





agreed to be extended by the Parties, the Agreement shall automatically become null and void.  
Settlement Agreement, paragraph B.1.

3. The Agreement originally defined the Legislation Enactment Deadline as December 31, 2009, 11:59 p.m. Eastern time. Settlement Agreement, paragraph A.22.

4. It subsequently became apparent to the Parties that in order for the Agreement to continue to be valid after December 31, 2009, the Legislation Enactment Deadline would need to be extended. Accordingly, the Parties agreed on three occasions to extend the Legislation Enactment Deadline set forth in paragraph A.22 of the Agreement. Most recently, during a status conference with the Court on April 8, 2010, the Parties – with the Court’s approval -- agreed to extend the deadline to May 28, 2010, 11:59 p.m. Eastern time.

5. It has now become apparent that the Legislation Enactment Deadline must be extended further in order for the Agreement to continue to be valid after February 28, 2010.

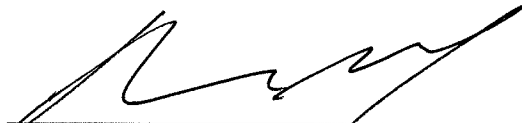
6. The Parties desire that this Agreement continue to be valid after February 28, 2010.

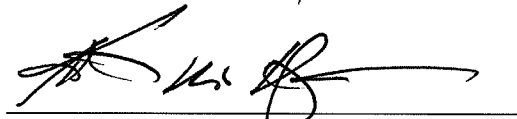
7. Accordingly, the Parties hereby agree to extend the Legislation Enactment Deadline set forth in paragraph A.22 of the Agreement to June 15, 2010, 11:59 p.m. Eastern time.

**SIGNATURES**

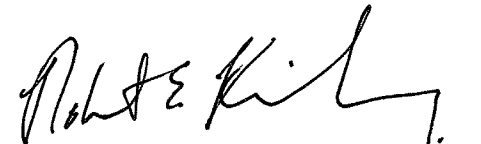
Wherefore, intending to be legally bound in accordance with the terms of this Fourth Modification of the December 7, 2009 Class Action Settlement Agreement, the Parties hereby execute this Modification:

**FOR PLAINTIFFS:**

  
\_\_\_\_\_  
Dennis M. Gingold, Class Counsel

  
\_\_\_\_\_  
Keith M. Harper, Class Counsel

**FOR DEFENDANTS:**

  
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Robert E. Kirschman, Jr.  
Deputy Director  
Commercial Litigation Branch