

# **DUNE CAPITAL MANAGEMENT LP**

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## **Form of Adherence Letter**

November 2, 2005

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

**Send to: [delhiprotocol2@isda.org](mailto:delhiprotocol2@isda.org)**

Dear Sirs,

### **Revised 2005 Delphi CDS Index Protocol - Adherence**

The purpose of this letter is to confirm our adherence to the Revised 2005 Delphi CDS Index Protocol, as published by the International Swaps and Derivatives Association, Inc. on 28th October, 2005 (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 Index Transaction (now or in the future) between us and each other Adhering Party.

#### **1. Specified Terms**

The terms of Schedule 1, Covered Index Transactions, shall apply

#### **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:

**DUNE CAPITAL MANAGEMENT LP**

International Swaps and Derivatives Association, Inc  
November 2, 2005

**4. Contact Details**

Our contact details for purposes of this Adherence Letter are:

Name: Brenan Hefner  
Dune Capital Management LP  
Address: 623 Fifth Avenue, New York, NY 10022  
Telephone: (212) 301-8303  
Fax: (646) 885-2488  
E-mail: [brenan.hefner@dunecapital.com](mailto:brenan.hefner@dunecapital.com)

Name: Jonathan Otterman  
Dune Capital Management LP  
Address: 623 Fifth Avenue, New York, NY 10022  
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E-mail: [jonathan.otterman@dunecapital.com](mailto:jonathan.otterman@dunecapital.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.

DUNE CAPITAL LP  
By: Dune Capital Partners LLC, General  
Partner

By:           /s/Joshua P. Eaton            
Name: Joshua P. Eaton  
Title: General Counsel