HEARING DATE AND TIME: May 31, 2012 at 9:45 a.m. (Eastern Time)

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Attorneys for Motors Liquidation Company GUC Trust

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

:

f/k/a General Motors Corp., et al.

In re : Chapter 11 Case No.

MOTORS LIQUIDATION COMPANY, et al., : 09-50026 (REG)

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Debtors. : (Jointly Administered)

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REPLY TO RESPONSE OF MARVIN ECHOLS TO THE 27TH OMNIBUS OBJECTION TO CLAIMS

TO THE HONORABLE ROBERT E. GERBER UNITED STATES BANKRUPTCY JUDGE:

The Motors Liquidation Company GUC Trust (the "GUC Trust"), formed by the above-captioned debtors (collectively, the "Debtors") in connection with the Debtors' Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (as may be amended, supplemented, or modified from time to time, the "Plan"), files this reply (the "Reply") to the response (the "Response," a copy of which is annexed hereto as Exhibit A) filed by Marvin Echols to the 27th Omnibus Objection to Claims (the "Objection"), which seeks to reclassify his claim against the Debtors (Claim Number 44240, the "Claim," a copy of which is annexed hereto as Exhibit B). In support of this Reply, the GUC Trust respectfully represents:

INTRODUCTION

- 1. On November 24, 2009 Marvin Echols, a *pro se* claimant, filed the Claim, seeking to recover approximately \$30,000 from the Debtors in damages for "failure of ABS braking system." In the Claim, Mr. Echols states that the Claim is entitled to "priority for recall warranty for [ABS] braking system" and also identifies the claim as a secured claim. Based on the foregoing, it appears Mr. Echols intended to assert his claim as a priority claim under section 507(a) of title 11, United States Code (the "Bankruptcy Code").
- 2. On July 2, 2010, the Debtors filed the Objection, seeking to reclassify the Claim as an unsecured claim. Thereafter, Mr. Echols filed the Response, in which he reiterates that the Claim is based on "ABS braking system failures" and cites various authority for the proposition that the Claim is "[constructively] priority and or constructively a secured claim." Response, pp. 3-4. As set forth more fully herein, Mr. Echols' interpretation of the law is incorrect. As a matter of law, the Claim is an unsecured claim which is not entitled to either priority or secured status under the Bankruptcy Code.

<u>ARGUMENT</u>

- 3. Where (as here) an objection is filed refuting a claimant's entitlement to priority or secured status, the burden shifts to the claimant to demonstrate the validity of the claim. See In re Oneida Ltd., 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009), aff'd, No. 09-cv-2229 (DC), 2010 WL 23487 (S.D.N.Y. Jan 22, 2010). Mr. Echols has not (and cannot) meet that burden.
- 4. First, the Claim is not a priority claim. Section 507(a) of the Bankruptcy Code limits claims entitled to priority status to claims for, among other things, certain domestic support obligations, wages, salaries or commissions, contributions to employee benefit plans,

and specific tax obligations. 11 U.S.C. § 507(a). Here, neither the Claim nor the Response

indicates that the Claim falls within any of the categories of claims entitled to priority under the

Bankruptcy Code. Instead, Mr. Echols describes the claim as a typical products liability claim,

which has no place in the priority scheme. In re Motors Liquidation Company, 428 B.R. 43, 63

(S.D.N.Y. 2010) (finding that products liability claimants are unsecured creditors).

5. Second, the Claim is not a secured claim. Secured claims are limited to

allowed claims where the creditor has a lien on property of the estate. 11 U.S.C. § 506(a)(1).

Mr. Echols has provided no evidence that he has any lien whatsoever on property in which the

Debtors have an interest. Mr. Echols's citations to case law and allegations about his "property

interest rights in GM's property" are simply misguided. Response, p. 1. Again, the Claim is

simply an unsecured product liability claim.

6. In light of the foregoing, the GUC Trust submits that the Objection should

be sustained and the Claim should be reclassified as a general unsecured claim.

Dated: New York, New York

May 16, 2012

/s/ Stefanie Birbrower Greer

Barry N. Seidel (BS-1945)

Stefanie Birbrower Greer (SG-2898)

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Attorneys for Motors Liquidation

Company GUC Trust

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DOCSNY-502843

EXHIBIT A

09-3-5022-9-g-B-DC-64457-24-1 51/9-28/75/16/12-Enterps/9-16/16/133:13:13:13:17:16/

FOR GM [OLD GM] BANKRUPTCY CASE:

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re

Chapter 11 Case No.

