

**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.                     | : | Confirmed               |
|  | : |                         |
| -----                                    | X |                         |

**ORDER GRANTING RELIEF WITH RESPECT TO  
NINTH OMNIBUS OBJECTION TO CLAIMS**

Upon consideration of (i) the ninth omnibus objections to claims (the “Ninth Omnibus Objection”)<sup>1</sup> filed by the above-captioned Reorganized Debtors, seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code, Rule 3007(d) of the Federal Rules of Bankruptcy Procedure and this Court’s Claim Objection Procedures Order, disallowing, expunging, reclassifying, reducing and/or otherwise modifying certain claims filed against the Reorganized Debtors’ predecessors in interest (the “Debtors”), (ii) the Declaration of Scott A. Rinaldi in Support of the Ninth Omnibus Objection to Claims, dated December 10, 2013, filed as Exhibit G to the Ninth Omnibus Objection, and (iii) the presentation of counsel at the hearing held on January 21, 2014; and the Court having jurisdiction to consider the Ninth Omnibus Objection pursuant to 28 U.S.C. §§ 157 and 1334; and venue of this proceeding in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and notice of the Ninth Omnibus Objection and the opportunity for a hearing being appropriate under the circumstances; and no other or further notice being required; and the Court having determined that the legal and factual bases set forth in the Ninth Omnibus Objection, in the Rinaldi Declaration, and at the hearing

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Ninth Omnibus Objection.

establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby:

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

2. **ORDERED** that, pursuant to section 502(b) of the Bankruptcy Code, each claim listed on Exhibit A annexed hereto is disallowed in its entirety and expunged.

3. **ORDERED** that, pursuant to section 502(b) of the Bankruptcy Code, each claim listed on Exhibit B annexed hereto is reduced as provided therein.

4. **ORDERED** that, pursuant to section 502(b) of the Bankruptcy Code, each claim listed on Exhibit C annexed hereto is reclassified as provided therein.

5. **ORDERED** that the Ninth Omnibus Objection as it relates to claim number 577 will be heard on **March 19, 2014 at 11:00 a.m. (prevailing U.S. Eastern Time)**, or as soon thereafter as counsel may be heard.

6. **ORDERED** that GCG is directed to adjust the claims register to reflect the provisions of this Order.

7. **ORDERED** that nothing in this Order shall affect the rights of all interested parties to object to any of the surviving claims on any alternative basis not asserted in the Ninth Omnibus Objection.

8. **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  
January 24, 2014

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

**Exhibit A**

**Claims to be Disallowed and Expunged**

**ARCAPITA BANK B.S.C.(C), ET AL.****EXHIBIT A – CLAIMS TO BE DISALLOWED AND EXPUNGED**

|    | <b>NAME OF CLAIMANT</b>   | <b>CLAIM NO.</b> | <b>DEBTOR &amp; CASE NO.</b>              |
|----|---|------------------|---|
| 1  | AMPD (DE) Limited Partnership<br>c/o W.P. Carey & Co., LLC<br>Attn: Brooks Gordon<br>50 Rockefeller Plaza<br>New York, NY 10020                                       | 131              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 2  | Yakima Products, Inc.<br>15025 SW Koll Parkway<br>Beaverton, OR 97006<br>Attn: Mark Reis  | 256              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 3  | Schellenberg Wittmer Ltd<br>15bis, rue des Alpes<br>P.O. Box 2088   | 567              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 4  | Bangladesh School Bahrain<br>P.O. Box 20305<br>Manama, Bahrain  | 568              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 5  | Plumb Line Services LLC<br>1020 Cambridge Dr.<br>Easley, SC 29642   | 569              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 6  | Bahrain Bay Development B.S.C.(c)<br>Bahrain Bay HQ Building<br>P.O. Box 5092<br>Diplomatic Area<br>Manama, Bahrain   | 572              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 7  | Bahrain Bay Development B.S.C.(c)<br>Bahrain Bay HQ Building<br>P.O. Box 5092<br>Diplomatic Area<br>Manama, Bahrain   | 573              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 8  | Smith Moore Leatherwood LLP<br>c/o M. Kevin McCarrell<br>PO Box 87<br>Greenville, SC 29602  | 574              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 9  | Yakima Products, Inc. & 3L Company Ltd.<br>Tonkon Torp LLP<br>Attn: Steven M. Wilker<br>888 SW Fifth Avenue, #1600<br>Portland, OR 97204                              | 575              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 10 | Talico Overseas Limited<br>c/o R&H Trust Co. (Jersey) Limited<br>P.O. Box 83<br>Ordnance House, 31 Pier Road<br>St. Helier, Jersey JE4 8PW<br>British Channel Islands | 580              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 11 | Talico Overseas Limited<br>c/o R&H Trust Co. (Jersey) Limited<br>P.O. Box 83<br>Ordnance House, 31 Pier Road<br>St. Helier, Jersey JE4 8PW<br>British Channel Islands | 581              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 12 | Bangladesh School Bahrain<br>P.O. Box 20305<br>Manama, Bahrain  | 583              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |
| 13 | Bangladesh School Bahrain<br>P.O. Box 20305<br>Manama, Bahrain  | 584              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) |

**Exhibit B**

**Claims to be Reduced**

**ARCAPITA BANK B.S.C.(C), ET AL.**  
**EXHIBIT B – CLAIMS TO BE REDUCED**

|              | NAME OF CLAIMANT  | CLAIM NO. | DEBTOR & CASE NO.                         | ASSERTED AMOUNT       | MODIFIED AMOUNT     |
|--------------|---|-----------|---|-----------------------|---------------------|
| 1            | King & Spalding LLP<br>1180 Peachtree Street<br>Atlanta, GA 30309<br>Attn: Paul K. Ferdinands | 302       | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | \$1,291,403.69        | \$949,125.32        |
| <b>TOTAL</b> |   |           |   | <b>\$1,291,403.69</b> | <b>\$949,125.32</b> |

**Exhibit C**

**Claims to be Reclassified**

**ARCAPITA BANK B.S.C.(C), ET AL.  
EXHIBIT C – CLAIMS TO BE RECLASSIFIED**

|   | <b>NAME OF CLAIMANT</b>            | <b>CLAIM NO.</b> | <b>DEBTOR &amp; CASE NO.</b>              | <b>ASSERTED CLASS</b> | <b>MODIFIED CLASS</b>  |
|---|------------------------------------|------------------|---|-----------------------|------------------------|
| 1 | Employee 1497<br>[Address on File] | 102              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 2 | Employee 1506<br>[Address on File] | 103              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 3 | Employee 1492<br>[Address on File] | 104              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 4 | Employee 1507<br>[Address on File] | 106              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 5 | Employee 1499<br>[Address on File] | 107              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 6 | Employee 1500<br>[Address on File] | 118              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 7 | Employee 1060<br>[Address on File] | 266              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |
| 8 | Employee 1260<br>[Address on File] | 369              | Arcapita Bank B.S.C.(c)<br>12-11076 (SHL) | Class 1(a) - Priority | Class 5(a) - Unsecured |