

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

SCHEDULE 13D

Under the Securities Exchange Act of 1934  
(Amendment No. 1)\*

Enzon Pharmaceuticals, Inc

-----  
(Name of Issuer)

Common Stock, \$.01 par value

-----  
(Title of Class of Securities)

293904108

-----  
(CUSIP Number)

Jeffrey M. Elliott  
Executive Vice President  
Iridian Asset Management LLC  
276 Post Road West  
Westport, CT 06880-4704  
203-341-9009

-----  
(Name, Address and Telephone Number of Person  
Authorized to Receive Notices and Communications)

August 19, 2009

-----  
(Date of Event which Requires Filing  
of this Statement)

If the filing person has previously filed a statement on Schedule 13G to report the acquisition that is the subject of this Schedule 13D, and is filing this schedule because of Sections 240.13d-1(e), 240.13d-1(f) or 240.13d-1(g), check the following box [ ] .

Note: Schedules filed in paper format shall include a signed original and five copies of the schedule, including all exhibits. See Section 240.13d-7 for other parties to whom copies are to be sent.

\*The remainder of this cover page shall be filled out for a reporting person's initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter the disclosures provided in a prior cover page.

The information required on the remainder of this cover page shall not be deemed to be "filed" for the purpose of Section 18 of the Securities Exchange Act of 1934 ("Act") or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

Page 1 of 13 Pages

CUSIP No. 293904108

Schedule 13D

Page 2 of 13 Pages

-----  
1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON

Iridian Asset Management LLC

-----  
2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\* (a) [ X ]  
(b) [ ]  
-----

3 SEC USE ONLY  
-----

4 SOURCE OF FUNDS\*  
OO  
-----

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]  
-----

6 CITIZENSHIP OR PLACE OF ORGANIZATION  
Delaware  
-----

-----  
NUMBER OF 7 SOLE VOTING POWER  
SHARES 0  
BENEFICIALLY  
OWNED BY 8 SHARED VOTING POWER  
EACH 6,851,387  
REPORTING  
PERSON 9 SOLE DISPOSITIVE POWER  
WITH 0  
-----  
10 SHARED DISPOSITIVE POWER  
6,851,387  
-----

-----  
11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON  
6,851,387  
-----

-----  
12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*  
[ ]  
-----

-----  
13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)  
15.1%  
-----

-----  
14 TYPE OF REPORTING PERSON\*  
IA  
-----

-----  
\*SEE INSTRUCTIONS BEFORE FILLING OUT!  
-----

-----  
1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON  
COLE Partners LLC  
-----

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*

(a) [ X ]  
(b) [ ]

3 SEC USE ONLY

4 SOURCE OF FUNDS\*

OO

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

6 CITIZENSHIP OR PLACE OF ORGANIZATION

Delaware

NUMBER OF SHARES	7	SOLE VOTING POWER
BENEFICIALLY	0	
OWNED BY	8	SHARED VOTING POWER
EACH	377,870	
REPORTING	9	SOLE DISPOSITIVE POWER
PERSON	0	
WITH	10	SHARED DISPOSITIVE POWER
	377,870	

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

377,870

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*

[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

0.8%

14 TYPE OF REPORTING PERSON\*

HC

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 4 of 13 Pages

1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON

Iridian Private Business Value Equity Fund, L.P.

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*

(a) [ X ]  
(b) [ ]

-----  
3 SEC USE ONLY

-----  
4 SOURCE OF FUNDS\*  
PF

-----  
5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

-----  
6 CITIZENSHIP OR PLACE OF ORGANIZATION  
Delaware

-----  
NUMBER OF 7 SOLE VOTING POWER  
SHARES 0  
BENEFICIALLY  
OWNED BY 8 SHARED VOTING POWER  
EACH 285,860  
REPORTING  
PERSON 9 SOLE DISPOSITIVE POWER  
WITH 0  
-----  
10 SHARED DISPOSITIVE POWER  
285,860

-----  
11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON  
285,860

-----  
12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*  
[ ]

-----  
13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)  
0.6%

-----  
14 TYPE OF REPORTING PERSON\*  
PN

-----  
\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 5 of 13 Pages

-----  
1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON  
Iridian Partners Fund, L.P.

