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SECTION 3.3. Nothing contained in this Sixth Supplemental Indenture shall or shall be construed to confer upon any person other than a Bondholder, the Company and the Trustees any right or interest to avail itself or himself, as the case may be, of any benefit under any provision of the Original Indenture or of this Sixth Supplemental Indenture.

SECTION 3.4. This Sixth Supplemental Indenture shall be governed by the laws of the State of Tennessee as to all matters affecting the duties, liabilities, privileges, rights and obligations of the Bondholders, the Company, and the Trustees and any agents of the foregoing, including, but not limited to, matters of validity, construction, effect or performance.

SECTION 3.5. This Sixth Supplemental Indenture may be simultaneously executed in several counterparts and all such counterparts executed and delivered, each as an original, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, Volunteer Capital Corporation, party hereto of the first part, has caused its corporate name to be hereunto affixed, and this instrument to be signed by its President or one of its Assistant Secretaries for and in its behalf, and Commerce Union Bank, as Corporate Trustee, in token of its acceptance of the Trust hereby created, has caused its corporate name to be hereunto affixed, and this instrument to be signed and sealed by one of its Trust Officers and its corporate seal to be attested by one of its Assistant Secretaries, and JOHN E. KRUEGER, as Individual Trustee, one of the parties hereto, has for all like purposes hereunto set his hand, all in the City of Nashville, County of Davidson, Tennessee, on the day and date first above written.

VOLUNTEER CAPITAL CORPORATION

By: *E. J. ...*
President

ATTEST:

Thomas G. ...
Secretary

COMMERCE UNION BANK

By: *T. Wright*
Vice President

[CORPORATE SEAL]

ATTEST:

Thomas ...
Assistant Secretary

John E. Krueger
John E. Krueger

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