

平成 20 年 12 月 26 日

Lehman Brothers Inc.の“Customer Claim Form”及び  
“General Creditor Claim Form”について

1970 年証券投資家保護法に基づく清算手続中の米国法人である Lehman Brothers Inc. (「LBI」) は、その顧客および債権者に対し、先般、Customer Claim Form 及び General Creditor Claim Form が同封された通知を送付していますが、日本の顧客及び債権者宛での通知ながら、日本のリーマン・ブラザーズ証券株式会社 (「弊社」) の住所が記載されていたため、弊社に郵送されてきたものが相当数あります。これらについては、数も多く、また弊社で名宛人とされている方の住所を把握できないため、弊社から転送することはできず、LBI に返送しております。

ただ、送付されてきた通知に同封されているものは、LBI のウェブサイト ([www.lehmantrustee.com](http://www.lehmantrustee.com)) にて入手可能です (念のため、同ウェブサイトに掲載されている Customer Claim Form 及び General Creditor Claim Form を、このお知らせに添付しています)。

については、LBI の顧客又は債権者のはずなのに、通知が届いていないという方がいらっしゃいましたら、上記ウェブサイトを参照いただき、Customer Claim Form 及び General Creditor Claim Form を入手して、届出の要否等についてご検討頂きますようお願いいたします。(なお、Customer Claim の届出については、1970 年証券投資家保護法に基づく最大限の保護を得るための期限は 2009 年 1 月 30 日とされていますのでご注意ください。)

以 上

**LEHMAN BROTHERS INC.**

In Liquidation

December 1, 2008

TO ALL PERSONS ASSERTING CLAIMS AS CUSTOMERS OF LEHMAN BROTHERS INC.

Enclosed are a customer claim form, customer claim form instructions, and a separate letter for broker-dealers having open securities or money balances as of September 19, 2008 with Lehman Brothers Inc. (the "Debtor").

You are urged to read these and the other enclosed documents carefully. They explain steps to protect any rights and claims you may have in this liquidation proceeding.

As a preliminary matter, through the extraordinary efforts and cooperation of the Securities Investor Protection Corporation, the Securities and Exchange Commission, the Federal Reserve, the Commodities Future Trading Commission, the Debtor, and Barclays Capital Inc., many accounts have been transferred. Accordingly, if your account and all of its property have been transferred, no further action may be required on your part.

In addition, the Trustee has published protocols for certain transactional claims. These protocols should be reviewed carefully before submitting a claim to the Trustee, and are available at the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com).

Regardless of any transfer or closeout of your positions with the Debtor, should you believe that the Debtor still owes you cash or securities from your customer account, the customer claim form should be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or filled out by you and mailed, via certified mail, return receipt requested, to the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

A return envelope addressed to the P.O. Box address shown above is enclosed should you choose to file by first-class mail. Please make a copy of the completed customer claim form for your own records before mailing.

Your customer claim form will not be deemed to be filed until received by the Trustee either electronically online or by mail. If you choose to file your claim by mail, it is strongly recommended that your claim be mailed via certified mail, return receipt requested. Your return receipt will be the only document you will receive that shows your claim has been received by the Trustee. If you choose to file your claim electronically online, be sure to print out and retain for your records a copy of the confirmation page stating your claim was successfully filed electronically online.

If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now

seeking, please provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

While your claim is being processed, you may be requested to file additional information or documents with the Trustee to support the validity of your claim.

It is your responsibility to report accurately all securities positions and money balances in connection with your account with the Debtor. A false claim or the retention of property to which you are not entitled may make you liable for damages and criminal penalties. If you cannot precisely calculate the amount of your claim, however, you may file an estimated claim. One of the purposes of the liquidation is to return securities and cash due to customers as promptly as practicable. In that connection, funds of the Securities Investor Protection Corporation may be utilized to pay valid customer claims relating to securities and cash up to a maximum amount of \$500,000.00 for each customer, including up to \$100,000.00 for claims for cash, as provided by the Securities Investor Protection Act of 1970, as amended ("SIPA").

