

Hearing Date: September 5, 2012 at 11:00 a.m. (Prevailing Eastern Time)

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

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<b>In re:</b>	:	<b>Chapter 11</b>
	:	
<b>ARCAPITA BANK B.S.C.(C), et al.,</b>	:	<b>Case No. 12-11076 (SHL)</b>
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	
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**RESERVATION OF RIGHTS OF THE  
OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
WITH RESPECT TO FINAL FEE APPLICATIONS TO BE FILED BY  
RETAINED PROFESSIONALS**

The Official Committee of Unsecured Creditors (the “Committee”) of Arcapita Bank B.S.C.(c) (“Arcapita”) and the other debtors in possession in the above-captioned jointly administered chapter 11 cases (collectively, the “Debtors”) hereby submits this reservation of rights with respect to any final fee application (collectively, the “Final Fee Applications”) to be filed by professionals retained in these chapter 11 cases.

1. Pursuant to the Court’s order entered on May 18, 2012 establishing procedures for interim compensation and reimbursement of expenses for retained professionals and Committee members in these cases, many of the Debtors’ and the Committee’s professionals filed interim fee applications (the “Interim Fee Applications”),

which are scheduled to be heard at the September 5, 2012 omnibus hearing. It is the Committee's understanding that failure to object to any Interim Fee Application does not prejudice any party's right to object to the applicable professional's Final Fee Application. Nevertheless, the Committee files this reservation of rights to make such understanding explicit.

2. Accordingly, while the Committee does not object to the relief requested in the Interim Fee Applications, it reserves all of its rights to object to any Final Fee Application on any basis, including, but not limited to, the reasonableness or allowance of any fees or expenses sought in such Final Fee Application. The failure to file an objection to any of the Interim Fee Applications should not be deemed a waiver of the Committee's right to object to any Final Fee Application.

Dated: New York, New York  
August 29, 2012

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

By: /s/ Dennis F. Dunne  
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