

MT760 CREDIT FACILITY GUARANTEE VERBIAGE

MSG BEGINS

-----MESSAGE HEADER-----

SWIFT INPUT: MT760 CREDIT FACILITY GUARANTEE
SENDER
BANK NAME : BANCO POPULAR DOMINICANO
BANK ADDRESS : AV. JOHN F KENNEDY 20, SDQ, DOMINICAN REPUBLIC
SWIFT CODE : BPDODOSX
ACCOUNT NAME : [CLIENT'S NAME]
ACCOUNT NO. : TBD [CLIENT'S ACCOUNT NUMBER]
BANK OFFICER : TBD
AMOUNT : USD 10,000,000.00

RECEIVER:
BANK NAME : [CREDIT LINE PROVIDER BANK]
BANK ADDRESS :
SWIFT CODE :
ACCOUNT NAME :
ACCOUNT NO. :
BANK OFFICER :

-----SWIFT MESSAGE TEXT-----

WE, BANCO POPULAR DOMINICANO, HAVING AN ADDRESS AT AV. JOHN F KENNEDY 20, SDQ, DOMINICAN REPUBLIC, HEREBY CONFIRM WITH FULL BANK RESPONSIBILITY THAT OUR BANK HAS PLACED AN ADMINISTRATIVE HOLD IN FAVOR OF OUR CLIENT [CLIENTS NAME], HOLDER OF ACCOUNT NO. XXXXXXXXXXXXX, THE SUM OF USD 10,000,000.00 (TEN MILLION U.S. DOLLARS). THESE FUNDS ARE FREE OF ANY LIENS AND ENCUMBRANCES AND ARE FREELY AVAILABLE TO THIS CLIENT WITHOUT ANY RESTRICTIONS.

FURTHER THIS CONFIRMS THAT WE HAVE PLACED AN ADMINISTRATIVE BLOCK ON THESE FUNDS IN FAVOR OF [CLIENTS NAME], HOLDER OF ACCOUNT NO. XXXXXXXXXXXXX HELD AT [CREDIT LINE PROVIDER BANK,(CITY, COUNTRY)] FOR A PERIOD OF ONE (1) YEAR AND ONE (1) DAY, AND THE FUNDS WILL REMAIN UNENCUMBERED DURING THIS PERIOD.

AS SECURITY FOR A CREDIT LINE WHICH YOU WILL GRANT TO [CLIENTS NAME], WE, BANCO POPULAR DOMINICANO, DOMINICAN REPUBLIC, IRRESPECTIVE OF THE VALIDITY AND THE LEGAL EFFECTS OF THE ABOVE MENTIONED CREDIT RELATIONSHIP AND WAIVING ALL RIGHTS OF OBJECTION AND DEFENSE ARISING THERE FROM, HEREBY IRREVOCABLY UNDERTAKE TO PAY TO YOU, UPON YOUR FIRST DEMAND, ANY AMOUNT UP TO THE MAXIMUM AMOUNT OF USD 10,000,000.00 (TEN MILLION U.S. DOLLARS) (INCLUDING PRINCIPAL, INTEREST AND ALL OTHER CHARGES) UPON RECEIPT OF YOUR REQUEST FOR PAYMENT DULY SIGNED IN ORIGINAL OR BY AUTHENTICATED SWIFT STATING THAT [CLIENTS NAME] HAS NOT REPAID THE AMOUNT CLAIMED UNDER THIS GUARANTEE ON THE DUE DATE.

OUR GUARANTEE IS VALID UNTIL .../.../2012 AND EXPIRES IN FULL AND AUTOMATICALLY, SHOULD YOUR REQUEST FOR PAYMENT IN WRITING AND ORIGINAL OR BY AUTHENTICATED SWIFT NOT BE IN OUR POSSESSION AT OUR ABOVE ADDRESS ON OR BEFORE THAT DATE.

OUR GUARANTEE WILL BE REDUCED BY EACH PAYMENT MADE BY US AS A RESULT OF A CLAIM. THIS GUARANTEE IS GOVERNED BY THE LAWS OF DOMINICAN REPUBLIC, PLACE OF JURISDICTION AND PERFORMANCE IS DOMINICAN REPUBLIC.

THIS BANK INSTRUMENT IS SUBJECT TO THE UNIFORM CUSTOM AND PRACTICE (1993 REVISION) UNDER INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NUMBER 600, REVISED URDG 758 EFFECTIVE JULY 12TH 2010.

THIS IS AN OPERATIVE INSTRUMENT AND NO MAIL CONFIRMATION OR HARD COPY SHALL FOLLOW.

FOR AND ON BEHALF OF
BANCO POPULAR DOMINICANO
DOMINICAN REPUBLIC

BANK OFFICER
FULL NAME & TITLE
PIN NO.

\MSG ENDS