

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

Department of Market Regulation,

Complainant,

v.

Bharminder Singh (CRD No. 5428974),

Respondent.

Disciplinary Proceeding
No. 20100226911-02

COMPLAINT

The Department of Market Regulation alleges:

SUMMARY

1. Between August, 2009 and December, 2010 (the “Relevant Period”), Respondent Bharminder Singh (a/k/a Ricky Singh), a trader for Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill Lynch”), engaged in the fraudulent scheme and practice of repeatedly buying retail-sized lots of senior notes issued by the Motors Liquidation Company (“MLC Notes”) at unfair prices from Merrill Lynch’s retail customers for the proprietary trading account that he managed and later selling the MLC Notes in institutional-sized lots in the inter-dealer market at substantially higher prices.

2. In response to requests from Merrill Lynch’s retail service desks for bids on customers’ retail-sized lots of MLC Notes, Singh intentionally, or at least recklessly, provided bids significantly below the prevailing market price. As a result, Singh regularly bought the MLC Notes for the proprietary trading account that he managed from retail customers at unfair prices, without disclosure to the selling customers that his prices were below the prevailing market price. After Singh accumulated an institutional-sized lot of MLC Notes from customers,

generally over the course of a month or more, he then sold the MLC Notes in the inter-dealer market for substantially more than he had paid for them. Singh's misconduct increased his trading profits to the detriment of Merrill Lynch's retail customers.

3. In 384 transactions during the Relevant Period, Singh purchased MLC Notes from Merrill Lynch's customers at prices from 10.00 percent to 56.14 percent below the prevailing market price. Because of Singh's fraudulent scheme and practice of charging unfair prices, Merrill Lynch's customers who sold MLC Notes to Singh received less than they otherwise would have had they been given a fair price.

4. As a result of the foregoing misconduct, Singh willfully violated Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") and Rule 10b-5 thereunder, and also violated FINRA Rules 2020 and 2010, NASD Rule 2440, IM-2440-1, and IM-2440-2.

RESPONDENT AND JURISDICTION

5. On June 18, 2007, Singh began working for FINRA member Banc of America Securities LLC ("BAS"). Later that year, he acquired Series 7, 55, and 63 licenses.

6. Singh was associated with BAS from June 18, 2007 through November 1, 2010. He was registered with BAS as a General Securities Representative ("GSR") and Limited Representative - Equity Trader ("ET") from October, 2007 through November 1, 2010.

7. On June 30, 2009, in connection with Bank of America Corporation's acquisition of Merrill Lynch & Co., Inc., Singh became associated with Merrill Lynch and registered with the firm as a GSR and ET.

8. On November 1, 2010, BAS terminated Singh's registrations with it in a mass transfer of registrations to Merrill Lynch in connection with Bank of America Corporation's acquisition of Merrill Lynch & Co., Inc.

9. Singh remained associated with Merrill Lynch until January 2, 2015, when the firm filed a Form U5 terminating Singh's registrations with it.

10. On April 1, 2015, a Form U4 was filed by which Singh became registered with another FINRA member firm.

11. Singh is subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 2 of FINRA's By-Laws, because: (a) he is currently registered with a FINRA member firm; and (b) the Complaint charges him with securities-related misconduct committed while he was registered and associated with a FINRA member.

FACTS COMMON TO ALL CAUSES OF ACTION

The Motors Liquidation Company Notes

12. Between 2001 and 2004, General Motors Corporation (n/k/a Motors Liquidation Company) ("Old GM") issued the MLC Notes in six offerings: MTLQ.GM, MTLQ.GP, MTLQ.GQ, MTLQ.GS, MTLQ.GU, and MTLQ.GV.

13. Each of the MLC Notes constituted unsecured, unsubordinated obligations of Old GM; was sold through a prospectus; was issued in \$25 denominations; paid annual interest of 7.25% or more on a quarterly basis; was redeemable by Old GM; and matured after 2040.

14. The MLC Notes traded on the New York Stock Exchange through June 1, 2009, when the Exchange delisted them because Old GM filed for bankruptcy. After the bankruptcy, the MLC Notes traded in the over-the-counter market.

15. The MLC Notes are securities.

The Old GM Bankruptcy Proceeding

16. On June 1, 2009, Old GM and certain of its subsidiaries filed voluntary petitions for bankruptcy under Chapter 11 of the United States Bankruptcy Code.

17. On July 5, 2009, the Bankruptcy Court authorized the sale of substantially all of the assets of Old GM and certain of its subsidiaries to NGMCO, Inc. (n/k/a General Motors Company) (“New GM”). In addition to the assumption of certain liabilities, the primary consideration for the purchase was shares of New GM stock and warrants to acquire newly issued shares of New GM stock. Several days later, the sale closed, and New GM emerged from bankruptcy.

18. By March 31, 2011, the Bankruptcy Court had entered an order confirming the Second Amended Joint Chapter 11 Plan of Motors Liquidation Company, and all of the conditions to the effectiveness of the Plan had been met or waived, making the Plan effective.

19. On April 21, 2011, holders of MLC Notes were advised of the numbers of shares of New GM stock and New GM warrants that they would receive for their MLC Notes. Distributions followed accordingly.

20. Because of the uncertainty surrounding the distributions throughout the bankruptcy proceeding, MLC Notes traded at distressed levels in the inter-dealer market, ranging in price from approximately \$2.00 to \$9.00 per note during the Relevant Period.

Singh’s Primary Roles at Merrill Lynch

21. In mid-2009, after working in operations and later as an assistant trader for BAS, Singh became a trader for Merrill Lynch.

22. Singh worked on Merrill Lynch’s hybrid and preferred stock trading desk (the “Preferreds Desk”), a unit within the firm’s Global Banking & Markets Credit Trading Desk. Singh primarily traded subordinated debt and hybrid securities.

23. As a trader, Singh's primary responsibilities were to service the trading needs of Merrill Lynch's institutional customers and maintain his own trading book or proprietary account.

24. During the Relevant Period, Singh's incentive compensation was based on the profitability of his trading book, his ranking or rating by his firm's institutional customers, and his standing among the firm's managers and institutional sales representatives.

Retail Customer Orders Directed to Singh

25. Prior to the integration of the Merrill Lynch and BAS trading desks, Singh and the trading desk on which he worked at BAS almost exclusively serviced institutional customers.

26. After the integration, Merrill Lynch directed retail order flow to Singh and others on the Preferreds Desk.

27. Merrill Lynch's New York-based Liaison Desk (the "Liaison Desk") and New Jersey-based Hopewell Service Desk (the "Hopewell Desk") (collectively, the "Service Desks") served as, among other things, intermediaries between the firm's financial advisors ("FAs") and trading desks. During the Relevant Period, the Service Desks regularly contacted Singh to provide bids on securities held by the firm's retail customers.

28. Singh understood that it was part of his job to provide bids and offers to the Service Desks when he was contacted about a potential transaction by a Merrill Lynch retail customer. Singh therefore provided bids and offers on securities, including making bids on MLC Notes that the Service Desks brought to him.

