

Dennis F. Dunne  
Evan R. Fleck  
Lena Mandel  
MILBANK, TWEED, HADLEY & M<sup>c</sup>CLOY LLP  
1 Chase Manhattan Plaza  
New York, NY 10005  
Telephone: (212) 530-5000

*Counsel for the Reorganized Debtors and  
the New Holding Companies*

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

-----	X	
	:	
In re:	:	Chapter 11
	:	
ARCAPITA BANK B.S.C.(c), <u>et al.</u> ,	:	Case No. 12-11076 (SHL)
	:	
Reorganized Debtors. <sup>1</sup>	:	Confirmed
	:	
-----	X	

**NOTICE OF HEARING ON  
SEVENTH OMNIBUS OBJECTION TO CLAIMS  
(Substantively Duplicative Claims)**

PLEASE TAKE NOTICE that on October 10, 2013, the above-captioned Reorganized Debtors filed the annexed omnibus objection (the "Seventh Omnibus Objection") to certain claims asserted against their predecessors in interest (the "Debtors").

PLEASE TAKE FURTHER NOTICE that a hearing (the "Hearing") to consider the Seventh Omnibus Objection will be held before the Honorable Sean H. Lane, United States Bankruptcy Judge, in Room 701 of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004-1408 (the "Court") on **November 21, 2013 at 11:00 a.m.** (**prevailing Eastern Time**), or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE THAT ANY PARTY RECEIVING THIS NOTICE SHOULD REVIEW THE SEVENTH OMNIBUS OBJECTION TO SEE IF ITS**

<sup>1</sup> The chapter 11 case captioned In re Falcon Gas Storage Company, Inc., No. 12-11790 (Bankr. S.D.N.Y.) (the "Falcon Case") is being jointly administered as one of the above-captioned cases. No plan has been confirmed in the Falcon Case.

**NAME, DESIGNATED IDENTIFICATION NUMBER AND/OR CLAIM IS LISTED ON EXHIBIT A ATTACHED TO THE SEVENTH OMNIBUS OBJECTION.**<sup>2</sup>

PLEASE TAKE FURTHER NOTICE that any party receiving this notice that does **NOT** oppose the disallowance of such party's claim(s) does **NOT** need to file a written response to the Seventh Omnibus Objection and does **NOT** need to appear at the Hearing.

PLEASE TAKE FURTHER NOTICE that any party receiving this notice that **DOES** oppose the disallowance of such party's claim(s) must file and serve a written response to the Seventh Omnibus Objection (each, a "Response") so as to be received no later than **November 14, 2013 at 4:00 p.m. (prevailing Eastern Time)** (the "Response Deadline").

PLEASE TAKE FURTHER NOTICE that any Response must be in writing and contain at a minimum the following: (a) a caption setting forth the name of the Court, the case number and the title of the Seventh Omnibus Objection; (b) the name or the Identification Number of the claimant and description of the basis for the asserted claim; (c) a concise statement setting forth the reasons why the claim should not be disallowed for the reasons set forth in the Seventh Omnibus Objection, including, but not limited to, the specific factual and legal bases upon which the claimant will rely in opposing the Seventh Omnibus Objection; (d) all documentation or other evidence of the claim, to the extent not included with the proof of claim previously filed with the Court, upon which the claimant will rely in opposing the Seventh Omnibus Objection; (e) the address to which the Reorganized Debtors must return any reply to any Response, if different from that listed in the claimant's proof of claim; and (f) the name, address, and telephone number of the person (which may be the claimant or the claimant's counsel) possessing ultimate authority to reconcile, settle or otherwise resolve the claim on the claimant's behalf.

