

JAMS ARBITRATION

IN THE MATTER OF

FORTRESS VRF I LLC and FORTRESS
VALUE RECOVERY FUND I LLC,
Claimants

v.

JEEPERS, INC.,
Respondent

and

FINANCIAL TRUST COMPANY, INC. and
JEEPERS, INC.,
Counterclaimants and Third-Party Claimants

v.

D.B. ZWIRN SPECIAL OPPORTUNITIES
FUND, L.P. k/n/a FORTRESS VALUE
RECOVERY FUND I LLC,
Counter-Respondent

and

D.B. ZWIRN PARTNERS, LLC,
D.B. ZWIRN & CO., L.P.,
DBZ GP, LLC,
ZWIRN HOLDINGS, LLC,
DANIEL ZWIRN, and
Third-Party Respondents

Case No. 1425006537

Arbitrator: Hon. Anthony J. Carpinello

**[PROPOSED] ORDER ON FINANCIAL TRUST COMPANY, INC.'S AND JEEPERS
INC.'S MOTION *IN LIMINE* TO EXCLUDE EXTRINSIC EVIDENCE**

AND NOW, having considered Financial Trust Company, Inc.'s and Jeepers Inc.'s Motion *In Limine* to Exclude Extrinsic Evidence, it is here by ORDERED that the motion is GRANTED.

Extrinsic evidence on the breach of contract claim is irrelevant and shall be excluded.

HON. ANTHONY J. CARPINELLO

DATE