

TACIT AGREEMENT AND RELATIONSHIP-SPECIFIC INVESTMENT

CLAYTON P. GILLETTE

APPENDIX CORI CONTRACTS MENTIONING “LOSS” AND “PROFITS”

ID	Title	Filing Company	Notes
87	Multi-Vendor Program Agreement	Mayfair Mining & Minerals Inc	Excludes C and LP
205	Distribution Agreement	R B Rubber Products Inc	Excludes C and LP
214	Software License and Distribution Agreement	Pilgrims Pride Corp	Excludes C and LP
219	Commission Junction Agreement	Comiso Charles T	Excludes C and LP
1322	License Agreement	Minn Dak Farmers Cooperative	Entitled to equitable relief and any other remedies at law; governed by California law
1993	Pooling and Servicing Agreement	Sequoia Residential Funding Inc	Excludes C and LP
2004	Lease	Brickman Group Ltd	No mention
2005	Lease with Brickman Leasing-Long Grove	Brickman Group Ltd	No mention
2006	Lease with Brickman Leasing-St. Louis	Brickman Group Ltd	No mention
2129	Servicing Agreement	Wachovia Asset Securitization Inc 2002 He2 Trust	No mention
2467	Sale Contract	Capital Builders Development Properties Ii	Buyer not entitled to lost profits; sellers damages limited to purchase price
2608	Coke Supply Agreement	Blue Steel Capital Corp	Excludes C and LP
2609	Pellet Supply Agreement	Blue Steel Capital Corp	Excludes C and LP
2610	Rounds Supply Agreement	Blue Steel Capital Corp	Excludes C and LP
3002	Flood Insurance Vendor Agreement	Insurance Management Solutions Group Inc	Indemnity provision excludes C and LP unless induced by willful misconduct
3102	Office Building Lease	Onyx Software Corp/Wa	Landlord not responsible for any C; landlord can recover lost rent
3546	Research Collaboration Agreement	Diversa Corp	Excludes C and LP in indemnification provision
3655	Service Agreement	Umdn Inc	Excludes C and LP
4084	Transaction Agreement	Diversa Corp	Excludes C and LP in indemnification provision
4088	Research Collaboration Agreement	Diversa Corp	Excludes C and LP in indemnification provision
4091	Intellectual Property Rights License	Diversa Corp	Excludes C and LP in indemnification provision

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4519	Epcos Services Agreement	Enterprise Products Operating L P	One party (Epcos) excludes C and LP
5208	License and Development Agreement	Dusa Pharmaceuticals Inc	No mention
5343	Licensed Developer Agreement	IVP Technology Corp	Scea has no liability for C and LP; developer has no liability for C and LP unless it breaches certain provisions (confidentiality, trademarks, title)
5490	Distribution Agreement	Cognizant Technology Solutions Corp	Excludes C and LP
5635	License Agreement with Addendum No. 1	Ace Cash Express Inc/Tx	Ace not liable for C and LP; this provision was added in an addendum
5762	Consulting Agreement with Robert Atwell	Quiet Tiger Inc	Consultant not liable to finey for any C and LP
5894	Master Services Agreement	Photronics Inc	Excludes C and LP
6361	Agreement	IVP Technology Corp	Excludes LP
6454	Network Service Agreement	Amacore Group, Inc.	Excludes C and LP
7270	Purchase and Sale Agreement	Apache Corp	Excludes C of any kind
7625	Equipment Lease Agreement	Union Drilling Inc	Lessee has no claims against lessor; lessor no claims for lessee
7652	US Internet Colocation Services Agreement	Amen Properties Inc	Excludes C and LP
8365	Amended and Restated Lease Agreement	Reading International Inc	Landlord has no liability for C;
8586	License Agreement with Warner Bros.	Poore Brothers Inc	Licensee not entitled to LP
8587	License Agreement with Warner Bros.	Poore Brothers Inc	Licensee not entitled to LP
8588	License Agreement with M.J. Quinlan & Assoc.	Poore Brothers Inc	Allows licensee recovery of LP
8751	Form of Agency Agreement	Macquarie Securitisation Ltd	Agent not responsible for any C or LP
9338	Purchase Agreement	Maxtor Corp	Excludes C and LP unless seller willfully breaches confidentiality
9472	License Agreement	Senetek Plc /Eng/	Excludes C and LP for both parties but then lists various, specific exceptions where they could be allowed
9473	License and Supply Agreement	Senetek Plc /Eng/	Excludes C and LP for both parties but then lists various, specific exceptions where they could be allowed

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9474	License Agreement Dated	Senetek Plc /Eng/	Excludes C and LP for both parties but then lists various, specific exceptions where they could be allowed
9643	Sale Agreement	MPower Holding Corp	Lost profits are difficult to calculate, provides for termination fee
9927	Office Lease	Exact Sciences Corp	Excludes C and LP unless tenant doesn't leave on time
10233	Definitive Development & Commercialization Agmnt	Qlt Inc/Bc	Excludes C and LP
10686	Services Agreement	Insmmed Inc	Excludes C and LP for both parties but then lists various, specific exceptions where they could be allowed
11141	Operation & Maintenance Agreement	East Coast Power Llc	Excludes C and LP
11142	Electricity Supply Agreement	East Coast Power Llc	Excludes C and LP
11288	Beverage Marketing Agreement	Mrs Fields Original Cookies Inc	Allows one side recovery of C and LP
11524	Amended and Restated Lease Agreement	Handspring Inc	Tenant must procure business interruption insurance
11699	Transaction System Agreement	Instinet Group Inc	Excludes C and LP unless gross negligence or willful misconduct
11826	Services Agreement	Delco Remy International Inc	Excludes C and LP
11872	Agreement for Products and Svcs	Invision Technologies Inc	Excludes C and LP
11873	Maintenance Agreement	Invision Technologies Inc	Excludes C and LP
11968	Technology Cross-License Agreement	Quinton Cardiology Systems Inc	Excludes C and LP unless violation of trade secrets/know how or indemnification
11969	Abpm Private Label Distribution Agreement	Quinton Cardiology Systems Inc	Excludes C and LP unless gross negligence, willful misconduct, indemnity
12019	License Agreement	Paracelsian Inc /De/	Excludes C and LP
12021	License Agreement	Paracelsian Inc /De/	Excludes C and LP except for indemnity
13887	License Agreement	Gtc Biotherapeutics Inc	Excludes C and LP except for indemnity
14445	Mortgage, Lease, and Security Agreement	Acadia Realty Trust	Must indemnify against C
14596	Lease Agreement	Kroll Inc	Both parties waived right to damages
15082	Lease Agreement	Emeritus Corp/Wa/	Award for lost profits
15590	Development Agreement	Granite City Food & Brewery Ltd	Excludes C and LP unless included in liquidated damages clause

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15737	Master Services Agreement	Switchboard Inc	Excludes C and LP except for confidentiality
15745	Amended and Restated Llc Operating Agreement	CE Generation LLC	No mention
15904	Distribution Agreement	Aspenbio Inc	Excludes C unless indemnity or liquidated
16155	Amended Master Services Agreement	Universal Access Global Holdings Inc	Excludes C and LP except for indemnity and confidentiality
16516	Service Agreement	Ipayment Inc	Excludes C and LP unless gross negligence, willful misconduct, confidentiality
16518	Processing Services Agreement	Ipayment Inc	Excludes C and LP
16521	Agreement for Telecommunications Services	America Online Latin America Inc	Excludes C and LP in indemnification provision
16727	Supply Agreement	Glycogenesys Inc	Excludes C and LP except for indemnity and confidentiality
16746	Lease Agreement	Temecula Valley Bancorp Inc	No mention
16749	Lease Agreement	Temecula Valley Bancorp Inc	No mention
17048	Service Agreement	YP Corp	Excludes C and LP
17092	Outsourcing Agreement	DJ Orthopedics Inc	Excludes C and LP
17471	Manufacturing Agreement	Omega Protein Corp	Excludes C and LP except for indemnity
17550	Software License Agreement	Watley A B Group Inc	Excludes C and LP
18079	Distributor Agreement	Netgear Inc	Excludes C and LP
18080	Distributor Agreement	Netgear Inc	Excludes C and LP
18082	Distributor Agreement	Netgear Inc	Excludes C and LP
18084	Master Purchase Agreement	Netgear Inc	Excludes C and LP
18085	Vendor Agreement	Netgear Inc	Excludes C and LP unless gross negligence, willful misconduct, confidentiality, indemnity
18098	Retailer Agreement	Netgear Inc	Excludes C and LP
18100	Distribution Agreement	Netgear Inc	Excludes C and LP except for indemnity and confidentiality
18101	Distribution Agreement	Netgear Inc	Excludes C and LP except for indemnity and confidentiality
18102	Vendor Agreement	Netgear Inc	Excludes C unless vendor indemnity
18103	Master Purchase Agreement	Netgear Inc	Excludes C and LP
18135	License/Distribution Agreement	Star E Media Corp	Excludes C and LP
18136	License/Distribution Agreement	Star E Media Corp	Excludes C and LP

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18153	Amended & Restated Collaboration Agree.	Xoma Ltd /De/	Excludes C and LP
18213	Pooling & Servicing Agreement	Renaissance Mort	No mention
18631	Sublease Agreement	United Industries Corp	Landlord has no C liability except with respect to hazardous substances
19117	Product Distribution Agreement	Vital Images Inc	Excludes C and LP except for indemnity and confidentiality
19262	Lease	Fair Isaac Corp	Excludes C and LP unless tenant doesn't leave on time or other stipulations
19441	Lease Agreement	Pemstar Inc	Landlord has no C liability for defects in land; tenant not liable for any C
19708	Lease	Performance Capital Management Llc	Limited liability for trustee
19799	Transition Services Agreement	Mpower Holding Corp	Excludes C and LP
19829	Exchange Agent	Scholastic Corp	Excludes C and LP unless gross negligence or willful misconduct
19892	Purchase Agreement	Surge Technologies Corp	Excludes C and LP unless confidentiality, indemnity, negligent damage of persons or property, breach of environmental law
19899	Fulfillment Services Agreement	General Media Inc	Excludes C and LP
19995	Issuing and Paying Agency Agreement	Anthem Inc	Jp morgan not liable for any C or LP
20209	Operation Agreement for Qualifying Facilities	Green Power Energy Holdings Corp	Excludes C and LP
20273	Lease	Sigma Designs Inc	Landlord has no liability for C or LP; tenant must indemnify landlord
20330	Patent Assignment Agreement	Neorx Corp	Excludes C and LP except for indemnity
20332	Patent License Agreement	Neorx Corp	Excludes C and LP except for indemnity
20343	Lease	Guitar Center Inc	Lessor not liable for C and LP unless the result of negligence or willful misconduct; lessee must indemnify lessor for C
20593	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision
20597	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision
20598	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision

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20600	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision is lopsided
20601	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision is lopsided
20603	Operations Transfer Agreement	Emeritus Corp/Wa/	All remedies at law allowed; indemnity provision is lopsided
20954	Manufacturing Services & Supply Agreement	Powerwave Technologies Inc	Excludes C and LP
21034	Development and License Agreement	Immunogen Inc	Excludes C and LP
21131	Management Agreement	Apple Hospitality Five Inc	Damages allowed including lost revenue
21211	Reseller Agreement	Alternet Systems Inc	Excludes C and LP except for breaching license and distribution clause
21444	Local Marketing Agreement, Dated April 5, 2002	KRCA License Corp	Excludes C and LP
21452	Local Marketing Agreement, Dated March 15, 2001	KRCA License Corp	Excludes C and LP
21455	Time Brokerage Agreement for Kjoj (Am)	KRCA License Corp	Excludes C and LP
21459	Local Marketing Agreement	KRCA License Corp	Excludes C and LP
21476	Lease Agreement	Align Technology Inc	Lessor not responsible for LP
21901	Management Agreement - Red Inn Hotel	Apple Hospitality Two Inc	Allows for remedies at law
21944	Fimep Sa: Paying Agency Agreement	Fimep Sa	Agent not responsible for any C or LP unless there is fraud
22409	License Agreement--Vascular Genetics Inc.	Corautus Genetics Inc	Remedies are not limited
22560	Dev. Mark. and Distr. Agreement--Lsi Logic Corp.	Synplicity Inc	Exclude C and LP unless breach of intellectual property or confidentiality
22662	Agreement Regarding Lease	Iomega Corp	Landlord shall have any remedies provided by california law
22820	License Agreement - Affymetrix Inc	Affymetrix Inc	Excludes LP unless confidentiality. Warranty, or indemnity
22821	Instrument and Chip Supply Agreement - Affymetrix Inc	Affymetrix Inc	Excludes LP unless confidentiality. Warranty, or indemnity
22822	R & D Collaboration Agreement	Affymetrix Inc	Excludes LP

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22823	Diagnostic Product and Instrument Agency Agreement	Affymetrix Inc	Excludes LP unless confidentiality. Warranty, or indemnity
22824	Instrument Agency Agreement	Affymetrix Inc	Excludes LP unless confidentiality. Warranty, or indemnity
23043	Leas Agreement - First Mariner Bancorp	First Mariner Bancorp	Landlord not responsible for lost profits in specific situations
23044	Lease Agreement - First Mariner Bancorp	First Mariner Bancorp	Landlord not responsible for lost profits in specific situations
23503	Services Purchase Agreement	Path 1 Network Technologies Inc	Excludes C and LP
23814	Software License Agreement-- I-Link Incorporated	Acceris Communications Inc	Excludes C and LP
23912	Purchase, Sale & License Agreement	Planet Polymer Technologies Inc	No mention
24052	Master Equipment Lease	Vitalstream Holdings Inc	Lessee waives right to consequential damages
25441	Software License Agreement, I-Link Inc. and Buyers United, Inc.	Acceris Communications Inc	Excludes C and LP
25754	Deed of Lease	Alliance Bankshares Corp	Unless gross negligence or willful misconduct, bars landlord from C caused by faulty pipes
25791	Google Services Agreement	Ask Jeeves Inc	Excludes C and LP except for indemnity, intellectual property rights, and other provisions
26251	Amended Advertising and Promotion Agreement : Yahoo	US Search Corp Com	One side has no liability for C or LP
26772	Pooling and Servicing Agreement- Credit Suisse	CSFB Mortgage Backed Pass Through Certs Series 200	No servicer, trustee, or trust administrator shall be liable for C or LP
26773	License Agreement- Biochemie GmbH, July 31, 2002	Cubist Pharmaceuticals Inc	Excludes C and LP
27912	Consulting Agreement	Amerivision Communications Inc	Consultant not liable for any C or LP; consultant entitled to any right or remedy
27934	Master Service Agreement	Amerivision Communications Inc	Excludes C and LP
31067	Exchange Agent Agreement	Telefonica of Argentina Inc	Exchange agent not liable for any C or LP
31072	Exchange Agent Agreement	Telefonica of Argentina Inc	Exchange agent not liable for any C or LP
31088	Exchange Agent Agreement	Telefonica of Argentina Inc	Exchange agent not liable for any C or LP

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31098	Exchange Agent Agreement	Telefonica of Argentina Inc	Exchange agent not liable for any C or LP
31541	Services Agreement	Magellan Midstream Partners Lp	Excludes C and LP
31547	Services Agreement	Magellan Midstream Partners Lp	Bars arbitrator from awarding C or LP
31593	Services Agreement	Magellan Midstream Partners Lp	Excludes C and LP
31594	Services Agreement	Magellan Midstream Partners Lp	Bars arbitrator from awarding C or LP
31751	Aircraft Purchase Agreement	Williams Sonoma Inc	Seller not liable for C or LP
32906	Services Agreement	Chukchansi Economic Development Authority	Firm not liable for C or LP
34043	Second Amended and Restated License and Services Agreement	Viewpoint Corp	Excludes C and LP except for indemnity
35283	Exchange Agent Agreement	WH Capital Corp	Excludes C and LP
35697	Lease Agreement	Omnivision Technologies Inc	Tenant waives right to C and LP
35734	Insurance Agreement	Capital One Auto Finance Trust 2004-A	Document not found
37110	Management Services Agreement	One Price Clothing Stores Inc	Manager not liable for C and LP
37204	Services Agreement	First Advantage Corp	Excludes C and LP
37205	3rd Amendment to Lease	3D SYSTEMS CORP	Tenant waives right to C and LP
37841	Asset Purchase Agreement	Rcn Corp /De/	Excludes C
37941	Collaborative Research, Development and License Agreement	Curis Inc	Excludes C and LP except for indemnity and confidentiality
39113	Pooling and Servicing Agreement	Home Equity Loan Asset-Backed Certificates Series	Custodian not liable for C
40279	Confidential/Limited Disclosure Agreement	Path 1 Network Technologies Inc	Excludes C and LP
41543	Agency Agreement	Apollo Gold Corp	If the indemnification provision is void, then the parties will help each other out (except with respect to C and LP)
42087	License Option and Collaboration Agreement	Acadia Pharmaceuticals Inc	Excludes C and LP except for indemnity and confidentiality
42634	Pooling and Servicing Agreement	Renaissance Home Equity Loan Trust 2004-4	No mention
43023	Exclusive Channel Partner License Agreement	Braintech Inc	Braintech not liable for C or LP
43314	Insertion Order/Advertising Agreement	Travelzoo Inc	Excludes C and LP

