

August 1, 2014

**VIA ECF FILING AND E-MAIL TRANSMISSION**

The Honorable Robert E. Gerber  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York, New York 10004

**Re: In re Motors Liquidation Company, et al. Case No. 09-50026  
(REG)  
Phaneuf No Stay Pleading**

Dear Judge Gerber:

We are counsel for plaintiffs in *Phaneuf v. General Motors LLC*, No. 1:14-cv-3298 (S.D.N.Y.). We write in response to the Notice of Settlement and proposed form of Order Denying The Relief Requested By The Phaneuf Plaintiffs In Their No Stay Pleading, submitted by General Motors LLC ("New GM") on July 31, 2014.

Exhibit A to New GM's proposed order is a "Stipulation Staying Action," which contains a signature block for undersigned Plaintiffs' counsel with an S-signature ("/s/"). To be clear, Defense counsel was not authorized to include my e-signature on the Stipulation. To the contrary, Plaintiffs' counsel explicitly informed Defense counsel that Plaintiffs do not agree to the Stipulation. Plaintiffs' counsel did not sign and Plaintiffs do not consent to the stipulation. Plaintiffs intend to appeal the Court's order.

A proposed counter-order is submitted herewith.

Respectfully submitted,



D. Greg Blankinship

cc: Jeffrey C. Block  
Arthur Steinberg

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	: Chapter 11
	: :
<b>MOTORS LIQUIDATION COMPANY, et al.,</b>	: Case No.: 09-50026 (REG)
f/k/a General Motors Corp., et al.	: :
	: :
Debtors.	: (Jointly Administered)
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**[PROPOSED] ORDER DENYING THE RELIEF REQUESTED BY THE PHANEUF PLAINTIFFS IN THEIR NO STAY PLEADING**

Upon the *No Stay Pleading* (“**Phaneuf No Stay Pleading**”) filed by Lisa Phaneuf, *et al.* (“**Phaneuf Plaintiffs**”), dated May 27, 2014 [Dkt. No. 12713]; and upon the *Response by General Motors LLC to No Stay Pleading Filed in Connection with the Court’s May 16, 2014 Scheduling Order*, filed by General Motors LLC on June 13, 2014 [Dkt. No. 12724] (“**Response**”); and a hearing (the “**Hearing**”) having been held with respect to the Phaneuf No Stay Pleading and the Response on July 2, 2014; and upon the record of the Hearing, the Court having orally found and determined that the relief requested in the Phaneuf No Stay Pleading should be denied (“**Oral Ruling**”); and upon the Court issuing its *Decision with Respect to No Stay Pleading (Phaneuf Plaintiffs)* on July 30, 2014 [Dkt. No. 12791] (“**Decision**”), memorializing and amplifying the Oral Ruling issued at the Hearing; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED that the relief requested in the Phaneuf No Stay Pleading is denied in its entirety for the reasons set forth in the Decision; and it is further

ORDERED that the Phaneuf Plaintiffs’ claims will be treated the same as those in the other 87 Ignition Switch Actions. The stay already imposed by the injunctive provisions of

Paragraphs 8 and 47 of the Sale Order (and that the Court may also impose by preliminary injunction) will remain in place insofar as it affects the Phaneuf Plaintiffs' complaint—subject to the right, shared by all of the other plaintiffs in the Ignition Switch Actions, to ask that the Court revisit the issue after September 1; and it is further

ORDERED that the Bankruptcy Court shall retain jurisdiction to interpret and enforce this Order.

Dated: August \_\_, 2014

New York, New York

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UNITED STATES BANKRUPTCY JUDGE