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| <p>The Pensions<br/>Regulator</p> | <p><b>DETERMINATION NOTICE</b><br/> <b>issued pursuant to section 96 (2)(d)</b><br/> <b>of</b><br/> <b>the Pensions Act 2004 (“the Act”)</b><br/> <b>in respect of</b><br/> <b>the Lehman Brothers Pension</b><br/> <b>Scheme</b><br/> <b>(“the Scheme”)</b></p> | <p>Internal case<br/>reference:<br/><br/> <b>TM 5916</b></p> |
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1. Following an oral hearing before the Determinations Panel (the “Panel”) on 8 and 9 September 2010 the Panel in exercise of its powers pursuant to Sections 10, 43 and 96 of the Act hereby gives notice of its Determination.
2. The reasons of the Panel will be issued separately.

**DEFINITIONS**

3. “The Targets” means the list of companies set out in Appendix A to this Determination Notice.

**DETERMINATION**

4. In respect of those of the Targets as are listed in Section 1 of Appendix A, the Determinations Panel have determined that no Financial Support Direction should be issued against those Targets.
5. In respect of those of the Targets as are listed in Section 2 of Appendix A, the Determinations Panel have determined that a Financial Support Direction will be issued pursuant to Section 43 of the Act against those Targets. Such issue is not to take place during the period within which this Determination may be referred to the Upper Tribunal (Tax and Chancery) (the “Upper Tribunal”) or, if this Determination is so referred, until the final disposal of the reference and of any appeal against the Upper Tribunal's decision.
6. The period of time in which the Targets as listed in Section 2 of Appendix A should put financial support in place for the Scheme, pursuant to Section 43 (3)(a) of the Act, will be specified in the Financial Support Direction as 12 months.

7. Any person who receives this Determination Notice as a directly affected person (pursuant to Section 96(2) (d) of the Act), or any person who appears to the Upper Tribunal to be directly affected by this Determination, may refer this Determination to the Upper Tribunal.

Name John Scampion

Position Chair

Signature

A handwritten signature in black ink, appearing to read 'John Scampion', written in a cursive style.

Date 13 September 2010

The Target Companies are as set out below:

### Section 1

Blue 1 Real Estate Ltd  
Chancerygate Lehman LLP  
Cherry Tree Mortgages Ltd  
Eldon Street (Birchin) Ltd  
Eldon Street (Boulton) Ltd  
Eldon Street (Colbert Orco) Ltd  
Eldon Street (Fidenza) Ltd  
Eldon Street (Harley) Ltd  
Eldon Street (Jefferson) Ltd  
Eldon Street Holdings Ltd  
Grace Hotels Ltd  
LB Holdings Intermediate 1 Ltd  
LB Holdings Intermediate 2 Ltd  
LB RE Financing No 1 Ltd  
LB RE Financing No 2 Ltd  
LB SF No1  
LB SF Warehouse Ltd  
LB UK FINANCING Ltd  
LB UK RE Holdings Ltd  
LB Yellow (No 1) Ltd  
LBPB Nominees Ltd  
Lehman Brothers (PTG) Ltd  
Lehman Brothers Lease and Finance (No 1) Ltd  
Lehman Brothers Nominees Ltd  
Lehman Commercial Mortgage Conduit Ltd  
Mable Commercial Funding Ltd  
MBAM Investor Ltd  
Monaco NPL (No 1) Ltd  
Orderseal Ltd  
Parkmetro Ltd  
Scalescene Ltd  
SM Funding No 1 Ltd  
Stainton Capital Holdings Ltd  
Stepstone Mortgage Funding Ltd  
Storm Funding Limited  
Thayer Properties Ltd  
Yellow Real Estate Ltd  
Zestdew Ltd

### Section 2

Lehman Brothers Asset Management (Europe) Limited  
Lehman Brothers Europe Limited  
Lehman Brothers Holdings Incorporated  
Lehman Brothers Holdings Plc  
Lehman Brothers International (Europe)  
Lehman Brothers UK Holdings Ltd