

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
 : Case No. 08-13555 (JMP)
LEHMAN BROTHERS HOLDINGS INC., *et al.*, :
 :
 Debtors. :
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LEHMAN BROTHERS HOLDINGS INC. and :
OFFICIAL COMMITTEE OF UNSECURED :
CREDITORS OF LEHMAN BROTHERS HOLDINGS :
INC., *et al.*, :
 Plaintiff and :
 Plaintiff Intervenor :
 :
 -against- : Adversary Proceeding
 :
JPMORGAN CHASE BANK, N.A., : No.: 10-03266 (JMP)
 :
 Defendant. :
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SUPPLEMENTAL CONFIDENTIALITY STIPULATION AND PROTECTIVE ORDER

This Supplemental Confidentiality Stipulation and Protective Order (the “Supplemental Order”) is entered into by and between the undersigned counsel, acting for and on behalf of their respective clients: (a) Lehman Brothers Holdings Inc. (“LBHI”), (b) the Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc. (the “Committee” and, together with LBHI, the “Plaintiffs”), (c) JPMorgan Chase Bank, N.A. (“JPMorgan” and, together with LBHI and the Committee, the “Parties” and each a “Party”) and (d) the Federal Reserve Bank of New York (the “New York Fed”).

WHEREAS, on September 15, 2008 LBHI commenced a voluntary case (the “Bankruptcy”) under chapter 11 of title 11 of the United States Code as amended in the United

States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court” or “Court”);

WHEREAS, on May 26, 2010, LBHI and the Committee filed an adversary proceeding against JPMorgan, No. 10-03266 (JMP) (the “Litigation”);

WHEREAS, the Parties have served or will serve each other and third parties with document requests and subpoenas seeking information related to the Litigation (all documents and information provided pursuant to such requests the “Discovery Materials”);

WHEREAS, the Committee and JPMorgan have served third-party subpoenas upon the New York Fed;

WHEREAS, the Parties have agreed that certain Discovery Materials be subject to a protective order, pursuant to Federal Rule of Bankruptcy Procedure 7026, and Federal Rule of Civil Procedure 26 incorporated therein, to protect the confidentiality of sensitive information;

WHEREAS, the Parties executed a Confidentiality Stipulation and Protective Order (the “Protective Order”) on August 19, 2010, which was so ordered by the Bankruptcy Court on September 1, 2010, a copy of which is attached here to as Exhibit A.

WHEREAS, the Parties and New York Fed have entered into this Supplemental Order and agreed to be bound by its terms;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND UPON COURT APPROVAL HEREOF, IT IS ORDERED THAT:

1. The provisions of the Protective Order are incorporated in this Supplemental Order by reference.

2. The New York Fed may designate as “Highly Confidential” that portion of any Discovery Material that the New York Fed in good faith believes meets any of the following criteria in subparagraphs (a) through (d):

(a) information that relates to the confidential business practices, plans, strategies, or projections of the New York Fed or any customer, affiliate, or regulated entity of the New York Fed, or other such confidential information submitted to the New York Fed by market participants;

(b) information that relates to confidential financial information of the New York Fed or any customer, affiliate, or regulated entity of the New York Fed, or other such confidential information submitted to the New York Fed by market participants;

(c) information that is reasonably likely to cause undue harm to the reputation of, or embarrassment to, any individual; or

(d) information that the New York Fed is required by law or regulation to protect from disclosure.

To the extent this paragraph contradicts paragraph 2 or any other provision of the Protective Order, this paragraph shall control.

3. In the event a Party or any party who has received documents from the New York Fed (a “Receiving Party”) in good faith believes that providing materials designated Highly Confidential by the New York Fed to a person other than those categories of persons described in paragraph 4 of the Protective Order, in the context of a deposition or otherwise, would assist the Receiving Party in the instant litigation, the Receiving Party shall first inform the New York Fed of the identity of the person in question and any entities with which that person is affiliated and provide notice to the New York Fed of the materials the Receiving Party seeks to use (except

with respect to interviews or depositions of persons who have already seen or received the document at issue, provided that no other parties are present at the interview or deposition who are not entitled to view Highly Confidential information). The Receiving Party and the New York Fed shall use their best efforts within five business days to allow the use of such material while protecting the New York Fed's need for confidentiality, including, but not limited to, considering whether portions of such material can be redacted or reevaluating whether such material must be protected as "Highly Confidential." In the event the Receiving Party and the New York Fed cannot resolve an issue concerning the use of Highly Confidential information, the matter may be presented to the Bankruptcy Court for resolution on an expedited basis. To the extent this paragraph contradicts paragraph 11 or any other provision of the Protective Order, this paragraph shall control.

QUINN EMANUEL URQUHART &
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FEDERAL RESERVE BANK OF NEW
YORK

By: /s/ David Gunton

Name: David Gunton
Title: Attorney
*Counsel for the Federal Reserve Bank of
New York*

SO ORDERED: this __ day of September, 2010

HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE