FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

| vvasinington, | D.O. 20040 | |
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OMB APPROVAL

OMB Number: 3235-0287

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| Section 16. Form 4 or Form 5 |
| obligations may continue. See |
| Instruction 1(b) |

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

| Name and Address of Reporting Person* LORBER HOWARD M | | | | | | er Name and Tick | | | | (Che | Relationship of Reporting Person(s) to Issuer (Check all applicable) X Director 10% Owner | | | | | |
|--|----------|---------------|--|----------|---|--|-----------|--|-------------|---------------|---|---|--|---|--|--|
| (Last) | | irst) | (Middle) | | 3. Date 11/04 | e of Earliest Trans | action (I | Month | n/Day/Year) | - 1 1 | X Director 10% Owner X Officer (give title below) President and CEO | | | | | |
| 100 S.E. | SECOND S | STREET; 32 | 2ND FLOOR | | | | | | | | | | | | | |
| (Street) MIAMI | F | L | 33131 | | 4. If An | 4. If Amendment, Date of Original Filed (Month/Day/Year) | | | | | | Individual or Joint/Group Filing (Check Applicable Line) X Form filed by One Reporting Person Form filed by More than One Reporting Person | | | | |
| (City) | (S | state) | (Zip) | | | | | | | | | 1 010011 | | | | |
| | | | Table I - N | on-Deriv | ative S | Securities Ac | quire | d, Di | sposed of | , or Be | neficially | y Owned | | | | |
| 1. Title of Security (Instr. 3) | | | 2. Transaction Date (Month/Day/Year) | | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | | 4. Securities Acquired (A) of Disposed Of (D) (Instr. 3, 4 a | | | 5. Amount of Securities Beneficially Owned Following | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership | | | |
| | | | | | | | Code | v | Amount | (A) or (D) | Price | Reported Transaction(s) (Instr. 3 and 4) | | (Instr. 4) | | |
| Common | Stock | | | 11/04/2 | 2009 | | M | | 814,443 | A | \$9.48 | 2,705,994 | D | | | |
| Common | Stock | | | 11/04/2 | 2009 | | F | | 665,032 | D | \$14.43 | 2,040,962 | D | | | |
| Common | Stock | | | | | | | | | | | 2,209,609 | I(1) | By: Lorber Epsilon 1999 Limited Partnership | | |
| Common Stock | | | | | | | | | | | | 78,764 | I(1) | By: Lorber Alpha II Limited Partnership | | |
| | | | Table II | | | ecurities Acq alls, warrants | | | | | | Owned | | | | |
| 1. Title of | 2. | 3. Transactio | n 3A. Deem | ed 4. | | 5. Number of | | Exerc | isable and | | d Amount | 8. Price of 9. Nun | nber of 10. | 11. Nature | | |

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transa Code (8) | | Derivative | | 6. Date Exerc Expiration Day/\(\) | ate | 7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4) | | 8. Price of Derivative Security (Instr. 5) | 9. Number of derivative Securities Beneficially Owned Following Reported | 10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 11. Nature of Indirect Beneficial Ownership (Instr. 4) | |
|---|---|--|---|------------------------------|---|------------|---------|--------------------------------------|--------------------|---|-------------------------------------|---|--|--|--|--|
| | | | | Code | v | (A) | (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | | Transaction(s) (Instr. 4) | | | |
| Employee Stock Option (right to buy) | \$9.48 | 11/04/2009 | | М | | | 814,443 | 11/04/2003 | 11/04/2009 | Common Stock | 814,443 | \$0 | 0 | D | | |

Explanation of Responses:

1. Lorber Epsilon 1999 LLC, a Delaware limited liability company, is the general partner of Lorber Epsilon 1999 Limited Partnership, Lorber Alpha II Limited Partnership, a Nevada limited partnership, is the sole member of, and the reporting person is the manager of, Lorber Epsilon 1999 LLC. Lorber Alpha II, Inc., a Nevada Corporation, is the general partner of Lorber Alpha II Limited Partnership, a Nevada limited partnership. The reporting person is a director, officer and controlling stockholder of Lorber Alpha II, Inc.

<u>/s/ Howard M Lorber</u> <u>11/04/2009</u>

** Signature of Reporting Person

Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

- * If the form is filed by more than one reporting person, see Instruction 4 (b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.