

1.10 Legal Information

1.10.1 Legal issues

Identify and explain any significant anticipated federal or state legal issues relating to Proposer, any Equity Members and any Major Non-Equity Members that must be resolved in order to deliver the Project and perform its obligations under a PPA.

Isolux Infraestructura B.V., the Proposer, Equity Member and lead firm responsible for operations and maintenance, does not have any ongoing, pending, or anticipated federal or state legal issues that will in any way affect its ability to execute the project or its obligations under a Public-Private Partnership Agreement (“PPA”).

Corsán Corviam Construcción SA, the lead contractor, does not have any ongoing, pending, or anticipated federal or state legal issues that will in any way affect its ability to execute the project or its obligations under a Public-Private Partnership Agreement (“PPA”).

Neither Aztec nor Tyspa, firms which form the lead engineering firm, or any of its Affiliate, do not have any ongoing, pending, or anticipated federal or state legal issues that will in any way affect its ability to execute the project or its obligations under a Public-Private Partnership Agreement (“PPA”).

1.10.2 Legal Liabilities

Provide a list and a brief description of all instances during the last five years involving transportation projects in North America and those projects listed pursuant to Part B, Section 1.7 in which Proposer, any Equity Member, any Major Non-Equity Member or any Affiliate of the foregoing was (i) determined, pursuant to a determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract, or (ii) terminated for cause. For each instance, identify an owner’s representative with a current phone and fax number (and e-mail address if available).

Isolux Infraestructura B.V., the Proposer, Equity Member and lead firm responsible for operations and maintenance, or any of its Affiliate does not have any instances during the last five years involving transportation projects in North America and those projects listed pursuant to Part B, Section 1.7 in which the company was determined to be liable for a material breach of contract or terminated for cause.

Corsán Corviam Construcción SA, the lead contractor, or any of its Affiliate does not have any instances during the last five years involving transportation projects in North America and those projects listed pursuant to Part B, Section 1.7 in which the company was determined to be liable for a material breach of contract or terminated for cause.

Neither Aztec nor Tyspa, firms which form the lead engineering firm, or any of its Affiliate do not have any instances during the last five years involving transportation projects in North America and those projects listed pursuant to Part B, Section 1.7 in which the company was determined to be liable for a material breach of contract or terminated for cause.

1.10.3 Legal Proceedings

Provide a list and a brief description (including the resolution) of each arbitration, litigation, dispute review board and other formal dispute resolution proceeding occurring during the last five years related to a transportation project in North America and those projects listed pursuant to Part B, Section 1.7 involving a claim or dispute between the project owner and Proposer, any Equity Member, any Major Non-Equity Member or any Affiliate of the foregoing involving an amount in excess of the smaller of (a) 2% of the original contract value or (b) \$500,000 on projects with a contract value in excess of \$25 million. Include items that were subject to arbitration, litigation, dispute review board or other formal dispute resolution proceedings even if settled without completion of the proceeding.

Isolux Infraestructura B.V., the Proposer, Equity Member and lead firm responsible for operations and maintenance, or any of its Affiliate does not have any instances of arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last five years related to the performance of transportation project or the projects listed pursuant to Part B, Section 1.7 involving an amount in excess of the smaller of (a) 2% of the original contract value or (b) \$500.000 on projects with a contract value in excess of \$25 million.

Corsán Corviam Construcción SA, the lead contractor, or any of its Affiliate does not have any instances of arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last five years related to the performance of transportation project or the projects listed pursuant to Part B, Section 1.7 involving an amount in excess of the smaller of (a) 2% of the original contract value or (b) \$500.000 on projects with a contract value in excess of \$25 million.

Neither Aztec nor Tyspa, firms which form the lead engineering firm, or any of its Affiliate do not have any instances of arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last five years related to the performance of transportation project or the projects listed pursuant to Part B, Section 1.7 involving an amount in excess of the smaller of (a) 2% of the original contract value or (b) \$500.000 on projects with a contract value in excess of \$25 million.

Include a similar list and description for all projects included in the response to Part B, Section 1.7 involving an amount in excess of \$100,000, regardless of the contract value. For each instance, identify an owner's representative with a current phone and fax number (and e-mail address if available).