Singh's Fraudulent Practice of Buying MLC Notes from Customers at Unfair Prices

29. On hundreds of occasions during the Relevant Period, the Service Desks asked Singh to provide bids on retail-sized lots of MLC Notes held by retail customers who wanted to sell them.

30. In response to the requests, Singh knowingly provided the Service Desks with bids on MLC Notes that were consistently below the prevailing market price.

31. Although the Liaison Desk had the ability to source, or search for, bids outside the firm, it was generally unable to do so given the distressed nature of the MLC Notes. Instead, the Liaison Desk almost always provided Singh's below-market bids in response to the retail customers' sell orders.

32. The Hopewell Desk, which requested bids for more than 97 percent of the transactions at issue, did not have the ability to source bids from the street and, therefore, communicated Singh's below-market bids on MLC Notes to the FAs who had requested them.

33. Singh's below-market bids usually were accepted by the customer, and Singh bought MLC Notes for his trading book at prices below their prevailing market price.

34. Singh did not disclose to the Service Desks, anyone else at the firm, or the retail customers that his bids for MLC Notes and the prices at which he bought them from the customers were below the prevailing market prices for the Notes.

35. As a result of Singh's omissions, neither Singh nor Merrill Lynch disclosed to the retail customers that the firm, through Singh, was buying their MLC Notes at unfair prices.

36. In 384 transactions during the Relevant Period, Singh intentionally, or at least recklessly, bought MLC Notes from his firm's retail customers at unfair prices, resulting in mark-downs that ranged from 10.00 percent to 56.14 percent below the prevailing market price

for the MLC Notes. Attached hereto and incorporated herein is Schedule A, which details the transactions at issue, including the unfair prices that Singh charged.

37. Because of Singh's fraudulent practice and scheme of charging unfair prices, the retail customers received less than they otherwise would have had they been given a fair price.

38. After Singh accumulated a number of retail-sized lots of MLC Notes from Merrill Lynch's retail customers, generally over the course of a month or more, he then sold an institutional-sized lot of MLC Notes in the inter-dealer market for substantially more than he had paid for them.

39. Unlike his purchases of MLC Notes from retail customers, Singh's sales of MLC Notes in the inter-dealer market were within the prevailing market price. During the Relevant Period, all transactions in which Singh sold MLC Notes that he acquired from retail customers to the street were profitable.

40. For example, from December 1-18, 2009, Singh bought a total of 12,923 MLC Notes from Merrill Lynch retail customers at an average price of \$2.90 per note. On December 21, 2009, he sold all 12,923 MLC Notes to the street for \$5.20 per note, for a profit of approximately \$30,000.

41. From this pricing discrepancy, Singh knew, or was reckless in not knowing, that he was buying MLC Notes from Merrill Lynch retail customers at unfair prices.

FIRST CAUSE OF ACTION
FRAUD
(Section 10(b) of the Exchange Act,
Rule 10b-5 thereunder, and FINRA Rules 2020 and 2010)

42. Market Regulation realleges and incorporates by reference all preceding paragraphs.

43. Section 10(b) of the Exchange Act makes it unlawful for any person, in connection with the purchase or sale of a security, to use or employ “any manipulative or deceptive device or contrivance in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.” Rule 10b-5 thereunder provides that:

It shall be unlawful for any person, directly or indirectly, by the use of any means or instrumentality of interstate commerce, or of the mails or of any facility of any national securities exchange,

(a) To employ any device, scheme, or artifice to defraud,

(b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(c) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

in connection with the purchase or sale of any security.

44. FINRA Rule 2020 likewise provides that: “No member shall effect any transaction in, or induce the purchase or sale of, any security by means of any manipulative, deceptive or other fraudulent device or contrivance.”

45. FINRA Rule 2010 requires members and associated persons, in the conduct of their business, to “observe high standards of commercial honor and just and equitable principles of trade.”

46. By intentionally, or at least recklessly, purchasing retail-sized lots of MLC Notes from his firm's retail customers at unfair prices more than 10 percent below the prevailing market price, as detailed in Schedule A, and later selling them in institutional-sized lots to the street for substantially more than he had paid for them, Singh employed a scheme to defraud the customers, and also engaged in acts, a practice, and course of business which operated as a fraud or deceit upon the customers.

47. In addition, Singh, as a trader for Merrill Lynch, owed duties to the Merrill Lynch retail customers from whom he bought MLC Notes to: deal fairly with them; purchase their MLC Notes at fair prices, if he, on behalf of the firm, chose to purchase them; and disclose if any of his offers to purchase the MLC Notes were unfair.

48. The mark-downs of more than 10 percent below the prevailing market price that Singh charged in connection with his purchases of MLC Notes from Merrill Lynch's customers, as detailed in Schedule A, constituted material facts.

49. By intentionally, or at least recklessly, purchasing MLC Notes from his firm's retail customers at unfair prices more than 10 percent below the prevailing market price, as detailed in Schedule A, without disclosing to his firm or the customers that his prices were unfair and below the prevailing market price, Singh omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

50. In connection with the 384 transactions set forth in Schedule A, Singh used the means and instrumentalities of interstate commerce and the mails by communicating with the Service Desks on the phone and through electronic means about the transactions and by causing the transactions to be executed on an electronic platform.

51. As a result of the foregoing misconduct, Singh willfully violated Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and also violated FINRA Rules 2020 and 2010.

**SECOND CAUSE OF ACTION
PRICING—EXCESSIVE MARK-DOWNS
(NASD Rule 2440, IM-2440-1, IM-2440-2, and FINRA Rule 2010)**

52. Market Regulation realleges and incorporates by reference paragraphs 1-41.

53. At all times relevant to this Complaint, NASD Rule 2440, IM-2440-1, and IM-2440-2 were in full force and effect.

54. NASD Rule 2440 provided that in transactions involving “listed” and “unlisted” securities, “if a member buys for his own account from his customer, or sells for his own account to his customer, he shall buy or sell at a price which is fair, taking into consideration all relevant circumstances”

55. IM-2440-1 provided that: “It shall be deemed a violation of Rule 2110 and Rule 2440 for a member to enter into any transaction with a customer in any security at any price not reasonably related to the current market price of the security” IM-2440-1 also set forth a five percent guideline for mark-ups and mark-downs but noted that “a higher percentage of mark-up customarily applies to a common stock transaction than to a bond transaction of the same size.”

56. IM-2440-2 provided that: “A dealer that is acting in a principal capacity in a transaction with a customer and is charging a mark-up or mark-down must mark-up or mark-down the transaction from the prevailing market price.”

57. By purchasing MLC Notes from his firm’s retail customers at prices more than 10 percent below their prevailing market price, as detailed in Schedule A, Singh charged unfair

prices to the customers, and violated NASD Rule 2440, IM 2440-1, IM-2440-2, and FINRA Rule 2010.

