

Andrew Irving, Esq.  
Receiver

**CBI INDUSTRIES SECURITIES LITIGATION DISGORGEMENT FUND**  
c/o Robinson Silverman Pearce Aronsohn & Berman LLP  
1290 Avenue of the Americas  
New York, New York 10104  
(212) 541-2000

**PROOF OF CLAIM**

ALL CLAIM FORMS  
MUST BE POSTMARKED  
NO LATER THAN  
June 2, 2000

**Important:** In order to qualify for participation in the distribution of the CBI Industries Securities Litigation Disgorgement Fund (the "Disgorgement Fund") you must have sold CBI Industries, Inc. common stock on either October 26 or October 27, 1995. If you both bought and sold CBI Industries, Inc. common stock on either October 26 or October 27, 1995, or on both dates, your claim will only be allowed to the extent that you were a net seller of CBI Industries, Inc. common stock on those dates. Documented proof of all transactions will be required for eligibility.

If you did not sell CBI Industries, Inc. common stock on either October 26 or October 27, 1995, then you are NOT and Eligible Claimant and should NOT file a Proof of Claim. In order to receive any payments to which you may be entitled as an Eligible Claimant, you must complete and sign this Proof of Claim and mail it together with documentation sufficient to show all transactions, by pre-paid first class mail, postmarked no later than June 2, 2000 to the address shown above. In the event that your claim is approved by the Receiver, you will receive a distribution from the Disgorgement Fund. It is not possible to estimate at this time the amount or proportion of such distribution, if any. However, if the amount of monies that you are entitled to have distributed to you is less than \$25.00, you will receive nothing.

The Court Order establishing the Disgorgement Fund provides that in no event shall any portion of the Disgorgement Fund revert to Ulbery Vermögensverwaltungs A.G., Benjamin Weiss, Fasan Anstalt, Axteria Establishment, Anstalt Ducata, Anstalt Nifur, Gregory Stainow, Danford Holdings Ltd., Mellilla Business Corp. or to any other defendant in the action captioned SEC v. Certain Purchasers of the Common Stock of CBI Industries, Inc., 95 Civ. 9651 (MP) (the "Disqualified Claimants"), or to any of the heirs, successors or assigns of any of the foregoing. Therefore, in submitting this Proof of Claim, you must affirm, under penalty of perjury, that you are not a Disqualified Claimant and that you are not submitting the Proof of Claim for or on behalf of any of the Disqualified Claimants.



**Section 2: Eligibility for Participation in Disgorgement Fund.** Did you sell CBI Industries, Inc. common stock on either October 26 or October 27, 1995?

Yes No

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**If your answer is No, then you are not eligible and should not file a claim.**

**Section 3: Transactions.** Identify each sale of CBI Industries, Inc. common stock on either October 26 or October 27, 1995. **DO NOT COMPLETE COLUMN (e).** Add Additional Sheets of Paper if Necessary. Mark each sheet with claimant's name and social security number or telephone or employer identification number.

a.	b.	c.	d.	FOR RECEIVER'S USE ONLY  e.
Trade Date of Sale	No. of Shares Sold	Sale Price for Security	Post-Disclosure Price	Price Difference
			30.75	
			30.75	
			30.75	

Identify each purchase of CBI Industries, Inc. common stock on either October 26 or October 27, 1995.

a. b.

Trade Date of Purchase	No. of Shares Purchased

**Section 4: Documentation or Other Evidentiary Proof.** In order to process and approve any claim, each claimant must submit documentation or other evidence sufficient to show that the applicant sold the applicable securities on the relevant date(s). Failure to provide such documentation will disqualify the claimant. The Receiver reserves the right to determine whether such documentation or other evidentiary proof is sufficient to qualify the claimant as eligible. Check below which type of documentation you are submitting with the Proof of Claim. DO NOT SEND ORIGINALS.

- Confirmation or monthly statement issued by brokerage firm(s) showing sale;
- Letter from broker(s), on firm letterhead, showing trade date, type of security, quantity, price and total sale proceeds received;
- Notarized statement signed by the claimant showing trade date, type of security, quantity, price and total sale proceeds received;
- Schedule D from the Claimant's Federal Tax Returns for 1994;
- Other documentation showing sale(s) and prices(s) of applicable securities on the relevant date(s).

**Section 5: Information.** Questions concerning the Proof of Claim and how to complete and execute it and support your claim will be answered by the Receiver by calling (212) 541-2277. However, please read this Proof of Claim carefully before contacting the Receiver.

**Section 6: Terms and Signature.** Claimant, and the person or entity claimant represents, if any, submits to the jurisdiction of The United States District Court, Southern District of New York, for purposes of this claim, and agrees to be bound and subject to the terms of the judgments and orders of that court in the case captioned SEC. v. Certain Purchasers of the Common Stock of CBI Industries, Inc., 95 Civ. 9651 (MP), and to furnish such additional information or proof with respect to this Proof of Claim as the Receiver or the court shall require.

**Verification**

I (We) was (were) the owner(s) of CBI Industries, Inc. common stock and sold shares of said common stock on either October 26, 1995 or October 27, 1995 as described in this Proof of Claim or am (are) authorized to make this claim on behalf of the owner who sold said securities on the relevant dates. I (We) affirm under penalty of perjury that the information provided herein is correct to the best of my (our) knowledge and belief, and that this Proof of Claim is not being submitted by or on behalf of any of the Disqualified Claimants identified in this Claim form.

\_\_\_\_\_  
Date SIGNATURE of Owner or Representative

\_\_\_\_\_  
Date SIGNATURE of Joint Owner (if any)

If the claimant is not the person completing and signing this form, the following must also be provided:

\_\_\_\_\_  
Name of Person Signing Capacity of Person Signing (Executor, President, etc.)