Delaware ("the Court") with respect to the non-disclosure of CONFIDENTIAL and CONFIDENTIAL ATTORNEYS ONLY information and/or documents, and I agree to abide by and be bound by its terms. Specifically, and without limitation upon such terms. I agree not to use or disclose any confidential information made available to me other than in accordance with the Protective Order.

4. I hereby submit to the jurisdiction of the Court for the limited purpose of enforcing the Protective Order, and this Acknowledgement, by contempt proceedings or other appropriate judicial remedies.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Acknowledgement was executed this June day of 6, 2006

By: N Mody