PLEASE TAKE FURTHER NOTICE that a Response will be deemed timely filed only if it is actually filed on or before the Response Deadline on the docket of *In re Arcapita Bank B.S.C.(c), et al.*, Case No. 12-11076 (SHL), either by (a) electronic filing pursuant to the Case Management Procedures approved by the Court and the Court's General Order M-399 (available at [www.nysb.uscourts.gov/court-info/local-rules-and-orders/general-orders](http://www.nysb.uscourts.gov/court-info/local-rules-and-orders/general-orders)), by registered users of the Court's case filing system and by all other parties in interest on a compact disk, preferably in portable document format, Microsoft Word, or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), in accordance with the customary practices of the Court and General Order M-399, to the extent applicable, or (b) delivering the original Response to the Court on or before the Response Deadline at One Bowling Green,

---

<sup>2</sup> Creditors can obtain certain categories of information with respect to any proof of claim filed against the Debtors, such as, e.g., the identity (or in the case of the Debtors' investors and employees, the designated identification numbers used to preserve confidentiality) of the relevant claimant at this website: <http://www.gcginc.com/cases/arcapita/index.php>. Creditors may search the claims register by clicking on the "Claims Register/Creditor Search" link on the website. In addition, creditors may request a copy of the cover page of any proof of claim (other than for investors and employees) by email at [ArcapitaBankInfo@gcginc.com](mailto:ArcapitaBankInfo@gcginc.com) or by mail to Arcapita Bank B.S.C.(c), c/o GCG, Inc., P.O. Box 9881, Dublin, Ohio 43017-5781. Requests for a copy of any proof of claim cover page for investors or employees will require Court approval and the filing of a motion seeking such approval and may be subject to the approval of the Reorganized Debtors and/or their counsel.

Room 701, New York, New York 10004-1408. In addition, a Response will be deemed timely served only if a copy of the Response is actually received on or before the Response Deadline by (i) counsel to the Reorganized Debtors, Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Lena Mandel, Esq. and Nicholas Kamphaus, Esq.); and (ii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Richard Morrissey, Esq.).

PLEASE TAKE FURTHER NOTICE that if no Response is timely filed and served with respect to any claim dealt with in the Seventh Omnibus Objection, the Reorganized Debtors may, on or after the Response Deadline, submit to the Court an order substantially in the form of the proposed order annexed to the Seventh Omnibus Objection disallowing and expunging such claim, which order may be entered with no further notice or opportunity to be heard.

PLEASE TAKE FURTHER NOTICE that any party receiving this notice may view the complete Seventh Omnibus Objection on the Court's electronic docket for the Debtors' chapter 11 cases, which is posted on the Internet at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (a PACER login and password are required and can be obtained through the PACER Service Center at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) or for free at [www.gcginc.com/cases/arcapita](http://www.gcginc.com/cases/arcapita). Any questions about this notice or the Seventh Omnibus Objection should be directed to GCG, Inc., the claims agent retained by the Reorganized Debtors, at 800-762-7029 (toll free), 440-389-7311 (international toll), or email at [ArcapitaBankInfor@gcginc.com](mailto:ArcapitaBankInfor@gcginc.com). CLAIMANTS SHOULD NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF THEIR CLAIMS.

Dated: October 10, 2013  
New York, New York

**MILBANK, TWEED, HADLEY & M<sup>C</sup>CLOY LLP**

/s/ Evan R. Fleck

Dennis F. Dunne

Evan R. Fleck

Lena Mandel

One Chase Manhattan Plaza

New York, NY 10005-1413

Telephone: (212) 530-5000

*Counsel for the Reorganized Debtors and  
the New Holding Companies*

Dennis F. Dunne  
Evan R. Fleck  
Lena Mandel  
MILBANK, TWEED, HADLEY & M<sup>c</sup>CLOY LLP  
1 Chase Manhattan Plaza  
New York, NY 10005  
Telephone: (212) 530-5000

*Counsel for the Reorganized Debtors and  
the New Holding Companies*

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

-----	X	
	:	
In re:	:	Chapter 11
	:	
ARCAPITA BANK B.S.C.(c), <u>et al.</u> ,	:	Case No. 12-11076 (SHL)
	:	
Reorganized Debtors. <sup>1</sup>	:	Confirmed
	:	
-----	X	

**SEVENTH OMNIBUS OBJECTION TO CLAIMS**  
**(Substantively Duplicative Claims)**

**THIS OBJECTION SEEKS TO DISALLOW CERTAIN SCHEDULED AND FILED CLAIMS. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES (OR DESIGNATED IDENTIFICATION NUMBERS) AND/OR CLAIMS ON EXHIBIT A ATTACHED TO THIS OBJECTION.□**

The above-captioned Reorganized Debtors hereby submit, pursuant to section 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (as amended, the “Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and this Court’s *Order Granting Debtors’ Motion for Entry of an Order Pursuant to 11 U.S.C. § 105(a) and Fed. R Bankr. P. 3007 Approving Claim Objection Procedures* [Docket No. 785] (the “Claim Objection Procedures Order”), this omnibus objection (the “Seventh Omnibus

<sup>1</sup> The chapter 11 case captioned In re Falcon Gas Storage Company, Inc., No. 12-11790 (Bankr. S.D.N.Y.) (the “Falcon Case”) is being jointly administered as one of the above-captioned cases. No plan has been confirmed in the Falcon Case.

