

IN THE HIGH COURT OF JUSTICE

No. 7942 of 2008

CHANCERY DIVISION

COMPANIES COURT

Before the Honourable Mr Justice Blackburne
Friday the 15th day of May 2009

IN THE MATTER OF LEHMAN BROTHERS INTERNATIONAL (EUROPE) (in
administration)

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

~~draft~~ Order



UPON THE APPLICATION of Anthony Victor Lomas, Steven Anthony Pearson, Michael John Andrew Jervis and Dan Yoram Schwarzmann of PricewaterhouseCoopers LLP, Plumtree Court, London EC4A 4HT ("**Joint Administrators**"), the Joint Administrators of Lehman Brothers International (Europe) ("LBIE") by Ordinary Application dated 1 May 2009 ("the "**Application**") made pursuant to paragraph 63 of Schedule B1 to the Insolvency Act 1986 (the "**Act**")

AND UPON HEARING Counsel for the Joint Administrators

AND UPON READING the evidence recorded on the Court File as having been read

IT IS HEREBY ORDERED AND DIRECTED that:

1. Any client or creditor of LBIE wishing to make representations in respect of one or more of the issues set out in the Application (the "**Issues**") do so inform the Joint Administrators by email to clientpositionresponses@lbia-eu.com by 4pm on 12 June 2009 specifying, by reference to the numbering of the Issues in the Application, the Issue or Issues in respect of which the client or creditor wishes to make representations.
2. The Application be adjourned to 10.30am on 19 June 2009 before the Honourable Mr Justice Blackburne at which hearing the Court:-

- a. will fix a the date for a hearing or hearings at which the Court will give directions on the Issues;
 - b. will give procedural directions (including as to:-
 - i. the order in which the Issues are to be addressed;
 - ii. the joinder of respondents alternatively the appointment of representative respondents in respect of particular Issues;
 - iii. the parties to be heard in respect of each of the Issues; and
 - iv. the order in which the parties will be heard).
3. The Administrators be permitted to redact sub-paragraph 88.3 and the fourth sentence of paragraph 135 of the witness statement of Andrew Peter Clark on the ground that they contain information which is confidential and/or commercially sensitive and the publication of which, in either case, might hinder the achievement of the purpose of administration.
 4. Pursuant to rule 7.31(5) of the Insolvency Rules 1986, the un-redacted version of the witness statement of Andrew Peter Clark, which was before the Court on the hearing of the Application, be not open to inspection by any person without the leave of Court.
 5. The Administrators be at liberty to provide a copy of the un-redacted version of the witness statement of Andrew Peter Clark, and to communicate the content of the redacted sub-paragraphs of that witness statement, if they consider it appropriate so to do.
 6. The Joint Administrators' costs, fees and expenses of and occasioned by the Application be paid:-
 - a. as an expense of the administration of LBIE; or
 - b. from client money subject to the statutory trust; or
 - c. in part as an expense of the administration and in part from client money subject to the statutory trust;

in such proportions as shall be ordered by the Court.

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