



A member of Hypo Real Estate Group

## Form of Adherence Letter

October 20, 2008

**International Swaps and Derivatives Association, Inc.**

Send to: [WaMuProtocol@isda.org](mailto:WaMuProtocol@isda.org)

Dear Sirs,

### 2008 Washington Mutual CDS Protocol - Adherence

The purpose of this letter is to confirm our adherence to the 2008 Washington Mutual CDS Protocol, as published by the International Swaps and Derivatives Association, Inc. on October 15, 2008 (the "Protocol"). This letter constitutes an "Adherence Letter" as referred to in the Protocol.

The definitions and provisions contained in the Protocol are incorporated into this Adherence Letter, which will supplement and form part of each Covered Transaction (now or in the future) between us and each other Adhering Party.

#### 1. Specified Terms

The amendments in Section 1 and Schedule 1 of this Protocol shall apply to Covered Transactions to which we are a party.

#### 2. Appointment as Agent and Release

We hereby appoint ISDA as our agent for the limited purposes of the Protocol and accordingly we waive, and hereby release ISDA from, any rights, claims, actions or causes of action whatsoever (whether in contract, tort or otherwise) arising out of, or in any way relating to, this Adherence Letter or our adherence to the Protocol or any actions contemplated as being required by ISDA.

#### 3. DTCC Account Number

For purposes of electronic matching and counterparty recognition, our DTCC Account Number is as follows, but you understand and agree that our failure to provide any such details pursuant to this letter will not affect the legal validity and binding nature of the Protocol with respect to us:

DTCC Account Number: 0000576P  
0000X872  
00005P91  
0000374X

#### 4. Contact Details

Our contact details for purposes of this Adherence Letter are:

Name: Burkhard Wiehler  
Address: Legal Dept, 1 Commons St, Dublin 1  
Telephone: 00 353 1792 2398  
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Company Secretary:  
Elaine Tiernan  
Registered in Ireland  
Company no. 346819  
VAT no. IE6368819N

Board of Directors:  
Dr Markus Fell (German) Deputy Chairman\*, Dr John Bourke\*,  
Patrick Ryan\*,  
Bettina von Oesterreich (German)\*, Manuela Better (German),  
James Campbell (British), Cyril Dunne, Tom Glynn (American).  
\*Non-Executive Directors



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E-mail: Burkhard.Wiehler@depfa.com

We consent to the publication of the conformed copy of this letter by ISDA and to the disclosure by ISDA of the contents of this letter.

Yours faithfully,

DEPFA BANK PLC

By:

Name: Niall Lucas
Title: Head of Global Derivative Settlements
Niall Lucas

Name: Nicola Ryan
Title: Associate, Structured Derivatives
Nicola Ryan

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