LORAL SPACE & COMMUNICATIONS INC. Form SC 13D/A September 04, 2015 Table of Contents

# SECURITIES AND EXCHANGE COMMISSION

#### Washington, D.C. 20549

**SCHEDULE 13D** 

# [RULE 13D-101]

# INFORMATION TO BE INCLUDED IN STATEMENTS FILED PURSUANT TO § 240.13d-1(a) AND

## AMENDMENTS THERETO FILED PURSUANT TO § 240.13d-2(a)

(Amendment No. 24)\*

Loral Space & Communications Inc. (Name of Issuer)

Common Stock, Par Value \$.01 Per Share (Title of Class of Securities)

> 543881106 (CUSIP Number)

Edgar Filing: LORAL SPACE & COMMUNICATIONS INC. - Form SC 13D/A

## **Janet Yeung**

## **MHR Fund Management LLC**

### 1345 Avenue of the Americas, 42<sup>nd</sup> Floor

## New York, New York 10105

(212) 262-0005

(Name, Address and Telephone Number of Person Authorized to Receive Notices and Communications)

# September 4, 2015 (Date of Event which Requires Filing of this Statement)

If the filing person has previously filed a statement on Schedule 13G to report the acquisition that is the subject of this Schedule 13D, and is filing this schedule because of \$240.13d-1(e), 240.13d-1(f) or 240.13d-1(g), check the following box ".

**Note:** Schedules filed in paper format shall include a signed original and five copies of the schedule, including all exhibits. See §240.13d-7 for other parties to whom copies are to be sent.

Continued on following pages

(Page 1 of 19 Pages)

\* The remainder of this cover page shall be filled out for a reporting person s initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter disclosures provided in a prior cover page.

The information required on the remainder of this cover page shall not be deemed to be filed for the purpose of Section 18 of the Securities Exchange Act of  $1934 (\underline{Act})$  or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

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1	NAMES	S OF	REPORTING PERSONS		
2				DUNT II HOLDINGS LLC MBER OF A GROUP (SEE INSTRU	CTIONS)
3	SEC US	E OI	NLY		
4	SOURC	E OI	F FUNDS (SEE INSTRUCTIONS)		
5	N/A CHECK OR 2(e)		DISCLOSURE OF LEGAL PROCI	EEDINGS IS REQUIRED PURSUAI	NT TO ITEMS 2(d)
6	CITIZE	NSH	IP OR PLACE OF ORGANIZATI	ON	
NUMBE SHAF			SOLE VOTING POWER		
BENEFIC OWNE		8	1,115,347 SHARED VOTING POWER		
EAC	СН		<u>^</u>		
REPOR	TING	9	0 SOLE DISPOSITIVE POWER		

PERSON

WITH		1,115,347
	10	SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

1,115,347

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

5.2%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

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CUSIP N	Jo. 543881106	13D	Page 3 of 19 Pages
1	NAMES OF REPORTING PERSONS		
2	MHR CAPITAL PARTNERS MASTER A CHECK THE APPROPRIATE BOX IF A M (a) " (b) x		JP (SEE INSTRUCTIONS)
3	SEC USE ONLY		
4	SOURCE OF FUNDS (SEE INSTRUCTIO	DNS)	
5	N/A CHECK IF DISCLOSURE OF LEGAL PROR 2(e)	OCEEDINGS IS REQU	JIRED PURSUANT TO ITEMS 2(d)
6	CITIZENSHIP OR PLACE OF ORGANIZ	ATION	
NUMB SHA	RES		
BENEFIC OWNE	8 SHARED VOTING POWER		

