## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In Re:		Case No. 09-50026 (REG)
GENERAL MOTORS CORP., et al,		Chapter 11
Debtors.	/	(Jointly Administered)

## PROTECTIVE CONTRACT OBJECTION OF RIDGEVIEW INDUSTRIES, INC.

NOW COMES Ridgeview Industries, Inc., by and through its counsel, Dunn, Schouten & Snoap, P.C., and for its protective objection to the Debtors' Notice of Intent to Assume and Assign Certain Executory Contracts and the Cure Amounts related thereto, states as follows:

- 1. Ridgeview Industries, Inc. ("Ridgeview") has been identified as an Essential Creditor by the Debtors and Ridgeview has signed and submitted a Trade Agreement to the Debtors.
- 2. Ridgeview on June 11, 2009 received the Debtors' "Notice of (I) Debtors' Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Nonresidential Real Property and (II) Cure Amounts Related thereto. ("Notice").
- 3. Paragraph 7 of the Notice requires any objections to the proposed assumption and assignment of the Assumable Executory Contracts, including objections to the Cure Amount, be made within ten (10) days after the date of the Notice. While the Notice is dated June 5, 2009, Ridgeview did not receive the Notice until June 11, 2009 and therefore submits that this Protective Objection is timely filed.

4. The communication from the Debtors provided information for Ridgeview to

examine online the Cure Amount for the Ridgeview Assumable Executory Contracts. Ridgeview

utilized the online inspection and discovered that 643 contracts were identified to be assumed,

however, the Cure Amounts were left blank.

5. Ridgeview's representatives and the undersigned attorney for Ridgeview phoned the

designated 888 number (the "Call Center") and were advised that the Cure Amount was an "open

issue" still to be determined.

6. Since the Debtors have not identified an amount to be paid as the "Cure Amount",

Ridgeview files this provisional objection and requests that the Court direct the Debtors to identify

and disclose the proposed Cure Amount so that Ridgeview can determine if further objections are

warranted.

WHEREFORE, Ridgeview respectfully requests that the Court set this objection for hearing

to determine the Cure Amount, and for such further relief as the Court deems just and equitable.

Respectfully Submitted,

DUNN, SCHOUTEN & SNOAP, P.C.

Date: June 18, 2009

By: /s/ Thomas W. Schouten

Thomas W. Schouten (P23060)

Attorneys for Ridgeview Industries, Inc.

**Business Address and Telephone:** 

2745 DeHoop Ave. SW

Wyoming, MI 49509

(616) 538-6380

Email: tschouten@dunnsslaw.com

2

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In Re:	Case No. 09-50026 (REG)		
GENERAL MOTORS CORP., et al,	Chapter 11		
Debtors/	(Jointly Administered)		
PROOF OF SERVICE			
Documents Served:			
Protective Contract Objection of Ridgeview	v Industries, Inc.		
Persons Served:			
See Attached Service List	F.		
The undersigned certifies that the document listed at their respective addresses by regular first envelopes in the mail on the date indicated below.	* *		

Dated: June 18, 2009

I declare that the statement above is true to the best of my information, knowledge and belief.

Beverly A. Leestma

**DUNN, SCHOUTEN & SNOAP** 

2745 DeHoop Avenue SW Wyoming, MI 49509 (616) 538-6380 General Motors Corporation Cadillac Building 30009 Van Dyke Ave. Warren MI 48090-9025 Attn: Warren Command Center Mailcode 480-206-114

Weil, Gotshal & Manges, LLP Attn: Harvey R. Miller 767 Fifth Ave. New York NY 10153

Weil, Gotshal & Manges, LLP Attn: Stephen Karotkin 767 Fifth Ave. New York NY 10153

Weil, Gotshal & Manges, LLP Attn: Joseph H. Smolinsky 767 Fifth Ave. New York NY 10153

U.S. Treasury Attn: Matthew Feldman, Esq. 1500 Pennsylvania Ave. NW Room 2312 Washington, D.C. 20220

Cadwalader, Wickersham & Taft LLP Attn: John J. Rapisardi, Esq. One World Financial Center New York, NY 10281

Vedder price, P.C. Attn: Michael J. Edelman 1633 Broadway, 47<sup>th</sup> Floor New York, NY 10019

Vedder price, P.C. Attn: Michael L. Schein 1633 Broadway, 47<sup>th</sup> Floor New York, NY 10019

Office of the U.S. Trustee Attn: Diana G. Adams 33 Whitehall Street, 21<sup>st</sup> Floor New York, NY 10004