

Objection Deadline: November 8, 2010
Hearing Date: November 18, 2010 at 10:00 a.m.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADELPHIA RECOVERY TRUST, : No. 05 Civ. 9050 (LMM)
: :
Plaintiff, : :
: :
- against - : :
: :
BANK OF AMERICA, N.A., *et al.*, : :
: :
Defendants. : :
-----X

**NOTICE OF THE ADELPHIA RECOVERY TRUST’S MOTION FOR ORDER
WITH RESPECT TO SETTLEMENT AGREEMENT WITH THE BANK
DEFENDANTS AND DISMISSAL OF CLAIMS**

PLEASE TAKE NOTICE that the Adelpia Recovery Trust (the “Trust”), by its undersigned counsel, has filed a Motion With Respect to Settlement Agreement With The Bank Defendants¹ and Dismissal of Claims (the “Motion”). The Motion and the Settlement

¹ ABN AMRO Bank, N.V., ABN AMRO Inc., Banc of America Securities LLC, Bank of America, N.A., Bank of Montreal, BMO Capital Markets Corp., BNY Mellon Capital Markets LLC (f/k/a BNY Capital Markets, Inc.), The Bank of New York Mellon (f/k/a The Bank of New York), The Bank of Nova Scotia, Barclays Bank PLC, Barclays Capital Inc., Crédit Agricole Corporate and Investment Bank (formerly known as Calyon and successor to Crédit Lyonnais) and Crédit Agricole Securities (USA) Inc. (formerly known as Calyon Securities (USA) Inc. and successor to Crédit Lyonnais Securities (USA) Inc.), CIBC Inc., CIBC World Markets Corp., Citibank, N.A., Citicorp USA, Inc., Citigroup Global Markets Holdings Inc. (f/k/a Solomon Smith Barney Holdings, Inc.), Cooperatieve Centrale Raiffeisen-Boerenleenbank B.A., “Rabobank Nederland,” New York Branch, Cowen and Company, LLC (f/k/a Cowen & Co., LLC, f/k/a SG Cowen & Co., LLC, f/k/a SG Cowen Securities Company, LLC), Credit Suisse, New York Branch (f/k/a Credit Suisse First Boston, New York Branch), Credit Suisse Securities (USA) LLC (f/k/a Credit Suisse First Boston Corporation and Donaldson, Lufkin & Jenrette Securities Corporation), and Credit Suisse Capital Funding, Inc. (f/k/a DLJ Capital Funding, Inc.), Deutsche Bank Securities, Inc. (f/k/a Deutsche Banc Alex. Brown Inc.), Deutsche Bank Trust Company Americas (f/k/a Bankers Trust Company), Fleet National Bank, Fleet Securities Inc., JPMorgan Chase Bank, N.A., J.P. Morgan Securities, Inc., Merrill Lynch & Co., Inc., Merrill Lynch Capital Corp., Mizuho Corporate Bank, Ltd. (f/k/a The Fuji Bank,

Agreement, as well as the proposed order granting the Motion (the “Order”), will be available in the “Important Documents Adelpia Recovery Trust” section of Adelpia’s website at www.adelphiarestructuring.com and may be accessed and reviewed by any interested Person.

The Motion, Settlement Agreement and proposed Order are also available on the Court’s docket and may be accessed via the Court’s PACER system at www.nysd.uscourts.gov/pacer.php.

Pursuant to the Settlement Agreement, the claims by the Trust in the above-referenced action, with the exception of certain claims described in the Motion and the Settlement Agreement, will be settled by payment by the Bank Defendants to the Trust of the sum of \$175 million, all in accordance with the terms and conditions more particularly set forth in the Motion and the Settlement Agreement.

PLEASE TAKE FURTHER NOTICE THAT:

(1) the Trust’s counsel will present the proposed Order granting the Motion to the Honorable Lawrence M. McKenna on November 18, 2010;

(2) objections, if any, to the Motion must: (i) be in writing; (ii) state the name and address of the objecting party; (iii) state with particularity the basis and nature of the objection; and (iv) be filed, together with proof of service, with the Court, and served upon the Trust’s

Limited, and including The Dai-Ichi Kangyo Bank, Limited, The Industrial Bank of Japan, Limited, IBJ Whitehall Funding 2001 Trust, Mizuho Global Limited, Mountain Capital CLO I, and Mountain Capital CLO II); Morgan Stanley & Co. Incorporated, Morgan Stanley Senior Funding, Inc., PNC Bank, NA, PNC Capital Markets LLC, The Royal Bank of Scotland plc, Scotia Capital (USA) Inc., Société Générale, SunTrust Bank, SunTrust Robinson Humphrey Inc. (f/k/a SunTrust Equitable Securities), TD Securities (USA) LLC (f/k/a TD Securities (USA) Inc.), Toronto Dominion (Texas) LLC (f/k/a Toronto Dominion (Texas), Inc.), Wells Fargo Bank, N.A., as successor to Wachovia Bank, National Association, and Wells Fargo Securities, LLC, as successor to Wachovia Capital Markets, LLC.

undersigned counsel and William T. Russell, Jr., Simpson, Thacher & Bartlett LLP, 425 Lexington Avenue, New York, New York 10017-3954, Philip D. Anker, Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Avenue, New York, NY 10022, Robert F. Finke, Mayer Brown LLP, 1675 Broadway, New York, New York 10019, Edmund Polubinski III, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017, Stacey J. Rappaport, Milbank Tweed, Hadley & McCloy LLP, One Chase Manhattan Plaza, New York, New York 10005-1413, by November 8, 2010;

(3) if objections are received, a hearing (the “Hearing”) will be scheduled before the Honorable Lawrence M. McKenna in the United States District Court, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for November 18, 2010 at 10:00 a.m.;

(4) if you fail to respond in accordance with this notice, the court may grant the relief demanded by the Motion without further notice or hearing; and

(5) you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: October 18, 2010

Respectfully submitted,

KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP

JENNER & BLOCK LLP

By:

/s/ Howard W. Schub

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² Counsel for Adelpia Recovery Trust as to all claims except for claims against defendants CIBC, Inc.; CIBC World Markets Corp.; Rabobank Nederland, New York; Société Générale; Amaranth Fund, L.P.; Avenue Special Situations Fund II, LP; Bear, Stearns & Co., Inc.; Bear Stearns Credit Products; Bear Stearns Investment Products; Cedarview Opportunities Master Fund; Contrarian Funds, LLC; Gabriel Capital LP; Hartford Floating Rate Fund; Key Bank of New York; Latigo Master Fund, Ltd.; Longacre Capital Partners; Longacre Master Fund, Ltd.; MetLife Insurance Co. of Connecticut; New York Life Insurance Co.; New York Life Insurance and Annuity Corporation; Nomura Bond & Loan Fund; Cooperatieve Centrale Raiffeisen-Boerenleenbank B.A.; Royal Bank of Canada; SPCP Group; Satellite Senior Income Fund, LLC; Satellite Senior Income Fund II, LLC; and Cowen and Company, LLC.

³ Counsel for Adelpia Recovery Trust as to all claims except for claims against defendants Deutsche Bank AG and affiliated defendants; HSBC Bank USA; Lehman Brothers Holdings Inc.; Lehman Commercial Paper Inc.; Lehman Syndicated Loan Funding Trust; Nuveen Floating Rate Income Fund; Nuveen Senior Income Fund; Nuveen Floating Rate Income Opportunity Fund; and National City Bank of Pennsylvania.