

possession of any of the Bonds or the production thereof in any proceeding relating thereto, and any such proceeding instituted by the Trustees, or either of them, shall be brought in their, his or its own name as trustee or trustees of an express trust, and any recovery of judgment shall, after provision for the payment of the reasonable compensation, expenses, disbursements and advances of the Trustees, or either of them, their, his or its agents and counsel, be for the ratable benefit of the Holders of the Bonds in respect of which such judgment has been recovered.

Section 12.20 The Trustees or either of them (irrespective of whether the principal of the Bonds shall then be due and payable as therein expressed and irrespective of whether the Trustees, or either of them, shall have made any demand for such payment) may file such proofs of claim and other papers or documents as may be necessary or advisable in order to have the claims of the Trustees or either of them and of the Bondholders allowed in any judicial proceedings relative to the Company and/or a Consolidated Subsidiary or their respective creditors or property. In case of any receivership, insolvency, bankruptcy, reorganization or other similar proceedings affecting the Company and/or a Consolidated Subsidiary or their respective property, the Trustees, or either of them (irrespective of whether the principal of the Bonds shall then be due and payable and irrespective of whether the Trustees, or either of them, shall have made any demand for such payment), shall be entitled and empowered either in their, his or its own name or as trustee or trustees of an express trust or as attorney in fact for the Holders of the Bonds, or in any one or more of such capacities, to file a proof of claim for the whole amount of principal and interest (with interest upon such overdue principal and, to the extent that payment of such interest is enforceable under applicable law, upon overdue instalments of interest at the interest rate per annum applicable to the Bonds) and any premium which may be or become owing and unpaid in respect of the Bonds and to file such other papers or documents as may be necessary or advisable in order to have the claims of the Trustees or either of them (including any claim for the reasonable compensation, expenses, disbursements and advances of the Trustees, or either of them, their, his or its agents and counsel) and of the Bondholders allowed in any such proceedings and to collect and receive any moneys or other property payable or deliverable on any such claims and to distribute the same; and any receiver, assignee, trustee, liquidator, sequestrator (or other similar official) in any such judicial proceeding is hereby authorized by each Bondholder to make such payments to the Trustees, or either of them, and in the event that the Trustees shall consent to the making of such payments directly to the Bondholders, to pay to the Trustees, or either of them, any amount due the Trustees, or either of them, for the reasonable compensation, expenses, disbursements and advances of the Trustees, or either of them, their, his or its agents and counsel, and any other amounts due the Trustees, or either of them, under Section 16.08 hereof.

Nothing herein contained shall be deemed to authorize the Trustees, or either of them, to authorize or consent to or accept or adopt on behalf of any Bondholder any plan of reorganization, arrangement, adjustment or composition affecting the