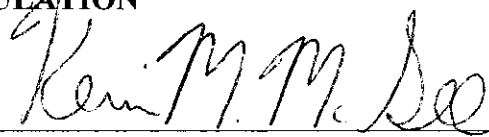
RELIEF REQUESTED

WHEREFORE, Market Regulation respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that Singh committed the violations charged and alleged herein;
- B. order that one or more of the sanctions provided under FINRA Rule 8310(a), including monetary sanctions, be imposed;
- C. make specific findings that Singh willfully violated Section 10(b) of the Exchange Act and Rule 10b-5 thereunder;
- D. order that Singh bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330; and
- F. grant all further relief, legal or equitable, that is warranted under the circumstances.

FINRA DEPARTMENT OF MARKET REGULATION

Date: August 3, 2015



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Schedule A

Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
1	08/24/2009	3704427250	MTLQ.GP	1,000	\$1.75	36.36%	\$1,000.00
2	08/24/2009	3704427660	MTLQ.GU	500	\$2.00	29.82%	\$425.00
3	08/24/2009	3704427660	MTLQ.GU	250	\$2.00	29.82%	\$212.50
4	08/26/2009	3704427250	MTLQ.GP	600	\$1.75	38.60%	\$660.00
5	08/27/2009	3704427740	MTLQ.GS	2,000	\$1.75	37.50%	\$2,100.00
6	08/27/2009	3704427740	MTLQ.GS	1,000	\$2.00	28.57%	\$800.00
7	08/28/2009	3704427250	MTLQ.GP	500	\$2.00	25.93%	\$350.00
8	08/31/2009	3704427660	MTLQ.GU	300	\$2.00	30.56%	\$264.00
9	08/31/2009	3704427660	MTLQ.GU	250	\$2.00	30.56%	\$220.00
10	09/03/2009	370442725	MTLQ.GP	5,000	\$2.00	27.27%	\$3,750.00
11	09/03/2009	3704427660	MTLQ.GU	1,000	\$1.75	27.08%	\$650.00
12	09/03/2009	3704427660	MTLQ.GU	775	\$1.75	27.08%	\$503.75
13	09/10/2009	370442725	MTLQ.GP	600	\$2.00	16.67%	\$240.00
14	09/14/2009	370442121	MTLQ.GM	600	\$2.00	29.82%	\$510.00
15	09/14/2009	370442121	MTLQ.GM	4,000	\$2.00	29.82%	\$3,400.00
16	09/15/2009	370442121	MTLQ.GM	800	\$2.00	20.00%	\$400.00
17	09/17/2009	3704427660	MTLQ.GU	1,000	\$2.00	33.33%	\$1,000.00
18	09/21/2009	370442725	MTLQ.GP	2,500	\$2.00	24.53%	\$1,625.00
19	09/21/2009	370442774	MTLQ.GS	400	\$2.00	29.82%	\$340.00
20	09/23/2009	370442766	MTLQ.GU	200	\$1.75	38.60%	\$220.00
21	09/24/2009	370442774	MTLQ.GS	1,000	\$2.25	22.41%	\$650.00
22	09/24/2009	370442766	MTLQ.GU	400	\$1.75	39.66%	\$460.00
23	09/24/2009	370442758	MTLQ.GV	550	\$2.00	20.00%	\$275.00
24	09/25/2009	370442725	MTLQ.GP	500	\$2.00	27.27%	\$375.00
25	09/25/2009	370442774	MTLQ.GS	400	\$2.00	24.53%	\$260.00
26	09/28/2009	370442816	MTLQ.GQ	600	\$2.00	27.27%	\$450.00
27	09/30/2009	370442774	MTLQ.GS	500	\$2.00	23.08%	\$300.00
28	10/01/2009	370442725	MTLQ.GP	2,000	\$2.00	20.00%	\$1,000.00
29	10/06/2009	370442725	MTLQ.GP	2,000	\$2.50	13.79%	\$800.00
30	10/07/2009	370442816	MTLQ.GQ	200	\$1.75	36.36%	\$200.00
31	10/08/2009	370442121	MTLQ.GM	1,000	\$2.20	15.38%	\$400.00
32	10/09/2009	370442121	MTLQ.GM	1,500	\$2.00	33.55%	\$1,515.00
33	10/14/2009	370442758	MTLQ.GV	400	\$2.00	33.33%	\$400.00
34	10/15/2009	370442725	MTLQ.GP	4,000	\$2.00	25.93%	\$2,800.00
35	10/15/2009	370442725	MTLQ.GP	300	\$2.00	25.93%	\$210.00
36	10/15/2009	370442758	MTLQ.GV	4,000	\$1.50	40.00%	\$4,000.00
37	10/16/2009	370442121	MTLQ.GM	800	\$1.75	42.62%	\$1,040.00
38	10/16/2009	370442766	MTLQ.GU	400	\$1.50	49.15%	\$580.00
39	10/16/2009	370442766	MTLQ.GU	400	\$1.50	49.15%	\$580.00
40	10/16/2009	370442766	MTLQ.GU	400	\$1.50	49.15%	\$580.00
41	10/16/2009	370442766	MTLQ.GU	400	\$1.50	49.15%	\$580.00
42	10/19/2009	370442774	MTLQ.GS	550	\$1.75	30.00%	\$412.50
43	10/20/2009	370442774	MTLQ.GS	640	\$1.75	37.50%	\$672.00
44	10/21/2009	370442121	MTLQ.GM	200	\$1.75	37.50%	\$210.00

