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June 30, 2011

James Windels, Esq.  
Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, New York 10017

Re: Fortress VRF I LLC v. Jeepers, et al

Dear Mr. Windels:

Please find the attached subpoena directed to Glenn Dubin.

Sincerely,



Seth Ard

/mr  
enc.

**JUDICIAL ARBITRATION AND MEDIATION SERVICE  
NEW YORK, NEW YORK**

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

Claimants,

v.

JEEPERS, INC.

Respondents,

Ref. No. 1425006537

and

FINANCIAL TRUST COMPANY, INC., and  
JEEPERS, INC.,

Counter-Claimants and  
Third-Party Claimants,

v.

FORTRESS VALUE RECOVERY FUND I LLC,

Counter-Respondents,

and

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

Third-Party Respondents.

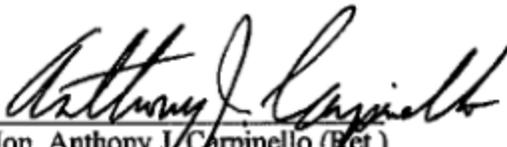
**SUBPOENA AD TESTIFICANDUM**

To: Glenn Dubin  
Highbridge Capital Management  
9 West 57th Street  
New York, New York

NOTICE IS HEREBY GIVEN that pursuant to the Comprehensive Arbitration Rules & Procedures of the Judicial Arbitration and Mediation Service and applicable state and federal laws, you are HEREBY COMMANDED TO APPEAR before the arbitrator on July 22, 2011 at

9:00 a.m. at the offices of the Judicial Arbitration and Mediation Service, 620 Eighth Avenue 34th Floor New York, NY 10018, to give testimony at a hearing relating to the above-referenced matter.

Dated: June 29, 2011

  
Hon. Anthony J. Carpinello (Ret.)  
Arbitrator

Requested by:

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Attorneys for Respondent Counterclaimants and Third-Party Claimants  
Financial Trust Company, Inc. and Jeepers, Inc.

JUDICIAL ARBITRATION AND MEDIATION SERVICE  
NEW YORK, NEW YORK

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

Claimants

v.

JEEPERS, INC.,

Respondent

Case No. 1425006537

and

FINANCIAL TRUST COMPANY, INC. and  
JEEPERS, INC.,

Counterclaimants  
and Third-Party Claimants

v.

Arbitrator: Hon. Anthony J. Carpinello

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,

Third-Party Respondents

AFFIDAVIT OF SERVICE

STATE OF NEW YORK )

) ss.:

COUNTY OF NEW YORK)

Mary Ritter, being duly sworn, deposes and says:

1. I am over eighteen years of age and am not a party to this action and am employed by Susman Godfrey LLP, 560 Lexington Avenue, 15th Floor, New York, New York 10022.

2. On June 30, 2011, I caused a copy of the Subpoena Ad Testificandum to be served as follows:

Brad S. Karp (via email)  
Allan Arffa  
Paul, Weiss, Rifkind, Wharton & Garrison LLP  
1285 Avenue of the Americas  
New York, NY 10019

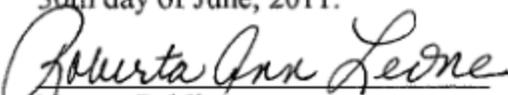
Alan Levine (via email)  
Cooley LLP  
The Grace Building  
1114 Avenue of the Americas  
New York, NY 10036

John S. Siffert (via email)  
Lankler Siffert & Wohl LLP  
500 Fifth Avenue, 33rd Floor  
New York, NY 10110

James Windels, Esq. (via Federal Express)  
Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, NY 10017

  
\_\_\_\_\_  
Mary Ritter

Sworn to before me this  
30th day of June, 2011.

  
Notary Public

**ROBERTA ANN LEONE**  
Notary Public, State of New York  
No. 24-4790044  
Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires June 30, 2015