**To be eligible for the maximum protection afforded under SIPA, your claim must be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) on or before January 30, 2009, or your customer claim form must be mailed so as to be received by the Trustee on or before January 30, 2009.** The Trustee will determine whether claims meet the statutory requirements for "customer" claims under SIPA; inclusion of a claim or claim type on the customer claim form is not determinative of customer status under SIPA.

PLEASE NOTE: Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The customer claim form applies only to Lehman Brothers Inc. and does not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of customers' claims is required for such calls.

Your cooperation in promptly filing your claim is in your best interest as it will help speed the administration of the liquidation proceeding.

Very truly yours,

James W. Giddens  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.



**CUSTOMER CLAIM FORM  
LEHMAN BROTHERS INC.**

Account Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_  
Account Number: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_ Taxpayer I.D. Number  
Contact Person: \_\_\_\_\_ (Social Security No.): \_\_\_\_\_

**PLEASE NOTE**

- A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT.
- TO BE ELIGIBLE FOR THE MAXIMUM PROTECTION AFFORDED UNDER THE SECURITIES INVESTOR PROTECTION ACT ("SIPA"), ALL CUSTOMER CLAIMS SHOULD BE RECEIVED BY THE TRUSTEE ON OR BEFORE JANUARY 30, 2009; THE TRUSTEE WILL DETERMINE WHETHER CLAIMS MEET THE STATUTORY REQUIREMENTS FOR "CUSTOMER" CLAIMS UNDER SIPA; INCLUSION OF A CLAIM OR CLAIM TYPE ON THIS CLAIM FORM IS NOT DETERMINATIVE OF CUSTOMER STATUS UNDER SIPA.
- THE DEADLINE FOR FILING ALL CLAIMS IS JUNE 1, 2009. NO CLAIM WILL BE ALLOWED IF IT IS RECEIVED AFTER THAT DATE.
- ALL CLAIMS ARE DATED AS OF THE DATE RECEIVED BY THE TRUSTEE.
- YOU MAY FILE YOUR CLAIM ELECTRONICALLY ONLINE AT WWW.LEHMANTRUSTEE.COM OR SEND YOUR COMPLETED AND SIGNED CLAIM FORM TO THE TRUSTEE VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED.
- IF YOUR ACCOUNT HAS BEEN TRANSFERRED TO ANOTHER BROKERAGE FIRM, BUT YOU BELIEVE YOU HAVE A CLAIM FOR PROPERTY OWED TO YOU BY LEHMAN BROTHERS INC., YOU MUST FILE A CLAIM TO PROTECT YOUR RIGHTS.
- LEHMAN BROTHERS INC. IS THE ONLY LEHMAN ENTITY THAT IS A DEBTOR IN THIS SIPA LIQUIDATION PROCEEDING. THIS CUSTOMER CLAIM FORM APPLIES ONLY TO LEHMAN BROTHERS INC. AND DOES NOT APPLY TO ANY OTHER LEHMAN ENTITY, INCLUDING ANY ENTITY IN A PROCEEDING UNDER CHAPTER 11 OF TITLE 11 OF THE UNITED STATES CODE.

This claim form must be completed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or mailed promptly, together with supporting documentation, to the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

**1. CLAIM FOR MONEY BALANCES OR CASH AS OF SEPTEMBER 19, 2008:**

- a. LBI owes me a credit or cash in the amount of: \$ \_\_\_\_\_
- b. I owe LBI a debit or cash in the amount of: \$ \_\_\_\_\_
- c. If you wish to repay the debit balance listed in point b. above please insert the amount you wish to repay and attach a check payable to "James W. Giddens, Trustee for the SIPA Liquidation of Lehman Brothers Inc." If you wish to make a payment, **it must be enclosed** with this claim form.
- \$ \_\_\_\_\_

**2. CLAIM FOR SECURITIES AS OF SEPTEMBER 19, 2008:**

**Please Do Not Claim Any Securities You Have In Your Possession**

- |   | <u>YES</u>      | <u>NO</u> |
|---|-----------------|-----------|
|   | (Circle Y or N) |           |
| a. LBI owes me securities:  | Y               | N         |
| b. I owe LBI securities:  | Y               | N         |
| c. If yes to either, please list below (or in additional pages as necessary): |                 |           |

Trade Date of Transaction (mm/dd/yyyy)	Name of Security	CUSIP	Number of Shares or Face Amount of Bonds	
			LBI Owes Me (Long)	I Owe LBI (Short)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

If additional space is needed, attach additional pages providing the information in the exact format above.