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43652	Form of Exchange Agent Agreement	Triton Coal Company, L.L.C.	Exchange agent not liable for any C or LP
44230	Restricted Account Agreement	Coach Industries Group Inc	Bank not liable for C or LP
44342	Lease	ECOST COM INC	Landlord has no liability for C or LP
45860	Software Purchase Agreement	Teknik Digital Arts Inc.	All remedies allowed; indemnity includes C and LP claims against each other
45952	Escrow Agreement	Arqule Inc	Escrow agent not liable for C and LP
46410	Amended and Restated Supply Agreement	Alpharma Inc	Excludes C and LP
46411	Selective Waiver Agreement	Alpharma Inc	Excludes C and LP; but teva explicitly agrees to be responsible for C and LP if there is a willful breach
46961	Exclusive License Agreement - MDMI Technologies, Inc - 10/29/04	Med-Tech Solutions, Inc.	Excludes C and LP
47815	License and Distribution Agreement	Kentex Petroleum Inc	Excludes C and LP
56142	Exclusive License Agreement	Cytrx Corp	No mention
56143	Exclusive License Agreement	Cytrx Corp	No mention
56144	Exclusive License Agreement	Cytrx Corp	No mention
56145	Exclusive License Agreement	Cytrx Corp	No mention
56146	Exclusive License Agreement	Cytrx Corp	No mention
56147	Exclusive License Agreement	Cytrx Corp	No mention
56494	Agreement	RAMP CORP	Excludes C and LP
56708	Reseller Agreement	At Road Inc	Excludes C and LP except for indemnity
56787	Sale-Leaseback Commitment Agreement	United Rentals Inc /De	No mention
58290	Supply Agreement	Minrad International, Inc.	Minrad not liable for C or LP; mg assumes full responsibility for damages
59435	Commercial Supply Agreement	Amylin Pharmaceuticals Inc	Excludes C and LP
59437	Commercial Supply Agreement	Amylin Pharmaceuticals Inc	Excludes C and LP
60148	Lease	Thermoview Industries Inc	No mention
60155	Lease	Aames Mortgage Investment Trust 2005-1	Master servicer no liable for C and LP
60795	Lease	Leadis Technology Inc	Indemnity clause

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60822	Agreement for The Provision of Hardware	Senetek Plc /Eng/	Excludes C and LP except for indemnity
61182	Amended Indemnification and Insurance Matters Agreement	Northland Cranberries Inc /Wi/	Supplier not liable for C or LP; purchaser agrees to indemnify supplier against C and LP
61437	Master Technology Ownership & License Agreement	Inforte Corp	Seller not liable for C or LP
61547	Master Patent Ownership and License Agreement	U S Gold Corp	No mention
61632	Business Services Agreement Dated	Lehman Abs Corp. Home Equity Loan Trust 2005-1	Master servicer not liable for C and LP
61713	Distribution Agreement	Columbia Bancorp	Custodian not liable for C and LP
61774	Canadian Distribution Agreement	Hyperspace Communications, Inc.	Excludes C and LP
61810	Japanese Distribution Agreement	CSFB Adjustable Rate Mortgage Trust 2005-2	Excludes C and LP
61954	Distribution Support Services Agreement	Calprop Corp	Buyer released seller of C and LP only for environmental damages
62655	Agreement for Purchase and Sale of Property	American Science & Engineering Inc	No mention except for indemnity clause
62999	Publisher License Agreement Dated	PC Connection Inc	Landlord has no liability for C or LP
63015	Servicing Agreement	Bitstream Inc	Landlord has no liability for C or LP; tenant has liability for C if they do not vacate
63212	Standard Terms to Master Servicing and Trust Agreement	Sycamore Networks Inc	Supplier not liable for C or LP
63290	Pooling and Servicing Agreement	Palmone Inc	Excludes C and LP except for indemnity
63308	Columbiagastranscorp	Palmone Inc	Excludes C and LP
63317	Sale and Servicing Agreement	Palmone Inc	Excludes C and LP except for breaching license
63322	Remote Knowledge Authorized Master Distributor Agreement	Palmone Inc	Excludes C and LP except for indemnity
63783	Service Agreement	Micro Therapeutics Inc	Excludes C and LP
63786	Office Building Lease	Micro Therapeutics Inc	Excludes C and LP
63788	Distributorship Agreement	Micro Therapeutics Inc	Excludes C and LP
63790	Reseller Agreement	Micro Therapeutics Inc	Excludes C and LP except for indemnity
64009	Sale and Servicing Agreement	Chelsea Property Group Inc	Buyer not liable for LP
64173	It Services Agreement	Midway Games Inc	Excludes C and LP
64223	Software Hosting and Licensing Agreement	Encore Capital Group Inc	No mention

