

all of the provisions of the A&P Lease shall be controlling, and compliance by the tenant with the provisions of the A&P Lease as the same affect the provisions of this Section 5, shall be deemed to be compliance by the Assignor with the provisions of this Assignment.

6. Actions and Compromise Thereof. Assignor shall at its own cost appear in and prosecute or defend any action or proceeding relating to or affecting the A&P Lease or the Premises, and in the event that Assignor fails to comply with the obligations set forth in this Paragraph 6, Pacific shall have the right to appear in any action or proceeding which might affect its rights, and Assignor shall forthwith reimburse Pacific for all sums expended by it in connection with any such action or proceeding. Any action, suit or proceeding brought by Pacific pursuant to any of the provisions hereof or of the Mortgage, the A&P Lease or otherwise, and any claim made by Pacific hereunder or under the A&P Lease, may be compromised, withdrawn or otherwise dealt with by Pacific, and without any notice to or approval of Assignor.

7. Reports Under the A&P Lease. Assignor hereby designates Pacific and Irving Trust Company to receive copies of all reports, notices, requests, demands, certificates, statements, documents, and other instruments which A&P is required or permitted to give, make or deliver to or serve upon the landlord under the A&P Lease, and hereby directs A&P to deliver the same to Pacific and Irving Trust Company in the manner set forth in Paragraph 14 hereof, to the extent that the same has not been furnished to Pacific pursuant to the A&P Lease.

8. Consent to Assignment of A&P Lease. A&P hereby consents in all respects to the assignment of the A&P Lease by Assignor and to all of the terms and provisions hereof with respect to payment of rent and giving of Notice and Reports and agrees to be bound hereby. Without limiting the generality of the foregoing, A&P further agrees to be bound to the terms and conditions of Paragraphs 1 and 2 of this Lease Assignment.