**3. COMMODITY FUTURES CLAIMS**

YES                      NO  
(Circle Y or N)

Do you have a claim based on a commodity futures account?                      Y                      N

If the answer to the above question is "yes," please state the amount, and explain the basis for your claim below, attaching additional pages and supporting documents as necessary:

Amount of Claim: \_\_\_\_\_

Basis for Claim: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WHEN COMPLETING SECTIONS 1 THROUGH 3 PLEASE KEEP IN MIND:**

- If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate that your claim is an estimated claim.
- Proper documentation can speed the review, allowance, and satisfaction of your claim.
- Please enclose: copies of your last LBI account statement; purchase or sale confirmation slips; copies of checks that relate to the securities or cash you claim; and any other documentation or correspondence you believe will be of assistance in processing your claim.
- Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement.
- If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CIRCLE THE APPROPRIATE ANSWER FOR ITEMS 4 THROUGH 11.**

**NOTE: IF "Y" IS CIRCLED FOR ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

YES                      NO  
(Circle Y or N)

4. Does your claim in any way relate to an entity other than Lehman Brothers Inc. (for example, Lehman Brothers Holdings Inc.; or another Lehman subsidiary)?                      Y                      N
5. Has there been any change in your account since September 19, 2008?                      Y                      N

- |     |   |   |   |
|-----|---|---|---|
| 6.  | Are you or were you a party to a repurchase or reverse repurchase agreement, director, officer, partner, shareholder, lender to, or capital contributor of LBI?                                 | Y | N |
| 7.  | Are you related to, or do you have any business venture with, any of the persons specified in "6" above, or any employee or other person associated in any way with LBI? If so, give name(s).   | Y | N |
| 8.  | Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of LBI? | Y | N |
| 9.  | Is this claim being filed on behalf of a customer of a broker or dealer or bank? If so, provide documentation with respect to each customer on whose behalf you are claiming.                   | Y | N |
| 10. | Have you ever given any discretionary authority to any person to execute securities transactions with or through LBI on your behalf? Give names, addresses and phone numbers.                   | Y | N |
| 11. | Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.   | Y | N |

Please list the full name, address, phone number, and email address of anyone assisting you in the preparation of this claim form:

Full name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

If more than one person is assisting you, attach additional pages providing the information in the exact format above.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF UP TO \$50,000 OR IMPRISONMENT OF UP TO FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

<b>UNITED STATES BANKRUPTCY COURT     Southern District of New York</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: <b>Lehman Brothers, Inc.</b>		Case Number: <b>08-01420 (JMP) SIPA</b>
<i>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Name and address where notices should be sent:		
Telephone number:		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
1. Amount of Claim as of Date Case Filed:                     \$ _____  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)( ).  Amount entitled to priority:  \$ _____  <i>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
2. Basis for Claim: _____ (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: _____  3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____ Annual Interest Rate ____ %  Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____  Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:		
Date:	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	<b>FOR COURT USE ONLY</b>



**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

**Items to be completed in Proof of Claim form**

**Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**4. Secured Claim:**

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien

documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).**

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). Do not send original documents, as attachments may be destroyed after scanning.

**Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS**

**INFORMATION**

**Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

**Claim**

A claim is the creditor's right to receive payment on a debt that was owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (JMP) SIPA

Commencement of Liquidation Proceeding

NOTICE IS HEREBY GIVEN that on September 19, 2008, the United States District Court for the Southern District of New York entered an Order granting the application of the Securities Investor Protection Corporation ("SIPC") for issuance of a Protective Decree adjudicating that the customers of Lehman Brothers Inc. (Employer Identification Number: 13-2518466) (the "Debtor"), are in need of the protection afforded by the Securities Investor Protection Act of 1970, as amended ("SIPA"). James W. Giddens (the "Trustee") was appointed trustee for the liquidation of the business of the Debtor, and Hughes Hubbard & Reed LLP was appointed as counsel to the Trustee.

