

Determinations Committee Decision

Date:	November 12, 2009
Determinations Committee:	Americas
Meeting Date:	November 12, 2009

DC Issue 2009100901:	Has a Restructuring Credit Event occurred with respect to Cemex S.A.B. de C.V.?	
1st Question for vote:	Do you agree to select Rick Grove, David Schizer and Kimberly Summe as Potential External Reviewers for DC Issue 2009100901, and to select Charles Whitehead as the first alternate Potential External Reviewer for DC Issue 2009100901?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citibank	Yes
	Credit Suisse	Yes
	Deutsche Bank AG	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	Primus Asset Management, Inc.	Yes
	Rabobank International	Yes
	The Royal Bank of Scotland	Yes
	UBS	Yes

2nd Question for vote:	Do you agree that the External Review Schedule for DC Issue 20091010901 should be amended as follows: (a) latest date for submission of Written Materials to be Monday November 23; (b) latest date for the first administrative meeting to be Friday November 20; (c) earliest date for oral argument to be Wednesday December 2; and (d) Decision Deadline to be Monday December 7?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes

	Barclays	Yes
	Citibank	Yes
	Credit Suisse	Yes
	Deutsche Bank AG	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	Primus Asset Management, Inc.	Yes
	Rabobank International	Yes
	The Royal Bank of Scotland	Yes
	UBS	Yes

3rd Question for vote:	Do you agree that, in respect of the Cemex question above, section 4.3(g) of the DC Rules should be disappplied until (and including) the earlier of (a) the date Resolved by a Supermajority of the Americas DC and (b) Thursday January 7, 2010?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citibank	Yes
	Credit Suisse	Yes
	Deutsche Bank AG	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	Primus Asset Management, Inc.	Yes
	Rabobank International	Yes
	The Royal Bank of Scotland	Yes
	UBS	Yes