

property, or of the Trust Estate or any part thereof, the Trustees shall be entitled to retain possession and control of all property now or hereafter pledged with or held by the Trustees under this Indenture.

SECTION 7.05. All rights of action under this Indenture or under any of the Notes may be enforced by the Trustees without the possession of any of the Notes and without the production thereof at any trial or other proceeding relative thereto. Any such suit or proceeding instituted by the Trustees shall be brought in their names as Trustees (subject to the provisions of Section 8.02 and 8.06 hereof), and any recovery of judgment shall be, subject to the rights of the Trustees, for the ratable benefit of the payees and holders of the Notes outstanding hereunder.

SECTION 7.07. The Trustees upon the written request of the payees and holders of seventy-five per cent (75%) in principal amount of the Notes at the time outstanding hereunder, shall waive any default hereunder and its consequences, except a default in the payment of the principal of the Notes at the date of maturity specified therein, and in the performance by the Company of its obligations under Section 6.01 hereof, provided, however, that a default in any Interest Payment on the Notes shall not be waived unless, prior to such waiver, provision satisfactory to the Trustee shall be made by the Company for the payment of all Interest Payments in arrears with interest at the rate of eleven and one-quarter per cent (11-1/4%) per annum; or if such rate exceeds the maximum permitted by law, at such maximum rate, on the unpaid principal amount of the Notes and for the payment of all expenses of the Trustees and any other amounts then due hereunder. In case of any such waiver, or in case any proceeding taken on account of any such default shall have been discontinued or abandoned or determined adversely to the Trustees, then and in every such case, the Company, the Trustees and the payees and holders of the Notes shall be restored to their former positions and rights hereunder respectively. No such waiver shall extend to any subsequent or other default or impair any right consequent thereon.

SECTION 7.08. No remedy herein conferred upon or reserved to the Trustees or to the payees or holders of the Notes is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute. No delay or omission of the Trustees, or of any payee or holder of