

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

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**ORDER AUTHORIZING THE ABANDONMENT OF CERTAIN
LEHMAN BROTHERS INC. CONTRACTUAL RIGHTS
TO ACQUIRE RECORDS OWNED BY BARCLAYS CAPITAL INC.**

Upon the motion dated November 23, 2021 (the “Motion”)¹ of James W. Giddens (the “Trustee”), as Trustee for the SIPA liquidation of Lehman Brothers Inc. (“LBI”), requesting entry of a fifth order authorizing the abandonment of certain LBI contractual rights to acquire certain data (the “Data”) owned by Barclays Capital Inc. (“Barclays”), as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with SIPA § 78eee(b)(4); and venue being proper before this Court pursuant to SIPA § 78eee(a)(3) and 15 U.S.C. § 78aa; and it appearing that the relief requested by the Motion is necessary and in the best interests of the estate, its customers, its creditors, and all parties-in-interest; and it appearing that due and proper notice of the Motion having been given to all parties who may have an interest in the Motion, and no other or further notice is necessary; and the Trustee having articulated good, sufficient, and sound business justifications for abandoning certain contractual rights to acquire the Data; and the Court having reviewed the Motion and having held a hearing with appearances of parties-in-interest, and it appearing that

1. Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

no objections have been filed to the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that pursuant to section 554(a) of the Bankruptcy Code, made applicable to this proceeding by SIPA sections 78fff(b) and 78fff-1(a), any and all LBI contractual rights as to the Data are hereby deemed immediately abandoned and terminated by the Trustee, in a reasonable exercise of his business judgment, and no further action is required to effectuate or implement such abandonment and termination; and it is further

ORDERED that nothing herein shall in any way prevent Barclays' effectuation of the Destruction Notice pursuant to the APA; and it is further

ORDERED that, to the extent any third-party requests that the Trustee take possession of the Data prior to their destruction, such third party shall bear all costs incurred by the LBI estate associated with any transfer and/or maintenance of all of the Data sought (including all attorney and other professional costs related thereto), the LBI estate and Barclays shall bear no cost or liability related to any such transfer and/or maintenance of such Data, and the Trustee and his professionals shall have no obligation to maintain the Data after closure of the LBI estate; and it is further

ORDERED that, notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable upon its entry; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York
December 16, 2021

/S/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE