

COMMITMENT FEES

Courts have approved fees on the higher end:

See *In re AbitibiBowater Inc.*, No. 09-11296 (KJC) (Bankr. D. Del. June 22, 2010) (approving a commitment fee equal to 6.0% of the rights offering amount).

See *In re Copper-Standard Holdings Inc.*, No. 09-12743 (Bankr. D. Del. Mar 26, 2010) (approving a commitment fee of 3.5%).

See *In re Spansion Inc.*, No. 09-10690 (Bankr D. Del. Jan. 7, 2010) (approving a success fee of 4.1% of the backstop commitment amount).

See *In re Tronox Inc.*, No. 09-10156 (Bankr. S.D.N.Y. Dec. 23, 2009) (approving commitment fee of 4.0%);

See *In re RathGibson, Inc.*, No. 09-12452 (Bankr. D. Del. Sept. 2, 2009) (authorizing a commitment fee of 5.0%);

See *In re Magnachip Semiconductor Fin. Co.*, No. 09-12008 (Bankr. D. Del. Aug. 2, 2009) (approving a commitment fee of 10.0%).

See *In re Delphi Corp.*, No. 05-44481 (Bankr. S.D.N.Y. Aug. 2, 2007) (approving a total commitment fee of 2.5%).

See *In re Bally Total Fitness of Greater NY Inc.*, No. 07-12395 (Bankr. S.D.N.Y. Aug. 1, 2007) (approving a commitment fee equal to 4.0% of the rights offering amount).