

(e) No provision of this Agreement or of any Harnischfeger Security Document shall be deemed to impose any duty or obligation on the Trustees to perform any act or exercise any right or power in any jurisdiction in which it shall be illegal and, without limiting the generality of the foregoing, the Trustees shall be under no obligation to follow any Direction of Required Lenders which is in conflict with any provision of applicable law or the provisions of this Agreement. No provision of this Agreement or of any Harnischfeger Security Document shall be deemed to impose any duty or obligation on the Trustee to perform any act or exercise any right or power in any jurisdiction in which the Trustee shall be incompetent. No provision of this Agreement or of any Harnischfeger Security Document shall be deemed to impose any duty or obligation on the Trustee to perform any act or exercise any right or power if such performance or exercise (i) would subject the Trustee to a tax in any jurisdiction where it is not then subject to a tax or (ii) would require the Trustee to qualify to do business in any jurisdiction where it is not then so qualified, unless the Trustee receives security or indemnity satisfactory to it against such tax (or equivalent liability), or any liability resulting from such qualification, in each case as results from the taking of

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