

PRESENTMENT DATE AND TIME: April 8, 2013 at 4:00 p.m. (Eastern Time)
OBJECTION DEADLINE: April 8, 2013 at 12:00 p.m. (Eastern Time)

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Attorneys for Plaintiff

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

Debtors.

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OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF MOTORS LIQUIDATION COMPANY,

Plaintiff,

against

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**NOTICE OF PRESENTMENT OF ORDER FURTHER
EXTENDING TIME TO SERVE SUMMONS AND COMPLAINT**

PLEASE TAKE NOTICE that, on **April 8, 2013 at 4:00 p.m. (Eastern Time)**,
Plaintiff, by and through its undersigned attorneys, will present to the Honorable Robert E.
Gerber, United States Bankruptcy Judge, the annexed proposed order (the "**Proposed Order**"),

extending the time to serve the summons and complaint in the above-captioned adversary proceeding upon the defendants (other than JPMorgan Chase Bank, N.A.).

PLEASE TAKE FURTHER NOTICE that responses or objections to the Proposed Order must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov) by registered users of the Bankruptcy Court's CM/ECF filing system, and (b) by all other parties in interest, on a CD-ROM or 3.5 inch disk, in text-searchable portable document format (PDF), with a hard copy delivered directly to Chambers, in accordance with the customary practices of the Bankruptcy Court and General Order M-399, to the extent applicable, and served in accordance with General Order M-399 and on Dickstein Shapiro LLP, attorneys for the Plaintiff, 1633 Broadway, New York, New York, 10019-6708 (Attn: Eric B. Fisher, Esq., and Katie L. Weinstein, Esq.), so as to be received no later than **April 8, 2013 at 12:00 p.m. (Eastern Time)** (the "**Response Deadline**").

PLEASE TAKE FURTHER NOTICE that, if no responses or objections are timely filed and served with respect to the Proposed Order, the undersigned may, on or after the Response Deadline, submit to the Bankruptcy Court an order, substantially in the form of the Proposed Order, which may be entered with no further notice or opportunity to be heard offered to any party.

PLEASE TAKE FURTHER NOTICE that if a written response or objection is timely filed, a hearing on the Proposed Order may be held before the Honorable Robert E. Gerber, United States Bankruptcy Judge, on a date and at a time and place to be fixed by the Bankruptcy Court.

Dated: New York, New York
March 25, 2013

DICKSTEIN SHAPIRO LLP

BY:

/s/ Eric B. Fisher
Barry N. Seidel
Eric B. Fisher
Katie L. Weinstein
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Attorneys for Plaintiff

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (REG)
(Jointly Administered)

Debtors.

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OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF MOTORS LIQUIDATION COMPANY,

Plaintiff,

Adversary Proceeding

against

Case No. 09-00504 (REG)

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**ORDER FURTHER EXTENDING TIME
TO SERVE SUMMONS AND COMPLAINT**

WHEREAS, the Official Committee of Unsecured Creditors of Motors Liquidation Company f/k/a General Motors Corporation (“**Plaintiff**”) commenced the above-captioned adversary proceeding on July 31, 2009 by filing a complaint (“**Complaint**”) against JPMorgan Chase Bank, N.A. (“**JPMorgan**”) and certain other defendants (“**Other Defendants**”);

WHEREAS, the Clerk of the Court subsequently issued a summons (“**Summons**”);

WHEREAS, the Summons and Complaint was timely served upon JPMorgan;

WHEREAS, the Court, for good cause, has previously entered orders extending Plaintiff’s time to serve the Summons and Complaint upon the Other Defendants [Docket Nos. 10 and 17];

WHEREAS, on January 20, 2010, the Court entered a modified order that extended Plaintiff's time to serve the Summons and Complaint on the Other Defendants until thirty (30) days after the date of entry of the Court's decision on any dispositive motion [Docket No. 17];

WHEREAS, Plaintiff and JPMorgan subsequently filed cross-motions for summary judgment ("**Cross-Motions for Summary Judgment**");

WHEREAS, on March 1, 2013, the Court entered the *Decision on Cross Motions for Summary Judgment* [Docket No.71], and issued a *Judgment* [Docket No. 73] and *Order on Cross Motions for Summary Judgment* [Docket No. 72], from which Plaintiff has filed a *Notice of Appeal* [Docket No. 76]; and

WHEREAS, it appearing to the Court that, among other things, the avoidance of substantial expenses by the Plaintiff which ultimately may not have to be incurred constitutes good cause for further extending Plaintiff's time to serve the Summons and Complaint until after the entry of a final, non-appealable order resolving the Cross-Motions for Summary Judgment ("**Final Order**"); it is hereby

ORDERED that, pursuant to Bankruptcy Rule 9006(b), the time by which Plaintiff shall serve the Summons and Complaint upon the Other Defendants is extended to thirty (30) days after the date of entry of a Final Order, without prejudice to the right of Plaintiff to seek additional extensions thereof.

Dated: New York, New York
April , 2013

UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF SERVICE

I, Evan J. Zucker, hereby certify that on March 25, 2013, I caused a true and correct copy of the foregoing *Notice of Presentment of Order Further Extending Time to Serve Summons and Complaint* to be served via United States First Class Mail on the parties listed below:

John M. Callagy
Nicholas J. Panarella
Martin A. Krolewski
KELLEY DRYE & WARREN LLP
101 Park Avenue
New York, New York 10178
Telephone: (212) 808-7800
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*Attorneys for Defendant
JPMorgan Chase Bank, N.A.*

Dated: New York, New York
March 25, 2013

Hon. Robert E. Gerber
United State Bankruptcy Court
One Bowling Green
New York, NY 10004-1408

/s/ Evan J. Zucker
Evan J. Zucker