EACH

PERSON

WITH

0 REPORTING **9** SOLE DISPOSITIVE POWER

1,115,347

**10** SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

1,115,347

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

5.2%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

PN

Table (	of Contents		
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1	NAMES OF REPORTING PERSONS		
2	MHR ADVISORS LLC CHECK THE APPROPRIATE BOX IF (a) " (b) x	A MEMBER OF A GRO	OUP (SEE INSTRUCTIONS)
3	SEC USE ONLY		
4	SOURCE OF FUNDS (SEE INSTRUCT	ΓIONS):	
5	N/A CHECK IF DISCLOSURE OF LEGAL OR 2(e) "	PROCEEDINGS IS REQ	QUIRED PURSUANT TO ITEMS 2(d)
6	CITIZENSHIP OR PLACE OF ORGAN	NIZATION	
	Delaware IBER OF <b>7</b> SOLE VOTING POWER IARES		
BENE	FICIALLY 1,264,606		

8 SHARED VOTING POWER

OWNED BY

EACH

0 REPORTING **9** SOLE DISPOSITIVE POWER

PERSON

WITH 1,264,606 10 SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

1,264,606

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

5.9%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

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2			AS LP A MEMBER OF A GROUI	P (SEE INSTRUCTIONS)
3	SEC USE ON	NLY		
4	SOURCE OF	F FUNDS (SEE INSTRU	JCTIONS)	
5	N/A CHECK IF I OR 2(e)	DISCLOSURE OF LEGA	AL PROCEEDINGS IS REQU	IRED PURSUANT TO ITEMS 2(d)
6	CITIZENSH	IIP OR PLACE OF ORG	JANIZATION	
	Delaware IBER OF <b>7</b> IARES	SOLE VOTING POWE	ER	
	FICIALLY 8 NED BY	2,123,874 Shared voting PC	OWER	
E	EACH	0		

REPORTING 9 SOLE DISPOSITIVE POWER

PERSON

WITH 2,123,874 10 SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

2,123,874

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

9.9%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

PN

Table of Cont	<u>tents</u>						
CUSIP No. 5	543881106		13D	Page 6 of 19 Pages			
1 N.	NAMES OF REPORTING PERSONS						
2 CH		ΓUTIONAL ADVISORS LLC Ε APPROPRIATE BOX IF A MEM x	IBER OF A GROUP (SEE INSTRU	JCTIONS)			
<b>3</b> SE	EC USE OI	NLY					
<b>4</b> SC	OURCE OI	F FUNDS (SEE INSTRUCTIONS)					
5 CI	N/A HECK IF I R 2(e) ¨	DISCLOSURE OF LEGAL PROCE	EDINGS IS REQUIRED PURSUA	NT TO ITEMS 2(d)			
6 CI	ITIZENSH	IP OR PLACE OF ORGANIZATIO	DN				
NUMBER ( SHARES		SOLE VOTING POWER					
BENEFICIAI OWNED B	8	2,634,891 SHARED VOTING POWER					
EACH		<u>^</u>					
REPORTIN	NG 9	0 SOLE DISPOSITIVE POWER					

PERSON

WITH		2,634,891
	10	SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

2,634,891

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

12.3%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

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CUSIP N	No. 54388110	06	13D	Page 7 of 19 Pages		
1	NAMES O	F REPORTING PERS	SONS			
2	MHR INSTITUTIONAL PARTNERS IIA LP CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (SEE INSTRUCTIONS) (a) " (b) x					
3	SEC USE (	ONLY				
4	SOURCE (	OF FUNDS (SEE INS	TRUCTIONS)			
5	N/A CHECK IF OR 2(e)	DISCLOSURE OF L	EGAL PROCEEDINGS IS REQUIR	ED PURSUANT TO ITEMS 2(d)		
6	CITIZENS	HIP OR PLACE OF C	ORGANIZATION			
	Delawar BER OF <b>7</b> ARES	e SOLE VOTING PC	OWER			
	CIALLY 8 Ed by	2,418,660 SHARED VOTING	B POWER			
	CH RTING <b>9</b>	0 SOLE DISPOSITIV	/E POWER			

