

ALERTS

Update for Swap Counterparties: ISDA's Dodd-Frank Protocol – Addition of Addendum I

October 5, 2012

ISDA has included an Addendum I (the “Addendum”) to the ISDA August 2012 Dodd-Frank Protocol Questionnaire (“Questionnaire”), which provides provisions addressing changes to certain “eligible contract participant” categories that will become effective on Dec. 31, 2012. The Addendum is relevant to any OTC Derivative Counterparties that are “commodity pools” and who (a) rely upon the “Large Entity” or “Hedging Entity” categories through Dec. 31, 2012 or (b) who wish to engage in certain FX transactions.

Any OTC Derivative Counterparties who have already submitted their Questionnaires are permitted to submit this Addendum to update their representations. Parties who have not completed their Questionnaires may complete this Addendum along with the Questionnaire. OTC Derivative Counterparties are advised to review the annotated Questionnaire for instructions on how to complete both the Questionnaire and Addendum.

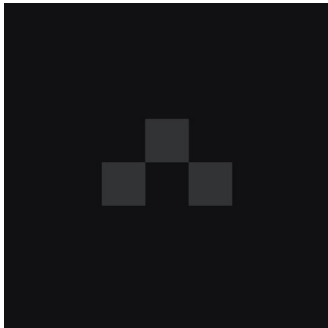
To review the updated Questionnaire and Addendum, please visit the ISDA website at <http://www.ISDA.org>.

If you have any questions, please contact Paul N. Watterson, Jr., Craig Stein or your attorney at Schulte Roth & Zabel.

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