



**Blue Mountain**  
 CAPITAL MANAGEMENT LLC  
 280 Park Avenue  
 5th Floor East  
 New York, NY 10017  
 T. 212 905 3900  
 F. 212 905 3901

3.19.2009

**International Swaps and Derivatives Association, Inc.**  
**Send to: aejprotocol@isda.org**

Dear Sirs,

**2009 ISDA AEJ Derivatives Protocol - Adherence**

The purpose of this letter is to confirm our adherence to the ISDA AEJ Derivatives Protocol as published by the International Swaps and Derivatives Association, Inc. on 9 March 2009 (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 any ISDA Master Agreement entered into prior to the relevant Implementation Date between us and each other Adhering Party.

**1. Specified Terms**

Each of the following Annexes will be applicable if specified below as applicable<sup>1</sup>:

		<b>Applicable</b>	<b>Not Applicable</b>
<b>Annex 1</b>	August 2008 and Other Amendments to the AEJ MCAs	X	
<b>Annex 2 paragraph (a)</b>	Additional Provisions for Use with Indian Underliers – Covered AEJ MCA Transactions	X	
<b>Annex 2 paragraph (b)</b>	Additional Provisions for Use with Indian Underliers – Covered ODI Transactions		X
<b>Annex 3 paragraph (a)</b>	Market Disruption Event for AEJ Variance Swaps – Covered AEJ MCA Transactions	X	
<b>Annex 3 paragraph (b)</b>	Market Disruption Event for AEJ Variance Swaps – Covered Variance Swap Transactions		X

<sup>1</sup> Please specify which of the Annexes 1 to 4 (and in the case of Annexes 2 to 4, part (a) or part (b) thereof) are applicable by checking the relevant box. If an Adhering Party fails to check a box relating to an Annex, it will be deemed to have elected that such Annex (or the relevant part thereof, as the case may be) is not applicable.

<b>Annex 4 paragraph (a)</b>	“Equity Amounts” Amendments to AEJ Variance Swaps – Covered AEJ MCA Transactions	X	
<b>Annex 4 paragraph (b)</b>	“Equity Amounts” Amendments to AEJ Variance Swaps – Covered Variance Swap Transactions		X

**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. Contact Details**

Our contact details for purposes of this Adherence Letter are:

Name: BlueMountain Capital Management, LLC  
Address: 280 Park Avenue, 5<sup>th</sup> Floor East, New York, New York 10017  
Telephone: 212-905-3900  
Fax: 212-905-3901  
E-mail: ops@bluemountaincapital.com

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

Yours faithfully,

BlueMountain Capital Management, LLC,  
Investment Manager, acting on behalf of the funds and accounts listed in the relevant Master Agreement between it and another Adhering Party

By:

Name: Samuel Cole
Title: Chief Operating Officer
Signature: Samuel Cole