

Determinations Committee Decision

Date:	May 05, 2010
Determinations Committee:	Americas
Meeting Date:	May 05, 2010

<b>DC Issue 2009081101:</b>	<b>Americas Historical Succession Events</b>	
1st Question for vote:	<p>a) Has a Succession Event occurred with respect to CarrAmerica Realty Corporation?</p> <p>(b) Is CarrAmerica Realty Operating Partnership, L.P. the sole Successor?</p> <p>(c) Is the date of the Succession Event June 30, 2004? *</p> <p>*The DC notes that CarrAmerica Realty Corporation continued to exist after June 30, 2004, and that transactions specifying CarrAmerica Realty Corporation as the Reference Entity entered into after June 30, 2004 would not be subject to this Succession Event, unless otherwise agreed by the parties.</p> <p>For transactions specifying CarrAmerica Realty Corporation as the Reference Entity, unless otherwise agreed by the parties, the effect of the Succession Events that occurred on June 30, 2004 and July 13, 2006 is as follows: (a) for transactions entered into on or prior to June 30, 2004, the Reference Entity changed to CarrAmerica Realty Operating Partnership, L.P. and did NOT change to either Nantucket Acquisition Inc. or Nantucket Parent LLC; and (b) for transactions entered into after June 30, 2004 and on or prior to July 13, 2006, the Reference Entity changed first to Nantucket Acquisition Inc. and second to Nantucket Parent LLC.</p>	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes

	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

2nd Question for vote:	<p>(a) Has a Succession Event occurred with respect to CarrAmerica Realty Corporation?</p> <p>(b) Is Nantucket Acquisition Inc. the sole Successor?</p> <p>(c) Is the date of the Succession Event July 13, 2006? *</p> <p>*The DC notes that there was no Succession Event at this time in respect of CarrAmerica Realty Operating Partnership, L.P. Therefore, any transactions for which CarrAmerica Realty Operating Partnership, L.P. is the Reference Entity (including, without limitation, any transactions entered into on or prior to June 30, 2004 and specifying CarrAmerica Realty Corporation as the Reference Entity) would not be subject to this Succession Event, unless otherwise agreed by the parties.</p> <p>For transactions specifying CarrAmerica Realty Corporation as the Reference Entity, unless otherwise agreed by the parties, the effect of the Succession Events that occurred on June 30, 2004 and July 13, 2006 is as follows: (a) for transactions entered into on or prior to June 30, 2004, the Reference Entity changed to CarrAmerica Realty Operating Partnership, L.P. and did NOT change to either Nantucket Acquisition Inc. or Nantucket Parent LLC; and (b) for transactions entered into after June 30, 2004 and on or prior to July 13, 2006, the Reference Entity changed first to Nantucket Acquisition Inc. and second to Nantucket Parent LLC.</p>	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes

	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

3rd Question for vote:	<p>(a) Has a Succession Event occurred with respect to Nantucket Acquisition Inc.?</p> <p>(b) Is Nantucket Parent LLC the sole Successor?</p> <p>(c) Is the date of the Succession Event July 13, 2006? *</p> <p>*The DC notes that, for transactions specifying CarrAmerica Realty Corporation as the Reference Entity, unless otherwise agreed by the parties, the effect of the Succession Events that occurred on June 30, 2004 and July 13, 2006 is as follows: (a) for transactions entered into on or prior to June 30, 2004, the Reference Entity changed to CarrAmerica Realty Operating Partnership, L.P. and did NOT change to either Nantucket Acquisition Inc. or Nantucket Parent LLC; and (b) for transactions entered into after June 30, 2004 and on or prior to July 13, 2006, the Reference Entity changed first to Nantucket Acquisition Inc. and second to Nantucket Parent LLC.</p>	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes

	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

4th Question for vote:	Did Invitrogen Corporation change its name to Life Technologies Corporation on November 21, 2008 and do you agree that no Succession Event occurred at that time?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

5th Question for vote:	Did Oshkosh Truck Corporation change its name to Oshkosh Corporation on February 5, 2008, and do you agree that no Succession Event occurred at that time?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes

	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

6th Question for vote:	Did Duke Energy Field Services, LLC change its name to DCP Midstream, LLC effective January 1, 2007, and do you agree that no Succession Event occurred at that time?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes

7th Question for vote:	Do you agree that a Succession Event did NOT occur with respect to La Quinta Properties, Inc., and that La Quinta Corporation is NOT a Successor to La Quinta Properties, Inc.?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs	Yes

	JPMorgan	Yes
	Legal & General Investment Management Limited	Yes
	Morgan Stanley	Yes
	Pacific Investment Management Company LLC	Yes
	RBS	Yes
	UBS	Yes