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64260	National Account Agreement	GS Mortgage Securities Corp GSR Mort Loan Tr 2003-	Trustee not liable for C or LP
65649	Placement Agent Agreement	Household Mortgage Loan Trust 2003-HC2	No mention
65692	Distribution Agreement	Remote Knowledge Inc	Excludes C and LP
66143	Equipment Lease Agreement	On Command Corp	Excludes C and LP except for indemnity
66533	License Agreement	Kintera Inc	C and LP waived with respect to repairs, premise access and common areas
66741	Insurance Agreement	PSS World Medical Inc	Abbot has no liability for C and LP except for duty to indemnify
67330	Sublease	Network Installation Corp	Motorola has no liability for C and LP
67377	Amended and Restated Lease Agreement	Accredited Mortgage Loan Trust 2003-2	No mention
67413	Lease Agreement	Storage Alliance Inc	Service provider not liable for LP
67416	Software Hosting and Licensing Agreement	Storage Alliance Inc	Excludes C and LP
67809	National Account Agreement	PC Connection Inc	No mention
67832	Services Agreement	Imcor Pharmaceutical Co	Excludes C and LP
68004	Exclusive Field of Use License Agreement	Global Entertainment Corp	Licensor shall not be liable for C or LP
68633	Placement Agent Agreement	Kosan Biosciences Inc	Escrow agent not liable for C and LP
68793	Distribution Agreement	Vendingdata Corp	Vdc is not liable for C or LP
68988	Equipment Lease Agreement	Applied Extrusion Technologies Inc /De	Lessor not liable for C or LP
69039	License Agreement	Indevus Pharmaceuticals Inc	Excludes C and LP
69268	Insurance Agreement	Capital One Auto Receivables Llc	Excludes C and LP
69446	Sublease	Caneum Inc	Excludes C and LP
69462	Amended and Restated Lease Agreement	Pep Boys Manny Moe & Jack	All remedies allowed
69904	Lease Agreement	MGP Ingredients Inc	Excludes C and LP
76263	License Agreement	Coley Pharmaceutical Group, Inc.	Excludes C and LP except for indemnity
80616	Primary Supply and Consignment Agreement	Factory Card Outlet Corp	Excludes C and LP unless willful misconduct
81767	License Agreement	Prestwick Pharmaceuticals Inc	Restricts idemnity clause from allowing lost profits
82400	Joint Venture Agreement	Geron Corporation	Two separate companies joining together both are not liable for C or LP to the new company