09 - 50026 (REG)

MOTORSLIQUIDATION COMPANY, et al, :

f/k/a General Motors Corp., et al :

(Jointly Administered)

SUBJECT: MY OBJECTIONS TO THE PURPORTED RECLASSIFICATION OF MY CLAIM [#44240] IN THE ABOVE ENTITLED CASE, AMONG OTHER THINGS, PROCEEDING IN PROPER IN THIS MATTER TIMELY [OR BY LEAVE OF COURT] FOR ALL THE REASONS STATED HEREIN [OR OTHERWISE DOCUMENTED WITH MY CLAIM [#44240]; AND FOR OTHER PURPOSES [TIMELY OR BY LEAVE OF COURT | RELATED HERETO.

- 1. That I am MARVIN ECHOLS proceeding in pro per timely [or attempting to be timely] or [OR BY LEAVE OF COURT] TIMELY filing my OJECTIONS TO YOUR [GM OR OLD GM'S] PROPOSED RECLASSIFCATION OF MY CLAIM'S [# 44240] PRIORITY TO ALLEGED UNSECURED CLAIM OF \$30,000.00 ON SEVERAL GROUNDS, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING, TO WIT:
- (a). My GM VEHICLE HAS AT LEAST FIVE (5) RECALLS ON THE REPEATED FAILURE OF [THE] GM ABS BRAKING SYSTEM TIMELY FILED WITH THE FEDERAL GOVERNMENT AND CLAIMS [PLEASE SEE CLAIM# 44240 DOCUMENTS AND REFERENCES THEREIN,ETC DETAILS | AND UNDER THE NHSTA LAWS [THE NATIONAL HIGHWAY SAFETY LAWS [JUDICIAL NOTICE IS REQUESTED] GM HAS AT LEAST AN OBLIGATION TO REPLACE THE SAME AT ITS PRESENT VALUE UNDER THOSES LAWS, AND WHICH HAVE ME [MARVIN ECHOLS] AS THE OWNER OF SAME AN ENTITLEMENT AND PROPERTY INTEREST RIGHTS IN GM'S PROPERTY [BY EXTENDED WARRANTS OF SAME ETC] UNDER SEVERAL UNITED STATES SUPREME COURT DECISIONS, INCLUDING BUT NOT LIMITED TO THOSES TIMELY CITED HEREIN, WHICH MADE CLEAR THAT THE

FOR GM [OLD GM] BANKRUPTCY CASE:

LAWS OF THE UNITED STATES ENFORCEMENT FOR HEALTH AND SAFETY , INTER ALIA, SHALL SURVIVE THE $\,$ GM $\,$ CORP FILING $\,$ FOR $\,$ BANKRUPTCY, TO WIT:

(a)(1): MIDLANTIC NAT'L BANK v. NJDEP 474 US 494 (1986);

http://supreme.justia.com/us/474/494/case.html;

- (a)(2): BOARD OF REGENTS OF STATE COLLEGES v. ROTH, 408 US 564 (1972); [defines property interest and entitlements ,etc]; see also
- (a)(3): CHURCH OF THE HOLY TRINITY v. UNITED STATES 143 US 457(1892); http://supreme.justia.com/us/143/457/case.html;

that "All laws should receive a sensible construction. General terms should be so limited in their application as not to lead to injustice, oppression, or an absurd consequence. It will always therefore be presumed that the legislature intended exceptions to its language which would avoid results of this character. The reason of the law in such case should prevail over its letter. [see page 143 us 461 etc]. The common sense of man approves the judgment mentioned by Puffendorf, that the Bolognian law which enacted that whoever drew blood in the streets should be punished with the utmost severity did not extend to the surgeon who opened the vein of a person that fell down in the street in a fit. The same common sense accepts the ruling, cited by Plowden, that the statute of 1st Edw ii which enacts that a prisoner who breaks prison shall be quity of a felony, does not extend to a prisoner who breaks out when the prison is on fire" see page 143 U.S 461 etc.

(a)(4): "** that the efforts of the trustee to marshall and distribute the assets of the estate must Yield to governmental interest in pubic health and safety. See page 474 US 503 -504;

SEE MIDLANTIC NAT'L BANK v. NJDEPT, 474 U.S. 494 (1986);;

http://supreme.justia.com/us/474/494/case.html;

- (a)(5): OATES v. NATIONAL BANK 100 U.S. 239(1879); see page 100 US 244 etc http://supreme.justia.com/us/100/239/case.html;
- " * * * The duty of the court, being satisfied of the intention of the legislature, clearly expressed in A constitutional enactment, is to give effect to the intention, and not to defeat it be adhering too Rigidly to the mere letter of the statute, or to technical rules of construction. Wilkinson v. Leland 2 Pet. 627; Sedqwick, Const. and Stat.Constr.196. And we should discard any construction that Would lead to absurd consequences. United States v. Kirby 7 Wall 482. We ought rather, adopting the language of Lord Hale, to be "curious and subtle to invent reasons and means" to carry over the clear intent of the lawmaking power when thus expressed...... ***"

o9-50026-reg Doc 64457 Filed 51/28/16/12 Entered 05/16/13:13:13:15:47 Exhibit A Pp 4 3 of 5 FOR GM [OLD GM] BANKRUPTCY CASE:

