

Angemeldete Forderungen

Hauptforderung(en)	<u>25.744.685,45 €</u>
Zinsen , (höchstens bis zum Tag vor der Eröffnung des Verfahrens) % über d. Basiszins von% oder anderer Zinssatz% seitbis 23.05.2002	<u>€</u>
Kosten , die vor der Eröffnung des Verfahrens begründet wurden (11.375% interest accrued through May 22, 2002)	<u>4.933.736,93 €</u>
Gesamtanmeldebetrag	<u>30.678.422,38 €</u>

Abgesonderte Befriedigung unter gleichzeitiger Anmeldung des Ausfalls wird beansprucht.

Ja, Begründung siehe Anlage

Nein

Grund und nähere Erläuterung der Forderungen (z.B. Warenlieferung, Miete, Darlehen, Reparaturleistung, Arbeitsentgelt, Wechsel, Scadensersatz):

This claim arises from that certain Promissory Note ("Note") dated as of October 1, 2000 by and between Exodus Communications, GmbH ("Debtor") and EXDS, Inc. (formerly Exodus Communications, Inc.) ("EXDS"), which Note is referenced in that certain Term Loan Agreement ("Term Loan Agreement") dated and effective as of January 1, 2000 by and between Debtor and EXDS. As set forth in the recitals to the Term Loan Agreement, Debtor entered into the Note and Term Loan Agreement with EXDS for the purposes of securing financing for Debtor's build-out of internet data centers and operations. Upon information and belief, Debtor has made no payments under the Note to date.

On September 26, 2001, EXDS filed an insolvency proceeding under Chapter 11 of Title 11 of the United States Bankruptcy Code. On or about June 5, 2002, the Bankruptcy Court confirmed a plan of reorganization for EXDS and, thereafter, appointed Alvarez and Marsal as the Plan Administrator. On June 6, 2007, Oak Point Partners, Inc. ("Oak Point") entered into an Asset Purchase Agreement with the Plan Administrator, whereby Oak Point acquired all right, title, and interest in and to, among other things, the Note. Accordingly, Oak Point is entitled to lodge a claim against the insolvency proceeding of the Debtor for the full amount due under the Note.

Forderung aus vorsätzlich begangener unerlaubter Handlung i. H. v. €

(nur bei natürlichen Personen!) – Nachweis siehe Anlage

Anmeldung einer Forderung

Forderungsanmeldung im Insolvenzverfahren

Schuldner:	Exodus GmbH Larchenstr. 110, 65933 Frankfurt
Insolvenzverwalter:	Rechtsanwalt Dr. Holger Lessing, Hanauer Landstrabe 287 – – 289, 60314 Frankfurt
Sachbearbeiter Insolvenztabelle:	Tel. 069 / 150 51 – 529
Insolvenzgericht:	AG Frankfurt am Main
Aktenzeichen:	810 IN 231/02 E

<u>Gläubiger</u> Name/Firma: Oak Point Partners, Inc., as successor in interest to certain assets of EXDS, Inc. (formerly known as Exodus Communications, Inc.) Inhaber/Geschäftsführer: Eric A. Linn, President, Oak Point Partners, Inc. Pers. Haft. Gesellschafter: Straße: 1540 E Dundee Rd, Suite 240 PLZ/Ort: Palatine, Illinois 60074, USA Geschäftszeichen: EXDS	<u>Gläubigervertreter</u> (Die Beauftragung eines Rechtsanwalts ist freigestellt) <input type="checkbox"/> Vollmacht anbei Geschäftszeichen:
International wire information for purpose of distribution	
Intermediary Bank: The Bank of New York Intermediary Bank Swift Code: IRVTUS3N Intermediary Bank Address: 101 Barclay St., NY, NY 10286 Beneficiary Bank: American Chartered Bank Beneficiary Bank ABA/Routing number: 071-925-046 Beneficiary Bank Account #: 8900667915 Beneficiary Bank Address: 1199 E Higgins Rd., Schaumburg, IL 60173 USA Beneficiary: Oak Point Partners, Inc. Beneficiary Account #: 126417 Beneficiary Address: 1540 E. Dundee Road, Suite 240, Palatine, IL 60074 USA	