

**PROPRIETARY INFORMATION/FOIA EXEMPT  
WITHOLD FROM PUBLIC DISCLOSURE UNDER 10 CFR 2.390  
Upon the removal of Enclosure (1) this document can be made public**

**ENCLOSURE (3)**

**Affidavit of Carmen Irene Bigles  
President and Chief Executive Officer  
Coquí RadioPharmaceuticals Corp.**

# Coquí RadioPharmaceuticals Corp.



## ENCLOSURE (3)

### COQUÍ RADIOPHARMACEUTICALS CORP. 10 CFR 2.390 AFFIDAVIT OF CARMEN I. BIGLES


#### AFFIDAVIT

I, **Carmen I. Bigles**, hereby affirm and state as follows:

- 1) I am the President and Chief Executive Officer of Coquí Radiopharmaceuticals Corp. (Coquí), and I have been authorized to execute this affidavit on behalf of Coquí.
- 2) The information contained in Enclosure (1) is proprietary commercial information related to the proposed Medical Isotope Production Facility (MIPF) and Coquí's business. The proprietary information includes strategic actions and timing estimates that have been proposed and generated by or for Coquí as part of its business strategies and decisions. This information should be held in confidence by the NRC and withheld from public disclosure.
- 3) In making this application for withholding of proprietary information of which it is the owner, Coquí believes that the information qualifies for withholding under the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC§ 552(b)(4), the Trade Secrets Act, 18 USC§ 1905, and NRC regulations 10 CFR §§ 9.17(a)(4) and 2.390(a)(4) for trade secrets and commercial information because:
  - a. This information is and has been held in confidence by Coquí.
  - b. This information is of a type that is customarily held in confidence by Coquí, and there is a rational basis for doing so because the information includes sensitive business information, strategic timing pertaining its entry into the market for the construction and operating the MIPF.
  - c. The information is being transmitted to the NRC voluntarily and in confidence.
  - d. This information is not available in public sources and could not be

gathered readily from other publicly available information.

- e. Public disclosure of this information would create substantial harm to the competitive position of Coquí by potentially disclosing the timing of entry into the market for constructing and operating the MIPF.
- f. The value of the information goes beyond the disclosure of general information pertaining to Coquí's proposed MIPF, and includes plans of strategic developing the MIPF project, and represents significant efforts by Coquí and its associates.
- g. Coquí's competitive advantage will be lost if its competitors are able to use Coquí's to aid their own commercial activities. The value of this information to Coquí would be lost if the information were disclosed to the public. Making such information available to other entities without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Coquí of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment.

  
Carmen I. Bigles

Subscribed and sworn before me, a Notary Public, in Dade County, Florida, this 7<sup>th</sup> day of June 2012.

WITNESS my hand and Notarial Seal.

  
Notary Public

My Commission Expires

