

sary or sufficient to constitute direct or indirect control for the purposes of *Subdivision (c)* or *(g)* of this §14.04.

For the purposes of *Subdivisions (f), (g), (h)* and *(i)* of this §14.04, *(i)* the terms "security" and "securities" shall include only such securities as are generally known as corporate securities, but shall not include any note or other evidence of indebtedness issued to evidence an obligation to repay moneys lent to a person by one or more banks, trust companies or banking firms, or any certificate of interest or participation in any such note or evidence of indebtedness; *(ii)* an obligation shall be deemed to be in default when a default in payment of principal shall have continued for 30 days or more and shall not have been cured; and *(iii)* the Trustee shall not be deemed the owner or holder of (A) any security which it holds as collateral security (as trustee or otherwise) for an obligation which is not in default as defined in *clause (ii)* above, (B) any security which it holds as collateral security under this Indenture, irrespective of any default hereunder, or (C) any security which it holds as agent for collection, or as a custodian, escrow agent or depository, or in any similar representative capacity.

For the purposes of this §14.04, the term "underwriter", when used with reference to the Company, means every person who, within three years prior to the time as of which the determination is made, was an underwriter, as defined in Section 303 of the Act, of any security of the Company outstanding at the time of such determination.

For the purposes of this §14.04, the term "person" shall have the meaning assigned to such term in Section 2 of the Securities Act of 1933 as in effect on the date of this Indenture.

For the purposes of this §14.04, the percentages of voting securities and other securities referred to in *Subdivisions (e)* to *(i)*, inclusive, shall be calculated in accordance with the following provisions:

(A) A specified percentage of the voting securities of a person means such amount of the outstanding voting securities of such person as entitles the holder or holders thereof to cast such specified percentage of the aggregate votes which the holders of all the outstanding voting securities of such person are entitled to cast in the direction or management of the affairs of such person.