"A thing which is within the intention of the makers of a statute is as much within the statute as if it were within the letter and a thing which is within the letter of the statute is not within the statute unless it be within the meaning of the makers.' ** see page 100 U.S. 244, 245, OATES, supra, 100 U.S. 239 (1879);

- (a)(5): IN THE U.S. BANKRUPTCY CODE: paragraph 506 defines: DETERMINATION OF SECURED STATUS:
- "**** IS A SECURED CLAIM TO THE EXTENT OF A VALUE OF SUCH CREDITOR'S INTEREST IN THE ESTATE'S INTEREST IN SUCH CREDITOR'S INTEREST OR THE AMOUNT SO SUBJECT TO SETOFF AS THE CASE MAY BE, AND IS AN UNSECURED CLAIM TO THE EXTENT THAAT THE VALUE OF SUCH CREDITOR'S INTEREST OR THE AMOUNT SO SUBJECT TO SETOFF IS LESS THAN THE AMOUNT OF SUCH ALLOWED CLAIM. "see paragraph 506 in BANKRUPTCY CODE.

A fortori, because the [my] full claimed amount of \$30,000.00 [see CLAIM # 44240 HEREOF] Should not be reduced, deducted, or decreased by the DEBTORS GM [OR OLD GM] for all The reasons herein, and /or otherwise in related documented at National Highway and Safety Administration of the federal government, my claim [44240] again on these grounds should not be reclassified or otherwise reduced by changing to an unsecured claim; inter alia.;

(a)(6): THE FEDERAL GOVERNMENTS SOVERIGN IMMUNITY IS ALSO CLAIMED AND PLEADED AGAINST THE DEBTOR'S GM [OR OLD GM'S] CLAIMS OR ANY OF THE DEBTORS OJECTIONS TO SAME UNDER THE CITED AUTHORITIES HEREIN AND OTHERWISE OF RECORDS RELATED HERETO, AND UNDER THE AUTHORITY OF 11 U.S.C. PARAGRAPH 523; EXCEPTIONS TO DISCHARGE; SEE ALSO TITLE 11 USC Paragraph 523(2) in relevant parts states:, to wit:

TITLE 11 U.S.C. paragraph 523(2):

- "(2) for money, property, service, or an extension, renewal, or refinancing of credit, to the extent obtained by-----
- (B) use of a statement in writing ---- [i.e. GM continued obligation for health and safety under the five recalls for the repeated ABS BRAKING SYSTEM FAILURES AS RELATES TO MY TIMELY CLAIM[#44240] TO SAME] [WORDS IN BRAKETS WERE ADDED HEREAT]
- (iii) on which the CREDITOR to whom the DEBTOR is liable for such money, property,

Services, or credit reasonably relied; [MORE PARTICULARLY DOCUMENTED IN MY CLAIM[#44240] WITH THE NATIONAL HIGHWAY AND SAFTEY ADMINISTRATION OF THE FEDERAL GOVERNMENT | WORDS IN BRAKETS WERE ADDED HEREAT BY ME| IN THIS SECTION|;

(a)(7): THAT THE UNITED STATES SUPREME COURT HAVE DEFINED PROPERTY INTEREST RELATED HEREIN, INTER ALIA, AND ENTITLEMENTS, IN THE FOLLOWING PRECEDENT, CASE LAW; AMONG OTHER AUTHORITY(IES), TO WIT: (a)(7)(i): BOARD OF REGENTS OF THE STATE COLLEGES v. ROTH, 408 U.S. 564, 577 (1972); [DEFINES DUE PROCESS REQUIREMENT FOR [MY] PROPERTY INTEREST ,ETC SEE PAGE 408 576 ALSO, ETC [U.S. SUPT COURT];

http://supreme.justia.com/us/408/564/case.html;

and [please also see]: (a)(7)(ii): ESTATE OF COWART v. NICKLAS DRILLING CO, ET AL, 505 U.S. 469 AT PAGE 477 (1992) [DEFINES ENTITLEMENT, ETC, PROPERTY INTEREST, ETC]; [RELATED HERETO ALSO];

http://supreme.justia.com/us/505/469/case.html;