Schedule A

Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
45	10/21/2009	370442121	MTLQ.GM	400	\$1.75	37.50%	\$420.00
46	10/21/2009	370442816	MTLQ.GQ	500	\$1.75	38.60%	\$550.00
47	10/21/2009	370442816	MTLQ.GQ	500	\$1.75	38.60%	\$550.00
48	10/21/2009	370442766	MTLQ.GU	390	\$1.75	30.00%	\$292.50
49	10/21/2009	370442766	MTLQ.GU	390	\$1.75	30.00%	\$292.50
50	10/21/2009	370442766	MTLQ.GU	400	\$1.75	30.00%	\$300.00
51	10/21/2009	370442766	MTLQ.GU	400	\$1.75	30.00%	\$300.00
52	10/22/2009	370442766	MTLQ.GU	1,000	\$1.75	22.22%	\$500.00
53	11/03/2009	370442121	MTLQ.GM	200	\$1.50	40.00%	\$200.00
54	11/03/2009	370442725	MTLQ.GP	400	\$1.50	42.31%	\$440.00
55	11/03/2009	370442758	MTLQ.GV	500	\$1.50	41.18%	\$525.00
56	11/04/2009	370442725	MTLQ.GP	400	\$1.50	40.00%	\$400.00
57	11/04/2009	370442725	MTLQ.GP	400	\$1.50	40.00%	\$400.00
58	11/04/2009	370442766	MTLQ.GU	400	\$1.50	40.00%	\$400.00
59	11/06/2009	370442725	MTLQ.GP	1,350	\$1.25	50.98%	\$1,755.00
60	11/10/2009	370442774	MTLQ.GS	200	\$1.25	56.14%	\$320.00
61	11/12/2009	370442725	MTLQ.GP	4,000	\$1.50	45.45%	\$5,000.00
62	11/12/2009	370442816	MTLQ.GQ	700	\$1.50	44.44%	\$840.00
63	11/12/2009	370442774	MTLQ.GS	550	\$1.50	45.45%	\$687.50
64	11/12/2009	370442774	MTLQ.GS	400	\$1.50	45.45%	\$500.00
65	11/12/2009	370442766	MTLQ.GU	2,000	\$1.50	43.40%	\$2,300.00
66	11/12/2009	370442766	MTLQ.GU	1,000	\$1.50	43.40%	\$1,150.00
67	11/13/2009	370442816	MTLQ.GQ	600	\$1.50	43.40%	\$690.00
68	11/13/2009	370442766	MTLQ.GU	800	\$1.50	44.44%	\$960.00
69	11/13/2009	370442758	MTLQ.GV	400	\$1.50	42.31%	\$440.00
70	11/13/2009	370442758	MTLQ.GV	200	\$1.50	42.31%	\$220.00
71	11/16/2009	370442121	MTLQ.GM	1,600	\$2.00	27.27%	\$1,200.00
72	11/16/2009	370442816	MTLQ.GQ	2,000	\$2.00	34.43%	\$2,100.00
73	11/16/2009	370442758	MTLQ.GV	1,500	\$1.75	42.62%	\$1,950.00
74	11/17/2009	370442774	MTLQ.GS	600	\$2.00	46.67%	\$1,050.00
75	11/18/2009	370442725	MTLQ.GP	900	\$2.50	10.71%	\$270.00
76	11/18/2009	370442774	MTLQ.GS	680	\$2.50	37.50%	\$1,020.00
77	11/18/2009	370442758	MTLQ.GV	700	\$2.50	10.71%	\$210.00
78	11/18/2009	370442758	MTLQ.GV	1,200	\$2.50	10.71%	\$360.00
79	11/23/2009	370442774	MTLQ.GS	1,600	\$2.50	33.33%	\$2,000.00
80	11/23/2009	370442758	MTLQ.GV	1,000	\$2.50	41.18%	\$1,750.00
81	11/23/2009	370442758	MTLQ.GV	1,000	\$2.50	41.18%	\$1,750.00
82	11/24/2009	370442121	MTLQ.GM	1,000	\$2.50	41.18%	\$1,750.00
83	11/24/2009	370442725	MTLQ.GP	2,000	\$2.50	39.02%	\$3,200.00
84	11/24/2009	370442774	MTLQ.GS	400	\$2.50	33.33%	\$500.00
85	11/24/2009	370442766	MTLQ.GU	555	\$2.50	40.48%	\$943.50
86	11/24/2009	370442758	MTLQ.GV	1,000	\$2.50	41.18%	\$1,750.00
87	11/25/2009	370442725	MTLQ.GP	553	\$2.50	41.18%	\$967.75
88	11/25/2009	370442766	MTLQ.GU	200	\$2.50	42.53%	\$370.00

Schedule A

Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
89	11/27/2009	370442774	MTLQ.GS	1,000	\$2.00	52.94%	\$2,250.00
90	11/30/2009	370442725	MTLQ.GP	2,000	\$2.50	37.50%	\$3,000.00
91	11/30/2009	370442758	MTLQ.GV	530	\$2.50	41.18%	\$927.50
92	12/01/2009	370442121	MTLQ.GM	200	\$2.50	39.76%	\$330.00
93	12/01/2009	370442725	MTLQ.GP	500	\$2.50	28.57%	\$500.00
94	12/01/2009	370442725	MTLQ.GP	200	\$2.50	28.57%	\$200.00
95	12/01/2009	370442725	MTLQ.GP	1,824	\$2.50	28.57%	\$1,824.00
96	12/01/2009	370442725	MTLQ.GP	3,400	\$2.50	28.57%	\$3,400.00
97	12/01/2009	370442816	MTLQ.GQ	200	\$2.50	39.76%	\$330.00
98	12/01/2009	370442758	MTLQ.GV	500	\$2.50	37.50%	\$750.00
99	12/02/2009	370442121	MTLQ.GM	600	\$2.50	37.50%	\$900.00
100	12/02/2009	370442121	MTLQ.GM	250	\$2.50	37.50%	\$375.00
101	12/02/2009	370442725	MTLQ.GP	300	\$2.50	38.27%	\$465.00
102	12/02/2009	370442816	MTLQ.GQ	800	\$2.50	41.18%	\$1,400.00
103	12/02/2009	370442816	MTLQ.GQ	600	\$2.50	41.18%	\$1,050.00
104	12/03/2009	370442816	MTLQ.GQ	700	\$2.50	37.50%	\$1,050.00
105	12/03/2009	370442758	MTLQ.GV	200	\$2.50	37.50%	\$300.00
106	12/07/2009	370442121	MTLQ.GM	600	\$2.50	40.48%	\$1,020.00
107	12/07/2009	370442121	MTLQ.GM	200	\$2.50	40.48%	\$340.00
108	12/07/2009	370442816	MTLQ.GQ	500	\$2.50	39.02%	\$800.00
109	12/07/2009	370442774	MTLQ.GS	400	\$2.50	39.02%	\$640.00
110	12/07/2009	370442758	MTLQ.GV	500	\$2.50	39.02%	\$800.00
111	12/08/2009	370442121	MTLQ.GM	600	\$2.50	40.48%	\$1,020.00
112	12/08/2009	370442774	MTLQ.GS	272	\$3.00	28.57%	\$326.40
113	12/08/2009	370442766	MTLQ.GU	500	\$2.50	40.48%	\$850.00
114	12/08/2009	370442766	MTLQ.GU	885	\$3.00	28.57%	\$1,062.00
115	12/09/2009	370442725	MTLQ.GP	500	\$3.00	29.41%	\$625.00
116	12/09/2009	370442774	MTLQ.GS	600	\$3.00	29.41%	\$750.00
117	12/09/2009	370442774	MTLQ.GS	1,000	\$3.00	29.41%	\$1,250.00
118	12/09/2009	370442766	MTLQ.GU	2,000	\$3.00	29.41%	\$2,500.00
119	12/10/2009	370442121	MTLQ.GM	225	\$3.00	29.41%	\$281.25
120	12/10/2009	370442121	MTLQ.GM	1,000	\$2.90	31.76%	\$1,350.00
121	12/10/2009	370442121	MTLQ.GM	2,383	\$3.00	29.41%	\$2,978.75
122	12/10/2009	370442766	MTLQ.GU	580	\$3.00	29.41%	\$725.00
123	12/10/2009	370442758	MTLQ.GV	300	\$3.00	29.41%	\$375.00
124	12/10/2009	370442758	MTLQ.GV	500	\$3.00	29.41%	\$625.00
125	12/11/2009	370442121	MTLQ.GM	1,000	\$3.00	30.23%	\$1,300.00
126	12/11/2009	370442725	MTLQ.GP	2,000	\$3.00	30.23%	\$2,600.00
127	12/11/2009	370442725	MTLQ.GP	400	\$3.00	30.23%	\$520.00
128	12/11/2009	370442774	MTLQ.GS	400	\$3.00	30.23%	\$520.00
129	12/11/2009	370442766	MTLQ.GU	1,000	\$3.00	30.23%	\$1,300.00
130	12/11/2009	370442758	MTLQ.GV	200	\$3.00	25.00%	\$200.00
131	12/21/2009	370442121	MTLQ.GM	4,000	\$3.00	37.50%	\$7,200.00
132	12/21/2009	370442121	MTLQ.GM	400	\$3.00	37.50%	\$720.00

