

**September 14, 2007** 

International Swaps and Derivatives Association, Inc. Send to: <u>LCDSProtocol@isda.org</u>

Dear Sirs.

#### LCDS Protocol - Adherence

The purpose of this letter is to confirm our adherence to the LCDS Protocol, as published by the International Swaps and Derivatives Association, Inc. on July 24, 2007 (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, provided that the words "August 24, 2007" in Section 2(a) of the Protocol shall be deemed to be deleted and replaced with the words "September 14, 2007".

# 1. Specified Terms

The amendments in Section 1 and Schedule 1 of the 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. Contact Details

Our contact details for purposes of this Adherence Letter are:

Name: Kaye Kilcoyne

Address: c/o Tiden Capital, LLC 2520 Meridian Pkwy, Ste 470, Durham, NC 27713

Telephone: 919-595-1465

Fax: 919-595-1466

E-mail: kkilcoyne@tidencap.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,

Tiden Capital, LLC1

Investment/Asset Manager, acting on behalf of the funds and accounts listed in the relevant Master Agreement between it and another Adhering Party

By:

Name: John Burkert

Title: Managing Partner

Signature: [John Burkert]

Specify legal name of Adhering Party. If you are an investment or asset manager and act on behalf of multiple funds, you must indicate in the signature blook, "Investment/Asset Manager, acting on behalf of the funds and accounts listed in the relevant Master Agreement between it and another Adhering Party". A separate Adherence Letter for each fund does not need to be submitted to ISDA. Further, no specific names of clients of the investment or asset manager will be publicly disclosed on the ISDA website in connection with the Protocol.