

**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 GRANTING DEBTORS' MOTION FOR ORDER AUTHORIZING THE
DEBTORS TO FILE UNDER SEAL CONFIDENTIAL EMPLOYEE INFORMATION**

Upon consideration of the motion (the "***Motion***")¹ of Arcapita Bank B.S.C.(c) ("***Arcapita***") and certain of its subsidiaries, as debtors and debtors in possession (collectively, the "***Debtors***" and each, a "***Debtor***"), for entry of an order pursuant to Bankruptcy Code § 107 and Bankruptcy Rule 9018, authorizing the Debtors and other parties involved in these cases filed under chapter 11 of the Bankruptcy Code to: (a) redact confidential information regarding plan participants, performance metrics and awards under the Debtors' proposed incentive and retention programs as described in **Exhibits C and E** annexed to the Debtors' *Motion Pursuant To Sections 363(b) and 503(c) of the Bankruptcy Code and Bankruptcy Rule 9019 Authorizing Debtors To Implement Employee Programs and Global Settlement of Claims* (the "***Employee Motion***") and in other disclosures, applications, motions, and other pleadings (collectively, "***Disclosures***") filed publicly with the Court; (b) serve unredacted copies of such Disclosures with the Court under seal; and (c) provide unredacted copies of such Disclosures to professionals for the Official Committee of Unsecured Creditors (the "***Committee***") and the United States Trustee for the Southern District of New York ("***United States Trustee***"); it appearing that the

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

relief requested in the Motion is appropriate in the context of these cases and in the best interests of the Debtors and their respective estates; the Court having reviewed the Motion and having considered the statements in support of the relief requested therein at a hearing before the Court (the "**Hearing**"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED:

1. The Motion is approved to the extent set forth herein.
2. Pursuant to section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018,
3. The Debtors and any other party involved in these Chapter 11 cases may redact references to the Confidential Information in any Disclosure to the extent reflected in **Annexes 1 and 2** hereto (a "**Redacted Disclosure**"), and serve such Redacted Disclosure on all parties entitled to notice thereof under the Bankruptcy Code, the Bankruptcy Rules or any other applicable order.
4. The clerk of the Bankruptcy Court shall accept for filing under seal an unredacted copy of any Disclosure that is publicly filed in redacted form pursuant to this Order (defined in the Motion as an "**Unredacted Disclosure**").
5. The Unredacted Disclosure shall be available to the Court, but otherwise shall remain under seal and may not be unsealed until and unless authorized by an order of the Court.
6. The Debtors shall serve a copy of any Unredacted Disclosure, permitted pursuant to this Order, on professionals for the Committee and the United States Trustee.

7. The Debtors shall provide a copy of an Unredacted Disclosure as required by an order of this Court or other Court of competent jurisdiction.

8. This Order shall be immediately effective and enforceable upon its entry.

Dated: New York, New York
July 6, 2012

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