Schedule A

Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
133	12/21/2009	370442725	MTLQ.GP	1,000	\$3.50	17.65%	\$750.00
134	12/22/2009	370442121	MTLQ.GM	600	\$3.50	27.08%	\$780.00
135	12/22/2009	370442121	MTLQ.GM	800	\$3.50	27.08%	\$1,040.00
136	12/22/2009	370442725	MTLQ.GP	1,000	\$3.50	27.08%	\$1,300.00
137	12/22/2009	370442725	MTLQ.GP	600	\$3.50	27.08%	\$780.00
138	12/22/2009	370442816	MTLQ.GQ	1,950	\$3.50	23.91%	\$2,145.00
139	12/22/2009	370442816	MTLQ.GQ	200	\$3.50	23.91%	\$220.00
140	12/22/2009	370442816	MTLQ.GQ	1,180	\$3.39	26.30%	\$1,427.80
141	12/23/2009	370442725	MTLQ.GP	400	\$3.50	28.57%	\$560.00
142	12/23/2009	370442725	MTLQ.GP	600	\$3.50	28.57%	\$840.00
143	12/23/2009	370442816	MTLQ.GQ	500	\$3.50	28.57%	\$700.00
144	12/23/2009	370442774	MTLQ.GS	300	\$3.50	28.57%	\$420.00
145	12/23/2009	370442774	MTLQ.GS	600	\$3.50	28.57%	\$840.00
146	12/23/2009	370442758	MTLQ.GV	750	\$3.50	27.84%	\$1,012.50
147	12/28/2009	370442121	MTLQ.GM	200	\$3.50	28.57%	\$280.00
148	12/29/2009	370442121	MTLQ.GM	168	\$3.50	28.57%	\$235.20
149	12/29/2009	370442121	MTLQ.GM	1,000	\$3.50	28.57%	\$1,400.00
150	12/29/2009	370442725	MTLQ.GP	1,000	\$3.50	28.57%	\$1,400.00
151	12/30/2009	370442121	MTLQ.GM	400	\$3.50	30.00%	\$600.00
152	12/30/2009	370442121	MTLQ.GM	400	\$3.50	30.00%	\$600.00
153	12/30/2009	370442121	MTLQ.GM	300	\$3.50	30.00%	\$450.00
154	12/30/2009	370442725	MTLQ.GP	1,000	\$3.50	31.37%	\$1,600.00
155	12/30/2009	370442774	MTLQ.GS	1,900	\$3.50	30.00%	\$2,850.00
156	12/30/2009	370442774	MTLQ.GS	700	\$3.50	30.00%	\$1,050.00
157	12/30/2009	370442766	MTLQ.GU	600	\$3.50	30.00%	\$900.00
158	12/30/2009	370442766	MTLQ.GU	200	\$3.50	30.00%	\$300.00
159	01/04/2010	3704427250	MTLQ.GP	200	\$3.50	30.00%	\$300.00
160	01/04/2010	3704427580	MTLQ.GV	800	\$3.50	30.00%	\$1,200.00
161	01/05/2010	3704427250	MTLQ.GP	1,000	\$3.40	37.04%	\$2,000.00
162	01/05/2010	3704427740	MTLQ.GS	1,500	\$3.50	31.37%	\$2,400.00
163	01/06/2010	3704421210	MTLQ.GM	1,000	\$3.50	34.58%	\$1,850.00
164	01/06/2010	3704427250	MTLQ.GP	1,000	\$3.40	36.45%	\$1,950.00
165	01/06/2010	3704427660	MTLQ.GU	600	\$3.50	34.58%	\$1,110.00
166	01/07/2010	3704427660	MTLQ.GU	2,500	\$3.50	34.58%	\$4,625.00
167	01/08/2010	3704427250	MTLQ.GP	240	\$4.00	27.93%	\$372.00
168	01/08/2010	3704427580	MTLQ.GV	1,700	\$4.00	25.23%	\$2,295.00
169	01/19/2010	3704421210	MTLQ.GM	1,000	\$5.25	10.26%	\$600.00
170	01/29/2010	3704428160	MTLQ.GQ	2,100	\$5.15	11.97%	\$1,470.00
171	02/09/2010	3704427580	MTLQ.GV	2,400	\$5.00	14.53%	\$2,040.00
172	02/10/2010	3704428160	MTLQ.GQ	600	\$4.90	10.09%	\$330.00
173	02/11/2010	3704427250	MTLQ.GP	6,200	\$4.75	12.04%	\$4,030.00
174	02/11/2010	3704428160	MTLQ.GQ	400	\$4.75	13.64%	\$300.00
175	02/11/2010	3704427660	MTLQ.GU	6,000	\$4.50	21.74%	\$7,500.00
176	02/12/2010	3704427250	MTLQ.GP	3,000	\$5.00	13.04%	\$2,250.00

