

BUTZEL LONG, a professional corporation
Robert Sidorsky
Eric B. Fisher
380 Madison Avenue
New York, New York 10017
Telephone: (212) 818-1110
Facsimile: (212) 818-0494
sidorsky@butzel.com
fishere@butzel.com

Thomas B. Radom (*pro hac vice* admission pending)
Max J. Newman (*pro hac vice* admission pending)
41000 Woodward Avenue
Bloomfield Hills, Michigan 48304
Telephone: (248) 258-1616
Facsimile: (248) 258-1439
radom@butzel.com
newman@butzel.com

Attorneys for Gill Industries, Inc.

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

In re

General Motors Corp., *et al.*,

Debtors.

Chapter 11

Case No. 09-50026 (REG)

(Jointly Administered)

**LIMITED OBJECTION OF GILL INDUSTRIES, INC. TO DEBTORS' NOTICE OF
INTENT TO ASSUME AND ASSIGN CERTAIN EXECUTORY CONTRACTS,
UNEXPIRED LEASES OF PERSONAL PROPERTY, AND UNEXPIRED
LEASES OF NONRESIDENTIAL PROPERTY**

Gill Industries ("Gill"), by and through its undersigned counsel, for its objection (the "Cure Objection") to the proposed Cure Amount listed on Debtors' Contract Notices website (the "Website") pursuant to this Court's Sale Procedures Order and paragraph A of the Assumption and Assignment Notice respectfully represents:

1. On June 1, 2009 (the "Petition Date"), the Debtors filed their voluntary petition for relief in this Court under Chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code").

2. Prior to the Petition Date, Gill entered into various contracts, purchase orders, and agreements whereby Gill would provide goods and services in exchange for timely payments of same by Debtors (collectively, the “Contracts”).

3. Pursuant to the Sale Procedures Order, the Debtors delivered its Assumption and Assignment Notice dated June 5, 2009 which included instructions to access the Website on which Gill could view a listing of those executory contracts Debtors may seek to assume and assign in connection with the sale of substantially all of its assets, and by its calculations, any corresponding proposed Cure Amount in connection with such contract or leases.

4. At the time this Cure Objection was filed, the Website identified 82 Contracts the Debtors may seek to assume and assign in connection with the sale of substantially all of its assets and a total Cure Amount of \$88,871.24 due and owing to Gill under the identified Contracts.

5. Gill does not object to the assumption and assignment of its Contracts *per se* and has begun, or is prepared to begin, its efforts to reach a consensual resolution of the Cure Amount with Debtors. However, as the Cure Amount has not yet been resolved, Gill, for purposes of preserving its objection rights as to the proposed Cure Amount, makes this Cure Objection pursuant to paragraph 8 of the Assumption and Assignment Notice.

Limited Objection to Proposed Cure Amount

6. Gill objects to the proposed Cure Amount listed on the Website as it does not fully cure and compensate Gill for Debtors’ default(s). According to Gill’s books and records, the correct Cure Amount is \$170,256.82.

7. Gill reserves its right to amend or supplement this objection if, for example, Debtors seek to assume and assign additional Contracts after the Objection Deadline or if there are additional Cure Amounts relating to defaults under the Contracts that occur or continue to

BUTZEL LONG, a professional corporation
Robert Sidorsky
Eric B. Fisher
380 Madison Avenue
New York, New York 10017
Telephone: (212) 818-1110
Facsimile: (212) 818-0494
sidorsky@butzel.com
fishere@butzel.com

Thomas B. Radom (*pro hac vice admission pending*)
Max J. Newman (*pro hac vice admission pending*)
Stoneridge West
41000 Woodward Avenue
Bloomfield Hills, Michigan 48304
Telephone: (248) 258-1616
Facsimile: (248) 258-1439
radom@butzel.com
newman@butzel.com

Attorneys for Gill Industries, Inc.

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

In re:

GENERAL MOTORS CORP., *et al.*,

Debtors.

Case No. 09-50026 (REG)

Chapter 11

(Jointly Administered)

**NOTICE OF APPEARANCE AND REQUEST FOR
SERVICE OF DOCUMENTS**

PLEASE TAKE NOTICE that the law firm of Butzel Long, a professional corporation, by the undersigned, hereby appears as counsel for Gill Industries, Inc., pursuant to section 1109 of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.*, and Rules 2002, 3017, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure, and requests service of all notices and documents herein upon:

Robert Sidorsky, Esq.
Eric B. Fisher, Esq.
BUTZEL LONG, a professional corporation
380 Madison Avenue
New York, New York 10017
Telephone: (212) 818-1110
Facsimile: (212) 818-0494
sidorsky@butzel.com
fishere@butzel.com

Thomas B. Radom, Esq.
Max J. Newman, Esq.
BUTZEL LONG, a professional corporation
41000 Woodward Avenue
Bloomfield Hills, Michigan 48304
Telephone: (248) 258-1616
Facsimile: (248) 258-1439
radom@butzel.com
newman@butzel.com

PLEASE TAKE FURTHER NOTICE that the foregoing request for service includes all pleadings of any kind, including, without limitation, all notices, applications, motions, complaints, and orders, whether written or oral, formal or informal, however transmitted or conveyed, related in any way to the above-captioned debtors, their property, or their estates. The undersigned requests that their names be added to the mailing matrix.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Request for Service of Documents (the "Notice") nor any later appearance, pleading, proof of claim, claim, or suit shall constitute a waiver of (i) the right to have final orders in noncore matters entered only after *de novo* review by a District Judge, (ii) the right to trial by jury in any proceeding triable in this case or any case, controversy, or proceeding related to this case, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) any objection to the jurisdiction of this Bankruptcy Court for any purpose other than with respect to this Notice, (v) an election of remedies, (vi) any other rights, claims, actions, defenses, setoffs, or recoupments as appropriate, in law or in equity, under any

agreements, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: New York New York
June 15, 2009

BUTZEL LONG, a professional corporation

By: /s/ Robert Sidorsky
Robert Sidorsky, Esq.
Eric B. Fisher, Eq.
380 Madison Avenue
New York, NY 10017
Tel.: (212) 818-1110
Fax: (212) 818-0494
sidorsky@butzel.com
fishere@butzel.com

Thomas B. Radom, Esq.
Max J. Newman, Esq.
BUTZEL LONG, a professional corporation
41000 Woodward Avenue
Bloomfield Hills, Michigan 48304
Telephone: (248) 258-1616
Facsimile: (248) 258-1439
radom@butzel.com
newman@butzel.com

Attorneys for Gill Industries, Inc.