PERSON

WITH		2,418,660
	10	SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

2,418,660

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

11.3%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

PN

Table of	<u>Contents</u>					
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1	NAMES O	OF REPORTING PEF	RSONS			
2	MHR INSTITUTIONAL ADVISORS II LLC CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (SEE INSTRUCTIONS) (a) " (b) x					
3	SEC USE	ONLY				
4	SOURCE	OF FUNDS (SEE IN	STRUCTIONS)			
5	N/A CHECK IF OR 2(e)	F DISCLOSURE OF	LEGAL PROCEEDINGS IS REQUIRE	ED PURSUANT TO ITEMS 2(d)		
6	CITIZENS	SHIP OR PLACE OF	ORGANIZATION			
	Delawar BER OF 7 ARES	re 7 SOLE VOTING F	POWER			
	CIALLY ED BY	3,378,693 8 SHARED VOTIN	IG POWER			
	CH RTING 9	0 9 SOLE DISPOSIT	IVE POWER			

PERSON

WITH	3,378,693	
	10	SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

3,378,693

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

15.8%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

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CUSIP	No. 543881	1106	13D	Page 9 of 19 Pages		
1	NAME	OF F	EPORTING PERSONS			
	I.R.S. II	DEN'	FIFICATION NOS. OF ABOVE PERSONS (ENTITIES ONLY)			
2		IRC LLC ECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP*				
	(a) "	(b)	x			
3	SEC US	SE O	NLY			
4	SOURC	E O	F FUNDS*			
5	N/A CHECK 2(d) or 2		X IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED	PURSUANT TO ITEM		
6	CITIZE	NSH	IP OR PLACE OF ORGANIZATION			
	Delav BER OF ARES		SOLE VOTING POWER			
	ICIALLY ED BY	8	1,264,606 SHARED VOTING POWER			
EA	СН					
REPO	RTING	9	0 SOLE DISPOSITIVE POWER			

- PERSON
- WITH 1,264,606 10 SHARED DISPOSITIVE POWER

# 11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

1,264,606

# 12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\* "

**13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

5.9% 14 TYPE OF REPORTING PERSON\*

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1		REPORTING PERS	SONS 5. OF ABOVE PERSONS (ENTITIES	ONI V)
	I.K.S. IDEN	NTIFICATION NOS	S. OF ADOVE PERSONS (ENTITIES	ONLI)
2	MHRC I LI CHECK TH		BOX IF A MEMBER OF A GROUP	*
	(a) " (b	) x		
3	SEC USE C	DNLY		
4	SOURCE O	OF FUNDS*		
5	N/A CHECK BC 2(d) or 2(e)		RE OF LEGAL PROCEEDINGS IS RE	EQUIRED PURSUANT TO ITEM
6	CITIZENSI	HIP OR PLACE OF	FORGANIZATION	
NUMB SHA		SOLE VOTING I	POWER	
BENEFIC OWNE	8	2,634,891 SHARED VOTIN	NG POWER	
EAG REPOR PERS	RTING 9	0 SOLE DISPOSIT	'IVE POWER	

WITH 2,634,891 10 SHARED DISPOSITIVE POWER

# 11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

2,634,891

# 12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\* "

# **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

12.3% 14 TYPE OF REPORTING PERSON\*

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2			BOX IF A MEMBER OF A GRO	)UP*
3	SEC USE C	DNLY		
4	SOURCE C	PF FUNDS*		
5	N/A CHECK BC 2(d) or 2(e)		RE OF LEGAL PROCEEDINGS I	S REQUIRED PURSUANT TO ITEM
6	CITIZENSI	HIP OR PLACE OF	FORGANIZATION	
NUMB SHA		SOLE VOTING I	POWER	
BENEFI OWNE	8	3,378,693 SHARED VOTIN	NG POWER	
EA REPOR PER	RTING 9	0 SOLE DISPOSIT	TVE POWER	

WITH 3,378,693 10 SHARED DISPOSITIVE POWER

# 11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

3,378,693

# 12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\* "

# **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

15.8% 14 TYPE OF REPORTING PERSON\*

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2	MHR FUND MANAGEMENT LI CHECK THE APPROPRIATE BC (a) ¨ (b) x		JP (SEE INSTRUCTIONS)
3	SEC USE ONLY		
4	SOURCE OF FUNDS (SEE INST	RUCTIONS)	
5	N/A CHECK IF DISCLOSURE OF LE OR 2(e)	GAL PROCEEDINGS IS REQU	JIRED PURSUANT TO ITEMS 2(d)
6	CITIZENSHIP OR PLACE OF OF	RGANIZATION	
	Delaware IBER OF 7 SOLE VOTING POV	WER	
BENEI	FICIALLY 8,129,719 8 SHARED VOTING	POWER	