Deadlines for Submitting Claims

NOTICE IS HEREBY GIVEN that customers of the Debtor who wish to be eligible for the maximum protection that may be afforded to them under SIPA are required to file their claims with the Trustee within 60 days after the date of this Notice. Customers may file their claims up to six (6) months after the date of this Notice; however, the filing of claims after the 60-day period but within the six (6) month period may result in less protection for the customer. Claim forms must be filed either electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or by mailing, via certified mail, return receipt requested, a completed and signed form to the Trustee at the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

Customer claims will be deemed filed only when received by the Trustee either electronically online or by mail.

Forms for the filing of customers' claims are being mailed to customers of the Debtor as their names and addresses appear on the Debtor's books and records. Customer claim forms are also available on the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com), or by writing to the Trustee at the address of his counsel below.

The Trustee will determine whether claims meet the statutory requirements for "customer" claims under SIPA; inclusion of a claim or claim type on the customer claim form is not determinative of customer status under SIPA.

Claims by broker-dealers for the completion of open contractual commitments must be filed with the Trustee within 60 days after the date of this Notice. Such claims will be deemed to be filed only when received by the Trustee either electronically online or by mail.

All other creditors of the Debtor must file formal proofs of claim with the Trustee within six (6) months after the date of this Notice. Proofs of claim may be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or by mailing, via certified mail, return receipt requested, a completed and

signed proof of claim form to the Trustee at the address shown above. All such claims will be deemed to be filed only when received by the Trustee either electronically online or by mail.

**For the avoidance of doubt, claims of customers seeking the maximum protection under SIPA must be received by the Trustee on or before January 30, 2009, and all claims must be received by the Trustee on or before June 1, 2009. No claim of any kind will be allowed unless received by the Trustee on or before June 1, 2009.**

The Trustee has published protocols for certain transactional claims. These protocols should be reviewed carefully before submitting a claim to the Trustee, and are available at the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com).

#### Automatic Stay of Actions Against the Debtor

NOTICE IS HEREBY GIVEN that as a result of the issuance of the Protective Decree, certain acts and proceedings against the Debtor and its property are stayed as provided in 11 U.S.C. § 362 and by order of the United States District Court for the Southern District of New York, entered September 19, 2008.

#### Meeting of Customers and Other Creditors

NOTICE IS HEREBY GIVEN that a meeting of customers and other creditors will be held at the New York Marriott Downtown, 85 West Street, New York, New York 10006, on December 17, 2008, at 10:00 a.m. (Prevailing Eastern Time). The Trustee will preside at such meeting to provide information about the customer claims process and the progress of this SIPA liquidation.

#### Additional Information

NOTICE IS HEREBY GIVEN that copies of this Notice, claim forms, and other background on this SIPA liquidation may be found on SIPC's website, [www.sipc.org](http://www.sipc.org) under Proceedings/Liquidation and on the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com). From time to time other updated information and notices concerning this proceeding may also be posted at these websites.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of customers' claims is required for such calls.

Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The information in this Notice applies only to Lehman Brothers Inc. and does not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

Dated: New York, NY  
December 1, 2008

HUGHES HUBBARD & REED LLP  
One Battery Park Plaza  
New York, New York 10004

Attorneys for James W. Giddens  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.

**LEHMAN BROTHERS INC.**

In Liquidation

December 1, 2008

TO ALL PERSONS ASSERTING CLAIMS AS CUSTOMERS OF LEHMAN BROTHERS INC.

Enclosed are a customer claim form, customer claim form instructions, and a separate letter for broker-dealers having open securities or money balances as of September 19, 2008 with Lehman Brothers Inc. (the "Debtor").

You are urged to read these and the other enclosed documents carefully. They explain steps to protect any rights and claims you may have in this liquidation proceeding.

As a preliminary matter, through the extraordinary efforts and cooperation of the Securities Investor Protection Corporation, the Securities and Exchange Commission, the Federal Reserve, the Commodities Future Trading Commission, the Debtor, and Barclays Capital Inc., many accounts have been transferred. Accordingly, if your account and all of its property have been transferred, no further action may be required on your part.