Objection”) to certain claims asserted against their predecessors in interest (the “Debtors”). This Seventh Omnibus Objection is supported by the *Declaration of Scott A. Rinaldi in Support of Seventh Omnibus Objection to Claims* attached hereto as Exhibit B (the “Rinaldi Declaration”). In support of the Seventh Omnibus Objection, the Reorganized Debtors respectfully represent as follows:

### **JURISDICTION AND VENUE**

1. The Court has jurisdiction to consider this Seventh Omnibus Objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

### **BACKGROUND**

2. On June 8, 2012, the Debtors filed their schedules of assets and liabilities [Docket Nos. 212-223], which were amended on February 4, 2013 [Docket No. 821] (as so amended, the “Schedules”).

3. On July 11, 2012, this Court entered an order [Docket No. 308] establishing (a) August 30, 2012 at 5:00 p.m. (prevailing Eastern Time) as the deadline for non-governmental claimants to file proofs of claim against the Debtors (extended to September 17, 2012 for certain claimants), and (b) September 17, 2012 at 5:00 p.m. (prevailing Eastern Time) as the deadline for governmental units to file proofs of claim against the Debtors.

4. On January 18, 2013, the Court entered the Claim Objection Procedures Order, establishing additional grounds (in addition to the grounds set forth in Bankruptcy Rule 3007(d)) on which the Debtors and other parties in interest may object to claims asserted in the chapter 11 cases on an omnibus basis. Pursuant to that order, parties in interest may file omnibus objections on, among others, the basis that “the claims should otherwise be disallowed pursuant to section 502 of the Bankruptcy Code.” Claim Objection Procedures Order ¶ 3(j).

5. On April 26, 2013, the Debtors filed the first five omnibus objections to claims [Docket Nos. 1049-1053]. On September 16, 2013, the Debtors filed the sixth omnibus objection to claims [Docket No. 1515].

6. On June 17, 2013, the Court entered an order [Docket No. 1045] confirming the Debtors' second amended joint chapter 11 plan of reorganization (the "Plan") and establishing the later of the 180<sup>th</sup> day following (i) the effective date of the Plan, which occurred on September 17, 2013, or (ii) the date a claim is filed, as the last date for filing objections to claims against the Debtors. See Appendix A of Plan ¶ 45. The Plan provides that "[a]fter the Effective Date, no party in interest shall have the right to object to Claims against or Interests in the Debtors (other than Falcon) or their Estates other than the Reorganized Debtors." Plan § 8.11.

### **RELIEF REQUESTED**

7. The Reorganized Debtors and their advisors have reviewed the proofs of claim (including any supporting documentation) identified on Exhibit A under the heading "Claims to be Disallowed" (collectively, the "Duplicative Claims") and have determined that the Duplicative Claims should be disallowed in their entirety and expunged because they are substantively duplicative of the corresponding claims identified on Exhibit A under the heading "Surviving Claims" (collectively, the "Surviving Claims").

8. The Reorganized Debtors seek, pursuant to section 502(b) of the Bankruptcy Code, Rule 3007(d) of the Bankruptcy Rules, and the Claim Objection Procedures Order, entry of an order, in the form attached hereto as Exhibit C, disallowing and expunging each of the Duplicative Claims.

### **OBJECTION**

9. A filed proof of claim is "deemed allowed, unless a party in interest . . . objects." 11 U.S.C. § 502(a). If an objection refuting at least one of the claim's essential allegations is

asserted, the claimant has the burden to demonstrate the validity of the claim. See In re Oneida Ltd., 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); In re Adelpia Commc'ns Corp., Case No. 02-41729 (REG), 2007 Bankr. LEXIS 660, at \*15 (Bankr. S.D.N.Y. Feb. 20, 2007); In re Rockefeller Ctr. Props., 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000).