OWNED BY

EACH

0 REPORTING **9** SOLE DISPOSITIVE POWER

PERSON

WITH 8,129,719 10 SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

8,129,719

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

37.9%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

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CUSII	P No. 543881106	13D	Page 13 of 19 Pages
1	NAMES OF REPORTING PERSO	NS	
2	MHR HOLDINGS LLC CHECK THE APPROPRIATE BO (a) (b) x	X IF A MEMBER OF A GRO	UP (SEE INSTRUCTIONS)
3	SEC USE ONLY		
4	SOURCE OF FUNDS (SEE INSTR	RUCTIONS)	
5	N/A CHECK IF DISCLOSURE OF LEO OR 2(e) ¨	GAL PROCEEDINGS IS REQ	UIRED PURSUANT TO ITEMS 2(d)
6	CITIZENSHIP OR PLACE OF OR	GANIZATION	
	Delaware MBER OF 7 SOLE VOTING POW HARES	VER	
BENE	FICIALLY 8,129,719		

**8** SHARED VOTING POWER

OWNED BY

EACH

- 0 REPORTING **9** SOLE DISPOSITIVE POWER

PERSON

WITH 8,129,719 **10** SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

8,129,719

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

37.9%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

Table of	of Contents		
CUSIP No. 543881106		13D	Page 14 of 19 Pages
1	NAMES OF REPORTING PERSON	٩S	
2	MARK H. RACHESKY, M.D. CHECK THE APPROPRIATE BOX (a) " (b) x	( IF A MEMBER OF A GR	OUP (SEE INSTRUCTIONS)
3	SEC USE ONLY		
4	SOURCE OF FUNDS (SEE INSTR	UCTIONS)	
5	N/A CHECK IF DISCLOSURE OF LEG OR 2(e)	AL PROCEEDINGS IS RE	QUIRED PURSUANT TO ITEMS 2(d)
6	CITIZENSHIP OR PLACE OF ORC	GANIZATION	
	United States of America IBER OF 7 SOLE VOTING POWI	ER	
BENE	FICIALLY 8,144,719		

- 8 SHARED VOTING POWER
- OWNED BY

EACH

0 REPORTING **9** SOLE DISPOSITIVE POWER

PERSON

WITH 8,144,719 10 SHARED DISPOSITIVE POWER

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

8,144,719

- 12 CHECK IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS) "
- **13** PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

