

EXHIBIT “A”

**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 3A AND 3B CLAIMS
(INSIDER AND NON-INSIDER GENERAL UNSECURED CLAIMS)**

**FOR USE BY HOLDERS
OF GENERAL UNSECURED CLAIMS**

**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 [ballot deadline] (THE “BALLOT DEADLINE”)
OR THE VOTES REPRESENTED BY YOUR BALLOT
WILL *NOT* BE COUNTED**

This Ballot is to be used by you, a holder of a general unsecured claim, to accept or reject the First Amended Joint Plan of Reorganization (the “Plan”) filed with the Court on [filing date], as described in the First Amended Disclosure Statement for Joint Plan of Reorganization (the “Disclosure Statement”) filed with the Court on [], 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. 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 [ballot deadline]. IF THIS BALLOT IS NOT COMPLETED, SIGNED, AND TIMELY RECEIVED, THE VOTE TRANSMITTED BY THIS BALLOT WILL NOT BE COUNTED.

ITEM 1. Amount of Claim \$ _____
(please fill in the amount of your claim in U.S. Dollars)

ITEM 2. Class 3 Election

If you are not an officer, director, or person in control of the Debtor, or a relative of any of the foregoing, please check one of the following boxes:

I elect to receive common stock of eCom instead of Cash in full and complete satisfaction of the allowed amount of the claim included in Item 1 above. By electing to receive common stock of eCom instead of Cash, I hereby acknowledge that the allowed amount of my claim will be converted into common stock of eCom at a conversion rate of \$.026 per share.

I do *NOT* elect to receive common stock of eCom instead of Cash.

If you do not check either of the foregoing boxes, you will receive common stock of eCom instead of Cash.

ITEM 3. Class 3 Vote

Please check one of the following 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 4. 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 5: The undersigned certifies that it is the holder of the claim identified in Item 1 above.

SIGNED: _____

NAME (PRINT): _____

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 [ballot deadline], OR THE VOTES TRANSMITTED HEREBY WILL NOT BE COUNTED.

PLEASE NOTE: THE BANKRUPTCY COURT WILL NOT ACCEPT 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 [ballot deadline]. 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
1675 Palm Beach Lakes Boulevard
8th Floor
West Palm Beach, Florida 33401**

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

2. With respect to all ballots returned to you, you must properly complete the Ballot as follows:
 - (i) Fill in the amount of the claim asserted by you in response to Item 1 of the Ballot;
 - (ii) If you are not an officer, director or person in control of the Debtor, or a relative of any of the foregoing, please indicate whether you elect to receive common stock of eCom instead of Cash on the Effective Date of the Plan in response to Item 2 of the Ballot. *If you do not check either of the foregoing boxes, you will receive common stock of eCom instead of Cash.*
 - (iii) Indicate whether you vote to accept or reject the Plan by checking the appropriate box in Item 3 of the Ballot. **Any ballot which is validly executed but which does not indicate acceptance or rejection of the Plan will be counted as an acceptance.**
 - (iv) 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 4 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.**
 - (v) Review the certification in Item 5 of the Ballot.
 - (vi) Sign and date the Ballot, and provide the remaining information requested.
 - (vii) Return the completed Ballot to the clerk of the Bankruptcy Court at the address set forth above.
 - (viii) Deliver the completed Ballot so as to be actually received by the clerk of the Bankruptcy Court before the Ballot Deadline.

NOTHING CONTAINED HEREIN OR IN THE ENCLOSED DOCUMENTS SHALL RENDER YOU OR ANY OTHER PERSON THE AGENT OF THE DEBTOR OR PLAN PROPONENTS, OR AUTHORIZE YOU OR ANY OTHER PERSON TO USE ANY DOCUMENT OR MAKE ANY STATEMENTS ON BEHALF OF ANY OF THEM WITH RESPECT TO THE PLAN, EXCEPT FOR THE STATEMENTS CONTAINED IN THE ENCLOSED DOCUMENTS.

**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 [record date]**

**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 [ballot deadline] (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 [record date] to accept or reject the First Amended Joint Plan of Reorganization (the “Plan”) filed with the Court on [filing date], as described in the First Amended Disclosure Statement for Joint Plan of Reorganization (the “Disclosure Statement”) filed with the Court on [], 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. 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 [ballot deadline]. 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 [record date] 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 [ballot deadline], 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 [ballot deadline]. 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
1675 Palm Beach Lakes Boulevard
8th 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 the [record date] 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.

