

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT



No. 7942 OF 2008

**IN THE MATTER OF LEHMAN BROTHERS EUROPE LIMITED (IN ADMINISTRATION)**

**AND IN THE MATTER OF THE INSOLVENCY ACT 1986**

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**ORDINARY APPLICATION**

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**TAKE NOTICE** that Anthony Lomas, Steven Anthony Pearson, Michael John Andrew Jervis and Daniel Yoram Schwarzmann, the joint administrators (the "**Administrators**") of Lehman Brothers Europe Limited (in administration) ("**LBIE**"), intend to apply to the Judge, pursuant to paragraph 63 and/or paragraph 68(2) to Schedule B1 of the Insolvency Act 1986, on:

Date: 29/7/09

Time: 11.30



Place: Court 56, Royal Courts of Justice, Strand, London,

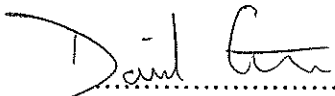
**FOR** declarations:

- (1) that each person who is a Scheme Creditor as defined in the document exhibited to the Second Witness Statement of David Philip Ereira at pages 1 to 86 of exhibit DPE2 summarising the terms of the proposed scheme of arrangement ("the **Scheme Summary**") is a creditor of LBIE within the meaning of section 895(1)(a) of the Companies Act 2006; and
- (2) that a scheme of arrangement under Part 26 of the Companies Act 2006 in substantially the form of that summarised in the Scheme Summary is capable of effecting the release of the Scheme Creditors' Released Claims (as that term is defined in the Scheme Summary) in the manner and to the extent set out in the Scheme Summary.

**AND FOR** a direction that the Administrators be at liberty to apply, and/or to procure LBIE to apply, to the court for directions to convene meetings of its Scheme Creditors under section 896 of the Companies Act 2006.

**AND FOR** such other directions as the Court considers appropriate.

**AND FOR** an Order that the Administrators' costs of the Application be paid as an expense of the administration.

Signed  .....  
LINKLATERS LLP

Dated 14<sup>th</sup> JULY 2009 .....

**Solicitors for the Administrators**

Notice of this application will be given to the Financial Services Authority, 25 The North Colonnade, Canary Wharf, London E14 5HS.

The Administrators' address for service is Linklaters LLP, One Silk Street, London, EC2Y 8HQ (Ref: David Ereira / Nick Porter).