10. Prior to the petition date and in the ordinary course of business, the Debtors maintained books and records (the “Books and Records”) that reflect, among other things, the Debtors’ liabilities and amounts owed to creditors as of the petition date. The Debtors’ claims register identifies proofs of claim filed in the chapter 11 cases by entities asserting claims against the Debtors (collectively, the “Claimants”). The Reorganized Debtors compared the claims asserted by the Claimants with the Books and Records and the Schedules to determine the validity of the asserted claims.

11. As a result of this review, the Reorganized Debtors have determined that the Duplicative Claims have been filed on account of the same obligations as the corresponding Surviving Claims. Accordingly, to avoid double recovery by the relevant Claimants, the Duplicative Claims should be disallowed in their entirety and expunged.

#### **I. Syndicated Facility Claims**

12. All but one of the Duplicative Claims (the “Syndicated Facility Claims”) are duplicative of two Surviving Claims, Claim Nos. 329 and 331 (the “Portigon Claims”).

13. The Portigon Claims were filed by Portigon AG, London Branch, as replacement investment agent (in such capacity, the “Investment Agent”) under the Master Murabaha Agreement dated March 28, 2007 between Arcapita Bank B.S.C.(c) (“Arcapita Bank”) and the Investment Agent (as amended, restated, supplemented, and/or otherwise modified, the “Syndicated Facility Agreement”), on behalf of itself and the participants under the Syndicated Facility Agreement (the “Syndicated Facility Participants”).

14. On September 11, 2013, the Court entered the *Stipulated Order Allowing Claims Filed by Portigon AG, London Branch, in its Capacity as the Investment Agent Under the Syndicated Facility* [Docket No. 1486] (the “Portigon Claims Stipulation”), allowing the Portigon Claims in the aggregate amount of \$1,102,204,552.75 as general unsecured claims against Arcapita Bank and Arcapita Investment Holdings Limited.

15. The Syndicated Facility Claims were filed by certain individual Syndicated Facility Participants on account of the obligations already allowed under the Portigon Claims Stipulation.

16. Based on the foregoing, allowing the individual Syndicated Facility Participants to recover on account of the Syndicated Facility Claims would result in double recoveries under the Syndicated Facility Agreement. Thus, the Syndicated Facility Claims should be disallowed in their entirety and expunged.

## **II. Claim No. 86**

17. The single Duplicative Claim that is not a Syndicated Facility Claim is Claim No. 86, which was filed by a claimant identified by the Debtors as Investor 51372.<sup>2</sup> The Reorganized Debtors object to Claim No. 86 because it is duplicative of the claim (the “Investor 52016 Scheduled Claim”) scheduled by the Debtors as owing to an entity identified as Investor 52016 (“Investor 52016”) under the Murabaha Agreement dated November 19, 2008 (the “Murabaha Agreement”).

18. Under the Investment Agency Agreement dated November 19, 2008 (the “Investment Agency Agreement”), Investor 52016 was appointed by Investor 51372 to be its

---

<sup>2</sup> Pursuant to the Court’s *Order Granting Debtors’ Motion for Order Authorizing Parties to File Under Seal Names of the Debtors’ Customers* [Docket No. 158], the identities of Investor 51372 and Investor 52016 are not disclosed to protect the investors’ confidentiality.



investment agent for the purpose of entering into the Murabaha Agreement. Investor 51372 is not a party to the Murabaha Agreement.

19. Because Investor 51372 is not itself a signatory to the Murabaha Agreement, it is not entitled to assert a direct claim against Arcapita Bank. Pursuant to the Investment Agency Agreement, Investor 52016 is the party that is liable on the obligations underlying Claim No. 86. Under the Investment Agency Agreement, payment by Investor 52016 to Investor 51372 is conditioned upon Investor 52016's receipt of the corresponding payment from Arcapita Bank.

20. Therefore, Claim No. 86 is duplicative of the recovery that Investor 52016 will receive on account of the Investor 52016 Scheduled Claim, and, to avoid multiple recoveries by Investor 51372, Claim No. 86 should be disallowed in its entirety and expunged.

