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

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In re:	: Chapter 11
	:
	: Case No. 12-11076 (SHL)
ARCAPITA BANK B.S.C.(C), <u>et al.</u> ,	:
	: (Jointly Administered)
	:
Debtors.	:
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**NOTICE OF STIPULATION AND VOLUNTARY DISMISSAL OF  
MOTION OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
FOR ENTRY OF AN ORDER PURSUANT TO  
FED. R. BANKR. P. 2004, 9006, AND 9016  
AUTHORIZING EXPEDITED DISCOVERY FROM THE DEBTORS**

Arcapita Bank B.S.C.(c) and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases, on the one hand, and the Official Committee of Unsecured Creditors in these chapter 11 cases (the “Committee”), on the other, by and through their respective counsel, hereby stipulate as follows:

**RECITALS**

WHEREAS, on February 19, 2013, the Committee filed the Motion for Entry of an Order Pursuant to Fed. R. Bankr. P. 2004, 9006 and 9016 Authorizing Expedited Discovery

From the Debtors [Docket No. 843] (the "Motion"), seeking access to certain information regarding the corporate governance and control rights for the Debtors' portfolio investments;

WHEREAS, on February 28, 2013, the Debtors filed an Opposition to Motion of Official Committee of Unsecured Creditors for Entry of an Order Pursuant to Fed. R. Bankr. P. 2004, 9006 and 9016 Authorizing Expedited Discovery From the Debtors [Docket No. 874]; and

WHEREAS, the Debtors and the Committee have agreed to confidentiality protocols governing the sharing of the information sought by the Committee in the Motion.

**STIPULATION**

IT IS THEREFORE STIPULATED that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, as made applicable hereto by Rules 9014 and 7041 of the Federal Rules of Bankruptcy Procedure, the Motion is hereby voluntarily dismissed, without prejudice to the Committee's right to file further motions seeking discovery from the Debtors.

Dated: March 26, 2013  
New York, New York

MILBANK, TWEED, HADLEY & M<sup>c</sup>CLOY  
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