

*A: As you are aware, the Bank is not a party to the Momentum litigation and is not in a position to comment on any deponent's statements in connection therewith. Moreover, the Bank is unable to comment regarding specific borrowers or the non-public details of specific transactions.*

*However, our lender finance facilities are structured so that the borrower can sell, transfer or assign a pledged asset at any time and remove it from the borrowing base at the borrower's discretion, provided that the loan balance allocable to such asset is paid in full, excess pledged collateral is available (the loan is over-collateralized) or another eligible asset is substituted in its place. We engage experienced outside counsel from major law firms to structure and document these transactions, and receive appropriate legal opinions, to ensure that our legal and accounting treatment is correct.*

*From the Ernest and Young guidance that you sent over and the framing of your questions, you are clearly confused about how the accounting works for lender finance facilities. Any assertion that our accounting for our lender finance facilities do not comply with appropriate accounting principles is inaccurate.*