- 2. THAT I [MARVIN ECHOLS] BELIEVE THAT I HAVE MADE AT LEAST A PRIMA FACIE CASE AGAINST GM [OR THE OLD GM] IN THIS REPLY TO SHOW TO THE BANKRUPTCY COURT THAT THE RECLASSIFICATION OF MY CLAIM [#44240] SHOULD NOT BE ALLOWED BY THIS COURT ON ANY PURPORTED REASONS THAT GM [OR THE OLD GM] HAVE OR MAY OFFER TO THIS COURT WHICH I BELIEVE IS A PRETEXT OF THE DEBTORS TO NOT REASONALBLE SETTLE MY CLAIMS OF RECORD IN DETAILS [#44240] ;SEE SCHAFFER,INFRA, 546 U.S. _____2005;
- 3. A fortiori, for all the above reasons and otherwise of records this Court is respectfully request To deny the DEBTORS MOTIONS AND CLAIMS RELATED HERETO; AND TO RETAIN THE STATUS OF MY CLAIMS [CLAIM#44240] IN THIS BANKRUPTCY CASE AS [CONSTRUCTIVELY] PRIORTY AND OR [CONSTRUCTIVELY] A SECURED CLAIM UNDER THE BANKRUPTCY CODE PRIORTY AND SECURED CLAIMS SECTIONS: TO WIT: 507 [PRIORITY]; 11 USC PARAGRAPH 502(b) FOR COURT DETERMINATION OF CLAIM AND AMOUNT, ETC; 11 USC 305(C) "THE legislative history to section 305

09-50026-reg Doc 64457 Filed 51/28/10 Entered 07/30/16/12:13:13:25:47 Exhibit A P 9 6 of 5

FOR GM [OLD GM] BANKRUPTCY CASE:

States that the "bankruptcy court, based on its experience and discretion, is vested with the
Power of decision: S.Rep. No. 95-989 at 36(1978) as reprinted in 1978 U.S.C.C.AN5787,5822.
4. THAT FOR ALL THE ABOVE REASONS ALSO, THE BURDEN OF PROOF SHOULD
MOVE THE THE DEBTOR IN THIS MATTERS TO SHOW TO THIS COURT WHY
THEIR [GM OR OLD GM'S] PENDING MOTIONS , AMONG OTHER THINGS, SHOULD
BE DENIED; [PLEASE SEE:] SCHAFFER v. WEAST [DOCKET NO. 04-698]2205;
546 U.S(2005) [IN RELEVANT PARTS ON BURDEN OF PROOFS ETC];

- 5. A FORTIORI, THE PENDING MOTIONS ON THE ISSUES BEFORE THIS COURT RELATED TO MY CLAIM #44240 BY GM ETC SHOULD BE DENIED IN ALL RESPECTS.
- 6. THIS IS MY REPLY TO THE DEBTORS PENDING MOTIONS, OR OTHERWISE ,AND IS MADE OF MY [MARVIN ECHOLS] PERSONAL KNOWLEDGE OF THE FACTS AND RELEVANT LAWS AND EQUITY [IES]; AND THE SAME IS NOT INTERPOSED FOR ANY IMPROPER PURPOSE;
- 7. WHEREFORE, IT IS PRAYED THAT THE MOTION, AMONG OTHER THINGS, THAT GM [OR OLD GM] IS OBJECTING TO MY VALID CLAIM [#44240] WOULD OR WILL BE DENIED IN ALL RESPECTS IN THE ALLEGED RECLASSIFICATION OF SAME OR OTHERS.

DATED: JULY 26, 2010

MARVIN ECHOLS,

[FOR CLAIM # 44240]

P.O. BOX 2211

BAY CITY, MICHIGAN 48707

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 27^{4} DAY OF JULY,2010

__; MY COMMISSION EXPIRES ON:_3-8-20[[

Marin Echolyno

NOTARY PUBLIC IN THE BAY COUNTY BUILDING IN BAY CITY, MICHIGAN 48708 ADDRESS: 515 CENTER AVE, IN BAY CITY, MICHIGAN 48708

