

DECHERT LLP  
1095 Avenue of the Americas  
New York, New York 10036-6797  
Telephone: (212) 698-3500  
Facsimile: (212) 698-3599  
Michael J. Sage  
Brian E. Greer  
Nicole B. Herther-Spiro

*Attorneys for Standard Chartered Bank*

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

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In re:	: Chapter 11
	:
ARCAPITA BANK B.S.C.(C.), <i>et al.</i> ,	: Case No. 12-11076 (SHL)
	:
Debtors.	: Jointly Administered
	:
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**STANDARD CHARTERED BANK’S FIFTH LIMITED OBJECTION AND  
RESERVATION OF RIGHTS TO THE DEBTORS’ CASH MANAGEMENT MOTION**

Standard Chartered Bank (“**Standard Chartered**”), through its undersigned counsel, hereby asserts this fifth limited objection and reservation of rights (this “**Fifth Limited Objection**”)<sup>1</sup> to the *Motion for Interim and Final Orders (A) Authorizing Debtors to (I) Continue Existing Cash Management System, Bank Accounts, and Business Forms and (II) Continue Ordinary Course Intercompany Transactions; and (B) Granting an Extension of Time to Comply With the Requirements of Section 345(b) of the Bankruptcy Code* [Dkt. No. 12] (the “**Cash**

<sup>1</sup> Standard Chartered Bank’s initial Limited Objection to the Cash Management Motion [Dkt. No. 73] (the “**First Limited Objection**”), Second Limited Objection to the Cash Management Motion [Dkt. No. 109] (the “**Second Limited Objection**”), Third Limited Objection to the Cash Management Motion [Dkt. No. 172] (the “**Third Limited Objection**”) and Fourth Limited Objection to the Cash Management Motion [Dkt. No. 260] (the “**Fourth Limited Objection**”, together with the First Limited Objection, the Second Limited Objection, and the Third Limited Objection, the “**Previous Objections**”) are hereby incorporated as if fully set forth herein.

**Management Motion**”) filed by the above-captioned debtors and debtors in possession (the **Debtors**) for approval on a seventh interim basis and respectfully represents and states as follows:<sup>2</sup>

**LIMITED OBJECTION AND RESERVATION OF RIGHTS**

1. Standard Chartered is the Debtors’ sole secured creditor and the beneficiary of an express trust under its Equitable Mortgages<sup>3</sup> with certain of the Debtors and Cayman Islands law. Standard Chartered and the Debtors have not resolved the issues set forth in the Previous Objections -- including the Debtors’ attempted use of property required to be held in an express trust for the sole benefit of Standard Chartered.

2. Standard Chartered objects to the entry of a seventh interim order to the extent the form of order and seventh interim budget are not acceptable to Standard Chartered and objects to the entry of any final order.

3. Standard Chartered reserves its rights to make additional objections at the hearing and reserves its rights to object to the entry of any further interim orders and/or a final order that would permit disbursements of funds from the Subsidiary Guarantors and their non-Debtor subsidiaries to AIHL or Arcapita Bank for the benefit of structurally subordinated unsecured creditors.

WHEREFORE, for the foregoing reasons, Standard Chartered respectfully requests that the Court (a) deny the Cash Management Motion unless the form of order and budget are

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<sup>2</sup> By filing this Fifth Limited Objection, Standard Chartered is not acknowledging the propriety of these chapter 11 cases or that the Court should continue to exercise jurisdiction over each of the Debtors. Standard Chartered reserves the right to request that the Court dismiss, or abstain from, these chapter 11 cases.

<sup>3</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to them in Standard Chartered’s First Limited Objection.

acceptable to Standard Chartered and (b) grant Standard Chartered such other and further relief  
as the Court deems appropriate.

Dated: New York, New York  
July 25, 2012

DECHERT LLP

By: /s/ Brian E. Greer  
Michael J. Sage  
Brian E. Greer  
Nicole B. Herther-Spiro  
1095 Avenue of the Americas  
New York, New York 10036-6797  
Telephone: (212) 698-3500  
Facsimile: (212) 698-3599  
michael.sage@dechert.com  
brian.greer@dechert.com  
nicole.herther-spiro@dechert.com

*Attorneys for Standard Chartered Bank*