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

IN RE:

ARCAPITA BANK B.S.C.(C), *et al.*,  
Reorganized Debtors.

Chapter 11

Case No. 12-11076 (SHL)

Confirmed

**RESPONSE TO THE DEBTORS' SECOND OMNIBUS OBJECTION TO CLAIMS AND  
RESERVATION OF RIGHTS AS TO DECLARATORY RELIEF**

1. Mr. Khalid Ahmed A. Baeshen, Mr. Osama Ahmed A. Baeshen, Mrs. Sahar Ahmed A. Baeshen, and Mrs. Sumayya Ahmed A. Baeshen (collectively, the "Baeshens"), by and through their undersigned counsel, hereby withdraw those portions of claims 376, 377, 378, and 379 filed against Falcon Gas Storage Company, while reserving and preserving all rights with respect to claims 500, 501, 502, and 503.

2. With respect to claims 376, 377, 378, and 379, the Baeshens do not contest the portion of Reorganized Debtors' objection contending that the Reorganized Debtors do not have any liability for the Baeshens' interests in non-Debtor entities, while reserving and preserving any and all rights as shareholders in the non-Debtor entities along with any causes of action the Baeshens' may have against such non-Debtor entities and the officers and directors of any

Debtor and non-Debtor entities.

3. For the further avoidance of doubt, the Baeshens expressly reserve and preserve all of their rights and remedies with respect to the relief sought in that certain Complaint Of Khalid Ahmed A. Baeshen, Osama Ahmed A. Baeshen, Sahar Ahmed A. Baeshen, and Sumayya Ahmed A. Baeshen for (1) a Declaratory Judgment that Certain Funds in the Reorganized Debtors' Possession are not Property of the Reorganized Debtors' Estates and (2) an Order Compelling Reorganized Debtors to Turn Over Such Funds (as may be amended from time to time) filed on November 7, 2013 with this Court.

Dated: New York, New York  
November 7, 2013

BAKER & HOSTETLER LLP

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