

[Non-official translation from Dutch]

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Order

THE DISTRICT COURT OF AMSTERDAM, THE NETHERLANDS

Civil-law Division

Bankruptcy number: 08/494-F

Date of decision: 6 December 2012

The supervisory judge W.A.H. Melissen in the bankruptcy that was pronounced on 8 October 2008 by this Court of:

Lehman Brothers Treasury Co. B.V. ('LBT')

finds that:

- with reference to the request to set a date (*verzoek datumbepaling*) made on behalf of R.J. Schimmelpenninck and F. Verhoeven ('**Bankruptcy Trustees**') dated 28 November 2012;
- with due observance of Articles 108 *et seq.* of the Dutch Bankruptcy Act (*Faillissementswet*); and
- in view of Article 80 of the Dutch Bankruptcy Act; and
- in view of the fact that LBT wishes to offer a composition plan as provided for in Article 138 *et seq.* of the Dutch Bankruptcy Act (a draft of which will be submitted to the Registrar of the District Court of Amsterdam on or before 10 December 2012); and
- in view of the content of the *Consent Solicitation Memorandum* that the Bankruptcy Trustees have drawn up, which will be attached to the draft composition plan and which will also be submitted to the Registrar of the District Court of Amsterdam on or before 10 December 2012,

there is cause to render the following Order.

THE ORDER:

- claims must be filed with the Bankruptcy Trustees on or before 25 January 2013;
- the *Consent Solicitation Memorandum* and its provisions with regard to (among other things) the filing of claims, the submission of voting instructions with regard to the composition plan and the manner of representation at the claims admission meeting, apply to creditors that wish to file a claim arising out of financial instruments issued by LBT in accordance with the Euro Medium Term Note Program, the German Note

Issuance Program, the Swiss Certificates Program and the Italian Inflation Linked Notes Program (as defined in the *Consent Solicitation Memorandum*), jointly: '**Noteholders**';

- the claims admission meeting will be held on Thursday 7 March 2013 at 10 a.m. in the Van Namen courtroom of the District Court of Amsterdam, located at Parnassusweg 220 in Amsterdam;
- in view of, among other things,
 - the complexity and the large number of financial instruments issued by LBT and as traded on a global scale;
 - the large number of institutions involved in directly or indirectly holding those instruments (or interests in those instruments); and
 - the differences in the laws that are applicable to and the legal structures in which those instruments are held,

in the determination whether the consent, required for the acceptance of the composition plan has been obtained from Noteholders, the supervisory judge will rely upon the information obtained on the basis of the procedures provided for in the *Consent Solicitation Memorandum*;

- the Bankruptcy Trustees must file the list of provisionally admitted and disputed claims, within the meaning of Article 112 of the Dutch Bankruptcy Act, with the Registrar of the District Court of Amsterdam – at the Central Desk, located at Parnassusweg 220 – for inspection for the term of seven days preceding the meeting of creditors;
- for the application of Article 109 and Article 115 of the Dutch Bankruptcy Act in respect of the Noteholders, it is sufficient for the Bankruptcy Trustees to send a single (electronic) notification through the clearing systems;
- other known creditors must be notified in writing in accordance with the provisions contained in Article 109 and Article 115 of the Dutch Bankruptcy Act;
- after the claims admission meeting the Bankruptcy Trustees must issue a written report of the meeting within the meaning of Article 137(1) of the Dutch Bankruptcy Act with respect to the position of the bankrupt estate.

This Order was pronounced in Amsterdam on 6 December 2012 by the aforesaid W.A.H. Melissen, assisted by F.T.M. Bruning as the Clerk of the Court.

<signed>

<signed>

ISSUED AS A CERTIFIED COPY,
THE REGISTRAR OF THE DISTRICT COURT OF AMSTERDAM

<signed>