-----  
2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*  
(a) [ X ]  
(b) [ ]

-----  
3 SEC USE ONLY

4 SOURCE OF FUNDS\*

PF

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

6 CITIZENSHIP OR PLACE OF ORGANIZATION

Delaware

NUMBER OF SHARES BENEFICIALLY OWNED BY EACH REPORTING PERSON WITH	7	SOLE VOTING POWER 0
	8	SHARED VOTING POWER 92,010
	9	SOLE DISPOSITIVE POWER 0
	10	SHARED DISPOSITIVE POWER 92,010

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

92,010

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*

[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

0.2%

14 TYPE OF REPORTING PERSON\*

PN

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 6 of 13 Pages

1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON

Renoma Partners LLC

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*

(a) [ X ]  
(b) [ ]

3 SEC USE ONLY

4 SOURCE OF FUNDS\*

OO

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

6 CITIZENSHIP OR PLACE OF ORGANIZATION

Delaware

NUMBER OF SHARES BENEFICIALLY OWNED BY EACH REPORTING PERSON WITH	7	SOLE VOTING POWER 0
	8	SHARED VOTING POWER 25,350
	9	SOLE DISPOSITIVE POWER 0
	10	SHARED DISPOSITIVE POWER 25,350

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

25,350

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*

[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

0.1%

14 TYPE OF REPORTING PERSON\*

PN

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 7 of 13 Pages

1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON

Iridian Charter Fund, L.P.

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*

(a) [ X ]  
(b) [ ]

3 SEC USE ONLY

4 SOURCE OF FUNDS\*

PF

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

6 CITIZENSHIP OR PLACE OF ORGANIZATION

Delaware

NUMBER OF SHARES	7	SOLE VOTING POWER
		0
BENEFICIALLY OWNED BY	8	SHARED VOTING POWER
EACH		25,350
REPORTING PERSON	9	SOLE DISPOSITIVE POWER
WITH		0
	10	SHARED DISPOSITIVE POWER
		25,350

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON  
25,350

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*  
[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)  
less than 0.1%

14 TYPE OF REPORTING PERSON\*  
PN

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 8 of 13 Pages

1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON  
Harold J. Levy

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*  
(a) [ X ]  
(b) [ ]

3 SEC USE ONLY

4 SOURCE OF FUNDS\*  
PN, OO

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]

6 CITIZENSHIP OR PLACE OF ORGANIZATION

United States

NUMBER OF SHARES BENEFICIALLY OWNED BY EACH REPORTING PERSON WITH	7	SOLE VOTING POWER 50,000
	8	SHARED VOTING POWER 6,851,387
	9	SOLE DISPOSITIVE POWER 154,712
	10	SHARED DISPOSITIVE POWER 6,851,387

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

7,006,099

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*

[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

15.4%

14 TYPE OF REPORTING PERSON\*

IN

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 9 of 13 Pages

1 NAME OF REPORTING PERSON  
S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSON

David L. Cohen

2 CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*

(a) [ X ]  
(b) [ ]

3 SEC USE ONLY

4 SOURCE OF FUNDS\*

OO

5 CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) OR 2(e) [ ]



6 CITIZENSHIP OR PLACE OF ORGANIZATION

United States

NUMBER OF SHARES	7	SOLE VOTING POWER
		0
BENEFICIALLY OWNED BY EACH REPORTING PERSON WITH	8	SHARED VOTING POWER
		6,851,387
	9	SOLE DISPOSITIVE POWER
		0
	10	SHARED DISPOSITIVE POWER
		6,851,387

11 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

6,851,387

12 CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (11) EXCLUDES CERTAIN SHARES\*

[ ]

13 PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (11)

15.1%

14 TYPE OF REPORTING PERSON\*

IN

\*SEE INSTRUCTIONS BEFORE FILLING OUT!

CUSIP No. 293904108

Schedule 13D

Page 10 of 13 Pages

Item 1. Security and Issuer

This Schedule 13D, Amendment No. 1 relates to the common stock, par value \$.01 per share (the "Common Stock"), of Enzon Pharmaceuticals, Inc., a Delaware corporation (the "Issuer").

Issuer's principal executive offices are located at 685 Route 202/206, Bridgewater, NJ 08807.

The information presented on the cover sheets for each filing person is based upon ownership as of August 19, 2009. The percent of class is based upon 45,395,992 shares of Common Stock issued and outstanding as of August 3, 2009 as reported by the Issuer on its Form 10-Q for the quarter ended June 30, 2009.

This Amendment amends Item 5 of the Schedule 13D previously filed as of July 23, 2009.

Item 5. Interest in Securities of the Issuer.

(a), (b) As of August 19, 2009, the Reporting Persons may be deemed to beneficially own in the aggregate 6,851,387 shares of Common Stock, representing 15.1% of the outstanding Common Stock (the percentage of shares of Common Stock owned being based upon 45,395,992 shares of Common Stock outstanding at August 3, 2009 as set forth in the Issuer's Quarterly Report on Form 10-Q for the quarterly period ended June 30, 2009).