The list and requested information for Isolux Infraestructura B.V., the Proposer, Equity Member and lead firm responsible for operations and maintenance is provided in the table A

Corsán Corviam Construcción SA, the lead contractor, or any of its Affiliate does not have any instances of arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last five years related to the performance of transportation project or the projects listed pursuant to Part B, Section 1.7 involving an amount in excess of \$100,000.

Neither Aztec nor Tyspa, firms which form the lead engineering firm, or any of its Affiliate do not have any instances of arbitration, litigation, dispute review board or other dispute resolution

proceeding occurring during the last five years related to the performance of transportation project or the projects listed pursuant to Part B, Section 1.7 involving an amount in excess of \$100,000.

1.11 Prior Project Involvement

Isolux Infrastructure B.V., the Proposer, Equity Member and lead firm responsible for operations and maintenance, has not performed any prior work in connection with the I-69 Section 5 Project during the last 5 years. Therefore, no actual or possible conflict of interests does exist for the equity member and the lead firm responsible for O&M.

Corsán Corviam Construcción SA, the lead contractor, has not performed any prior work in connection with the I-69 Section 5 Project during the last 5 years. Therefore, no actual or possible conflict of interests does exist for the lead contractor

Neither Aztec nor Tyspa, firms which form the lead engineering firm, have not performed any prior work in connection with the I-69 Section 5 Project during the last 5 years. Therefore, no actual or possible conflict of interests does exist for the lead engineering firm.

