

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
DAYTON SUPERIOR CORPORATION,)	
a Delaware corporation, ¹)	Case No. 09-11351 (BLS)
)	
Debtor.)	

RE-NOTICE OF DEPOSITION OF DK ACQUISITION PARTNERS LP

TO: DK Acquisition Partners LP
c/o M. Blake Cleary
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801

PLEASE TAKE NOTICE that General Electric Capital Corporation (“GECC”) will take the deposition upon oral examination of DK Acquisition Partners LP (“DK Acquisition” and, together with Silverpoint Capital, L.P., the “Term Loan Lenders”), on May 27, 2009, commencing at 9:00 a.m., local time and continuing until completed, at the offices of King & Spalding LLP, located at 1185 Avenue of the Americas, New York, NY 10036-4003. Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, DK Acquisition shall designate one or more persons who consent to testify on behalf of DK Acquisition, who have knowledge regarding the matters listed on the attached Exhibit “A.”

The deposition will be taken before an authorized court reporter or other person authorized by law to administer oaths and will be recorded by stenographic means. The deposition will be taken according to the Federal Rules of Civil Procedure for the purpose of

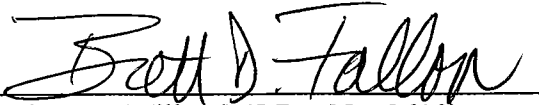
¹ The last four digits of the Debtor’s federal tax identification number are: EIN: XX-XXX6346. The Debtor’s mailing address is 7777 Washington Village Dr., Suite 130, Dayton, Ohio 45459.



discovery, use as evidence at any hearing or trial, and any other purpose allowed by law.

Dated: May 18, 2009

MORRIS JAMES LLP



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Counsel for General Electric Capital Corporation

EXHIBIT A

The person(s) designated by DK Acquisition shall be prepared to testify regarding the following matters:

1. The reasons (including any factual bases) that the Term Loan Lenders have objected (and are objecting) to the Debtor's post-petition financing proposal;
2. The reasons (including any factual bases) that the Term Loan Lenders support the post-petition financing proposal (the "Bondholders' Proposal") of OCM Principal Opportunities Fund IV, L.P., Whirlpool Associates, and Solus Alternative Asset Management (collectively, the "Bondholders");
3. The process by which the Term Loan Lenders decided to support the Bondholders' Proposal;
4. The Term Loan Lenders' position on (or understanding of) whether GECC can be adequately protected in the event the Court approves the Bondholders' Proposal; and
5. The discussions that the Term Loan Lenders have had with the Bondholders regarding the Bondholders' Proposal and the terms and specifics thereof.

CERTIFICATE OF SERVICE

I, Brett D. Fallon, certify that I have served a copy of the foregoing NOTICE OF DEPOSITION OF DK ACQUISITION PARTNERS LP on this 18th day of May upon following counsel of record via electronic mail and first class mail:

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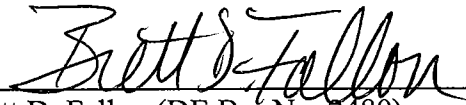
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