

Harvey R. Miller  
Stephen Karotkin  
Joseph H. Smolinsky  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Motors Liquidation Company and  
Motors Liquidation Company GUC Trust

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

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In re : Chapter 11 Case No.  
:   
MOTORS LIQUIDATION COMPANY, *et al.*, : 09-50026 (REG)  
f/k/a General Motors Corp., *et al.*, :   
:   
Debtors. : (Jointly Administered)  
:

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JOHN MORGENSTEIN, MICHAEL JACOB, :  
as Executor of the Estate of Doris Jacob, :  
and ALANTE CARPENTER individually :  
and on behalf of all others similarly situated, :  
:   
Plaintiffs, :   
:   
v. : Adversary Proceeding No. 11-09409  
:   
MOTORS LIQUIDATION COMPANY :  
f/k/a GENERAL MOTORS CORPORATION :  
a Delaware Corporation, :  
:   
Defendant. :  
:

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**NOTICE OF PRESENTMENT OF STIPULATION AND AGREED ORDER BY AND  
AMONG MOTORS LIQUIDATION COMPANY, MOTORS LIQUIDATION COMPANY  
GUC TRUST, JOHN MORGENSTEIN, MICHAEL JACOB, AND ALANTE  
CARPENTER ESTABLISHING BRIEFING SCHEDULE FOR MOTORS  
LIQUIDATION COMPANY'S AND MOTORS LIQUIDATION COMPANY GUC  
TRUST'S AMENDED MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR  
REVOCATION OF DISCHARGE  
AND, IN THE ALTERNATIVE, MOTION TO STRIKE CLASS ALLEGATIONS**

**PLEASE TAKE NOTICE** that the Motors Liquidation Company and the Motors Liquidation Company GUC Trust (the “**GUC Trust**,” and together with Motors Liquidation Company, “**MLC**”) will present the annexed Stipulation and Agreed Order By and Among MLC, on the one hand, and John Morgenstein, Michael Jacob, and Alante Carpenter, on the other hand, Establishing Briefing Schedule for MLC’s Amended Motion to Dismiss Plaintiffs’ Complaint for Revocation of Discharge and, in the Alternative, to Strike Class Allegations (the “**Stipulation and Order**”), to the Honorable Robert E. Gerber, United States Bankruptcy Judge, for approval and signature at Room 621 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on **December 12, 2011, at 12:00 p.m. noon (Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Stipulation and 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](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court’s filing system, and (b) by all other parties in interest, on a CD-ROM or 3.5 inch disk, preferably 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 practicable, and served in accordance with General Order M-399, and on (i) Weil, Gotshal & Manges LLP, attorneys for the Motors Liquidation Company and GUC Trust, 767 Fifth Avenue, New York, New York 10153 (Attn: Harvey R. Miller, Esq., Stephen Karotkin, Esq., and Joseph H. Smolinsky, Esq.); (ii) Debtors, c/o Motors Liquidation Company, 401 South Old Woodward Avenue, Suite 370, Birmingham, Michigan 48009 (Attn: Thomas Morrow); (iii) General Motors LLC, 400 Renaissance Center, Detroit, Michigan 48265 (Attn: Lawrence S. Buonomo, Esq.); (iv) Cadwalader, Wickersham & Taft LLP, attorneys for the United States Department of the

