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Frankfurt am Main, 11 March 2009
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Close-out Amount Protocol

We refer to the Close-out Amount Protocol published by the International Swaps and Derivatives Association, Inc. ("**ISDA**") on February 27, 2009 (the "**Protocol**") and to our Memorandum of Law dated July 29, 2005 on the validity and enforcement of collateral arrangements under the ISDA Credit Support Documents in German Law, as updated by our letter to ISDA dated January 12, 2007 and September 28, 2007 (the "**Collateral Memorandum**"). On the assumption that the changes intended by the Protocol are effective as a matter of the governing law of the Covered Master Agreement (as defined in the Protocol) and the relevant Credit Support Document, we confirm that the changes made by the Protocol including, without limitation, Annexes 10, 11 and 12 do not adversely affect the conclusions reached in the Collateral Memorandum.

This confirmation is subject to the same assumptions and limitations as set out in our Collateral Memorandum and may be relied upon by ISDA members only for the purposes expressly set forth therein.

Yours sincerely,


Hendrik Haag