09-50026-reg Doc 11319 Filed 01/18/12 Entered 01/18/12 11:04:39 Main Document Pg 1 of 6

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK		
In re	x :	Chapter 11
MOTORS LIQUIDATION COMPANY, et al., f/k/a General Motors Corp., et al.,	::	Case No. 09-50026 (REG)
Debtors.	:	(Jointly Administered)
	: x	

#### AFFIDAVIT OF SERVICE

STATE OF NEW YORK ) ) ss COUNTY OF NASSAU )

I, Barbara Kelley Keane, being duly sworn, depose and state:

1. I am an Assistant Director with The Garden City Group, Inc., the claims and noticing agent for the debtors and debtors-in-possession (the "Debtors") in the above-captioned proceeding. Our business address is 1985 Marcus Avenue, Suite 200, Lake Success, New York 11042-1013.

2. On January 13, 2012, at the direction of Weil, Gotshal & Manges LLP ("Weil"), attorneys

for Debtors, Post-Effective Date Debtors and the Motors Liquidation Company GUC Trust, I

caused a true and correct copy of the following document attached hereto as Exhibit A to be

served by first class mail on the parties as set forth on Exhibit B (affected parties):

• Notice of Treatment of Class 5 Asbestos Personal Injury Claims.

Dated: January 18, 2012 Lake Success, New York

/s/ Barbara Kelley Keane Barbara Kelley Keane

Sworn to before me this 18<sup>h</sup> day of January, 2012

<u>/s/Thomas Villani</u> Thomas Villani Notary Public, State of New York No. 01V16096931 Qualified in Nassau County Commission Expires: August 11, 2015

# Exhibit A

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK		
	X	
	:	
In re	:	Chapter 11 Case No.
	:	
MOTORS LIQUIDATION COMPANY, et al.,	:	09-50026 (REG)
f/k/a General Motors Corp., <i>et al</i> .	:	
	:	
Debtors.	:	(Jointly Administered)
	:	
	X	

#### NOTICE OF TREATMENT OF CLASS 5 ASBESTOS PERSONAL INJURY CLAIMS

Claimant Name	Date	Claim Number

PLEASE TAKE NOTICE THAT on March 29, 2011, the Bankruptcy Court for

the Southern District of New York entered an Order confirming the Debtors' Second Amended

Joint Chapter 11 Plan, dated March 18, 2011 (ECF No. 9941) (as may be amended,

supplemented, or modified from time to time, the "**Plan**"),<sup>1</sup> filed by Motors Liquidation

Company (f/k/a General Motors Corporation) and its affiliated debtors (collectively, the

"Debtors"), and the Plan became effective on March 31, 2011.

### PLEASE TAKE FURTHER NOTICE THAT the Motors Liquidation

Company GUC Trust (the "**GUC Trust**")<sup>2</sup> has determined that the above-referenced claim filed against the Debtors constitutes a Class 5 Asbestos Personal Injury Claim under the Plan, rather than, a Class 3 General Unsecured Claim.

<sup>&</sup>lt;sup>1</sup> Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to them in the Plan. A copy of the Plan and the Order confirming the Plan can be found at <u>www.motorsliquidationdocket.com</u>.

<sup>&</sup>lt;sup>2</sup> Formed in connection with the Plan, the GUC Trust has the exclusive authority to prosecute and resolve objections to Disputed General Unsecured Claims.

09-50026-reg Doc 11319 Filed 01/18/12 Entered 01/18/12 11:04:39 Main Document Pg 4 of 6

PLEASE TAKE FURTHER NOTICE THAT, in accordance with the Plan, the

reconciliation of Class 5 Asbestos Personal Injury Claims and any distributions in connection with such claims are managed and made by the Asbestos Trust, and as such, the treatment that the Plan provides for Class 3 General Unsecured Claims will not be provided for the claim set forth above.

### PLEASE TAKE FURTHER NOTICE THAT any inquiries regarding the

treatment or allowance of Class 5 Asbestos Personal Injury Claims should be directed to:

Kirk P. Watson, Esq. 2301 Woodlawn Boulevard Austin, Texas 78703 Telephone: (512) 478-6695 Telecopier: (512) 478-6697 E-mail: kirkpwatson@gmail.com

Dated: New York, New York January 13, 2012

Harvey R. Miller Stephen Karotkin Joseph H. Smolinsky

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Attorneys for Debtors, Post-Effective Date Debtors and the Motors Liquidation Company GUC Trust 09-50026-reg Doc 11319 Filed 01/18/12 Entered 01/18/12 11:04:39 Main Document Pg 5 of 6

# Exhibit B

FORD MOTOR COMPANY C/O JONATHAN S GREEN MILLER CANFIELD PADDOCK & STONE PLC 150 W JEFFERSON AVE SUITE 2500 DETROIT, MI 48226 FORD MOTOR COMPANY, AND ITS SUBSIDIARIES AND AFFILIATES AND ALL SUCCESSORS AND ASSIGNS THEREOF ATTN: JOSE J BARTOLOMEI MILLER CANFIELD 101 N MAIN ST, 7TH FL ANN ARBOR, MI 48104