The Reporting Persons may be deemed to have direct beneficial ownership of shares of Common Stock as follows:

Name	Number of Shares	Percentage
Iridian (1)	6,448,167	14.2%
Private Business	285,860	0.6%
Partners	92,010	0.2%
Charter	25,350	less than 0.01%
Levy (2)	154,712	0.3%

(1) The shares of Common Stock set forth above for Iridian do not include the shares of Common Stock held by Private Business, Partners and Charter.

(2) The shares of Common Stock set forth above for Levy include 50,000 shares owned directly, and 104,712 shares of the Common Stock which he has the right to acquire upon conversion of 4.0% Convertible Senior Notes due 2013.

Iridian has direct beneficial ownership of the shares of Common Stock in the accounts which it manages. In addition, Iridian is the investment adviser for Private Business. In such capacity, Iridian has the right to vote and direct the disposition of shares of Common Stock held by such entities and, consequently, has beneficial ownership of such shares.

Messrs. Cohen and Levy may be deemed to possess beneficial ownership of the shares of Common Stock beneficially owned by Iridian by virtue of their indirect controlling ownership of Iridian, and having the power to vote and direct the disposition of shares of Common Stock as joint Chief Investment Officers of Iridian. Messrs. Cohen and Levy disclaim beneficial ownership of such shares.

COLE, as the sole general partner of Private Business and Partners, may be deemed to own beneficially shares of Common Stock of which Private Business and Partners may be deemed to possess direct beneficial ownership. Iridian, as the sole member of COLE, may be deemed to possess beneficial ownership of the shares of Common Stock that are beneficially owned by COLE.

Renoma, as the sole general partner of Charter, may be deemed to own beneficially shares of Common Stock of which Charter may be deemed to possess direct beneficial ownership. Iridian, as the sole member of Renoma, may be deemed to possess beneficial ownership of the shares of Common Stock that are beneficially owned by Renoma.

CUSIP No. 293904108

Schedule 13D

Page 11 of 13 Pages

Iridian has the direct power to vote or direct the vote, and the direct power to dispose or direct the disposition, of 6,851,387 shares of Common Stock. Messrs. Cohen and Levy may be deemed to share with Iridian the power to vote or direct the vote and to dispose or direct the disposition of such shares. Messrs. Cohen and Levy disclaim beneficial ownership of such shares.

Iridian has the direct power to vote or direct the vote, and the direct power to dispose or direct the disposition, of the 285,860 shares of Common Stock held by Private Business and of the 92,010 shares of Common Stock held by Partners. COLE (in addition to Messrs. Cohen and Levy) may be deemed to share with Iridian the power to vote or direct the vote and to dispose or direct the disposition of such shares.

Iridian has the direct power to vote or direct the vote, and the direct power to dispose or direct the disposition, of the 25,350 shares of Common Stock held by Charter. Renoma (in addition to Messrs. Cohen and Levy) may be deemed to share with Iridian the power to vote or direct the vote and to dispose or direct the disposition of such shares.

Levy has the direct power to vote or direct the vote, and the direct power to dispose or direct the disposition, of the 50,000 shares of Common Stock held by him. Levy has the direct power to dispose or direct the disposition, of 104,712 shares of the Common Stock which he has the right to acquire upon conversion of 4.0% Convertible Senior Notes due 2013.

(c) Other than the transactions described in Schedule I of this statement, no

Reporting Person nor any director or executive officer of any Reporting Person has effected any transactions in the Common Stock during the past 60 days.

(d) No person other than the Reporting Persons has any right to receive or the power to direct the receipt of dividends from, or the proceeds of the sale of, any of the Common Stock beneficially owned by the Reporting Persons, except that the dividends from, or proceeds from the sale of, shares of Common Stock in each respective account managed by Iridian will be delivered into each such respective account.

(e) Not applicable.

Item 7. Material to be Filed as Exhibits.

Limited Power of Attorney dated October 7, 2009 granted by David L. Cohen to Jeffrey M. Elliott and Lane S. Bucklan

Limited Power of Attorney dated October 7, 2009 granted by Harold J. Levy to Jeffrey M. Elliott and Lane S. Bucklan

CUSIP No. 293904108

Schedule 13D

Page 12 of 13 Pages

SIGNATURE.

After reasonable inquiry and to the best of its or his knowledge and belief, we certify that the information set forth in this statement is true, complete and correct.

Date: January 11, 2010

IRIDIAN ASSET MANAGEMENT LLC

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

COLE PARTNERS LLC

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

IRIDIAN PRIVATE BUSINESS VALUE EQUITY FUND, L.P.

By: COLE PARTNERS LLC  
  
By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

IRIDIAN PARTNERS FUND, L.P.