EXHIBIT B

1

B 10 (Official Form 10) (12/08)		
United States Bankruptcy Court		PROOF OF CLAIM
Name of Debors Liquidation Company (FIKIA General Motors Corp.)	Case Number	-50026
NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of	the case Ar	equest for payment of an
Administrative expense may be filed pursuant to 11 USC § 503 Name of Creditor (the person or other entity to whom the debtor owes money or property) Name and address where notices should be sent		is box to indicate that this ends a previously filed
P.O. BOX 2211 BAY CITY, MICHIGAN 48707	Court Clain (If known)	n Number
1-989 - 529-3937	Filed on	
Name and address where payment should be sent (if different from above) FILED - 44240 MOTORS LIQUIDATION COMPANY F/K/A GENERAL MOTORS CORP Ielephone number SDNY # 09-50026 (REG)	anyone el relating to statement	is box if you are aware that lse has filed a proof of claim o your claim. Attach copy of it giving particulars.
	A	un thus soon
1 Amount of Claim as of Date Case Filed estimated Value to Repla a month of Statilac Deville Hectu If all or part of your claim is secured, complete item 4 below, however, if all of your claim is unsecured, do not complete item 4 GM DEALER IN BAY CITH HAD LAST PHYSICAL POSSESSION OF MY VEHICLE (SALICACIDE) ITEM OF THE Floatures If all or part of your claim is entitled to priority, complete item 5 Jean 486	Priority One of the check the amount	of Claim Entitled to under 11 U S C §507(a) If tion of your claim falls in ne following categories, e box and state the
PRICE (19 FOR RECIPE WARRANTA FORCES) DIVICIA - 1		
Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.	Specify the p	priority of the claim
2 Basis for Claim Eng FALURE OF ABS BAKING SYSTEM UNIENCES (See instruction #2 on reverse side) SEVERAL Federal Gov Ment RECALLS 3 Last four digits of any number by which creditor identifies debtor	11 U S C Wages, s 10 \$10,93	support obligations under \$507(a)(1)(A) or (a)(1)(B) salaries, or commissions (up 50*) earned within 180 days
3a Debtor may have scheduled account as (See instruction #3 an reverse side) 4 Secured Claim (See instruction #4 on reverse side) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information ATTHE FEDERAL GOVERNMENT - 202 - 366 - 0699 Nature of property or right of setoff Real Estate Motor Vehicle Other Phone #3	petition of business, USC §	ling of the bankruptcy or cessation of the debtor's , whichever is earlier – 1! 507 (a)(4) tions to an employed benefit
Nature of property or right of setoff Real Estate Motor Vehicle Other	plan – 11	USC §507 (a)(5)
Value of Property \$ Annual Interest Rate%	purchase,	425* of deposits toward , lease, or rental of property es for personal, family, or
Amount of arrearage and other charges as of time case filed included in secured claim,	househole	d use - 11 U S C \$507
if any SBasis for perfection	(a)(7)	
Amount of Secured Claim \$ Amount Unsecured \$		penalties owed to ental units – 11 U S C §507
6 Credits The amount of all payments on this claim has been credited for the purpose of making this proof of claim	a or 1	
7 Documents Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements		Specify applicable paragraph S C §507 (a)()
You may also attach a summary Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary (See instruction 7 and definition of redacted on reverse side)	\$_	
DO NOT SEND ORIGINAL DOCUMENTS ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING PLEASE CONTRACT NHTS A ATTN: CR.D. CR.	*Amounts at 4/1/10 and e respect to co the date of a	re subject to adjustment on every 3 years thereafter with uses commenced on or after adjustment
Date Signature The person filing this claim must sign it Sign and print name and title, if any, of the crother person authorized to file this claim and state address and telephone number it different from the	editor or	FOR COURT USF ONLY
11-20-2009 Warm Edwin		

B 10 (Official Form 10) (12/08) - Cont

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice

Creditor's Name and Address

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Amount of Claim as of Date Case Filed

State the total amount owed to the creditor on the date of the Bankruptcy filing Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim

2 Basis for Claim

State the type of debt or how it was incurred Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim

Last Four Digits of Any Number by Which Creditor Identifies

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor

3a Debtor May Have Scheduled Account As

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor

Secured Claim

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured (See DEFINITIONS, below) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing

5 Amount of Claim Entitled to Priority Under 11 U S C §507(a) If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority (See DEFINITIONS, below) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority

6 Credits

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt

7 Documents

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d) If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning

Date and Signature

The person filing this proof of claim must sign and date it FRBP 9011 If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney Criminal penalties apply for making a false statement on a proof of claim

DEFINITIONS

A debtor is the person, corporation, or other entity that has filed a bankruptcy case

A creditor is a person corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing See 11 USC §101 (10)

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing See 11 USC §101 (5) A claim may be secured or unsecured

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed

Secured Claim Under 11 U S C §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property Any amount owed to the creditor in excess of the value of the property is an unsecured claim Examples of liens on property include a mortgage on real estate or a security interest in a car

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff)

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien

Claim Entitled to Priority Under 11 USC §507(a) Priority claims are certain categories of unsecured claims

that are paid from the available money or property in a bankruptcy case before other unsecured claims

Reducted

A document has been redacted when the person filing it has masked, edited out or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual s taxidentification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded

INFORMATION_

Acknowledgment of Filing of Claim To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www pacer pse uscourts gov) for a

