



Paris, 5 October 2011

THIRD PARTY OPPOSITION TO THE *PLAN DE SAUVEGARDE*: Update on the proceedings and potential consequences to the bondholders of the most recent court decisions.

As a result of the request made by Mr. Luc Leroi, in his capacity as the bondholders' representative for the 2010, 2013 & 2014 Orco Property Group bonds, to publish the entirety of the 16 September, 2011 decisions of the *Juge commissaire*, Orco Property Group ("Orco") takes this opportunity to supplement this publication with a brief summary providing the latest developments of the proceedings and potential consequences to the *plan de sauvegarde*.

On 28 May 2010, Mr. Leroi as the bondholders' representative for the 2010, 2013 & 2014 bonds, filed a third party opposition against the *plan de sauvegarde* that had been approved by the *Tribunal de commerce de Paris* on 19 May, 2010.

In particular, Mr. Leroi argues that ORCO's *plan de sauvegarde* fails to include an additional accrued interest component and a yield component. ORCO opposes this argument by stressing that the interest component (other than interest with respect to the original maturity of the bonds concerned) and the yield component claimed by Mr. Leroi were not validly admitted by the *Juge commissaire* as part of ORCO's debt.

Mr. Leroi therefore requested in three separate pleadings or *requêtes en interprétation* that the *Juge commissaire* interpret and modify his 26 October, 2009 decisions regarding the admission of the overall bond debt, so as to include additional accrued interest and yield components.

By three orders dated 16 September, 2011, the *Juge commissaire* dismissed Mr. Leroi's *requêtes en interprétation*.

Mr. Leroi has appealed these orders. Given that the decision of the *Tribunal de commerce de Paris* regarding the third party opposition depends on the final outcome of the *Juge commissaire*'s interpretation orders, the *Tribunal de commerce de Paris*, during the hearing held on 27 September 2011, issued a stay of the third party opposition proceedings.

The orders of 16 September, 2011 are enforceable subject to Mr. Leroi's appeal and interest is inadmissible in excess of the interest already admitted regarding the original maturity of the bonds. Therefore, unless the *Juge commissaire*'s decisions of 16 September, 2011 are conclusively reversed, the EUR 47 million in interest that has already been admitted to the *plan de sauvegarde* in excess of the interest on the original maturity of the bonds can no longer be taken into account in the *plan de sauvegarde* and will not be paid as dividends under the *plan de sauvegarde*.

The 3 complete orders of 16 September 2011 are on www.orcogroup.com

