

(4) the Agent or any of its directors or executive officers is a director, officer, partner, employee, appointee, or representative of an obligor upon the indenture securities, or of an underwriter (other than the Agent itself) for such an obligor who is currently engaged in the business of underwriting, except that (A) one individual may be a director and/or an executive officer of the Agent and a director and/or an executive officer of such obligor, but may not be at the same time an executive officer of both the trustee and of such obligor, and (B) if and so long as the number of directors of the Agent in office is more than nine, one additional individual may be a director and/or an executive officer of the Agent and a director of such obligor, and (C) the Agent may be designated by any such obligor or by any underwriter for any such obligor, to act in the capacity of transfer agent, registrar, custodian, paying agent, fiscal agent, escrow agent or depositary, or in any other similar capacity, or subject to the provisions of subparagraph (1) of this paragraph, to act as trustee, whether under an indenture or otherwise;

(5) ten per centum or more of the voting securities of the Agent is beneficially owned either by an obligor upon the indenture securities or by any director, partner, or executive officer thereof, or twenty per centum or more of such voting securities is beneficially owned, collectively, by any two or more of such persons; or ten per centum or more of the voting securities of the Agent is beneficially owned either by an underwriter for any such obligor or by any director, partner, or executive officer thereof, or is beneficially owned, collectively, by any two or more such persons;

(6) the Agent is the beneficial owner of, or holds as collateral security for an obligation which is in default as hereinafter defined, (A) five per centum or more of the voting securities, or ten per centum or more of any other class of security, of an obligor upon the indenture securities, not including indenture securities and securities issued under any other indenture under which the Agent is also the Agent, or (B) ten per centum