

**LOWENSTEIN SANDLER PC**

Michael S. Etkin, Esq.  
S. Jason Teele, Esq.  
1251 Avenue of the Americas, 18th Floor  
New York, New York 10022

-- and --

65 Livingston Avenue  
Roseland, New Jersey 07068  
973.597.2500 (Telephone)  
973.597.2400 (Facsimile)

*Counsel to First Choice Power, L.P.*

**IN THE UNITED STATES BANKRUPTCY  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS, INC., *et al.*,

Debtor.

Chapter 11

Case No. 08-13555 (JMP)  
Jointly Administered

**FIRST CHOICE POWER, L.P.'S JOINDER IN LIMITED OBJECTION BY OPTIM  
ENERGY MARKETING AND TRADING, LLC (F/K/A ENERGYCO MARKETING  
AND TRADING, LLC) TO DEBTORS' MOTION, PURSUANT TO BANKRUPTCY  
RULE 2004, FOR AN ORDER GRANTING AUTHORITY TO ISSUE SUBPOENAS FOR  
THE PRODUCTION OF DOCUMENTS AND AUTHORIZING THE EXAMINATION  
OF PERSONS AND ENTITIES**

First Choice Power, L.P. ("**FCP**"), by and through its undersigned counsel, submits this joinder in the limited objection (the "**Limited Objection**") filed by Optim Energy Marketing and Trading, LLC (f/k/a EnergyCo Marketing and Trading, LLC) (Docket No. 5812) to the motion of the above-captioned debtors and debtors-in-possession (collectively, the "**Debtors**"), pursuant to Bankruptcy Rule 2004, for an order granting authority to issue subpoenas for the production of documents and authorizing the examination of persons and entities (Docket No. 5710) (the "**Motion**"). In support of this joinder, FCP states:

1. For the reasons and on the authority cited in the Limited Objection, FCP joins in the Limited Objection and requests the Court to deny the Motion unless the

modifications described in the Limited Objection are incorporated into the order approving the Motion.

Dated: November 13, 2009  
New York, New York

Respectfully submitted,

**LOWENSTEIN SANDLER PC**

By: /s/ S. Jason Teele  
Michael S. Etkin, Esq.  
S. Jason Teele, Esq.  
1251 Avenue of the Americas, 18th Floor  
New York, New York 10022

-- and --

65 Livingston Avenue  
Roseland, New Jersey 07068  
973.597.2500 (Telephone)  
973.597.2400 (Facsimile)

*Counsel to First Choice Power, L.P.*