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1 SECTION 3. CONDITIONS PRECEDENT
2 3.1. Closing Date. The obligation of each Lender to make a
  • Revolving Loan or to issue a Letter of Credit, in each case
  • on the Closing Date is subject to the satisfaction, or
  • waiver in accordance with Section 10.5, of the following
  • conditions on or before the Closing Date:
3 (a) Credit Documents. Administrative Agent and Arranger
  • shall have received sufficient copies of this Agreement and
  • the Pledge and Security Agreement originally executed and
  • delivered by each applicable Credit Party for each Agent.
4 (b) Organizational Documents; Incumbency. Administrative
  • Agent and Arranger shall have received (i) a copy of each
  • Organizational Document executed and delivered by each
  • Credit Party, as applicable, and, to the extent applicable,
  • certified as of a recent date by the appropriate
  • governmental official, each dated the Closing Date or a
  • recent date prior thereto; (ii) signature and incumbency
  • certificates of the officers of such Person executing the
  • Credit Documents to which it is a party; (iii) resolutions
  • of the board of directors or similar governing body of each
  • Credit Party approving and authorizing the execution,
  • delivery and performance of this Agreement and the other
  • Credit Documents to which it is a party or by which it or
  • its assets may be bound as of the Closing Date, certified as
  • of the Closing Date by its secretary or an assistant
  • secretary as being in full force and effect without
  • modification or amendment; (iv) a certificate of status,
  • certificate of compliance or other certificate of good

1 SECTION 3. CONDITIONS PRECEDENT
2 3.1 Third Restatement Date. The effectiveness of this
  • Agreement and the obligation of each Lender to make a
  • Tranche B Term Loan, a Revolving Loan, or to issue a Letter
  • of Credit, in each case on the Third Restatement Date are
  • subject to the prior or concurrent satisfaction, or waiver
  • in accordance with Section 10.5, of the following conditions:
3 (a) Credit Party Documents. Administrative Agent and
  • Arrangers shall have received sufficient copies of each
  • Credit Document executed and delivered by each applicable
  • Credit Party for each Lender.
4 (b) Organizational Documents; Incumbency. Administrative
  • Agent and Arrangers shall have received (i) a copy of each
  • Organizational Document executed and delivered by each
  • Credit Party, as applicable, and, to the extent applicable,
  • certified as of a recent date by the appropriate
  • governmental official, each dated the Third Restatement Date
  • or a recent date prior thereto (or a certificate of a
  • Responsible Officer certifying that the Organizational
  • Documents previously delivered to Administrative Agent and
  • Arranger on or about the Second Restatement Date or the
  • Second Amendment and Restatement Joinder Date remain in full
  • force and effect and unmodified as of the Third Restatement
  • Date); (ii) signature and incumbency certificates of the
  • officers of such Person executing the Credit Documents to
  • which it is a party; (iii) resolutions of the board of
  • directors or similar governing body of each Credit Party
  • approving and authorizing the execution, delivery and
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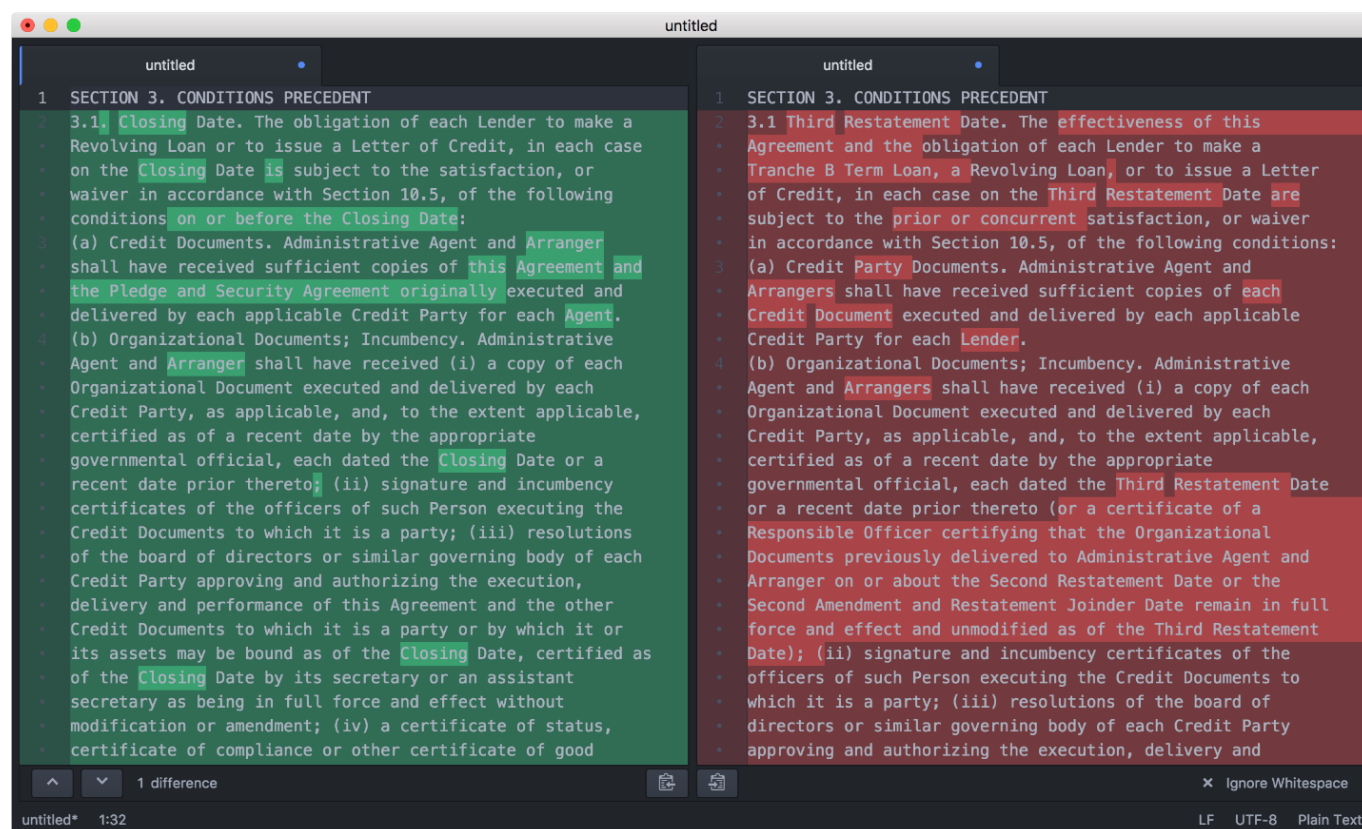


Mac os 8 6 open firmware user manual Installing the USB Serial Adapter Software for Mac OS Note: These instructions apply to installing the Keyspan USB Serial Adapter on Mac OS 8.. 6 through 9 x If you are installing this software on Mac OS X via CLASSIC, please read the Keyspan USB Serial Software for Mac OS X User Manual or visit Keyspan's web page.. WinMerge is an excellent and very powerful file merging tool, but as the name would imply, it's Windows only.

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