By: COLE PARTNERS LLC  
  
By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

RENOMA PARTNERS LLC

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

IRIDIAN CHARTER FUND, LP

By: RENOMA PARTNERS LLC

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Executive Vice President

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Agent

By: /s/ Jeffrey M. Elliott  
-----  
Jeffrey M. Elliott, Agent

CUSIP No. 293904108

Schedule 13D

Page 13 of 13 Pages

SCHEDULE I  
REPORTING PERSONS TRANSACTIONS IN COMMON STOCK

Trade Date	Side	Number of Shares	Price per Share (1)
7/28/2009	sell	160	\$8.23
7/28/2009	sell	160	\$8.20
7/28/2009	sell	110	\$8.18
7/29/2009	sell	460	\$8.32
7/31/2009	sell	7,270	\$8.39
7/31/2009	sell	6,530	\$8.42
7/31/2009	sell	6,600	\$8.42
7/31/2009	sell	4,470	\$8.42
8/7/2009	sell	350	\$8.07
8/11/2009	sell	9,060	\$7.85
8/19/2009	(2)	1,280,290	(2)

(1) Price per share does not include commission.

(2) Shares over which Iridian no longer has beneficial ownership.

LIMITED POWER OF ATTORNEY

David L. Cohen (acting individually and on behalf of those entities for which he exercises control, collectively referred to herein as "Grantor"), having his and their principal place of business at c/o Iridian Asset Management LLC, 276 Post Road West, Westport, CT 06880, is an owner of Iridian Asset Management LLC (the "Adviser"), an investment adviser registered with the United States Securities and Exchange Commission (the "SEC").

Grantor appoints each of Jeffrey M. Elliott, Executive Vice President and Chief Operating Officer, and Lane S. Bucklan, General Counsel (each, the "Agent") of the Adviser as his true and lawful attorney-in-fact for the following specific and limited purposes only:

To exercise or perform any act, power, duty, right or obligation whatsoever that Grantor now has, or may subsequently acquire the legal right, power or capacity to exercise or perform, in connection with, arising from or relating to Adviser's obligation to make filings with the SEC under Sections 13 and 16 of the Securities Exchange Act of 1934, as amended, and the rules and regulations promulgated thereunder, including, but not limited to, the authority to prepare, sign, and file all such forms, schedules, or other documents which may be necessary to complete such filings.

Grantor gives and grants each Agent individually full power and authority to do and perform all and every act and thing whatsoever necessary to be done in and about the specific and limited premises set forth herein as fully, to all intents and purposes, as might or could be done if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that said Agent shall lawfully do or cause to be done by virtue hereof.

Dated: October 7, 2009

By: /s/ David L. Cohen

-----  
David L. Cohen

Appointment accepted by:

/s/ Jeffrey M. Elliott

-----  
Jeffrey M. Elliott  
Executive Vice President and Chief Operating Officer

/s/ Lane S. Bucklan

-----  
Lane S. Bucklan  
General Counsel

LIMITED POWER OF ATTORNEY

Harold J. Levy (acting individually and on behalf of those entities for which he exercises control, collectively referred to herein as "Grantor"), having his and their principal place of business at c/o Iridian Asset Management LLC, 276 Post Road West, Westport, CT 06880, is an owner of Iridian Asset Management LLC (the "Adviser"), an investment adviser registered with the United States Securities and Exchange Commission (the "SEC").

Grantor appoints each of Jeffrey M. Elliott, Executive Vice President and Chief Operating Officer, and Lane S. Bucklan, General Counsel (each, the "Agent") of the Adviser as his true and lawful attorney-in-fact for the following specific and limited purposes only:

To exercise or perform any act, power, duty, right or obligation whatsoever that Grantor now has, or may subsequently acquire the legal right, power or capacity to exercise or perform, in connection with, arising from or relating to Adviser's obligation to make filings with the SEC under Sections 13 and 16 of the Securities Exchange Act of 1934, as amended, and the rules and regulations

promulgated thereunder, including, but not limited to, the authority to prepare, sign, and file all such forms, schedules, or other documents which may be necessary to complete such filings.

Grantor gives and grants each Agent individually full power and authority to do and perform all and every act and thing whatsoever necessary to be done in and about the specific and limited premises set forth herein as fully, to all intents and purposes, as might or could be done if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that said Agent shall lawfully do or cause to be done by virtue hereof.

Dated: October 7, 2009

By: /s/ Harold J. Levy

-----  
Harold J. Levy

Appointment accepted by:

/s/ Jeffrey M. Elliott

-----  
Jeffrey M. Elliott  
Executive Vice President and Chief Operating Officer

/s/ Lane S. Bucklan

-----  
Lane S. Bucklan  
General Counsel