In addition, the Trustee has published protocols for certain transactional claims. These protocols should be reviewed carefully before submitting a claim to the Trustee, and are available at the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com).

Regardless of any transfer or closeout of your positions with the Debtor, should you believe that the Debtor still owes you cash or securities from your customer account, the customer claim form should be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or filled out by you and mailed, via certified mail, return receipt requested, to the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

A return envelope addressed to the P.O. Box address shown above is enclosed should you choose to file by first-class mail. Please make a copy of the completed customer claim form for your own records before mailing.

Your customer claim form will not be deemed to be filed until received by the Trustee either electronically online or by mail. If you choose to file your claim by mail, it is strongly recommended that your claim be mailed via certified mail, return receipt requested. Your return receipt will be the only document you will receive that shows your claim has been received by the Trustee. If you choose to file your claim electronically online, be sure to print out and retain for your records a copy of the confirmation page stating your claim was successfully filed electronically online.

If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now

seeking, please provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

While your claim is being processed, you may be requested to file additional information or documents with the Trustee to support the validity of your claim.

It is your responsibility to report accurately all securities positions and money balances in connection with your account with the Debtor. A false claim or the retention of property to which you are not entitled may make you liable for damages and criminal penalties. If you cannot precisely calculate the amount of your claim, however, you may file an estimated claim. One of the purposes of the liquidation is to return securities and cash due to customers as promptly as practicable. In that connection, funds of the Securities Investor Protection Corporation may be utilized to pay valid customer claims relating to securities and cash up to a maximum amount of \$500,000.00 for each customer, including up to \$100,000.00 for claims for cash, as provided by the Securities Investor Protection Act of 1970, as amended ("SIPA").

**To be eligible for the maximum protection afforded under SIPA, your claim must be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) on or before January 30, 2009, or your customer claim form must be mailed so as to be received by the Trustee on or before January 30, 2009.** The Trustee will determine whether claims meet the statutory requirements for "customer" claims under SIPA; inclusion of a claim or claim type on the customer claim form is not determinative of customer status under SIPA.

PLEASE NOTE: Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The customer claim form applies only to Lehman Brothers Inc. and does not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of customers' claims is required for such calls.

Your cooperation in promptly filing your claim is in your best interest as it will help speed the administration of the liquidation proceeding.

Very truly yours,

James W. Giddens  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.

**LEHMAN BROTHERS INC.**

In Liquidation

December 1, 2008

TO BROKERS AND DEALERS HAVING OPEN SECURITIES POSITIONS OR MONEY BALANCES AS OF SEPTEMBER 19, 2008, WITH LEHMAN BROTHERS INC.

The United States District Court for the Southern District of New York entered an order on September 19, 2008 finding that customers of Lehman Brothers Inc. (the "Debtor") were in need of the protection afforded by the Securities Investor Protection Act of 1970, as amended ("SIPA"). James W. Giddens (the "Trustee") was immediately appointed trustee to liquidate the business of the Debtor.

The Trustee has published protocols for certain transactional claims. These protocols should be reviewed carefully before submitting a claim to the Trustee, and are available at the Trustee's website, [www.lehmantrustee.com](http://www.lehmantrustee.com). You may also wish to review SIPC Rules Regarding Closeout or Completion of Open Contractual Commitments, 17 C.F.R. §§ 300.300-300.307, available at [www.sipc.org/who/statute.cfm](http://www.sipc.org/who/statute.cfm).

To recover upon any claim you may have against the Debtor, you must carefully follow the instructions contained in this package. Enclosed is the Notice of Commencement, as well as instructions for filing a claim and claim form.

You are urged to read all of the above-referenced documents carefully. They explain what steps, if any, you must take to protect any rights and claims you may have in this liquidation proceeding.

Claimants are advised to file claims electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com). Alternatively, the enclosed claim form may be filled out and mailed to the Trustee by certified mail, return receipt requested. Please make a copy of the completed claim forms and retain them for your own records.