21. For the foregoing reasons, the Reorganized Debtors request that the Court disallow in their entirety and expunge each of the Duplicative Claims listed on Exhibit A. The corresponding Surviving Claims will remain subject to further objections on any other basis.

#### **RESERVATION OF RIGHTS**

22. The Reorganized Debtors reserve their right to object to each of the Duplicative Claims on any and all additional factual or legal grounds.

#### **NOTICE**

23. The Reorganized Debtors have provided notice of the filing of the Seventh Omnibus Objection by electronic mail, facsimile and/or overnight mail to: (a) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Richard Morrissey, Esq.); and (b) each Claimant listed on Exhibit A. The Reorganized Debtors submit that such notice is sufficient and no other or further notice need be provided.

**NO PRIOR REQUEST**

24. No prior request for the relief requested herein has been made to this or any other court.

**CONCLUSION**

WHEREFORE, the Reorganized Debtors respectfully request that the Court grant the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: October 10, 2013  
New York, New York

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

/s/ Evan R. Fleck \_\_\_\_\_  
Dennis F. Dunne  
Evan R. Fleck  
Lena Mandel  
One Chase Manhattan Plaza  
New York, NY 10005-1413  
Telephone: (212) 530-5000

*Counsel for the Reorganized Debtors and  
the New Holding Companies*

**Exhibit A**

**Substantively Duplicative Claims**

**ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS**

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS				
	NAME OF CLAIMANT	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
1	AKA AUSFUHRKREDIT- GESELLSCHAFT MBH FRANKFURT AM MAIN GROSSE GALLUSSTRASSE 1-7 60311 FRANKFURT AM MAIN, GERMANY	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	163	\$10,020,405.78*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
2	AKA AUSFUHRKREDIT- GESELLSCHAFT MBH ATTN ROLAND ELBEN GROSSE GALLUSSTRASSE 1-7 60311 FRANKFURT AM MAIN, GERMANY	Arcapita Investment Holdings Limited 12-11077 (SHL)	164	\$10,020,405.78*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
3	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	277	\$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
4	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	283	\$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
5	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	284 \$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
6	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	276 \$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
7	ARCHVIEW MASTER FUND LTD C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	279 \$5,501,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
8	ARCHVIEW MASTER FUND LTD C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	278 \$5,501,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
9	BARCLAYS BANK PLC C/O BARCLAYS CAPITAL INC ATTN: RYAN ROY 745 SEVENTH AVENUE NEW YORK, NY 10019	Arcapita Investment Holdings Limited 12-11077 (SHL)	110 \$30,061,217.34*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
10	BARCLAYS BANK PLC C/O BARCLAYS CAPITAL INC ATTN: RYAN ROY 745 SEVENTH AVENUE NEW YORK, NY 10019	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	109 \$30,061,217.34*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
11	FORTIS BANK SA/NV ATTN REGINE OUYANG & ANNE DURSIN MONTAGE DU PARC/WARANDEBER G 3 1000, BRUSSELS, BELGIUM	Arcapita Investment Holdings Limited 12-11077 (SHL)	97 \$40,106,741.11*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
12	FORTIS BANK SA/NV ATTN REGINE OUYANG & ANNE DURSIN MONTAGE DU PARC/WARANDEBER G 3 1000, BRUSSELS, BELGIUM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	98 \$40,106,741.11*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS				
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED		DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT	
13	GLADWYNE MASTER FUND LIMITED C/O GLADWYNE INVESTMENTS LLP 29 ST JAMES'S PLACE LONDON SW1A 1NR, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	439(a)	\$5,000,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
14	GLADWYNE MASTER FUND LIMITED C/O GLADWYNE INVESTMENTS LLP 29 ST JAMES'S PLACE LONDON SW1A 1NR, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	438(a)	\$5,000,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
15	GOLDMAN SACHS LENDING PARTNERS LLC C/O GOLDMAN SACHS INTERNATIONAL PETERBOROUGH COURT 133 FLEET ST LONDON EC4A 2BB, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	36	\$30,061,217.33*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
16	GOLDMAN SACHS LENDING PARTNERS LLC C/O GOLDMAN SACHS INTERNATIONAL PETERBOROUGH COURT 133 FLEET ST LONDON EC4A 2BB, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	37	\$30,061,217.33*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

**ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS**

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
17	INVESTOR 51372 [ADDRESS ON FILE]	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	86	\$20,398,026.25*	INVESTOR 52016 [ADDRESS ON FILE]	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	S2019040504 \$69,950,108.89
18	MIDTOWN ACQUISITIONS LP C/O DAVIDSON KEMPNER CAPITAL MANAGEMENT LLC ATTN AVRAM FRIEDMAN 65 E 55TH ST 19TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	425	\$50,050,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331 \$1,102,204,552.75*
19	MIDTOWN ACQUISITIONS LP C/O DAVIDSON KEMPNER CAPITAL MANAGEMENT LLC ATTN AVRAM FRIEDMAN 65 E 55TH ST 19TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	424	\$50,050,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329 \$1,102,204,552.75*
<b>TOTAL</b>				<b>\$374,375,189.37*</b>			

\* Plus unliquidated, punitive and/or undetermined amounts.



**Exhibit B**

**Scott A. Rinaldi Declaration**

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

-----	X	
	:	
In re:	:	Chapter 11
	:	
ARCAPITA BANK B.S.C.(c), <u>et al.</u> ,	:	Case No. 12-11076 (SHL)
	:	
Reorganized Debtors. <sup>1</sup>	:	Confirmed
	:	
-----	X	

**DECLARATION OF SCOTT A. RINALDI  
IN SUPPORT OF SEVENTH OMNIBUS OBJECTION TO CLAIMS**

Pursuant to 28 U.S.C. § 1746, I, Scott A. Rinaldi, hereby declare:

1. I am a Managing Director at FTI Consulting, Inc. (“FTI”), the financial advisor for the above-captioned Reorganized Debtors.

2. In my capacity as Managing Director of FTI, I am authorized to submit this Declaration in support of the *Seventh Omnibus Objection to Claims* (the “Seventh Omnibus Objection”).<sup>2</sup>

3. Except as otherwise indicated, all facts set forth in this Declaration are based upon: (a) my personal knowledge; (b) my review, or the review of employees of FTI under my supervision and direction, of the relevant documents, including the Schedules, the Seventh Omnibus Objection, and all claims listed on Exhibit A thereto; and (c) information supplied to me by others at the request of the Reorganized Debtors or their professionals. If called upon to testify, I could and would competently testify to the facts set forth herein on that basis, including that I, or employees of FTI under my supervision and direction, personally reviewed the claims

<sup>1</sup> The chapter 11 case captioned In re Falcon Gas Storage Company, Inc., No. 12-11790 (Bankr. S.D.N.Y.) (the “Falcon Case”) is being jointly administered as one of the above-captioned cases. No plan has been confirmed in the Falcon Case.

<sup>2</sup> Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to such terms in the Seventh Omnibus Objection.

listed on Exhibit A to the Seventh Omnibus Objection as part of the claims reconciliation process in these chapter 11 cases.

### **QUALIFICATIONS AND BACKGROUND**

4. I have extensive experience with chapter 11 cases and other distressed restructurings, having advised debtors and various other stakeholders in the chapter 11 process for approximately 16 years. Since joining FTI in 1997,<sup>3</sup> I have specialized in all aspects of bankruptcy case administration, including, among other things, claims review and reconciliation, preparation of statements and schedules, noticing and the development of custom solutions to complex case administration and claim reconciliation issues.

5. I received my Bachelor of Arts degree in Finance from Florida State University and an MBA from Indiana University. My business address is 3 Times Square 10<sup>th</sup> Floor, New York, NY 10036.

### **THE DUPLICATIVE CLAIMS**

6. Based upon my review (or that of employees of FTI under my supervision) of both the Duplicative Claims and the Surviving Claims listed on Exhibit A to the Seventh Omnibus Objection, I have concluded that each Duplicative Claim is on account of the same underlying obligations as the Surviving Claims, for the reasons set forth in the Seventh Omnibus Objection.