38.0%

14 TYPE OF REPORTING PERSON (SEE INSTRUCTIONS)

IN; HC

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Item 6. Contracts, Arrangements, Understandings or Relationships With Respect to the Securities of the	17
<u>Issuer</u> .	
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This statement on Schedule 13D (this <u>Statement</u>) amends and supplements, as Amendment No. 24, the Schedule 13D filed on November 30, 2005 (the Original Schedule 13D), which was amended on October 19, 2006 by Amendment No. 1 to the Original Schedule 13D (<u>Amendment No. 1</u>), on October 30, 2006 by Amendment No. 2 to the Original Schedule 13D (<u>Amendment No. 2</u>), on February 28, 2007 by Amendment No. 3 to the Original Schedule 13D (Amendment No. 3), on March 23, 2007 by Amendment No. 4 to the Original Schedule 13D (Amendment No. 4), on August 9, 2007 by Amendment No. 5 to the Original Schedule 13D (<u>Amendment No. 5</u>), on August 31, 2007 by Amendment No. 6 to the Original Schedule 13D (<u>Amendment No. 6</u>), on November 2, 2007 by Amendment No. 7 to the Original Schedule 13D (Amendment No. 7), on July 17, 2008 by Amendment No. 8 to the Original Schedule 13D (<u>Amendment No. 8</u>), on October 22, 2008 by Amendment No. 9 to the Original Schedule 13D (<u>Amendment No. 9</u>), on November 12, 2008 by Amendment No. 10 to the Original Schedule 13D ( Amendment No. 10 ), on November 24, 2008 by Amendment No. 11 to the Original Schedule 13D (<u>Amendment No. 11</u>), on December 4, 2008 by Amendment No. 12 to the Original Schedule 13D (<u>Amendment No. 12</u>), on December 5, 2008 by Amendment No. 13 to the Original Schedule 13D (<u>Amendment No. 13</u>), on December 8, 2008 by Amendment No. 14 to the Original Schedule 13D (<u>Amendment No. 14</u>), on December 24, 2008 by Amendment No. 15 to the Original Schedule 13D (Amendment No. 15), on March 20, 2009 by Amendment No. 16 to the Original Schedule 13D (Amendment No. 16), on July 2, 2009 by Amendment No. 17 to the Original Schedule 13D (Amendment No. 17), on March 17, 2011 by Amendment No. 18 to the Original Schedule 13D (<u>Amendment No. 18</u>), on November 13, 2012 by Amendment No. 19 to the Original Schedule 13D (Amendment No. 19), on January 10, 2013 by Amendment No. 20 to the Original Schedule 13D (<u>Amendment No. 20</u>), on January 30, 2015 by Amendment No. 21 to the Original Schedule 13D (Amendment No. 21), on March 9, 2015 by Amendment No. 22 to the Original Schedule 13D (Amendment No. 22) and on May 15, 2015 by Amendment No. 23 to the Original Schedule 13D (<u>Amendment No. 23</u> and, together with Amendment No. 1 through Amendment No. 22 and the Original Schedule 13D, the <u>Schedule 13D</u>) and relates to common stock, par value \$0.01 per share (the \_Common Stock ), of Loral Space & Communications Inc. (the \_Issuer ). Except as otherwise provided, capitalized terms used in this Statement but not defined herein shall have the respective meanings given to such terms in Amendment No. 23.

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# Item 6. Contracts, Arrangements, Understandings or Relationships With Respect to the Securities of the Issuer.

Item 6 is hereby amended by adding the following:

On September 4, 2015, the Loan Agreements (as such term is defined in Amendment No. 21) were terminated by Master Account and Capital Partners (100) in accordance with their respective terms. As such, the pledge of a basket of certain publicly traded securities and certain other assets owned by Master Account and Capital Partners (100), including the shares of Common Stock owned by them, to secure their respective obligations under the Loan Agreements, has been released.

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#### SIGNATURES

After reasonable inquiry and to the best of my knowledge and belief, the undersigned certifies that the information set forth in this Statement is true, complete and correct.

Date: September 4, 2015

#### MHR CAPITAL PARTNERS MASTER ACCOUNT II

#### HOLDINGS LLC

By: MHR Advisors LLC,

the General Partner of its Sole Member

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

#### MHR CAPITAL PARTNERS MASTER ACCOUNT II LP

By: MHR Advisors LLC,

its General Partner

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

#### MHR ADVISORS LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

#### MHR INSTITUTIONAL PARTNERS LP

By: MHR Institutional Advisors LLC,

its General Partner

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

## MHR INSTITUTIONAL ADVISORS LLC

By:/s/ Janet YeungName:Janet YeungTitle:Authorized Signatory

# MHR INSTITUTIONAL PARTNERS IIA LP

By: MHR Institutional Advisors II LLC,

its General Partner

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

# MHR INSTITUTIONAL ADVISORS II LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

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#### MHRC LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

MHRC I LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

# MHRC II LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

## MHR FUND MANAGEMENT LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

# MHR HOLDINGS LLC

By: /s/ Janet Yeung Name: Janet Yeung Title: Authorized Signatory

#### MARK H. RACHESKY, M.D.

By: /s/ Janet Yeung, Attorney in Fact