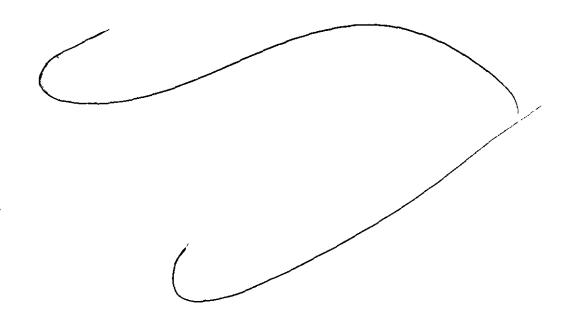
small fee to view your filed proof of claim

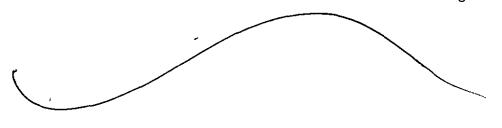
Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to ΓRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U S C § 101 et seq), and any applicable orders of the bankruptcy court

09-50026-reg Doc 11724-2 Filed 05/16/12 Entered 05/16/12 13:25:47 Exhibit B Pg 4 of 7

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FROM (PLEASE PRINT) PHONE (70)	TO (PLEASE PRINT) PHONE (202 306-0692)
MARVIN ECHOLS	ATTN : CRD
P. O. BOX 2211	1200 NEW JERSEY AVE S.E.
BAY CITY, MICH. 48707	WASHINGTON D.C. 20590
FOR PICKUP OR TRACKING	2 O 5 9 O +
viell Www.usps.com	FOR INTERNATIONAL DESTINATIONS WRITE COUNTRY NAME BELOW
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Name of Debtor	Case Number	Tax Identification Number	Other Names Used by Debtors in the Past & Yearn
Mutors Equidation Company (I/L/a General Motors Corporation)	09-50026	38-0572515	General Motors Corporation GMC Truck Division NAO Heer Operations GM Corporation-GM Auction Department National Car Reptal National Car Sales Automotive Market Research
MLCS ELC (f/k/a Satura, LLC)	09 50027	38 2577566	Saturn EUC Saturn Corporation Saturn Motor Car Corporation GM Saturn Corporation Saturn Corporation of Delaware
MLCS Distribution Corporation (f/A/a Sattern Distribution Corporation)	09 50028	3x 2755764	Saturn Distribution Corporation
MLC of Harten, Inc. (SL/a Chevroict-Satura of Harten, Inc.)	09-13558	26-1426707	Chaveolet Satura of Harters, for CKS of Harters

P.ELASE TAKE NOTICE THAT on September 16, 2009 the Unuted States Backarpoxy Coost in the Southern Ducks of New York the "Court", he may particulate never the chapter 11 cases, of Motors Impediation Commany (Modern Landson Commany) (Modern Landson) (Modern Landson Commany) (Modern Landson) (Modern Landson Commany) (Modern Landson) (Mo

The Bar That Order the Bar Dates and the procedures set from helone for the filing or Prodo of Claim apply to all claims against the Debium (other that those set forth helon as being specifically excluded) that arose grout to Jane 1. 2009 the date on which the between manners of the claims under chapter 11 of the United States Cod (the "Banka raptice Code" claims under chapter 11 of the United States Cod (the "Banka raptice Code").

If you have not questions relating in this Police, please feel five to context (his Police at 18-18-19) or to relate at 18-18-19 or to relate at 1

You MUST the a Freed of Clabin to vace on a chapter 11 pites histoly by the Deve we to take me may of the Devices causes by you have a claim that inside prior we to take me may off the Device causes in you have a claim that inside prior will be a claim to the property of the claim of the Device when the property of claims described to Section 2 below Acts or consistence of the Devices when the property of the photological property of the photologi

remained to rections (10/1) of the instantiquely close and is used in this Notice, the remained to rection (10/1) and pile to purpose, whether on an adm pile in reduced in subsequent Regal equitable secured or unaccount or (0) a right to recquisable remain for breach of performance (1) such breach poer me to a right to an opposet, whether on one such right to an equitable remody is reduced to pulgament in Eucl. contaggest, gasnows such right to an equitable remody is reduced to pulgament in Eucl. contaggest, gasmost under right to an equitable remody is reduced to pulgament in Eucl. contaggest, gastured, unmansent, despend undergoods, exercing of unaccount of Eurite classification succession claims sectured classics, proonly classic, and \$5(3(b))(6) Classics (as defined in Section 2(b) Solvier.

WHO NEED NOT FILE A PROOF OF CLAIM
You need not like a Proof of Claim of

(7) To hold as an other an any of the Debtorn, which interest is board exclaimedly upon the outership of common or preferred stock, installaring interest, and interest of the outership of common or preferred stock, installaring interest, and interest or interest, and interest or interest, and interest of the interest

unless soother exception described herm applie.

