

be maintained, or to be caused to be maintained, by the Company, and thereafter, within 10 days of the issuance of any additional policies or amendments or supplements to any of such policies, the Company will deliver, or cause to be delivered, the same (or certificates of the insurers under such policies evidencing the same) to the Trustees.

Section 3.10. Advances by Trustee. If the Company shall fail to perform or cause to be performed any of the covenants contained in this Indenture the Trustee may perform or make advances to perform the same in its behalf (but shall not be obliged to do so unless requested in writing by the registered owners of 20% in principal amount of the Notes outstanding and furnished with funds for the purpose), and all sums so advanced shall be secured hereby prior to the Notes; and the Company will repay on demand all sums so advanced on its behalf with interest at the rate of 9.40% per annum (or at the highest rate not prohibited by applicable law, whichever is less).

Section 3.11. Financial Statements; Books and Records.

(a) The Company will deliver or cause to be delivered to the Trustee and each registered owner of a Note (i) copies of all financial statements, reports and notices, if any, as the Guarantor shall send to its stockholders or file with the Securities and Exchange Commission or any similar federal or state commission or any securities exchange, promptly after the same are sent or filed; (ii) as soon as practicable after the end of each fiscal year of the Guarantor, and