



Legal  
1601 Bryan St, 6th Floor  
Dallas, TX 75201-3411

David P. Poole  
Executive Vice President  
and General Counsel

Tel: 214.812.6001  
Fax: 214.812.6032  
dpoole@txu.com

October 11, 2006

**CM/RRR #7002 2030 0000 3747 0793**

Downwinders at Risk  
P.O. Box 763844  
Dallas, TX 75376

**CM/RRR #7002 2030 0000 3747 0809**

Downwinders at Risk  
c/o Registered Agent, Sandra Breakfield  
5610 Cliff Haven Drive  
Dallas, TX 75236

Re: Improper Use of TXU Corp. Registered Trademark

Dear Sir or Madam:

I understand that your organization created and/or displayed the object shown in the picture which is enclosed with this letter as part of a recent protest of Rick Perry's candidacy for governor. While TXU Corp. has no objection whatsoever to your group or any other expressing its political viewpoint, the use of TXU Corp's registered trademark in connection with your activities is improper. As reflected on the enclosed photograph, you used TXU Corp.'s registered starmark on the float that was part of your protest at the recent gubernatorial debate in Dallas. You are hereby advised that you have no right to use the TXU starmark, a registered trademark of TXU Corp.

TXU's registered starmark is a distinctive mark which is widely recognized in Texas and the United States. The use of TXU's starmark in connection with your opposition to Governor Perry's campaign was not consented to by TXU and thus constitutes an improper use of the mark and trademark infringement.

This letter is your notice that in the event you do not remove the TXU starmark from the object shown in the photo and any other material or objects created or published by your organization by no later than 10 days after your receipt of this letter and confirm in writing to me that you have done so, like any company which uses trademarks in its business, TXU will have no choice but to protect its trademark from infringement and pursue all available legal remedies for the infringement and dilution of TXU's registered trademark. Please be clear that it is not TXU's objective to have to bring litigation related to this matter but your immediate cessation of the infringement of TXU's registered trademark is necessary for you to avoid TXU being forced to do so.

I also want it to be clear that TXU does not in any way object to your organization engaging in the debate regarding ideas on energy and environmental issues; in fact, TXU welcomes that debate and is proud of its plan to expand generation resources while enhancing reliability of Texas electrical supply and producing savings to the consumer as well as improving air quality in Texas with our commitment to offset more than 100% of the key emissions from our proposed new plants. Please simply make sure your contribution to the discussion in the future is without improper use of or infringement of TXU Corp.'s trademark.

Sincerely,

A handwritten signature in cursive script that reads "David P. Poole". To the right of the signature, there is a small, stylized mark that appears to be "CWD".

David P. Poole

DPP:caw  
Enclosure