Treasury, One World Financial Center, New York, New York 10281 (Attn: John J. Rapisardi, Esq.); (v) the United States Department of the Treasury, 1500 Pennsylvania Avenue NW, Room 2312, Washington, D.C. 20220 (Attn: Joseph Samarias, Esq.); (vi) Vedder Price, P.C., attorneys for Export Development Canada, 1633 Broadway, 47th Floor, New York, New York 10019 (Attn: Michael J. Edelman, Esq. and Michael L. Schein, Esq.); (vii) Kramer Levin Naftalis & Frankel LLP, attorneys for the statutory committee of unsecured creditors, 1177 Avenue of the Americas, New York, New York 10036 (Attn: Thomas Moers Mayer, Esq., Robert Schmidt, Esq., Lauren Macksoud, Esq., and Jennifer Sharret, Esq.); (viii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Tracy Hope Davis, Esq.); (ix) the U.S. Attorney's Office, S.D.N.Y., 86 Chambers Street, Third Floor, New York, New York 10007 (Attn: David S. Jones, Esq. and Natalie Kuehler, Esq.); (x) Caplin & Drysdale, Chartered, attorneys for the official committee of unsecured creditors holding asbestos-related claims, 375 Park Avenue, 35th Floor, New York, New York 10152-3500 (Attn: Elihu Inselbuch, Esq. and Rita C. Tobin, Esq.) and One Thomas Circle, N.W., Suite 1100, Washington, DC 20005 (Attn: Trevor W. Swett III, Esq. and Kevin C. Maclay, Esq.); (xi) Stutzman, Bromberg, Esserman & Plifka, A Professional Corporation, attorneys for Dean M. Trafelet in his capacity as the legal representative for future asbestos personal injury claimants, 2323 Bryan Street, Suite 2200, Dallas, Texas 75201 (Attn: Sander L. Esserman, Esq. and Robert T. Brousseau, Esq.); (xii) Gibson, Dunn, Crutcher LLP, attorneys for Wilmington Trust Company as GUC Trust Administrator and for Wilmington Trust Company as Avoidance Action Trust Administrator, 200 Park Avenue, 47th Floor, New York, New York 10166 (Attn: Keith Martorana, Esq.); (xiii) FTI Consulting, as the GUC Trust Monitor and as the Avoidance Action Trust Monitor, One Atlantic Center, 1201 West Peachtree Street, Suite 500, Atlanta, Georgia 30309 (Attn: Anna Phillips); (xiv) Crowell & Moring LLP, attorneys for the Revitalizing Auto Communities Environmental Response Trust, 590 Madison Avenue, 19th

Floor, New York, New York 10022-2524 (Attn: Michael V. Blumenthal, Esq.); (xv) Kirk P. Watson, Esq., as the Asbestos Trust Administrator, 2301 Woodlawn Boulevard, Austin, Texas 78703; (xvi) Mark Schlachet, Esq., attorneys for Plaintiffs, 3637 South Green Road, 2nd Floor, Cleveland, Ohio 44122; (xvii) John A. Peca, Esq., Climaco, Wilcos, Peca, Tarantino & Garofoli Co., LPA, attorneys for Plaintiffs, 55 Public Square, Suite 1950, Cleveland, Ohio 44113; (xviii) Adam J. Levitt, Esq., Wolf Haldenstein Adler Freeman & Herz LLC, attorneys for Plaintiffs, 55 West Monroe Street, Suite 1111, Chicago, Illinois 60603; (xix) Joseph J. Siprut, Esq., Siprut PC, attorneys for Plaintiffs, 122 South Michigan Avenue, Suite 1850, Chicago, Illinois 60603, and (xx) Mark Schlachet, Esq., attorney for Plaintiffs, 3637 South Green Road, 2d Floor, Cleveland, Ohio, 44122, so as to be received no later than **December 12, 2011, at 11:30 a.m. (Eastern Time)** (the “**Objection Deadline**”).

PLEASE TAKE FURTHER NOTICE that if no objections are timely filed and served with respect to the Stipulation and Order, MLC may, on or after the Objection Deadline, submit to the Bankruptcy Court the Stipulation and Order, which may be entered with no further notice or opportunity to be heard offered to any party.

Dated: New York, New York  
December 7, 2011

/s/ Joseph H. Smolinsky  
Harvey R. Miller  
Stephen Karotkin  
Joseph H. Smolinsky

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Motors Liquidation Company and  
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Harvey R. Miller  
Stephen Karotkin  
Joseph H. Smolinsky  
WEIL, GOTSHAL & MANGES LLP  
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Telephone: (212) 310-8000  
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Attorneys for Motors Liquidation Company and  
the Motors Liquidation Company GUC Trust

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

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<b>In re</b>	:	<b>Chapter 11 Case No.</b>
	:	
<b>MOTORS LIQUIDATION COMPANY, et al.,</b>	:	<b>09-50026 (REG)</b>
<b>f/k/a General Motors Corp., et al.,</b>	:	
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	
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	:	
<b>JOHN MORGENSTEIN, MICHAEL JACOB,</b>	:	
<b>as Executor of the Estate of Doris Jacob,</b>	:	
<b>and ALANTE CARPENTER individually</b>	:	
<b>and on behalf of all others similarly situated,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>Adversary Proceeding No. 11-09409</b>
	:	
<b>MOTORS LIQUIDATION COMPANY</b>	:	
<b>f/k/a GENERAL MOTORS CORPORATION</b>	:	
<b>a Delaware Corporation,</b>	:	
	:	
<b>Defendant.</b>	:	
-----X		