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Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
177	02/16/2010	3704427250	MTLQ.GP	925	\$5.00	13.04%	\$693.75
178	02/18/2010	3704421210	MTLQ.GM	2,000	\$5.00	12.28%	\$1,400.00
179	02/22/2010	3704428160	MTLQ.GQ	3,480	\$5.18	10.69%	\$2,157.60
180	02/24/2010	3704427250	MTLQ.GP	1,500	\$5.25	10.26%	\$900.00
181	02/24/2010	3704427580	MTLQ.GV	1,000	\$5.25	12.50%	\$750.00
182	02/26/2010	3704427250	MTLQ.GP	1,000	\$5.25	11.02%	\$650.00
183	03/01/2010	3704421210	MTLQ.GM	800	\$5.50	11.29%	\$560.00
184	03/01/2010	3704427740	MTLQ.GS	360	\$5.50	12.00%	\$270.00
185	03/01/2010	3704427660	MTLQ.GU	800	\$5.50	12.00%	\$600.00
186	03/03/2010	3704421210	MTLQ.GM	400	\$5.75	10.85%	\$280.00
187	03/05/2010	3704427580	MTLQ.GV	1,132	\$5.75	10.16%	\$735.80
188	03/05/2010	3704427580	MTLQ.GV	1,000	\$5.75	10.16%	\$650.00
189	03/08/2010	3704427580	MTLQ.GV	300	\$5.75	10.85%	\$210.00
190	03/10/2010	3704421210	MTLQ.GM	400	\$6.00	10.45%	\$280.00
191	03/12/2010	3704427580	MTLQ.GV	1,018	\$6.00	11.11%	\$763.50
192	03/15/2010	3704427250	MTLQ.GP	600	\$6.00	13.04%	\$540.00
193	03/18/2010	3704421210	MTLQ.GM	1,000	\$6.25	10.07%	\$700.00
194	03/18/2010	3704427250	MTLQ.GP	1,500	\$6.25	10.07%	\$1,050.00
195	03/22/2010	3704427580	MTLQ.GV	400	\$6.25	12.59%	\$360.00
196	03/26/2010	3704427740	MTLQ.GS	1,000	\$6.90	12.66%	\$1,000.00
197	03/29/2010	3704421210	MTLQ.GM	1,000	\$7.00	13.04%	\$1,050.00
198	03/29/2010	3704427250	MTLQ.GP	6,600	\$6.90	13.75%	\$7,260.00
199	03/29/2010	3704427250	MTLQ.GP	9,000	\$6.90	13.75%	\$9,900.00
200	03/29/2010	3704427250	MTLQ.GP	1,000	\$6.90	13.75%	\$1,100.00
201	03/29/2010	3704427250	MTLQ.GP	5,000	\$6.90	13.75%	\$5,500.00
202	03/29/2010	3704427740	MTLQ.GS	245	\$7.00	13.04%	\$257.25
203	03/29/2010	3704427660	MTLQ.GU	4,000	\$7.00	11.95%	\$3,800.00
204	03/29/2010	3704427660	MTLQ.GU	2,000	\$6.90	13.21%	\$2,100.00
205	03/30/2010	3704428160	MTLQ.GQ	1,000	\$7.00	12.50%	\$1,000.00
206	04/05/2010	3704428160	MTLQ.GQ	3,160	\$7.00	12.50%	\$3,160.00
207	04/05/2010	3704427580	MTLQ.GV	200	\$7.00	12.50%	\$200.00
208	04/05/2010	3704427580	MTLQ.GV	334	\$7.00	12.50%	\$334.00
209	04/06/2010	3704427740	MTLQ.GS	1,000	\$7.00	11.95%	\$950.00
210	04/06/2010	3704427660	MTLQ.GU	2,600	\$6.80	12.26%	\$2,470.00
211	04/09/2010	3704427660	MTLQ.GU	1,000	\$7.00	11.39%	\$899.97
212	04/09/2010	3704427660	MTLQ.GU	250	\$7.00	11.39%	\$224.99
213	04/09/2010	3704427660	MTLQ.GU	300	\$7.00	11.39%	\$269.99
214	04/09/2010	3704427660	MTLQ.GU	4,000	\$7.00	11.39%	\$3,599.90
215	04/15/2010	3704427250	MTLQ.GP	300	\$6.50	17.72%	\$420.00
216	04/16/2010	3704427250	MTLQ.GP	2,000	\$6.63	14.52%	\$2,250.00
217	04/19/2010	3704427660	MTLQ.GU	1,000	\$6.75	11.18%	\$850.00
218	04/19/2010	3704427660	MTLQ.GU	500	\$6.75	11.18%	\$425.00
219	04/20/2010	3704427250	MTLQ.GP	2,000	\$6.60	15.92%	\$2,500.00
220	04/20/2010	3704427250	MTLQ.GP	400	\$6.75	14.01%	\$440.00

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Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
221	04/20/2010	3704427660	MTLQ.GU	300	\$6.75	12.90%	\$300.00
222	04/22/2010	3704427740	MTLQ.GS	1,000	\$7.00	11.95%	\$950.00
223	04/28/2010	3704427580	MTLQ.GV	300	\$7.00	12.61%	\$303.00
224	04/30/2010	3704427740	MTLQ.GS	400	\$7.00	13.58%	\$440.00
225	04/30/2010	3704427660	MTLQ.GU	240	\$7.00	13.58%	\$264.00
226	05/04/2010	3704421210	MTLQ.GM	1,400	\$6.00	20.53%	\$2,170.00
227	05/04/2010	3704427740	MTLQ.GS	200	\$6.75	14.66%	\$232.00
228	05/07/2010	3704427250	MTLQ.GP	247	\$5.75	17.86%	\$308.75
229	05/07/2010	3704427580	MTLQ.GV	300	\$5.75	10.85%	\$210.00
230	05/11/2010	3704427250	MTLQ.GP	300	\$6.00	14.29%	\$300.00
231	05/11/2010	3704427250	MTLQ.GP	400	\$6.00	14.29%	\$400.00
232	05/14/2010	3704427580	MTLQ.GV	800	\$6.30	10.00%	\$560.00
233	05/17/2010	3704427250	MTLQ.GP	800	\$6.75	11.18%	\$680.00
234	05/20/2010	3704421210	MTLQ.GM	490	\$5.75	12.88%	\$416.50
235	05/20/2010	3704427250	MTLQ.GP	500	\$6.00	11.11%	\$375.00
236	05/20/2010	3704427580	MTLQ.GV	1,000	\$5.75	11.54%	\$750.00
237	05/21/2010	3704421210	MTLQ.GM	1,000	\$5.00	25.37%	\$1,700.00
238	05/21/2010	3704427580	MTLQ.GV	2,500	\$5.00	16.67%	\$2,500.00
239	05/21/2010	3704427580	MTLQ.GV	1,750	\$5.00	16.67%	\$1,750.00
240	05/25/2010	3704421210	MTLQ.GM	500	\$5.00	16.67%	\$500.00
241	05/25/2010	3704427660	MTLQ.GU	500	\$4.75	24.00%	\$750.00
242	06/02/2010	3704427250	MTLQ.GP	300	\$5.75	11.54%	\$225.00
243	06/02/2010	3704427250	MTLQ.GP	300	\$5.75	11.54%	\$225.00
244	06/08/2010	3704427740	MTLQ.GS	1,500	\$5.00	20.63%	\$1,950.00
245	06/09/2010	3704421210	MTLQ.GM	400	\$5.00	20.00%	\$500.00
246	06/09/2010	3704427250	MTLQ.GP	500	\$5.00	21.26%	\$675.00
247	06/09/2010	3704427660	MTLQ.GU	600	\$5.00	19.35%	\$720.00
248	06/09/2010	3704427580	MTLQ.GV	400	\$5.00	24.24%	\$640.00
249	06/10/2010	3704428160	MTLQ.GQ	800	\$5.50	15.38%	\$800.00
250	06/11/2010	3704421210	MTLQ.GM	1,500	\$5.50	14.73%	\$1,425.00
251	06/11/2010	3704427250	MTLQ.GP	2,000	\$5.50	14.06%	\$1,800.00
252	06/11/2010	3704427660	MTLQ.GU	250	\$5.50	14.06%	\$225.00
253	06/14/2010	3704427580	MTLQ.GV	500	\$5.50	12.70%	\$400.00
254	06/15/2010	3704427250	MTLQ.GP	400	\$5.50	14.99%	\$388.00
255	06/15/2010	3704427250	MTLQ.GP	500	\$5.50	14.99%	\$485.00
256	06/15/2010	3704427250	MTLQ.GP	500	\$5.50	14.99%	\$485.00
257	06/15/2010	3704427250	MTLQ.GP	300	\$5.50	14.99%	\$291.00
258	06/15/2010	3704427740	MTLQ.GS	300	\$5.50	14.06%	\$270.00
259	06/15/2010	3704427660	MTLQ.GU	700	\$5.50	18.52%	\$875.00
260	06/15/2010	3704427580	MTLQ.GV	1,511	\$5.50	15.38%	\$1,511.00
261	06/16/2010	3704427250	MTLQ.GP	800	\$5.50	15.38%	\$800.00
262	06/17/2010	3704421210	MTLQ.GM	2,048	\$5.40	22.75%	\$3,256.32
263	06/17/2010	3704427250	MTLQ.GP	5,117	\$5.40	20.00%	\$6,907.95
264	06/17/2010	3704427660	MTLQ.GU	2,050	\$5.40	20.59%	\$2,870.00