(9 Yan hold a Come allewable under extrons 503h)s and 597(a)27 of th
Bashrupey Code is an edimenstrative claim surgetied, hererge, 58(a)87
Collaim are religion to the General file fibre has provided above. Securior
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Persof of Claim on or before the General Bar Dute.

(c) You hold a claim that has been allowed by an order of the Court entered on o
before the applicable Bar Dute

(f) You hold a claim against any of the Debtort for which a separate deadline
field by the Court (before you are middle actions to the above) of Claim
field by the Court (before you are middle actions to the above) of Claim

by that aspurate deadline)

(g) You are a Debtor in these cases having a claim against another Debtor

(h) You are as offlitted (as defined in section (0)(2) of the Backroppicy Code) of

any Debtor as of the Bar Dato

(l) You held a claim for which you have should necessary filed a Borof of Clair

(ii) You had a claim for which you have should necessary filed a Borof of Clair

(1) You hald a Claim for which you have already properly filed a Proof of Claim gainst say of the Debton with the Clerk of the Court of The Gaulee City Group for the Debton claims agent, statisting a claim form that solvain taily vondroms to the Proof of Claim From (as defined below) or Official Form (0 or 1). You hold a Claim flow is limited exclusively. The measurement of proceedings of the Claim flow is limited exclusively to the measurement of processing.

saterias and other free and regiones of or under any agreements (a "Dale Chair") generating way det security massed by any of the Debter paramation to an indenture (together the Dath Instruments) if the underture transport of the projection of the continue of basics all paying agrany and the projection of the projection of the Dath of the continue of the Dath of the Chair and the Dath of the Dath of

YOU SHOULD NOT FILE A PROOF OF CLAIM IT YOU DO NOT HAVE CLAIM AGAINST THE DEBTORS

If you look it claim arrange from the rejection of the necessary content or unexpected between your main file a Proof of Claim beach on such registers by the later of (1) the head pinched be a Dien. sold (ii) the date which is highry days following the entry or like order appropring task registers on you will be been referred from doing of "Nitwithstandings" or Nitwithstandings of Nitwithstandings of the Nitwithstandings of Nitwithstandings o

All Proofs of Claus must be filed so as to be actually received on or before the obtable Bar Date at the following address.

overnight courier or delivery to the delivery to aircleas mail, to delivery to airclea City Group Inc.

Motors Legudation Company Ann Motors Legudation Company Ann Motors Legudation Company Company Processing Blazer Parkway State A

Or if by hand delivery to United States Bankrupicy Court SDNY One Bowling Green, Room 534

The Detroit News

Proofs of Claim will be deemed timely bled only of actually received by the Carder Chy Group, lac or the Court on or before the applicable But Diese Proofs of Chammay and be delivered by facustiale, telecopy or electronic mail transmission.

AUGUSOM POOT OF CURRY POTES THE OCUMENT OF COMMENT OF THE OCUMEN OF THE OCUP OF CLAIM FORM THES OF ANY WRITINGS UPON WHICH YOUR CLAIM IS BASED FIRE DOCUMENTS ARE VOLUMINOUS, YOU SHOULD ATTACH A

CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE
 A CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE
 A PPLICABLE BAR DATE

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7 THE DEBTORS' SCHEDULES, ACCESS THERETO, AND CONSE JUENCES OF AMENDMENT THEREOF.
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You may be hated as the helder of a claim against one or more of the Detons in the Denors. Schellist of Asich, and Lightilities and/or Schedulies of Sixcusory Contrain and Unexpired Leases (collin, tively the "Schedules"). If you ruly on the Debicar Schedules, it is your reagonaphility so determine that the claim is accurately listed in the Schedules.

As set forth above if you agree with the classification and antount of your class is stated in the Debort's Schedules and if you do not dispute that your class is not against the specified Debore and if your class is not despite that you class is augusted or takequidated you are do not he a Prot of Class. Observae or of you decide to file a Prot of Class, you must do so before the Bar Dato in accordance with the procedures as from his take Notice.

Copies of the Schedules may be assumed by interested parties on the Cours elecfronce decide for the Debetes others; I cases which is possed on the Binners of a transportational course and were applicationable; (a PACSE legis) and a transportational course and were applicationable; (a PACSE legis) and experimental course and the second course of the second course of early applicationables and the second course of the second course of early applications and the second course of the second course of the Central field behaviors of the second course of the second course behavior of the Second course of the second course of the second course for changing of the second course of the course of the second course of the s

The Garden City Group, Inc., Ann. Moreon Liquidaciant Company
PO Box 1986 Dobbin Olivi Most 2011-1248 1703 226-6401.