**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

MASTER BALLOT FOR CLASS 4 (EQUITY INTERESTS)

**FOR USE BY BROKERS, BANKS, DEALERS, AND
OTHER AGENTS OR NOMINEES FOR BENEFICIAL
OWNERS OF ECOM COMMON STOCK
ON [record date]**

**THE VOTING DEADLINE BY WHICH YOUR
MASTER BALLOT MUST BE *RECEIVED* BY THE
CLERK OF THE BANKRUPTCY COURT
IS 5:00 P.M., PREVAILING EASTERN TIME,
ON [ballot deadline] (THE “BALLOT DEADLINE”)
OR THE VOTES REPRESENTED BY YOUR BALLOT
WILL *NOT* BE COUNTED**

This Master Ballot is to be used by you, as a broker, bank, or other nominee (or as their proxy holder or agent) (each of the foregoing, a “Voting Nominee”), for summarizing the votes cast by beneficial owners of the common stock of eComeCom.com, Inc. (“eCom”) as of [record date] to accept or reject the First Amended Joint Plan of Reorganization (the “Plan”) filed with the Court on [filing date], as described in the First Amended Disclosure Statement for Joint Plan of Reorganization (the “Disclosure Statement”) filed with the Court on [], 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. Before you transmit such votes, please review the Disclosure Statement carefully. **THIS MASTER BALLOT RELATES ONLY TO VOTES CAST BY BENEFICIAL OWNERS OF ECOM’S COMMON STOCK AS OF [record date].**

PLEASE READ AND FOLLOW THE ATTACHED INSTRUCTIONS CAREFULLY, COMPLETE, SIGN, AND DATE THIS MASTER 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 [ballot deadline]. IF THIS MASTER BALLOT IS NOT COMPLETED, SIGNED, AND TIMELY RECEIVED, THE VOTES TRANSMITTED BY THIS MASTER BALLOT WILL NOT BE COUNTED.

Item 1. Certification of Authority to Vote. The undersigned certifies that the undersigned (please check the applicable box):

- Is a broker, bank, or other nominee for the beneficial owners of eCom's common stock as of [record date] and is the registered holder of such securities, or
- Is acting under a power of attorney and/or agency (a copy of which will be provided upon request) granted by a broker, bank, or other nominee that is the registered holder of eCom's common stock as of [record date] listed in Item 2 below, or
- Has been granted a proxy (an original of which is attached hereto) from a broker, bank, or other nominee that is the registered holder of eCom's common stock as of [record date],

and accordingly, has full power and authority to vote to accept or reject the Plan and to support or oppose the Releases on behalf of the beneficial owners of eCom's common stock as of [record date] described in Item 2 below.

Item 2. Tabulation of Class 4 Votes (Plan).

_____ Aggregate number of shares of Class 4 Equity Interests
ACCEPTING the Plan.

_____ Aggregate number of shares of Class 4 Equity Interests
REJECTING the Plan.

Item 3. Tabulation of Class 4 Votes (Releases).

_____ Aggregate number of shares of Class 4 Equity Interests
SUPPORTING the Releases.

_____ Aggregate number of shares of Class 4 Equity Interests
OPPOSING the Releases.

Item 4. Class 4 (Equity Interests) Vote (Plan). The undersigned certifies that the schedule set forth below is an accurate listing of the holders of Class 4 (Equity Interests) that have delivered voting instructions to the undersigned voting to accept or reject the Plan. (Please complete the beneficial owners summary schedule set forth below. Attach additional sheets as needed.) The undersigned certifies that the beneficial owners listed on the below or attached schedule are beneficial owners as of [record date] and have delivered to the undersigned, as nominee, ballots casting such votes.

Your Customer Account Number for Each Beneficial Owner	Number of Shares of eCom Common Stock Voted to ACCEPT the Plan:	Number of Shares of eCom Common Stock Voted to REJECT the Plan:

Item 5. Class 4 (Equity Interests) Vote (Releases). The undersigned certifies that the schedule set forth below is an accurate listing of the holders of Class 4 (Equity Interests) that have delivered voting instructions to the undersigned voting to support or oppose the Releases set forth in Sections 11.05 and 11.06 of the Plan. (Please complete the beneficial owners summary schedule set forth below. Attach additional sheets as needed.) The undersigned certifies that the beneficial owners listed on the below or attached schedule are beneficial owners as of [record date] and have delivered to the undersigned, as nominee, ballots casting such votes.

Your Customer Account Number for Each Beneficial Owner	Number of Shares of eCom Common Stock Voted to SUPPORT the Releases:	Number of Shares of eCom Common Stock Voted to OPPOSE the Releases:

Item 6: Certification. By signing this Master Ballot, the undersigned certifies that the individual ballots received from each beneficial owner of common stock or a copy thereof is and will remain on file with the undersigned subject to inspection for a period of one year following the Effective Date of the Plan.

Item 7: Registered Owner. The undersigned certifies that it is the registered owner in its own name or through a position held at a securities depository of eCom's common stock as of [record date] identified in Item 2 above.