7. Accordingly, to avoid double recoveries, the Duplicative Claims should be disallowed in their entirety and expunged.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

---

<sup>3</sup> I joined Coopers & Lybrand in 1997, which merged in 1998 with Price Waterhouse to become PricewaterhouseCoopers (“PWC”). In 2002, FTI acquired PWC’s U.S. Business Recovery Services Division, of which I was a part.

Date: October 10, 2013  
New York, New York

/s/ Scott A. Rinaldi  
Scott A. Rinaldi

**Exhibit C**

**Proposed Order**

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

-----	X	
	:	
In re:	:	Chapter 11
	:	
ARCAPITA BANK B.S.C.(c), <u>et al.</u> ,	:	Case No. 12-11076 (SHL)
	:	
Reorganized Debtors. <sup>1</sup>	:	Confirmed
	:	
-----	X	

**ORDER GRANTING SEVENTH OMNIBUS OBJECTION TO CLAIMS**  
**(Substantively Duplicative Claims)**

Upon consideration of the above-captioned Reorganized Debtors’ seventh omnibus objections to claims (the “Seventh Omnibus Objection”)<sup>2</sup> seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (as amended, the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court’s *Order Granting Debtors’ Motion for Entry of an Order Pursuant to 11 U.S.C. § 105(a) and Fed. R Bankr. P. 3007 Approving Claim Objection Procedures*, disallowing and expunging each of the Duplicative Claims, all as more fully described in the Seventh Omnibus Objection; and the Court having found that it has jurisdiction to consider the Seventh Omnibus Objection pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that venue of this proceeding in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that notice of the Seventh Omnibus Objection and the hearing thereon (the “Hearing”) was appropriate under the circumstances; and the Court having reviewed the Seventh Omnibus Objection and having considered the Rinaldi Declaration, the objections, if any, to the relief requested in the Seventh

<sup>1</sup> The chapter 11 case captioned In re Falcon Gas Storage Company, Inc., No. 12-11790 (Bankr. S.D.N.Y.) (the “Falcon Case”) is being jointly administered as one of the above-captioned cases. No plan has been confirmed in the Falcon Case.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Seventh Omnibus Objection.

Omnibus Objection, and statements of counsel at the Hearing; and the Court having determined that the legal and factual bases set forth in the Seventh Omnibus Objection establish just cause for the relief granted herein; and the Court having found that the relief requested in the Seventh Omnibus Objection is in the best interests of the Reorganized Debtors and other parties in interest; and upon the record of the Hearing, the chapter 11 cases and all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is hereby:

1. **ORDERED** that the relief requested in the Seventh Omnibus Objection is granted to the extent provided herein.

2. **ORDERED** that pursuant to section 502(b) of the Bankruptcy Code, each claim listed under the heading "Claims to be Disallowed" on Exhibit 1 attached hereto is disallowed in its entirety and expunged.

3. **ORDERED** that the Surviving Claims shall remain on the claims register subject to the Reorganized Debtors' right to further object to any or all of them on any basis not asserted in the Seventh Omnibus Objection, and that such right is expressly preserved.

4. **ORDERED** that, except as set forth in this Order, nothing in this Order constitutes an admission or finding with respect to any Surviving Claim.

5. **ORDERED** that the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: New York, New York  
\_\_\_\_\_, 2013

