

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

<hr/>	:	Chapter 11
In re:	:	
	:	
MOTORS LIQUIDATION COMPANY., <u>et al.</u>	:	Case No. 09-50026 (REG)
	:	(Jointly Administered)
Debtors.	:	
<hr/>	:	
NCR CORPORATION,	:	
	:	
Plaintiff	:	Case No. 09-50026 (REG)
	:	
v.	:	
	:	
MOTORS LIQUIDATION COMPANY,	:	Adv. Proc. No. 11-09400
	:	
Defendant.	:	
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STIPULATED SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 26 and Fed. R. Bankr. P. 7026, Plaintiff NCR Corporation (“NCR”) and Defendant Motors Liquidation Company (f/k/a General Motors Corporation) and its affiliated debtors, as debtors in possession in the above-referenced chapter 11 cases (the “Debtors,” and together with NCR, the “Parties”) have conferred with respect to each of the items listed below. As a result of these discussions, the Parties hereby stipulate to and submit the following Stipulated Scheduling Order for the Court’s approval.

It is hereby **ORDERED** as follows

1. **Initial Disclosures:** Each of the Parties served initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) and Fed. R. Bankr. P. 7026 on or before April 29, 2011.

2. **Service of Subpoenas:** Each of the Parties shall be authorized to serve subpoenas for documents and/or depositions on or after May 18, 2011.

3. **Written Discovery Requests:** Each of the Parties shall be authorized to serve written discovery requests upon each other on or after May 18, 2011. Written responses to discovery requests and responsive documents shall be provided within thirty (30) days after the service of written discovery requests or as the parties may otherwise agree.

4. **Expert Disclosures:** The parties shall produce all disclosures pursuant to Fed. R. Civ. P. 26(a)(2) and Fed. R. Bankr. P. 7026 on or before September 26, 2011.

5. **Depositions:** The Parties shall use their best efforts to complete depositions on or before October 28, 2011.

6. **Dispositive Motions:** Each of the Parties shall file dispositive motions, if any, on or before November 11, 2011. Oppositions to any dispositive motions so filed shall be filed on or before December 2, 2011. Replies to any such dispositive motions shall be filed on or before December 9, 2011.

7. **Confidentiality:** If necessary, the Parties will agree upon the terms of a Confidentiality Stipulation and Order with respect to discovery produced in this proceeding and thereafter jointly request that the agreed Confidentiality Stipulation and Order be approved and entered by the Court.

8. **Privilege:** Inadvertent disclosure of any document that the producing party deems to be protected by the attorney-client privilege or as attorney work product shall not act as a waiver of the applicable privilege or protection and may be recalled by the producing party upon notice to the receiving party. Upon receipt of such notice, the receiving party shall, at the

option and direction of the producing party, promptly return or destroy the document(s) in question.

9. **Modification:** This schedule may be modified only by order of this Court for good cause shown.

STIPULATED AND AGREED:

Dated: May 16, 2011

Dated: May 16, 2011

HANGLEY ARONCHICK SEGAL & PUDLIN

WEIL, GOTSHAL & MANGES LLP

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Attorneys for Plaintiff NCR Corporation

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SO ORDERED THIS ____ **DAY OF** ____, 2011

HON. ROBERT E. GERBER
UNITED STATES BANKRUPTCY JUDGE