

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION

In re:

eCOM eCOM.COM, INC.  
Debtor.

Chapter 11

Case No. 04-35435-BKC-SHF

**BALLOT FOR CLASS 4 (EQUITY INTERESTS)**

FOR USE BY REGISTERED OWNERS  
OF ECOM COMMON STOCK ON JANUARY 4, 2007

THE VOTING DEADLINE BY WHICH YOUR  
BALLOT MUST BE *RECEIVED* BY THE  
CLERK OF THE BANKRUPTCY COURT  
IS 5:00 P.M., PREVAILING EASTERN TIME,  
ON MARCH 2, 2007 (THE "BALLOT DEADLINE")  
OR THE VOTES REPRESENTED BY YOUR BALLOT  
WILL *NOT* BE COUNTED

This Ballot is to be used by you, a registered owner of the common stock of eComeCom.com, Inc. ("eCom") as of January 4, 2007 to accept or reject the First Amended Joint Plan of Reorganization (the "Plan") filed with the Court on January 3, 2007, as described in the First Amended Disclosure Statement for Joint Plan of Reorganization (the "Disclosure Statement") filed with the Court on January 3, 2007, as well as to support or oppose releases ("Releases") contained in Sections 11.05 and 11.06 of the Plan. Copies of the Plan and Disclosure Statement are posted on eCom's website: [www.ecomecom.net](http://www.ecomecom.net). Before you transmit such votes, please review the Disclosure Statement carefully.

**PLEASE READ AND FOLLOW THE ATTACHED INSTRUCTIONS CAREFULLY, COMPLETE, SIGN, AND DATE THIS BALLOT AND RETURN IT SO THAT IT IS *RECEIVED* BY THE CLERK OF THE BANKRUPTCY COURT BEFORE THE BALLOT DEADLINE OF 5:00 P.M., PREVAILING EASTERN TIME, ON MARCH 2, 2007. IF THIS BALLOT IS NOT COMPLETED, SIGNED, AND TIMELY RECEIVED, THE VOTE TRANSMITTED BY THIS BALLOT WILL NOT BE COUNTED.**

**ITEM 1. Number of Shares of Common Stock of eCom**

*Please indicate the number of shares held by you:*

\_\_\_\_\_ Aggregate number of shares of common stock owned by  
you in eCom

**ITEM 2. Class 4 (Equity Interest) Vote**

*Please check one of the applicable boxes:*

I vote to ACCEPT the Plan.

I vote to REJECT the Plan.

*If you do not check either of the foregoing boxes, your ballot shall be counted as having voted to ACCEPT the Plan.*

**ITEM 3. Release Provisions**

Sections 11.05 and 11.06 of the Plan provide for Releases (and an injunction relating to such releases) in favor of third parties. The Releases were requested by ACH as a condition to extending New Funding and ACH's agreement to fund other potential costs under the Plan. It is possible that the Releases may only be approved by the Bankruptcy Court if supported by Holders of Claims and Equity Interests voting on the Plan. The Debtor and ACH do not believe that it is appropriate for Holders of Claims and Equity Interests to vote on the releases. However, the Debtor and ACH have included the releases on the ballot at the request of the United States Trustee. The Debtor, ACH and the United States Trustee reserve all of their rights with respect to the inclusion of the Releases on the ballot.

*Please check one of the following boxes:*

I vote to SUPPORT the Releases contained in Sections 11.05 and 11.06 of  
the Plan.

I vote to OPPOSE the Releases contained in Sections 11.05 and 11.06 of  
the Plan.

*If you do not check either of the foregoing boxes, your ballot shall be counted as having voted to SUPPORT the Releases.*

**ITEM 4: Registered Owner.** The undersigned certifies that it is the registered owner in its own name of eCom's common stock as of January 4, 2007 identified in Item 1 above.

SIGNED: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

TAX I.D. OR SOCIAL  
SECURITY NUMBER: \_\_\_\_\_

IF AUTHORIZED BY AGENT,  
NAME AND TITLE: \_\_\_\_\_

NAME OF INSTITUTION: \_\_\_\_\_

PARTICIPANT NUMBER: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE NO.: \_\_\_\_\_

DATED: \_\_\_\_\_

**THIS BALLOT MUST BE RECEIVED BY THE CLERK OF THE BANKRUPTCY COURT BEFORE 5:00P.M., PREVAILING EASTERN TIME, ON MARCH 2, 2007, OR THE VOTES TRANSMITTED HEREBY WILL NOT BE COUNTED.**

**PLEASE NOTE: THE BANKRUPTCY COURT WILL NOT ACCEPT BALLOTS OR MASTER BALLOTS BY FACSIMILE TRANSMISSION.**

**IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT PLEASE CONTACT COUNSEL FOR THE PROPONENTS.**

## INSTRUCTIONS FOR COMPLETING THE BALLOT:

1. The Ballot Deadline is 5:00 P.M., prevailing Eastern Time, on March 2, 2007. To have your vote count, you must complete, sign, and return this Ballot so that it is received by the clerk of the Bankruptcy Court at the following address:

**Clerk of the Court  
United States Bankruptcy Court  
Southern District of Florida  
West Palm Beach Division  
1515 North Flagler Drive  
8<sup>th</sup> Floor  
West Palm Beach, Florida 33401**

An envelope addressed to the clerk of the Bankruptcy Court is enclosed for your convenience.

2. **This Ballot is not a letter of transmittal and may not be used for any purpose other than to cast votes to accept or reject the Plan.** Holders should not surrender certificates representing their securities.
3. With respect to all ballots returned to you, you must properly complete the Ballot as follows:
  - (i) Fill in the number of shares of common stock of eCom owned by you as of January 4, 2007 in response to Item 1 of the Ballot;
  - (ii) Indicate whether you vote to accept or reject the Plan by checking the appropriate box in response to Item 2 of the Ballot. **YOU MAY NOT SPLIT YOUR VOTE. YOU MUST VOTE ALL YOUR EQUITY INTEREST TO EITHER ACCEPT OR REJECT THE PLAN. IF YOU ATTEMPT TO SPLIT YOUR VOTE YOUR BALLOT WILL NOT BE COUNTED. Any ballot which is validly executed but which does not indicate acceptance or rejection of the Plan will be counted as an acceptance.**
  - (iii) Indicate whether you vote to support or oppose the Releases contained in Sections 11.05 and 11.06 of the Plan by checking the appropriate box in Item 3 of the Ballot. **Any ballot which is validly executed but which does not indicate support or opposition to the Releases will be counted as support for the Releases.**
  - (iv) Review the certifications in Item 4 of the Ballot.
  - (v) Sign and date the Ballot, and provide the remaining information requested.
  - (vi) Return the completed Ballot to the clerk of the Bankruptcy Court at the address set forth above.
  - (vii) Deliver the completed Ballot so as to be actually received by the clerk of the Bankruptcy Court before the Ballot Deadline.