

selection of counsel by the Creditors' Committee, and (ii) there is a final order in favor of the plaintiff sustaining any such Lender Claim, *provided* that, as to the Debtors, all Lender Claims are hereby irrevocably waived and relinquished as of the date hereof; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to 150 days after the initial selection of counsel by the Creditors' Committee, pursuant to a Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to 180 days after the initial selection of counsel by the Creditors' Committee, pursuant to a Second Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to April 1, 2009, pursuant to a Third Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to May 1, 2009, pursuant to a Fourth Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to May 31, 2009, pursuant to a Fifth Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to June 15, 2009, pursuant to a Sixth Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to June 19, 2009, pursuant to a Seventh Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to July 3, 2009, pursuant to a Eighth Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents agreed to extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee to July 10, 2009, pursuant to a Ninth Stipulation Regarding Review Period for the Creditors' Committee; and

WHEREAS, the Pre-Petition Agents have agreed to further extend the deadline in Paragraph 21(b)(i) solely as to the Creditors' Committee.

NOW, THEREFORE, the parties hereto hereby stipulate and agree that, solely as to the Creditors' Committee, the deadline set forth in Paragraph 21(b)(i) of the Final DIP Order shall be extended to July 31, 2009.

PACHULSKI-STANG ZIEHL & JONES LLP



Laura Davis Jones (Bar No. 2436)
Michael R. Seidl (Bar No. 3889)
Timothy P. Cairns (Bar No. 4228)
919 N. Market Street,
17th Floor - P.O. Box 8705
Wilmington, Delaware 19899-8705 (Courier
19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400

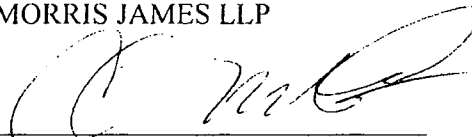
and

AKIN GUMP STRAUSS HAUER & FELD LLP

Daniel H. Golden
Lisa G. Beckerman
Brian D. Geldert
One Bryant Park
New York, New York 10036
Telephone: (212) 872-1000
Facsimile: (212) 872-1002

*Co-Counsel to the Official Committee of Unsecured
Creditors*

MORRIS JAMES LLP



Carl N. Kunz, III (DE 3201)
500 Delaware Avenue – Suite 1500
Wilmington, Delaware 19899-2306
Telephone: (302) 888-6811
Facsimile: (302) 571-1750

and

KAYE SCHOLER LLC

Michael B. Solow

Sheldon L. Solow

Matthew J. Micheli

70 West Madison Street, Suite 4100

Chicago, Illinois 60602

Telephone: (312) 583-2300

Facsimile: (312) 583-2360

*Co-Counsel for Wilmington Trust FSB as Agent to
the Term Lenders*

WHITE AND WILLIAMS LLP



Marc S. Casarino (DE 3613)

824 N. Market Street, Suite 902

P.O. Box 709

Wilmington, DE 19899-0709

Telephone: (302) 467-4520

and

HAYNES AND BOONE, LLP

Robert D. Albergotti

Stephen M. Pezanosky

901 Main Street, Suite 3100

Dallas, Texas 75202

Telephone: (214) 651-5602

*Co-Counsel for Bank of America, N.A. as
Administrative Agent to the Revolving Lenders*