

- (x) is not a lease other than a Finance Lease;
- (xi) (A) provides for payment in U.S. Dollars and (B) cannot be converted at the option of the obligor thereof to payment in a different currency;
- (xii) is not an obligation that would cause the Issuer (or the Investment Manager acting on behalf of the Issuer) to be deemed for U.S. federal income tax purposes to have engaged in a primary loan origination;
- (xiii) is not an obligation that is directly or indirectly secured by Margin Stock or the purchase or holding of which would cause the Issuer or the Trustee to violate applicable U.S. margin regulations;
- (xiv) does not provide for conversion into or exchange for an Equity Security;
- (xv) if it is a PIK Security, is not deferring interest payments and, in the reasonable business judgment of the Investment Manager, no deferred interest will be outstanding as of the next scheduled payment distribution date for such obligation;
- (xvi) has a Moody's Rating and, if it is a Caa Collateral Obligation, has a Moody's Rating that is not lower than "Caa2"; and if it is a CCC Collateral Obligation, has an S&P Rating that is not lower than "CCC";
- (xvii) bears interest at a floating rate;
- (xviii) is not a High Yield Bond;
- (xix) does not have a stated maturity after the Stated Maturity of the Notes;
- (xx) is not a Synthetic Security or a Structured Finance Obligation; and
- (xxi) does not have an interest rate that steps-up or steps-down solely because of the passage of time.

"Collateral Quality Test": Each of the Diversity Test, the Weighted Average Rating Factor Test, the Minimum Weighted Average Spread Test, the Weighted Average Recovery Rate Test, the Weighted Average Life Test and, from and after the date on which the Investment Manager and the Collateral Administrator receive from S&P the S&P CDO Monitor, the S&P CDO Monitor Test.

"Collection Account": The Interest Collection Account or the Principal Collection Account, as applicable.

"Commitment Amount": With respect to any Credit Facility, the sum of the Funded Amount and the maximum aggregate amount of unfunded advances or other extensions of credit, or payments of principal amounts, at any one time outstanding that the Issuer could be required to make to the obligor under the Underlying Instruments relating thereto.