**STIPULATION AND AGREED ORDER BY AND AMONG MOTORS LIQUIDATION  
COMPANY, MOTORS LIQUIDATION COMPANY GUC TRUST, JOHN  
MORGENSTEIN, MICHAEL JACOB, AND ALANTE CARPENTER ESTABLISHING  
BRIEFING SCHEDULE FOR MOTORS LIQUIDATION COMPANY'S AND MOTORS  
LIQUIDATION COMPANY GUC TRUST'S AMENDED MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT FOR REVOCATION OF DISCHARGE  
AND, IN THE ALTERNATIVE, MOTION TO STRIKE CLASS ALLEGATIONS**

Motors Liquidation Company and the Motors Liquidation Company GUC Trust (the “**GUC Trust**,” and together with Motors Liquidation Company, “**MLC**”), on the one hand, and John Morgenstein, Michael Jacob, and Alante Carpenter, on the other hand (“**Plaintiffs**,” and together with MLC, the “**Parties**”), by and through their undersigned counsel, hereby enter into this Stipulation and Agreed Order (this “**Stipulation and Order**”) and stipulate as follows:

**RECITALS**

1. On September 26, 2011, Plaintiffs filed their Complaint for Revocation of Discharge (the “**Complaint**”);

2. On October 28, 2011 MLC filed its Motion to Dismiss Plaintiffs’ Complaint for Revocation of Discharge and, in the Alternative, Motion to Dismiss Class Allegations (the “**Motion**”);

3. On November 22, 2011, the Court held a status conference on this action, at which the Court permitted the Parties to submit an agreed briefing schedule should MLC chose to amend its Motion (“**Amended Motion**”);

4. MLC intends to file an Amended Motion, necessitating an extension of the present briefing deadlines;

NOW, THEREFORE, the Parties, by and through their undersigned counsel, agree to the following briefing deadlines and hearing date with respect to the Amended Motion:

**STIPULATION**

1. MLC shall file its Amended Motion on or before 4:00 p.m. ET on December 12, 2011.

2. Plaintiffs shall file their response to the Amended Motion on or before 4:00 p.m. ET on December 26, 2011.

3. MLC shall file its reply in support of the Amended Motion on or before 4:00 p.m. ET on January 3, 2012.

4. The hearing on the Amended Motion shall occur on January 10, 2012, at 9:45 a.m. ET.

Dated: December 7, 2011

/s/ Mark Schlachet

Mark Schlachet, Esq.  
3737 South Green Road, 2d Floor  
Cleveland, Ohio 44122  
Telephone: (216) 896-0714

John R. Climaco (Ohio Bar # 0011456)  
(Admitted Pro Hac Vice)

John A. Peca (Ohio Bar # 0011447)  
(Admitted Pro Hac Vice)

Climaco, Wilcox, Peca, Tarantino & Garofoli  
Co., LPA

55 Public Square, Suite 1950  
Cleveland, Ohio 44113  
Telephone: (216) 621-8484

Adam J. Levitt (Illinois Bar # 02616433)  
(Admitted Pro Hac Vice)

Edmund Aronowitz (Illinois Bar # ARDC  
6304587)

(Admitted Pro Hac Vice)

Wolf Haldenstein Adler Freeman & Herz LLC  
55 West Monroe Street, Suite 1111  
Chicago, Illinois 60603  
Telephone: (312) 984-0000

Joseph J. Siprut (Illinois ARDC# 6279813)  
(Admitted Pro Hac Vice)

Siprut PC  
122 South Michigan Avenue, Suite 1850  
Chicago, Illinois 60603  
Telephone: (312) 588-1440

Richard J. Arsenault (LA # 2563)  
(Admitted Pro Hac Vice)

Srivatsa V. Gupta (LA # 32486)  
(Admitted Pro Hac Vice)

Neblett, Beard & Arsenault  
2220 Bonaventure Court  
P.O. Box 1190  
Alexandria, LA 71309

**ATTORNEYS FOR JOHN  
MORGENSTEIN, MICHAEL JACOB, AND  
ALANTE CARPENTER**

/s/ Joseph H. Smolinsky

Harvey R. Miller  
Stephen Karotkin  
Joseph H. Smolinsky  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000

**ATTORNEYS FOR THE MOTORS  
LIQUIDATION COMPANY GUC TRUST  
AND MOTORS LIQUIDATION COMPANY**



IT IS SO ORDERED.

Dated: New York, New York  
\_\_\_\_\_, 2011

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THE HONORABLE ROBERT E. GERBER  
UNITED STATES BANKRUPTCY JUDGE