

Hearing Date and Time: To Be Determined by Court
Objection Filed by Plaintiff: March 4, 2016
Reply Due: March 30, 2016

SHAPIRO HABER & URMY LLP

Edward F. Haber
Seaport East
Two Seaport Lane
Boston, MA 02210
Telephone: (617) 439-3939
Fascimile: (617) 439-0134

*Attorney for the Employees' Retirement
System of the City of Montgomery*

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

In re:

MOTORS LIQUIDATION COMPANY, *et al.*,

Debtors.

MOTORS LIQUIDATION COMPANY
AVOIDANCE ACTION TRUST, by and through
the Wilmington Trust Company, solely in its
capacity as Trust Administrator and Trustee,

Plaintiff,

vs.

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

Chapter 11

Case No. 09-50026 (MG)

(Jointly Administered)

Adversary Proceeding

Case No. 09-00504 (MG)

**JOINDER OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE
CITY OF MONTGOMERY IN PENDING RULE 12 MOTIONS**

The Employees' Retirement System of the City of Montgomery ("Montgomery") hereby
joins in, and adopts the same as if set forth fully herein, the following motions:

- (i) Certain Term Loan Investor Defendants' Joint Motion to Dismiss Plaintiff's Amended Complaint (Dkt. No. 226) and accompanying Memorandum of Law (Dkt. No. 226-1);
- (ii) Motion of Ad Hoc Group of Term Lenders (1) to Vacate Certain Prior Orders of the Court; and (2) to Dismiss the Adversary Proceeding (Dkt. No. 262);
- (iii) Motion of Term Loan Lenders for Judgment on the Pleadings (Dkt. No. 377); and
- (iv) Memorandum of Law in Support of the Moving Term Loan Lenders' Motion for Judgment on the Pleadings (Dkt. No. 390).

WHEREFORE, Montgomery respectfully request that the Court grant the pending Rule 12 Motions and dismiss the Amended Complaint as against Montgomery with prejudice, and that the Court grant such other and further relief as may be just and proper.

Dated: March 28, 2016

Respectfully submitted,

/s/ Edward F. Haber
Edward F. Haber
SHAPIRO HABER & URMY LLP
Seaport East
Two Seaport Lane
Boston, MA 02210
Telephone: (617) 439-3939
Facsimile: (617) 439-0134

*Attorney for the Employees' Retirement
System of the City of Montgomery*

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of March, 2016, a copy of the foregoing Joinder was served via the Court's CM/ECF system on all subscribed parties.

/s/ Edward F. Haber
Edward F. Haber