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82402	Contribution and License Agreement	Geron Corporation	Excludes C and LP
82488	Revised Development Agreement	Mandalay Resort Group	Limits remedies but doesn't mention C or LP
82506	Software License Agreement	MPhase Technologies Inc	Excludes C and LP except for breaching license and confidentiality
82790	Transfer and Servicing Agreement	Homebanc Mortgage Trust 2005-2	Master servicer not liable for C and LP
82798	Customer Interaction Service Agreement	Starmed Group Inc	Cd, llc not liable for any C or LP
82862	License Agreement	Bliss Essentials Corp	Excludes C and LP
82887	Lease Agreement	Portalplayer, Inc.	Landlord has no liability for C or LP; tenant must indemnify for C
83389	Purchase and Sale Agreement	Petroquest Energy Inc	Excludes C and LP
83390	Purchase and Sale Agreement	Petroquest Energy Inc	Excludes C and LP
83758	Insurance Agreement	Capital One Auto Finance Trust 2005-A	Indemnification provision excludes C and LP
83762	Office Lease	Deja Foods Inc	Landlord has no liability for C or LP; tenant must indemnify for C
83868	Co-Marketing Agreement	Advanced Medical Optics Inc	Excludes C and LP unless willful misconduct or gross negligence
83887	Restricted Account Agreement	Pipeline Data Inc	Bank not liable for C or LP
83997	2nd Restated Collaboration Agreement	Curagen Corp	Excludes C and LP except for indemnity
84036	License Contract for The Exploration and Exploitation of Hydrocarbons	Harken Energy Corp	No mention
85034	Purchase Agreement	International Paper Co /New/	Mention in indemnity clauses
85588	Services Agreement	New River Pharmaceuticals Inc	Third security shall have no liability for C or LP
85589	Lease Agreement	New River Pharmaceuticals Inc	Excludes LP
85593	License Agreement	New River Pharmaceuticals Inc	Excludes C and LP
85835	Amended and Renewed Management Services Agreement	Hearst Argyle Television Inc	The company is not liable for any C or LP
86118	Web Services Agreement	Bluebook International Holding Co	Licensor not liable for any C or LP
87745	Lease	Daily Journal Corp	Landlord has no liability for C or LP; tenant must indemnify for C
87756	Lease	Notify Technology Corp	Excludes C
87919	Purchase and Sale Agreement	Airspan Networks Inc	Excludes C and LP

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88022	Purchase and Sale Agreement	Bedford Property Investors Inc/Md	Seller not liable for C
88027	Purchase Agreement and Escrow Instructions	Bedford Property Investors Inc/Md	Mentioned in environmental damages provision
88189	Lease Agreement	Sonic Foundry Inc	Landlord has no liability for C or LP
88307	Pooling and Servicing Agreement	CSFB Mortgage	Excludes C and LP
88308	Pooling and Servicing Agreement	CSFB Mortgage	Excludes C and LP
88309	Pooling and Servicing Agreement	CSFB Mortgage	Excludes C and LP
88362	Services Agreement	American Portfolios	Bear stearns not liable for C or LP
88363	Clearing Agreement	American Portfolios	Pershing not liable for C
88484	Service and Consulting Agreement	Avitar Inc /De/	Excludes C and LP
88571	5th Amendment to Purchase and Sale Agreement	Unified Western Grocers Inc	Allows for all remedies at law
88892	License and Distribution Agreement	Autocorp Equities Inc	Excludes C and LP
89075	Sales & Servicing Agreement	Accredited Mortgage	No mention
89244	Extension 2 to Remote Merchant Integration	Provide Commerce Inc	Excludes C and LP
89297	Lease & License Agreement	UCI Medical Affiliates Inc	Corporation is not liable for C or LP
89642	1st Extension to Remote Merchant Integration Agreement	Provide Commerce Inc	Excludes C and LP
89643	2nd Extension to Remote Merchant Integration (RMI) Agreement	Provide Commerce Inc	Excludes C and LP
90154	Pooling and Servicing Agreement	CSFB Mortgage	Excludes C and LP
90984	Development and Supply Agreement	XCyte Therapies Inc	Excludes C except for indemnity
92215	Management Agreement	U S Timberlands Klamath Falls LLC	No mention
92981	Deck-Checker Distribution Agreement	Vendingdata Corp	VDC is not liable for C or LP
118952	Lease	Pericom Semiconductor Corp	Landlord has no liability for C or LP
164940	Depot Repair Services Agreement	Exabyte Corp /De/	Excludes C and LP
164955	Non Exclusive Patent License Agreement	Regeneron Pharmaceuticals Inc	Merck not liable for C or LP
165049	Coke Purchase and Sale Agreement	Koppers Inc	Excludes C and LP

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165061	Mortgage and Security Agreement	Frontier Airlines Inc /Co/	No mention
165191	License Agreement	Viropharma Inc	Excludes C and LP
333980	Deck Checker Distribution Agreement	Vendingdata Corp	VDC not liable for C or LP
460453	Purchase Agreement	LMI Aerospace Inc	Excludes C and LP