---

THE HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit 1**



ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS				
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT	
1	NAME OF CLAIMANT							
1	AKA AUSFUHRKREDIT- GESELLSCHAFT MBH FRANKFURT AM MAIN GROSSE GALLUSSTRASSE 1-7 60311 FRANKFURT AM MAIN, GERMANY	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	163	\$10,020,405.78*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
2	AKA AUSFUHRKREDIT- GESELLSCHAFT MBH ATTN ROLAND ELBEN GROSSE GALLUSSTRASSE 1-7 60311 FRANKFURT AM MAIN, GERMANY	Arcapita Investment Holdings Limited 12-11077 (SHL)	164	\$10,020,405.78*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
3	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	277	\$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
4	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	283	\$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
5	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	284 \$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
6	ARCHVIEW FUND LP C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	276 \$3,094,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
7	ARCHVIEW MASTER FUND LTD C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	279 \$5,501,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
8	ARCHVIEW MASTER FUND LTD C/O ARCHVIEW INVESTMENT GROUP LP ATTN ROBERT RYAN CHIEF FINANCIAL OFFICER 70 E 55TH ST 14TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	278 \$5,501,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED	NAME OF CLAIMANT	DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
9	BARCLAYS BANK PLC C/O BARCLAYS CAPITAL INC ATTN: RYAN ROY 745 SEVENTH AVENUE NEW YORK, NY 10019	Arcapita Investment Holdings Limited 12-11077 (SHL)	110 \$30,061,217.34*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
10	BARCLAYS BANK PLC C/O BARCLAYS CAPITAL INC ATTN: RYAN ROY 745 SEVENTH AVENUE NEW YORK, NY 10019	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	109 \$30,061,217.34*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
11	FORTIS BANK SA/NV ATTN REGINE OUYANG & ANNE DURSIN MONTAGE DU PARC/WARANDEBER G 3 1000, BRUSSELS, BELGIUM	Arcapita Investment Holdings Limited 12-11077 (SHL)	97 \$40,106,741.11*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
12	FORTIS BANK SA/NV ATTN REGINE OUYANG & ANNE DURSIN MONTAGE DU PARC/WARANDEBER G 3 1000, BRUSSELS, BELGIUM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	98 \$40,106,741.11*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS				
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED		DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT	
13	GLADWYNE MASTER FUND LIMITED C/O GLADWYNE INVESTMENTS LLP 29 ST JAMES'S PLACE LONDON SW1A 1NR, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	439(a)	\$5,000,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*
14	GLADWYNE MASTER FUND LIMITED C/O GLADWYNE INVESTMENTS LLP 29 ST JAMES'S PLACE LONDON SW1A 1NR, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	438(a)	\$5,000,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
15	GOLDMAN SACHS LENDING PARTNERS LLC C/O GOLDMAN SACHS INTERNATIONAL PETERBOROUGH COURT 133 FLEET ST LONDON EC4A 2BB, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	36	\$30,061,217.33*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331	\$1,102,204,552.75*
16	GOLDMAN SACHS LENDING PARTNERS LLC C/O GOLDMAN SACHS INTERNATIONAL PETERBOROUGH COURT 133 FLEET ST LONDON EC4A 2BB, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	37	\$30,061,217.33*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329	\$1,102,204,552.75*

\* Plus unliquidated, punitive and/or undetermined amounts.

**ARCAPITA BANK B.S.C. (C), ET. AL.  
SEVENTH OMNIBUS CLAIMS OBJECTION  
SUBSTANTIVELY DUPLICATIVE CLAIMS**

CLAIMS TO BE DISALLOWED				SURVIVING CLAIMS			
	DEBTOR NAME & CASE #	CLAIM # TO BE DISALLOWED	CLAIM AMOUNT TO BE DISALLOWED		DEBTOR NAME & CASE #	SURVIVING CLAIM #	SURVIVING CLAIM AMOUNT
17	INVESTOR 51372 [ADDRESS ON FILE]	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	86	\$20,398,026.25*	INVESTOR 52016 [ADDRESS ON FILE]	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	S2019040504 \$69,950,108.89
18	MIDTOWN ACQUISITIONS LP C/O DAVIDSON KEMPNER CAPITAL MANAGEMENT LLC ATTN AVRAM FRIEDMAN 65 E 55TH ST 19TH FL NEW YORK, NY 10022	Arcapita Investment Holdings Limited 12-11077 (SHL)	425	\$50,050,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Investment Holdings Limited 12-11077 (SHL)	331 \$1,102,204,552.75*
19	MIDTOWN ACQUISITIONS LP C/O DAVIDSON KEMPNER CAPITAL MANAGEMENT LLC ATTN AVRAM FRIEDMAN 65 E 55TH ST 19TH FL NEW YORK, NY 10022	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	424	\$50,050,000.00*	PORTIGON AG LONDON BRANCH AGENCY DESK WOOLGATE EXCHANGE 25 BASINGHALL ST LONDON EC2V 5HA, UNITED KINGDOM	Arcapita Bank B.S.C.(c) 12-11076 (SHL)	329 \$1,102,204,552.75*
			<b>TOTAL</b>	<b>\$374,375,189.37*</b>			

\* Plus unliquidated, punitive and/or undetermined amounts.