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Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
265	06/18/2010	3704427580	MTLQ.GV	424	\$5.50	19.94%	\$580.88
266	06/22/2010	3704421210	MTLQ.GM	1,000	\$5.50	20.29%	\$1,400.00
267	06/22/2010	3704428160	MTLQ.GQ	200	\$5.50	19.12%	\$260.00
268	06/22/2010	3704428160	MTLQ.GQ	800	\$5.50	19.12%	\$1,040.00
269	06/22/2010	3704427580	MTLQ.GV	400	\$5.50	18.52%	\$500.00
270	06/23/2010	3704427580	MTLQ.GV	1,000	\$5.50	19.12%	\$1,300.00
271	06/25/2010	3704428160	MTLQ.GQ	400	\$5.50	16.67%	\$440.00
272	06/28/2010	3704427580	MTLQ.GV	1,000	\$5.50	18.52%	\$1,250.00
273	06/29/2010	3704421210	MTLQ.GM	400	\$5.50	14.06%	\$360.00
274	06/30/2010	3704427740	MTLQ.GS	1,000	\$5.50	12.00%	\$750.00
275	06/30/2010	3704427580	MTLQ.GV	400	\$5.50	12.00%	\$300.00
276	07/01/2010	3704421210	MTLQ.GM	1,700	\$5.39	13.76%	\$1,462.00
277	07/06/2010	3704421210	MTLQ.GM	200	\$5.25	16.67%	\$210.00
278	07/07/2010	3704427250	MTLQ.GP	1,500	\$5.25	15.32%	\$1,425.00
279	07/07/2010	3704428160	MTLQ.GQ	300	\$5.25	12.50%	\$225.00
280	07/07/2010	3704427580	MTLQ.GV	200	\$5.25	16.67%	\$210.00
281	07/07/2010	3704427580	MTLQ.GV	260	\$5.25	16.67%	\$273.00
282	07/07/2010	3704427580	MTLQ.GV	400	\$5.25	16.67%	\$420.00
283	07/21/2010	3704427250	MTLQ.GP	1,500	\$5.40	15.63%	\$1,500.00
284	07/21/2010	3704427660	MTLQ.GU	3,000	\$5.40	12.90%	\$2,400.00
285	07/21/2010	3704427660	MTLQ.GU	3,000	\$5.40	12.90%	\$2,400.00
286	07/22/2010	3704421210	MTLQ.GM	650	\$5.50	15.38%	\$650.00
287	07/22/2010	3704427580	MTLQ.GV	4,700	\$5.50	15.38%	\$4,700.00
288	07/22/2010	3704427580	MTLQ.GV	250	\$5.50	15.38%	\$250.00
289	07/23/2010	3704427660	MTLQ.GU	500	\$5.50	18.52%	\$625.00
290	07/26/2010	3704428160	MTLQ.GQ	1,000	\$5.50	22.54%	\$1,600.00
291	07/26/2010	3704427740	MTLQ.GS	1,000	\$5.50	21.43%	\$1,500.00
292	07/27/2010	3704427250	MTLQ.GP	325	\$5.50	20.98%	\$474.50
293	07/27/2010	3704427660	MTLQ.GU	320	\$5.50	21.43%	\$480.00
294	07/27/2010	3704427660	MTLQ.GU	600	\$5.50	21.43%	\$900.00
295	07/28/2010	3704421210	MTLQ.GM	240	\$5.50	21.43%	\$360.00
296	07/28/2010	3704428160	MTLQ.GQ	300	\$5.50	27.63%	\$630.00
297	07/29/2010	3704427250	MTLQ.GP	1,157	\$5.50	20.86%	\$1,677.65
298	07/29/2010	3704427740	MTLQ.GS	1,200	\$5.50	21.99%	\$1,860.00
299	07/29/2010	3704427740	MTLQ.GS	400	\$5.50	21.99%	\$620.00
300	07/29/2010	3704427660	MTLQ.GU	900	\$5.50	20.86%	\$1,305.00
301	07/29/2010	3704427580	MTLQ.GV	880	\$5.45	27.33%	\$1,804.00
302	07/30/2010	3704427660	MTLQ.GU	600	\$5.50	21.43%	\$900.00
303	08/02/2010	3704421210	MTLQ.GM	591	\$6.25	10.07%	\$413.70
304	08/02/2010	3704427250	MTLQ.GP	1,500	\$6.00	14.89%	\$1,575.00
305	08/02/2010	3704427250	MTLQ.GP	400	\$6.25	11.35%	\$320.00
306	08/03/2010	3704427660	MTLQ.GU	300	\$6.25	11.35%	\$240.00
307	08/04/2010	3704421210	MTLQ.GM	1,000	\$6.13	13.05%	\$920.00
308	08/05/2010	3704427660	MTLQ.GU	1,000	\$6.25	15.54%	\$1,150.00

