



330 Madison Avenue  
23<sup>rd</sup> floor  
New York, NY 10017

T. 212 905 3900  
F. 212 905 3901

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## Form of Adherence Letter

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September 27, 2005

**International Swaps and Derivatives Association, Inc.**  
**Send to: [dnprotocol@isda.org](mailto:dnprotocol@isda.org)**

Dear Sirs,

### **2005 Delta & Northwest CDS Index Protocol - Adherence**

The purpose of this letter is to confirm our adherence to the 2005 Delta & Northwest CDS Index Protocol as published by the International Swaps and Derivatives Association, Inc. on September 23, 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 Annex 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. Contact Details**

Our contact details for purposes of this Adherence Letter are:

Name: Jeffrey R. Kushner  
Address: 330 Madison Ave, 23<sup>rd</sup> Floor, New York, N.Y. 10017  
Telephone: 212-905-3995  
Fax: 212-905-3992  
E-mail: [jkushner@bluemountaincapital.com](mailto:jkushner@bluemountaincapital.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,

BlueMountain Ultra Short Credit Fund L.P.

By:

Name: Jeffrey R. Kushner
Title: Managing Director
Signature: Jeffrey R. Kushner

