

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>IN RE:</b>	: <b>Chapter 11</b>
<b>ARCAPITA BANK B.S.C.(C), et al.,</b>	: <b>Case No. 12-11076 (SHL)</b>
<b>Debtors.</b>	: <b>Jointly Administered</b>
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**ORDER GRANTING THE DEBTORS’ MOTION FOR ORDER AUTHORIZING  
THE DEBTORS TO FILE UNDER SEAL REFERENCES TO  
TERMS OF CONFIDENTIAL LUSAIL AGREEMENTS**

Upon consideration of the motion (the “*Motion*”)<sup>1</sup> of Arcapita Bank B.S.C.(c) (“*Arcapita*”) and certain of its subsidiaries, as debtors and debtors in possession (collectively, the “*Debtors*” and each, a “*Debtor*”), for entry of an order pursuant to section 107 of title 11 of the United States Code (the “*Bankruptcy Code*”) and Bankruptcy Rule 9018, authorizing the Debtors and other parties involved in these cases filed under chapter 11 of the Bankruptcy Code to: (a) redact various contracts, leases and agreements (hereinafter, the “*Lusail Agreements*”)<sup>2</sup> annexed as exhibits to the Debtors’ *Motion Pursuant to Sections 365(d)(3) And 363(b)(1) of the Bankruptcy Code for Authorization for Arcapita To Make Investment To Support the Lusail Joint Venture* (the “*Lusail Motion*”) in the Lusail Motion and other disclosures, applications, motions, and other pleadings (collectively, “*Disclosures*”) filed publicly with the Court; (b) file unredacted copies of such Disclosures with the Court under seal; and (c) provide unredacted copies of such Disclosures to the Official Committee of Unsecured Creditors (the “*Committee*”) and the United States Trustee for the Southern District of New York (“*United States Trustee*”);

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.  
<sup>2</sup> Those agreements comprising the Lusail Agreements are listed in the Motion.

it appearing that the relief requested in the Motion is appropriate in the context of these cases and in the best interests of the Debtors and their respective estates; the Court having reviewed the Motion and having considered the statements in support of the relief requested therein at a hearing before the Court (the “*Hearing*”); and no party having objected to the Motion on any grounds prior to the Hearing; and the Debtors having filed a notice that summarizes the general terms of the Lusail Agreements at the direction of the Court and with the consent of Qatar Islamic Bank; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED:**

1. The Motion is approved to the extent set forth herein.
2. Pursuant to section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, the Debtors and any other party involved in the Chapter 11 Cases (including, but not limited to, parties to the Lusail Agreements) may redact the Lusail Agreements in any Disclosure (defined in the Motion as a “*Redacted Disclosure*”), and serve such Redacted Disclosure on all parties entitled to notice thereof under the Bankruptcy Code, the Bankruptcy Rules or any other applicable order.
3. The clerk of the Bankruptcy Court shall accept for filing under seal an unredacted copy of any Disclosure that is publicly filed in redacted form pursuant to this Order (defined in the Motion as an “*Unredacted Disclosure*”).
4. The Unredacted Disclosure shall be available to the Court, but otherwise shall remain under seal and may not be unsealed until and unless authorized by an order of the Court.

5. The Debtors shall serve a copy of any Unredacted Disclosure, permitted pursuant to this Order, on the Official Committee of Unsecured Creditors in the above-captioned Chapter 11 Cases and the United States Trustee.

6. The Debtors shall provide a copy of an Unredacted Disclosure as required by an order of this Court or other Court of competent jurisdiction.

7. This Order shall be immediately effective and enforceable upon its entry.

Dated: New York, New York  
**June 20, 2012**

/s/ Sean H. Lane  
THE HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE