

Motion for Entry of an Order Authorizing the Debtors to Open Certain Investment Accounts and, in Connection Therewith, Waiving the Requirements of Section 345(b) of the Bankruptcy Code (the “Investment Account Motion”).

By the Investment Account Motion, the Debtors seek entry of an order authorizing them to open certain investment accounts and, in connection therewith, waiving the requirements of section 345(b) of the Bankruptcy Code.

On June 21, 2008, the Bankruptcy Court entered a final order authorizing the Debtors to continue using their existing cash management system, bank accounts, and business forms and excusing strict compliance with section 345 of the Bankruptcy Code (the “Cash Management Order”). The Cash Management Order allowed the Debtors to utilize an investment account in an effort to potentially realize modest short-term gains through investment in specific investment funds.

At this time, the Debtors have approximately \$464 million of cash on hand originating from, among other sources, the Debtors’ federal tax refunds and the proceeds derived from winding down the Debtors’ business operations. Accordingly, the Debtors have explored several short-term, low-risk, income producing investment opportunities.

The Debtors now seek to enter into certain purchase and repurchase agreements in accordance with the terms of a Sweep Investment Services Agreement (the “Sweep Investment Services Agreement”) with Wachovia Bank, National Association (“Wachovia”). The Debtors intend to fund new accounts established pursuant to the Sweep Investment Services Agreement (the “Sweep Accounts”) with approximately \$202,652,671.00 in cash currently held in non-interest bearing accounts.

The investments contemplated pursuant to the Sweep Investment Services Agreement will operate as follows:

- In accordance with the Sweep Investment Services Agreement, at the close of business each day, cash in the Sweep Accounts will be deployed, in minimum increments of \$1,000, to purchase certain securities issued by the U.S. Government or its agencies or instrumentalities (the “Investment Securities”). The Debtors will consult with their major creditor constituencies to determine the mix of Investment Securities to be purchased.
- Wachovia will repurchase the Investment Securities daily, thereby returning the cash and any interest accrued overnight to the Sweep Accounts for use in the Debtors’ day-to-day operations.

Annual interest expected to be earned on account of the investments made through the Sweep Investment Services Agreement is projected to be 5% and the monthly fees to be paid to Wachovia are \$150 per Sweep Account.

The Debtors contend that sufficient cause exists to deviate from the investment guidelines set forth in section 345(b) of the Bankruptcy Code (which restrict a Debtors’ investments in financial products insured or guaranteed by the U.S. Government) because the Debtors are large, complex entities with a sophisticated cash management system that provides the Debtors with

the ability to transfer funds rapidly to ensure their safety. Moreover, the Debtors believe that although the transactions contemplated under the Sweep Investment Services Agreement are not insured or guaranteed by the FDIC or any other U.S. Government Agency, the underlying securities are issued by the United States rendering the investments consistent with the spirit of the Bankruptcy Code.

A hearing on the Investment Account Motion is scheduled for July 13, 2010 at 1:30 p.m. (ET) with a corresponding objection deadline of July 9, 2010.