SIGNED: _____

NAME (PRINT): _____

TITLE: _____

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 MASTER BALLOT MUST BE *RECEIVED* BY THE CLERK OF THE BANKRUPTCY COURT BEFORE 5:00P.M., PREVAILING EASTERN TIME, ON [ballot deadline], 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 MASTER BALLOT, OR IF YOU NEED ADDITIONAL COPIES OF THE MASTER BALLOT, BALLOTS, OR RELATED MATERIALS, PLEASE CONTACT COUNSEL FOR THE PROPONENTS.

INSTRUCTIONS FOR COMPLETING THE MASTER BALLOT:

1. The Ballot Deadline is 5:00 P.M., prevailing Eastern Time, on [ballot deadline]. To have the vote of your customers count, you must complete, sign, and return this Master 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
1675 Palm Beach Lakes Boulevard
8th Floor
West Palm Beach, Florida 33401**

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

2. If you are both the registered owner and the beneficial owner of eCom's common stock as of [record date] and you wish to vote such stock, you may complete, execute, and return to the clerk of the Bankruptcy Court, either and individual Class 4 (Equity Interest) ballot or a Master Ballot.
3. **This Master 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.
4. **If you are transmitting the votes of any beneficial owners of eCom's common stock as of [record date], other than yourself, you may *either***
 - a. Complete and execute the ballot (other than Items 2 and 3) and deliver to the beneficial owner such "prevalidated" ballot and other materials requested to be forward. The beneficial owner should complete Items 2 and 3 of that ballot and return the completed ballot to the clerk of the Bankruptcy Court so as to be received before the Ballot Deadline.

OR

- b. For any Equity Interest ballots you do not "prevalidate":

Deliver the ballot to the beneficial owner along with other materials requested to be forwarded, and take the necessary actions to enable such beneficial owner to (i) complete and execute such ballot voting to accept or reject the Plan and to support or oppose the Releases, and (ii) return the complete, executed ballot to you in sufficient time to enable you to complete the Master Ballot and deliver it to the clerk of the Bankruptcy Court before the Ballot Deadline; and

With respect to all ballots returned to you, you must properly complete the Master Ballot as follows:

- (i) Check the appropriate box in Item 1 of the Master Ballot;
- (ii) Indicate the votes to accept or reject the Plan in Items 2 and 4, and to support or opposes the Releases in Items 3 and 5, of this Master Ballot, as transmitted to you by the beneficial owners of eCom's common stock as of [record date].
IMPORTANT: BENEFICIAL OWNERS MAY NOT SPLIT THEIR VOTES. EACH BENEFICIAL OWNER MUST VOTE ALL HIS, HER, OR ITS EQUITY INTEREST, EITHER TO ACCEPT OR REJECT THE PLAN AND TO SUPPORT OR OPPOSE THE RELEASES. IF ANY BENEFICIAL

OWNER HAS ATTEMPTED TO SPLIT SUCH VOTE, PLEASE DO NOT COUNT THE BALLOT AND CONTACT [EMS] IMMEDIATELY. Any ballot which is validly executed but which does not indicate acceptance or rejection of the Plan or support or opposition of the Releases by the indicated beneficial owner should be counted as an acceptance of the Plan and/or support of the Releases.

- (iii) Items 4 and 5 of the Master Ballot request that you transcribe information or attach a schedule to the Master Ballot in the indicated format providing information for each individual beneficial owner of eCom's common stock as of [record date] on whose behalf you are executing this Master Ballot. To identify such beneficial owners without disclosing their names, please use the customer account number assigned by you to each such beneficial owner, or if no such customer account number exists, please assign a number to each account (making sure to retain a separate list of each beneficial owner and assigned number).
- (iv) Review the certifications in Item 7 of the Master Ballot.
- (v) Sign and date the Master Ballot, and provide the remaining information requested.
- (vi) If additional space is required to respond to any item on the Master Ballot, please use additional sheets of paper clearly marked to indicate the applicable Item of the Master Ballot to which you are responding.
- (vii) Return the completed Master Ballot to the clerk of the Bankruptcy Court at the address set forth above.
- (viii) Deliver the completed Master Ballot so as to be actually received by the clerk of the Bankruptcy Court before the Ballot Deadline. For each completed, executed ballot returned to you by a beneficial owner, you must retain such ballots in your files for one year following the Effective Date of the Plan.

PLEASE NOTE:

No fees, commissions or other remuneration will be payable to any broker, dealer, or other person for soliciting votes on the Plan.

NOTHING CONTAINED HEREIN OR IN THE ENCLOSED DOCUMENTS SHALL RENDER YOU OR ANY OTHER PERSON THE AGENT OF THE DEBTOR OR PLAN PROPONENTS, OR AUTHORIZE YOU OR ANY OTHER PERSON TO USE ANY DOCUMENT OR MAKE ANY STATEMENTS ON BEHALF OF ANY OF THEM WITH RESPECT TO THE PLAN, EXCEPT FOR THE STATEMENTS CONTAINED IN THE ENCLOSED DOCUMENTS.