In the event that the Debtors amond their Schedules to (1) designates a claim as often objected, companyers unsignated, or of understround, (1) change the stimute of a claim as often objected therette, (2) change the claimations of a claim reflected therette, (2) and a 49-feet medium as often of the Color of the Co

A holder of a possible claim against the Debtors should consult an attorney reparding any mattern not covered in this Notice, such as whether the holder should like a Proof of Claim.

DATED: Sensember 16 2009

BY ONDER OF THE COURT

eparaber 16, 2009 BY ORDER OF THE COU lew York New York

IE. GOTSHAL & MANGES LLP Fifth Avenue Vork New York 10153 phone (212) 310-8000

ľ	Debt Instrument	EUSIP ISIN, or Swigs Security Numbers
ŀ۳	Indepture dated as of No. 15 1990, between	CUSIP Nos 370442ANS
l.	GM and Citibana as indenture trustee	170442AJ4 370442AR6
١		37045EAG3, 37045FAS7
2	Indenture dated as of Dec 7 1995 between-	CUSIP No. 170442AT2 170442AL9 170442AV7
ì	CM and Citchunk at indenture trestee	370442AL9 170442AV7 370442AZ8 370442BB0
		370442AZ8 370442BB0 370442816 370442774
	l. :	370442766, 370442758
Ĺ	1)	370442741 370442733
l	j' ;	370442725 370442BQ7
ĺ	1	370442BT1 376442717
	i .	170442BW4 370H42BS3 370442121 <u>37</u> 0442691
3	Trust Indenture dated as of July 1 1995	CUSIP No 594693AQ6
ľ	between Michigan Strategic Fund and Day	Charun wasawa
ı	Ichi Kangyo Trusi Company of New York	
١.	(\$58 x00,000 Mulis Model Interchangeable Rate	
ᆫ	Pollusion Control Refunding Revenue Bonds)	
4	Indenture of Trust dated as of July 1 1994	CUSIP No 616449AA2
l	between City of Moraine, Ohio and Dai	
J	ichi Kangyo Trusi Company of New York (\$12,500,000 Solid Waste Disposal Revenue	
	Bonds)	
5	Indenture of Trust dated as of July 1 1999	CUSIP No 616449AB0
Ē	between City of Moraine Ohio and Dai	
ı	lens Kangyo Trust Company of New York	
ĺ	(\$10 000,000 Solid Waste Disposal Revenue	
6	Bonds) Trust Indentative dated as of Dec 1 2002	CUSIP No 349272AT1
lo.	among City of Fort Wayne, Indiana, JPMorgan	CUSIF NO MILIZALI
1	Chase Bank and Bank One Trust Company	1
ı	N.A. (\$31 000,000 Pollugon Control Revenue	ı
ᆫ	Refunding Bonds)	
١,	Trust ladenture dated as of Mar 1 2002	CUSIP No 667596AU2
l	between Ohio Water Development Authority and JPMorgan Chase Bank (\$20,040,000 Stage	[
1	of Ohio Polistion Comrol Refunding Revenue	
1	Bonds)	
8	Indenture of Trust dated as of Dec 1 2002	CUSIP No 67759ABC2
ı.	between Ohio Water Development Authority and	I
1	IPMorgan Chase Bank (\$45,000,000 State of	1
١.	Ohno Solid Waste Revenue Bonds)	(11 V ID b) 414430 : 00
9	Trust Indenture dated as of Apr 1 1984 among City of Indianapolis Indiana, Bankers	CUSIP No 455329AB8
I	Trust Company and The Indiana National Bank	I
I	(\$1 400,000 Pollution Control Revenue Bonds)	
10	I is al and Paying Agency Agreement, dated as	ISIN Nos XS0171942757
ll .	of July 3 2003 between GM. Deutsche Bank	XS0171943649
1	AG London as fiscal agent and paying agent.	
1	and Banque Générale do Lutembourg S A as	!
ŀπ	Piscal and Paying Agency Agreement, dated	ISIN Nos XS0171922643
И.,	as of July 10, 2003 between GM Nova Scotta	XS0171904063
1	Finance Company GM, as guarantor Deutsche	l '
1	Bank Luxembourg S A as fiscal agent	ì
ľ	and paying agent, and Basque Générale du	i
12	Linconhoury S.A., as paying agent	Swiss Security No. 876 921
'²	Bond Purchase and Paying Agency Agreement dated May 28 1986 between GM and Credit	Swins accuraty red 870 921
Ш	Suisse	I

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ATTN: Motors Liquidation
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DUBLIN, Ohi D
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