Your claim forms will not be deemed to be filed until received by the Trustee either electronically online or by certified mail. **To be eligible for the maximum protection afforded under SIPA, claim forms must be received by the Trustee on or before January 30, 2009.** The Trustee will determine whether claims meet the statutory requirements for "customer" claims under SIPA; inclusion of a claim or claim type on the customer claim form is not determinative of customer status under SIPA.

While your claim is being processed, you may be requested to file with the Trustee additional information or documents to support the validity of your claim.

It is your responsibility to report accurately all securities positions and money balances in connection with your account with the Debtor. A false claim or the retention of property to which you are not entitled may make you liable for damages and criminal penalties.

PLEASE NOTE: Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The customer claim form applies only to Lehman Brothers Inc. and does not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of customers' claims is required for such calls.

Your cooperation in promptly filing your claim is in your best interest, as it will help speed the administration of the liquidation proceeding.

Very truly yours,

James W. Giddens  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.

LEHMAN BROTHERS INC.

In Liquidation

December 1, 2008

TO ALL PERSONS ASSERTING CLAIMS AS CREDITORS OF LEHMAN BROTHERS INC.

Enclosed with this letter is a formal proof of claim for creditors of Lehman Brothers Inc. (the "Debtor"). If you believe that you have a bona-fide creditor claim against the Debtor, you must complete this form and return it by mail to the Trustee at the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

Alternatively, proof of claim forms may be filed electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com).

In addition to this letter, you should carefully read the enclosed notice concerning the liquidation of the business of Lehman Brothers Inc. (the "Notice"). This Notice informs you of the steps necessary to protect your interests in the proceeding. Among other things, as indicated in the Notice, customers of the debtor should consider filing a claim for customer protection, a form for which is also included in today's mailing.

The Notice also informs all creditors of the Debtor other than customers or broker-dealers that they must file formal proofs of claim with the Trustee within six (6) months of the date of the Notice.

Claims are not deemed filed until received by the Trustee either electronically online or by mail at the above address. If you decide to file your claim via mail, it is strongly recommended that you use certified mail, return receipt requested. **No claim will be allowed unless received by the Trustee on or before June 1, 2009.**

You should attach to the completed claim form copies of all documentation supporting your claim. Please make a copy of the completed claim form and any attached documentation for your own records.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of creditors' claims is required for such calls.

PLEASE NOTE: Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The information in this letter and the attached proof of claim apply only to Lehman Brothers Inc. and do not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

DATED: December 1, 2008

Very truly yours,

James W. Giddens  
Trustee for the SIPA Liquidation of  
Lehman Brothers Inc.



**PLEASE READ CAREFULLY**  
**INSTRUCTIONS FOR COMPLETING CUSTOMER CLAIM FORM**

These instructions are to help you complete the customer claim form enclosed. You can also file your claim electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com). While your account(s) may have been transferred to another broker-dealer (or for commodity futures accounts, another futures commission merchant), if you believe that Lehman Brothers Inc. ("LBI") owes you cash or securities and you wish to claim them, the Trustee must receive your claim on or before the date specified on the claim form. An improperly completed claim form will not be processed but will be returned to you and, consequently, will cause a delay in the determination of your claim.

PLEASE NOTE: Lehman Brothers Inc. is the only Lehman entity that is a debtor in this SIPA liquidation proceeding. The customer claim form applies only to Lehman Brothers Inc. and does not apply to any other Lehman entity, including any entity in a proceeding under chapter 11 of title 11 of the United States Code.

**A SEPARATE CLAIM FORM MUST BE FILED FOR EACH ACCOUNT**

For each question/response where a separate attachment is included or required, please include a title on each page of the attachment clearly indicating the question/response to which the attachment relates. Unidentified and/or missing attachments may result in delays in the processing of your claim.

**Item 1** is to be completed if on September 19, 2008 LBI owed you cash or if you owed LBI cash.

If LBI owes money to you, please indicate the amount in the space provided [Item 1a]. If you owe LBI money, please so indicate in the space provided [Item 1b]. If LBI owes you securities and you wish to receive those securities without deduction, then you must enclose your check for the amount shown in Item 1c payable to "James W. Giddens, Trustee for the SIPA Liquidation of Lehman Brothers Inc." **Payments not enclosed with this claim form will not be accepted by the Trustee for purposes of determining what securities are to be distributed to you.** If you choose to file a claim electronically online, and you wish to receive securities without deduction, please be sure to print out and enclose with your check a copy of the confirmation page stating that your claim was successfully filed electronically online, as well as a copy of your electronically filed claim form.

