

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

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: **Chapter 11**  
: **Case No. 12-11076 (SHL)**  
: **Jointly Administered**  
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**ORDER SETTING BRIEFING SCHEDULE WITH  
RESPECT TO SUBORDINATION OF TIDE’S CLAIMS UNDER  
THE DEBTORS’ PLAN**

On April 26, 2013 the Court conducted a hearing (“*Hearing*”) and considered the motion (the “*Motion*”)<sup>1</sup> [Docket No. 828] of Arcapita Bank B.S.C.(c) and certain of its affiliates, (collectively, the “*Debtors*”), for entry of an order (i) approving the Disclosure Statement, (ii) establishing solicitation and voting procedures, (iii) scheduling a confirmation hearing and (iv) establishing notice and objection procedures for the confirmation of the Debtors’ Plan. After the consideration of all objections and briefs filed in opposition to the Motion and the arguments of counsel at the Hearing in support of and in opposition to the Motion, the Court overruled all objections and granted the relief requested in the Motion by an order entered on April 26, 2013 and, among other things, set the hearing on the confirmation of the Plan for June 11, 2013. In accordance with the Court’s bench rulings on April 26, 2013, the Court sets the following briefing schedule with respect to subordination of the claims filed by Tide Natural Gas Storage I LP and Tide Gas Storage II LP (“*Tide*”) against debtors Falcon Gas Storage Company, Inc. and Arcapita Bank B.S.C.(c) under the Debtors’ Plan.

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<sup>1</sup> Capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to them in the Motion, the Plan and the Disclosure Statement.

**IT IS HEREBY ORDERED:**

1. Any briefs in support of the subordination of the Tide Claims as provided in the Plan shall be filed on or before May 16, 2013.
2. Any briefs in opposition to the subordination of the Tide Claims as provided in the Plan shall be filed on or before May 29, 2013.
3. Any reply briefs in support of the subordination of the Tide Claims as provided in the Plan shall be filed on or before June 3, 2013.
4. Each of the foregoing shall be filed and served in accordance with the Bankruptcy Rules, the Local Rules, and the Case Management Order.
5. The Court shall retain jurisdiction with respect to all matters arising under or relating to the implementation and enforcement of this Order.

Dated: New York, New York  
May 15, 2013

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