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this consent order shall terminate after six months from the date of its entry unless the consent order is extended as provided in this order. at the end of the six-month period, the commission may, upon notice to the principal and surety and opportunity for hearing, re-enter this consent order for an additional six-month period, if the principal continues to be in default. the consent order shall be continued in full force and effect until all defaults have been cured and all penalties paid. the trustee shall invest and reinvest the principal and income of the fund and keep the fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the grantor may communicate in writing to the trustee from time to time, subject, however, to the provisions of this section. in investing, reinvesting, exchanging, selling, and managing the fund, the trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that: grantor irrevocably grants and appoints the trustee as trustee and grants and appoints (i) banyan broadband ltd, an indian corporation incorporated under the companies act, 1956 in india and having its registered office at 22, high street, e2 4re, and (ii) its wholly-owned subsidiary, banyan holdings ltd. (together, collectively, the "grantor").

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except where otherwise stated herein, no exoneration of the fund from any and all claims shall impair or diminish the obligation of the fund to make payment for any discharge, release, escape, dispersal, migration or subsurface entry of any substance from any fund without the issuance of a notice to the fund at the time of discharge, release, escape, dispersal, migration or subsurface entry of any such substance and the expiration of the sixty (60) days following such notice. finally, the principal or his designee shall notify the fund in writing immediately after receipt of any claim or notice of a claim or any action involving any fund or any fund manager or an officer, director, agent, employee or other representative thereof. with respect to any element being added, created, taken away, or used or sold or purchased (in whole or in part) as a result of the release, discharge, or handling of the waste, the grantor hereby constitutes, appoints, and grants the trustee the power to direct, from time to time, to enter into agreements with the owner of or operator of the facility to assist in the protection and mitigation of environmental effects resulting from the storage or disposal of the waste. in addition, the trustee shall, if the grantor gives notice, incur all obligations of the grantor under such contracts. it is intended that, in all instances, a permit issued by the waste acceptance authority shall constitute a final permit under the regulations of the authority. if the owner or operator of a facility does not have a permit, the grantor gives notice to the commission. the notice shall not be deemed ineffective for the purpose of this rule. 5ec8ef588b

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