

# DISPUTE PROCESS

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## 1. What process must I go through to challenge an action taken by the PHT Trustee in connection with my investment?

The Confirmation Order requires that anyone with a dispute against the PHT use the Dispute Resolution Process contained in the PHT Trust Agreement. While you should consult the PHT Trust Agreement for the details, the Dispute Resolution Process can be summarized as follows:

- The investor must give written notice of the dispute to the Trustee through Magna Servicing describing the basis for the dispute and provide copies of all documents or other evidence supporting the investor's position.
- The Trustee will contact the investor to discuss the dispute and to attempt to resolve it. At that time, he will provide a copy of the Dispute Resolution Process to the investor.
- If the investor and the Trustee are unable to agree within 45 days after the Trustee provides a copy of the Dispute Resolution Process to the investor, the investor can request that the dispute be submitted to a non-binding mediation conducted by an independent mediator or the Trust Board.
- If the investor and the Trustee are unable to settle the dispute at mediation, then the investor may ask the Bankruptcy Court to resolve the dispute.
- The investor must bear his or her own costs in pursuing the dispute including attorney's fees and the investor's share of any mediation fees.
- The Dispute Resolution Process is § 4.6 on page 13 of the PHT Trust Agreement. A copy of the PHT Trust Agreement is on the [Plan Documents page](#).

## 2. How do I provide written notice to the PHT Trustee of a dispute?

To file a dispute, please send a signed and dated letter to the PHT Trustee through Magna Servicing, LLC. Please explain your issue **and enclose all documents that support your position**. Mail these items to the below address:

Magna Servicing, LLC  
P.O. Box 23226  
Waco, TX 76702

Please clearly mark at the top of the letter, "Dispute," as this will facilitate the process of Magna Servicing forwarding your letter to the PHT Trustee.