**Item 2** deals with securities (including any options) held for you. If LBI is holding securities for you or has failed to deliver securities to you, please indicate by circling "Y" to the appropriate statement under Item 2 and set forth in detail the information required with respect to the date of the transaction, the name of the security, including the CUSIP number if available, and the number of shares or face value of bonds. With respect to options, set forth the number and type of options, the exercise price and expiration date, *e.g.*, 3 options [call] or [put] GE at 25 2x December 2008. **Please do not claim any securities you already have in your possession.**

It would expedite satisfaction of your claim if you enclose copies of:

1. Your last LBI account statement;
2. An explanation of any differences between cash balances and securities on your last account statement and cash balances and securities you claim;
3. Purchase and sale confirmations and canceled checks covering the items referred to on your customer claim form; and
4. Any other documentation which may assist the processing of your claim, such as correspondence, receipts, etc. In particular, if, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**Item 3** should only be completed if you believe you have a claim based on a commodity futures account at LBI. Please be as detailed as possible in the description of your claim, and attach supporting documentation.

**Items 4 through 11** must each be marked and details supplied where appropriate.

## **When To File**

There are two deadlines for filing claims. One is set by the Bankruptcy Court to be eligible for the maximum protection afforded under SIPA, and one is set by the law for all claims.

The Bankruptcy Court has set January 30, 2009 as the date for filing customer claims to be eligible for the maximum protection under SIPA. If your claim is received by the Trustee either electronically online or by certified mail after January 30, 2009, but on or before June 1, 2009, your claim is subject to delayed processing and to being satisfied on terms less favorable to you. The Trustee will determine whether claims meet the statutory requirements for "customer" claims under SIPA; inclusion of a claim or claim type on the customer claim form is not determinative of customer status under SIPA.

**The law governing this proceeding absolutely bars the allowance of any claim, including a customer claim, not actually received by the Trustee either electronically online or by mail, on or before June 1, 2009. Neither the Trustee nor the Securities Investor Protection Corporation has authority to grant extensions of time for filing of claims, regardless of the reason. If your claim is received even one day late, it will be disallowed.**

Please file well in advance so that there will be time to refile if, for instance, your claim is lost in the mail.

## **Where To File**

Claim forms must be filed either electronically online at [www.lehmantrustee.com](http://www.lehmantrustee.com) or via mail. If you choose to file your claim form by mail, the completed and signed claim form, together with supporting documents should be mailed **promptly**, via certified mail, return receipt requested, to the following:

If by first class mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
P.O. Box 6389  
Portland, OR 97228-6389

If by overnight mail:

Lehman Brothers Inc. Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
10300 SW Allen Blvd  
Beaverton, OR 97005

A return envelope addressed to the P.O. Box address shown above is enclosed should you choose to file by first-class mail. Please make a copy of the completed customer claim form for your own records before mailing.

### **PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Your claim is not filed until received by the Trustee either electronically or by mail. If you choose to file your claim by mail, your return receipt will be the only document you will receive that shows your claim has been received by the Trustee. If you choose to file your claim electronically online, be sure to print out and retain for your records a copy of the confirmation page stating your claim was successfully filed electronically online.

You may call (866) 841-7868 domestic or (503) 597-7690 international with general questions relating to the claims process. However, telephone inquiries delay the liquidation. The time of personnel who would otherwise be at work to speed the satisfaction of customers' claims is required for such calls.

**THIS INSTRUCTION SHEET IS FOR YOUR FILE — DO NOT RETURN**

**YOU SHOULD RETAIN A COPY OF THE COMPLETED CLAIM FORM FOR YOUR RECORDS.**

**Lehman Brothers Inc. Claims Processing**  
**c/o Epiq Bankruptcy Solutions, LLC**  
**P.O. Box 6389**  
**Portland, OR 97228-6389**