

Determinations Committee Decision

Date:	December 15, 2010
Determinations Committee:	Americas
Meeting Date:	December 15, 2010

DC Issue 2010121401:	Has a Bankruptcy Credit Event occurred with respect to The Great Atlantic & Pacific Tea Company, Inc.?	
1st Question for vote:	Has a Bankruptcy Credit Event occurred with respect to The Great Atlantic & Pacific Tea Company, Inc.?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	BlackRock	Yes
	BlueMountain Capital	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Morgan Stanley	Yes
	RBS	Yes
	Rabobank International	Yes
	UBS	Yes

2nd Question for vote:	If a Credit Event did occur, is the date of the Credit Event December 12, 2010?	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	BlackRock	Yes
	BlueMountain Capital	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Goldman Sachs	Yes

	JPMorgan	Yes
	Morgan Stanley	Yes
	RBS	Yes
	Rabobank International	Yes
	UBS	Yes

3rd Question for vote:	Is the date on which the DC Secretary first effectively received both a request to convene the Committee and Publicly Available Information that satisfies the requirements of Section 2.1(b) for the Credit Event with respect to The Great Atlantic & Pacific Tea Company, Inc. December 14, 2010? (This question is asked to determine the Event Determination Date.)	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America / Merrill Lynch	Yes
	Barclays	Yes
	BlackRock	Yes
	BlueMountain Capital	Yes
	Citadel	Yes
	Citibank	Yes
	Credit Suisse	Yes
	D.E. Shaw	Yes
	Deutsche Bank	Yes
	Goldman Sachs	Yes
	JPMorgan	Yes
	Morgan Stanley	Yes
	RBS	Yes
	Rabobank International	Yes
	UBS	Yes

4th Question for vote:	Should ISDA hold one or more auctions to settle Relevant Transactions with respect to which a Credit Event Resolution has occurred in accordance with the terms set out in the form of Credit Derivatives Auction Settlement Terms with respect to The Great Atlantic & Pacific Tea Company, Inc.?	
Vote result:	No	
Votes:	15 'No' votes and 0 'Yes' votes	
	Bank of America / Merrill Lynch	No
	Barclays	No
	BlackRock	No

	BlueMountain Capital	No
	Citadel	No
	Citibank	No
	Credit Suisse	No
	D.E. Shaw	No
	Deutsche Bank	No
	Goldman Sachs	No
	JPMorgan	No
	Morgan Stanley	No
	RBS	No
	Rabobank International	No
	UBS	No