

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

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (JMP) SIPA

**STIPULATION AND ORDER DISMISSING  
CERTAIN PROCEEDINGS WITH PREJUDICE**

This Stipulation and Order Dismissing Certain Proceedings (the “Stipulation and Order”) is entered into between James W. Giddens, as trustee (the “Trustee”) for the liquidation of Lehman Brothers Inc. (“LBI”) under the Securities Investor Protection Act of 1970, as amended, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”), and Anthony Victor Lomas, Steven Anthony Pearson, Derek A. Howell, Paul David Copley, and Russell Downs, as administrators for Lehman Brothers International (Europe) (“LBIE”) (in administration) (the “Joint Administrators”) (the Joint Administrators, together with the Trustee, collectively, the “Parties,” and each individually, a “Party”);

WHEREAS, the Parties had been litigating the Objection Of Lehman Brothers International (Europe) (In Administration) To Trustee’s Determination Of Claims, filed on August 1, 2011 (Docket No. 4452) (the “House Proceeding”);

WHEREAS, the Parties had been litigating the Objection of Lehman Brothers International (Europe) (In Administration) To Trustee’s Determination of Claims, filed on October 31, 2011 (ECF No. 4684) (the “Omnibus Proceeding,” and together with the House Proceeding, the “Proceedings”);

WHEREAS, on October 4, 2012, the Parties reached an agreement in principle to resolve, *inter alia*, the Proceedings;

WHEREAS, the Parties entered into a definitive settlement agreement on February 21, 2013 (the “Settlement Agreement”) to resolve, *inter alia*, the Proceedings;

WHEREAS, on March 11, 2013, the Court so ordered the Parties’ agreement to extend indefinitely the stay of the Proceedings previously entered by the Court (ECF Nos. 5848, 5571, 5378);

WHEREAS, on April 16, 2013, the Court entered an order approving the Settlement Agreement (ECF No. 6021) (the “Approval Order”);

WHEREAS, the Approval Order was not appealed by any party and is now a final order;

WHEREAS, the Parties notified the Court that the Effective Time, as defined in the Settlement Agreement, is June 7, 2013 (ECF No. 6345);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, AND UPON COURT APPROVAL HEREOF, IT IS ORDERED THAT:

**AGREEMENT**

1. The Proceedings are dismissed with prejudice.

Dated: June 14, 2013  
New York, New York

HUGHES HUBBARD & REED LLP

By: /s/ Jason C. Benton  
Jason C. Benton

William R. Maguire  
Michael E. Salzman  
Neil J. Oxford  
One Battery Park Plaza  
New York, New York 10004-1482  
(212) 837-6000 (telephone)  
(212) 422-4726 (facsimile)  
benton@hugheshubbard.com

*Attorneys for James W. Giddens, as  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.*

Dated: June 14, 2013  
New York, New York

DAVIS POLK & WARDWELL LLP

By: /s/ Elliot Moskowitz  
Elliot Moskowitz

Timothy Graulich  
Michael Russano  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4000  
Facsimile: (212) 450-3800  
elliot.moskowitz@davispolk.com

*Attorneys for the Joint Administrators of  
Lehman Brothers International (Europe) (in  
administration)*

Dated: June 14, 2013  
New York, New York

LINKLATERS LLP

By: /s/ James R. Warnot, Jr.  
James R. Warnot, Jr.

Paul S. Hessler  
Aaron G. M. Javian  
Jonathan M. Grant  
LINKLATERS LLP  
1345 Avenue of the Americas  
New York, New York 10105  
Telephone: (212) 903-9000  
Facsimile: (212) 903-9100  
james.warnot@linklaters.com

*Attorneys for the Joint Administrators of  
Lehman Brothers International (Europe) (in  
administration)*

**SO ORDERED:**

Dated: New York, New York  
June 19, 2013



/s/ James M. Peck

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Honorable James M. Peck  
United States Bankruptcy Judge