

The Coca-Cola Company

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ATLANTA, GEORGIA

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December 7, 2005

Mr. Arthur Tannenbaum
Chair, Senate Public Affairs Committee
New York University Room 1156
70 Washington Square South
New York, NY 10012-1091

Dear Mr. Tannenbaum:

To address the concerns of university administrators and other stakeholders, The Coca-Cola Company is committed to having a credible, objective and impartial independent third party assessment conducted in Colombia. The Coca-Cola Company makes this commitment even though there has already been an assessment conducted by CSCC in February 2005, an investigation by the Colombia Prosecutor General in 2001, and a finding of no legal violation by the Circuit Criminal Court in Bogotá in 1997. Unfortunately, the parties suing our bottling partners in Miami have created obstacles to achieving this objective.

As you know, at the instigation of The Coca-Cola Company, we have been working with a university commission to reach a mutual agreement on an independent third party assessment protocol. The nearly final protocol contains clear language that: "The purpose of this assessment is not to investigate matters that are the subject of pending litigation [document will refer here to the court case of the Miami litigation]." On August 9, the plaintiffs in the Miami litigation suggested to the university commission that matters related to the litigation should be kept separate from the assessment and kept confidential. Thereafter, the commission made clear its expectation that the parties negotiate an inadmissibility agreement. We agreed. The plaintiffs' legal counsel, however, has rejected and refused to even discuss an inadmissibility agreement proposal.

Because of this fact and notwithstanding our best efforts, The Coca-Cola Company is unable to meet the New York University Senate's December 8 deadline for finalizing details related to a workplace assessment of our Colombian bottling partners' facilities. We will continue to attempt to work with universities like yours on a credible third party assessment in Colombia.

The Coca-Cola Company shares your concerns for the rights, safety, and dignity of workers around the world, and we respect the University Senate's thoughtful and deliberate consideration of this matter. As we move ahead in our efforts to resolve the concerns about the Coca-Cola bottling operations in Colombia, we hope to have the opportunity to remain engaged with the New York University community.

Sincerely yours,