Table 1

Liability's Nature	Process Number	Originator(s)	Indicted	Court of Justice	Purpose of the Case	Liability Amount (in USD)*	Liability Amount (in R\$)	Contact Details
VIA BAHIA/Salvador/BA								
Ordinary Action	0039608-48.2011.4.01.3300	COELBA	VIABAHIA e ANTT	FEDERAL COURT / 12ª Vara Federal	Revenue Forecast Illegality Declaration Request due to use and occupation of land areas.	\$252,932.18	R\$ 557,250.07	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0106520-83.2011.8.05.0001	VERA LUCIA CAMACHO SANTOS	VIABAHIA Wilma Maria dos Santos e Inácio Cloves Leite	STATE COURT / 18ª Vara dos Feitos de Rel. de Cons. Cíveis e Comerciais	Indemnification request for material damages and death resulting from collision with Viabaha's winch subcontracted service.	\$311,539.15	R\$ 686,370.60	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0310574-11.2011.8.05.0001	GILMAR DE JESUS SANTOS	VIABAHIA	STATE COURT / 11ª Vara dos Feitos de Relação de Consumo Cível e Comercial	Moral and material damages compensation claim due to Viabaha's operated mowing machine stones throwing which caused serious injury on a client's face.	\$104,438.06	R\$ 230,093.75	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0320684-35.2012.8.05.0001	JOELMA LARANJEIRAS SILVA	VIABAHIA	STATE COURT / 16ª Vara dos Feitos de Rel. de Cons. Cíveis e Comerciais	Moral and material damages compensation claim due to death caused by car accident allegedly motivated by the presence of holes and oil on the track.	\$442,888.85	R\$ 975,755.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0382380-72.2012.8.05.0001	PAULA CRISTINA DE OLIVEIRA ORTIZ E OUTROS	VIABAHIA	STATE COURT / 32ª Vara Cível	Compensation Damages Request for death caused by car accident allegedly motivated by lack of signage on the highway.	\$907,787.00	R\$ 2,000,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	7750-28.2013.4.01.3300	VANESSA CONCEIÇÃO VIANA SANTANA (2)	VIABAHIA E OUTRO	FEDERAL COURT / 12ª VARA FEDERAL	Moral, Material and Pension Compensation Request due to death resulting from traffic accident caused by the presence of an animal on the carriageway.	\$104,105.01	R\$ 229,360.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
VIA BAHIA/Feira de Santana/BA								
People's Civil Action	0008533-42.2012.4.01.3304	FEDERAL PUBLIC PROSECUTOR	VIABAHIA e ANTT	FEDERAL COURT / 2ª Vara Federal	ITS Viabaha's investment request and Periodical Bulletin issuance within 60 days	\$453,893.50	R\$ 1,000,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
People's Civil Action	0006049-88.2011.4.01.3304	FEDERAL PUBLIC PROSECUTOR	VIABAHIA e ANTT	FEDERAL COURT / 1ª Vara Federal	Initial Work termination of services request within 60 days	\$453,893.50	R\$ 1,000,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0038294-46.2012.8.05.0080	KARLA MARIA LIMA FIGUEIREDO BENE BARBOSA E OUTRO	VIABAHIA	STATE COURT / 3ª Vara Cível	Moral and Material Compensation Request due to death resulting from pick-up truck Toll 2 running over.	\$907,787.00	R\$ 2,000,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
Compensation Action	0005256-09.2013.8.05.0080	CARLOS AUGUSTO FERREIRA LARANJEIRA E OUTRO	VIABAHIA	STATE COURT / 4ª Vara Cível	Moral and Material Compensation Request due to traffic jam caused by popular demonstration whose participants damaged the customer's vehicle.	\$158,999.80	R\$ 350,302.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
VIA BAHIA/Vitória da Conquista/BA								
Compensation Action	0008008-22.2011.8.05.0274	FLAUMÍNIO MANUEL DOS SANTOS E OUTRA	VIABAHIA	STATE COURT / 3ª Vara dos Feitos de Rel. de Cons. Cíveis e Comerciais	Moral, Material and Pension Compensation Request due to death resulting from traffic accident caused by the presence of an animal on the carriageway.	\$243,630.42	R\$ 536,756.80	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
VIA BAHIA/Ipirá/BA								
Compensation Action	0002241-22.2011.8.05.0106	MARIA CONCEIÇÃO GOMES DA PAZ LOPES	VIABAHIA	STATE COURT / Juizado Especial Cível - IPIRÁ - Matutino	Moral and Material Compensation Request originated by a running over allegedly caused by the lack of attention of one acalaborator who was driving one of Viabaha's owned vehicles.	\$440,676.12	R\$ 970,880.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
VIA BAHIA/Jequié/BA								
Compensation Action	0000709-05.2011.8.05.0141	JANETE MENEZES DOS SANTOS E OUTROS	VIABAHIA	STATE COURT / 3ª Vara Cível	Moral and material damages compensation claim due to death caused by car accident allegedly motivated by the presence of holes on the track and the lack of signage.	\$147,061.49	R\$ 324,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
VIA BAHIA/Simões Filho/BA								
Compensation Action	0005067-74.2011.8.05.0250	JOAO TRINDADE DOS SANTOS	VIABAHIA e FBS CONSTRUÇÃO CIVIL E PAVIMENTAÇÃO LTDA	STATE COURT / Vara Cível - Centro Social	Moral and material damages compensation claim due to Viabaha's fence collapse which clogged the author/originator fish farming property tank.	\$136,168.05	R\$ 300,000.00	Marta Berzosa Bravo Tel: + 55 11 2595-5900 Fax: + 55 11 2595-5909 mberzosa@isoluxinfrastructure.com
WETT/USA								
Litigation with landowner	CV25727	Mr. Scarborough	WETT	County Court at Law No. 2, Midland County, Texas	Appeal to the decision for compensation related to the use of land by WETT to build and/or operate its transmission facilities	Between \$35,820 and \$600,000, previously awarded \$100,000		Pedro de la Sierra Tel +1 (512) 2797374 Fax (512) 6101197 psierra@isoluxinfrastructure.com
Litigation with landowner	48605	Ms. Hicks	WETT	118 Judicial District Court of Howard County, Texas	Appeal to the decision for compensation related to the use of land by WETT to build and/or operate its transmission facilities	Between \$14,000 and \$177,000, previously awarded \$14,000		Pedro de la Sierra Tel +1 (512) 2797374 Fax (512) 6101197 psierra@isoluxinfrastructure.com
Litigation with landowner	48605	Brooks Family Partnership	WETT	118 Judicial District Court of Howard County, Texas	Appeal to the decision for compensation related to the use of land by WETT to build and/or operate its transmission facilities	Between \$27,000 and \$115,000, jury verdict of \$37,133.20 was returned. Waiting for entry of judgment		Pedro de la Sierra Tel +1 (512) 2797374 Fax (512) 6101197 psierra@isoluxinfrastructure.com

* Exchange rate USD\$/R\$ 27/06/2013: 2,20