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Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
309	08/06/2010	3704427580	MTLQ.GV	1,600	\$6.25	13.79%	\$1,600.00
310	08/09/2010	3704421210	MTLQ.GM	1,000	\$6.25	14.38%	\$1,050.00
311	08/09/2010	3704421210	MTLQ.GM	200	\$6.25	14.38%	\$210.00
312	08/09/2010	3704428160	MTLQ.GQ	400	\$6.25	12.59%	\$360.00
313	08/09/2010	3704427660	MTLQ.GU	736	\$6.25	10.71%	\$552.00
314	08/10/2010	3704427250	MTLQ.GP	1,000	\$6.00	14.29%	\$1,000.00
315	08/10/2010	3704428160	MTLQ.GQ	500	\$6.00	13.67%	\$475.00
316	08/10/2010	3704427580	MTLQ.GV	200	\$6.00	14.89%	\$210.00
317	08/11/2010	3704427580	MTLQ.GV	1,000	\$6.25	10.71%	\$750.00
318	08/18/2010	3704427580	MTLQ.GV	1,000	\$6.50	12.16%	\$900.00
319	08/20/2010	3704427250	MTLQ.GP	1,000	\$6.50	10.96%	\$800.00
320	08/23/2010	3704427250	MTLQ.GP	373	\$6.36	11.67%	\$313.32
321	09/17/2010	3704427660	MTLQ.GU	1,000	\$6.00	11.76%	\$800.00
322	09/21/2010	3704421210	MTLQ.GM	800	\$6.15	10.22%	\$560.00
323	09/24/2010	3704427740	MTLQ.GS	600	\$6.10	12.23%	\$510.00
324	09/27/2010	3704427250	MTLQ.GP	880	\$6.16	10.07%	\$607.20
325	09/27/2010	3704427660	MTLQ.GU	800	\$6.25	10.71%	\$600.00
326	09/28/2010	3704428160	MTLQ.GQ	700	\$6.25	10.71%	\$525.00
327	09/28/2010	3704427660	MTLQ.GU	400	\$6.25	14.38%	\$420.00
328	09/29/2010	3704427250	MTLQ.GP	1,000	\$6.25	13.79%	\$1,000.00
329	09/29/2010	3704427740	MTLQ.GS	400	\$6.25	14.38%	\$420.00
330	09/29/2010	3704427740	MTLQ.GS	200	\$6.25	14.38%	\$210.00
331	09/29/2010	3704427660	MTLQ.GU	1,000	\$6.25	13.19%	\$950.00
332	09/29/2010	3704427580	MTLQ.GV	900	\$6.25	13.19%	\$855.00
333	10/01/2010	3704427250	MTLQ.GP	400	\$6.25	10.07%	\$280.00
334	10/05/2010	3704427660	MTLQ.GU	1,210	\$6.25	10.71%	\$907.50
335	10/05/2010	3704427660	MTLQ.GU	645	\$6.25	10.71%	\$483.75
336	10/06/2010	3704428160	MTLQ.GQ	263	\$6.25	13.19%	\$249.85
337	10/06/2010	3704427740	MTLQ.GS	600	\$6.25	10.71%	\$450.00
338	10/07/2010	3704421210	MTLQ.GM	600	\$6.25	17.87%	\$816.00
339	10/07/2010	3704427250	MTLQ.GP	250	\$6.25	14.97%	\$275.00
340	10/07/2010	3704428160	MTLQ.GQ	250	\$6.25	16.67%	\$312.50
341	10/07/2010	3704427660	MTLQ.GU	500	\$6.25	11.97%	\$425.00
342	10/08/2010	3704427740	MTLQ.GS	600	\$6.20	11.43%	\$480.00
343	10/08/2010	3704427740	MTLQ.GS	600	\$6.20	11.43%	\$480.00
344	10/08/2010	3704427740	MTLQ.GS	300	\$6.20	11.43%	\$240.00
345	10/08/2010	3704427740	MTLQ.GS	800	\$6.25	10.71%	\$600.00
346	10/12/2010	3704421210	MTLQ.GM	500	\$6.25	16.11%	\$600.00
347	10/12/2010	3704421210	MTLQ.GM	500	\$6.25	16.11%	\$600.00
348	10/12/2010	3704421210	MTLQ.GM	2,000	\$6.25	16.11%	\$2,400.00
349	10/12/2010	3704427250	MTLQ.GP	1,650	\$6.25	13.19%	\$1,567.50
350	10/12/2010	3704428160	MTLQ.GQ	1,000	\$6.25	16.11%	\$1,200.00
351	10/12/2010	3704428160	MTLQ.GQ	1,000	\$6.25	16.11%	\$1,200.00
352	10/12/2010	3704427580	MTLQ.GV	200	\$6.25	16.11%	\$240.00

Schedule A

Trade No.	Execution Date	CUSIP	Symbol	Volume	Price	Mark-Down Percent	Mark-Down Amount
353	10/13/2010	3704421210	MTLQ.GM	400	\$6.25	17.76%	\$540.00
354	10/14/2010	3704427250	MTLQ.GP	5,000	\$6.50	14.47%	\$5,500.00
355	10/14/2010	3704427660	MTLQ.GU	400	\$6.00	16.67%	\$480.00
356	10/15/2010	3704427250	MTLQ.GP	300	\$6.25	19.35%	\$450.00
357	10/15/2010	3704428160	MTLQ.GQ	2,000	\$6.25	17.76%	\$2,700.00
358	10/15/2010	3704427580	MTLQ.GV	267	\$6.00	13.04%	\$240.30
359	10/25/2010	3704427250	MTLQ.GP	400	\$6.25	20.38%	\$640.00
360	10/26/2010	3704427580	MTLQ.GV	300	\$6.25	14.38%	\$315.00
361	10/27/2010	3704427580	MTLQ.GV	3,000	\$6.50	16.67%	\$3,900.00
362	10/28/2010	3704427580	MTLQ.GV	900	\$6.63	15.06%	\$1,057.50
363	11/01/2010	3704421210	MTLQ.GM	400	\$6.75	17.68%	\$580.00
364	11/15/2010	3704421210	MTLQ.GM	400	\$7.13	10.38%	\$330.00
365	11/15/2010	3704427660	MTLQ.GU	2,300	\$7.10	11.31%	\$2,081.50
366	11/16/2010	3704427660	MTLQ.GU	240	\$7.13	10.94%	\$210.00
367	11/23/2010	3704427660	MTLQ.GU	600	\$5.00	27.54%	\$1,140.00
368	11/24/2010	3704421210	MTLQ.GM	400	\$5.50	16.03%	\$420.00
369	11/29/2010	3704427250	MTLQ.GP	400	\$5.25	20.45%	\$540.00
370	11/29/2010	3704427740	MTLQ.GS	500	\$5.50	14.06%	\$450.00
371	11/30/2010	3704427660	MTLQ.GU	200	\$5.00	20.63%	\$260.00
372	12/01/2010	3704427250	MTLQ.GP	2,295	\$5.39	23.00%	\$3,694.95
373	12/01/2010	3704427250	MTLQ.GP	200	\$6.00	14.29%	\$200.00
374	12/01/2010	3704427660	MTLQ.GU	3,000	\$5.50	15.38%	\$3,000.00
375	12/01/2010	3704427580	MTLQ.GV	100	\$5.00	28.57%	\$200.00
376	12/01/2010	3704427580	MTLQ.GV	500	\$6.00	14.29%	\$500.00
377	12/02/2010	3704427660	MTLQ.GU	1,000	\$6.25	13.79%	\$1,000.00
378	12/02/2010	3704427580	MTLQ.GV	600	\$6.13	13.73%	\$585.00
379	12/02/2010	3704427580	MTLQ.GV	500	\$6.25	11.97%	\$425.00
380	12/03/2010	3704421210	MTLQ.GM	400	\$6.25	11.97%	\$340.00
381	12/03/2010	3704421210	MTLQ.GM	2,000	\$6.25	11.97%	\$1,700.00
382	12/03/2010	3704427660	MTLQ.GU	970	\$6.13	12.50%	\$848.75
383	12/06/2010	3704427660	MTLQ.GU	700	\$6.25	11.97%	\$595.00
384	12/06/2010	3704427580	MTLQ.GV	400	\$6.25	11.97%	\$340.00