

## **GRANTOR AND BENEFICIARY STATEMENT**

LEHMAN BROTHERS HOLDINGS INC. PLAN TRUST  
1271 AVENUE OF THE AMERICAS, 40<sup>TH</sup> FLOOR  
NEW YORK, NY 10020

FOR THE TAX YEAR ENDED DECEMBER 31, 2016

### **Background**

On December 6, 2011, the United States Bankruptcy Court for the Southern District of New York entered an order confirming the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. (“LBHI”) and its Affiliated Debtors (the “Plan”). On March 6, 2012 (the “Effective Date”), the Plan became effective.

The Plan provided for the creation of the Lehman Brothers Holdings Inc. Plan Trust (the “LBHI Plan Trust”). Pursuant to the Plan, LBHI and certain individuals designated pursuant to the Plan as trustees (the “Trustees”) entered into a trust agreement (the “Plan Trust Agreement”), effective as of March 6, 2012, establishing the LBHI Plan Trust.

Pursuant to the Plan, as of the Effective Date, all existing shares of common stock and preferred stock issued by LBHI were cancelled, and LBHI issued one new share of common stock (the “Plan Trust Stock”) to the LBHI Plan Trust, which holds such share for the benefit of such former stockholders of LBHI consistent with their former relative priority and economic entitlements. The Plan Trust Stock comprises the sole asset of the LBHI Plan Trust, and the beneficial interests in the LBHI Plan Trust are nontransferable.

### **Liquidating Trust Status**

For U.S. federal income tax purposes, the LBHI Plan Trust is treated as a “liquidating trust” taxable as a “grantor trust” of which the former LBHI stockholders are regarded as the grantors. Each former stockholder of LBHI that is a beneficiary of the LBHI Plan Trust is treated for U.S. federal income tax purposes as a direct owner of the underlying assets of the LBHI Plan Trust (*i.e.*, the Plan Trust Stock) in accordance with its former relative priority and economic entitlements as a stockholder.

### **LBHI Plan Trust Reporting**

Pursuant to § 3.6(a)(i) of the Plan Trust Agreement, and the letter sent to each stockholder in August and September of 2012, within seventy-five (75) days following the end of each calendar year or as soon as practicable thereafter, the Trustees will annually furnish to each beneficiary a separate statement setting forth the holder’s share of items of income, gain, loss, deduction, or credit, if any, for U.S. federal income tax purposes by posting on our website, at [www.lehman-docket.com](http://www.lehman-docket.com) and shall provide instructions to report such items on their federal income tax returns.

### **U.S. Federal Income Tax Reporting**

The following income, deductions, and credits are the income, deductions, and credits of the LBHI Plan Trust and, as to their allocable portion, to be reported on the U.S. federal income tax return of the grantors and beneficiaries, if required. All holders must report all allocable items on their U.S. federal income tax returns in accordance with relevant tax laws or forward the information to the holders with instructions to report such items on their U.S. federal income tax returns. Each grantor and beneficiary should consult with his or her tax professional to determine his or her individual reporting requirements.

Taxable income under §§ 671 through 678 of the Internal Revenue Code.....	\$0
Deductions applied to income above.....	\$0
Credits applied to income above.....	\$0