

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

In re: MOTOR LIQUIDATION COMPANY, <i>et al.</i> , Debtors.	Chapter 11 Case No. 09-50026 (MG) (Jointly Administered)
MOTOR LIQUIDATION COMPANY AVOIDANCE ACTION TRUST, by and through the Wilmington Trust Company, solely in its capacity as Trust Administrator and Trustee, Plaintiff, vs. JP MORGAN CHASE BANK, N.A., <i>et al.</i> Defendants.	Adversary Proceeding Case No. 09-00504 (MG)

**SECOND STIPULATION EXTENDING THE
DEADLINE FOR THE UNDERSIGNED DEFENDANTS TO FILE
CROSS-CLAIMS BETWEEN AND AMONG THEMSELVES**

WHEREAS, the August 17, 2015 Order Regarding Discovery and Scheduling [Dkt. No. 153] (the “Original Scheduling Order”) in the above-captioned adversary proceeding (the “Adversary Proceeding”) provided that the deadline for defendants to file cross-claims, if any, was November 16, 2015;

WHEREAS, the Original Scheduling Order also provided that: “With regard to the deadline for Defendants to file cross-claims (if any), any Defendant or Defendants may stipulate with any other Defendant or Defendants to extend that deadline to the extent applicable to them without the need for a court order” (Original Scheduling Order, ¶ 2);

WHEREAS, on November 3, 2015, the Court entered the Stipulation and Order Regarding Extension of the Deadline for the Undersigned Defendants to File Cross-Claims Between and Among Themselves [Dkt. No. 188] (the “Cross-Claim Extension Stipulation”) approving an extension of the deadline for the Stipulating Defendants¹, as between and among themselves, to November 16, 2016 on the terms set forth therein;

WHEREAS, the Cross-Claim Extension Stipulation provides that: “The Stipulating Defendants, or any subset thereof, may stipulate between and among themselves to further extensions of the cross-claim deadline between and among themselves on the same terms set out herein without the need for a court order” (Cross-Claim Extension Stipulation, ¶ 4);

WHEREAS, defendant JP Morgan Chase Bank, N.A. (“JPMCB”) and the undersigned Stipulating Defendants (collectively, the “Extended Stipulating Defendants”) have conferred regarding a further extension of the deadline for filing cross-claims as between and among themselves, and agree to a further extension as set forth herein.

IT IS HEREBY STIPULATED as follows:

1. **Extension of the cross-claim deadline:** The deadline for the Extended Stipulating Defendants to file cross-claims, as between and among themselves, is further extended to and including July 31, 2017.

2. **Preservation of “relation back” and statute of limitation arguments:** For purposes of any “relation back” doctrine, including but not limited to the provisions of CPLR 203(d) and case law related thereto, statute of limitations, or any other legal,

¹ Capitalized terms not defined herein shall have the meanings ascribed to them in the Cross-Claim Extension Stipulation.

equitable or other defense relating to the passage of time that may be applicable, any cross-claim that is filed by any Extended Stipulating Defendant against any other Extended Stipulating Defendant prior to the deadline set forth in paragraph 1 in the Adversary Proceeding will be treated as if such cross-claim were filed in the Adversary Proceeding on November 16, 2015. If the first responsive pleading in the Adversary Proceeding was filed or is due before the further extended deadline for the filing of cross-claims, each Extended Stipulating Defendant waives any claim, defense or argument that such cross-claim was not asserted in the first responsive pleading. For the avoidance of doubt, each Extended Stipulating Defendant, including JPMCB, reserves any and all rights and arguments it had as of November 16, 2015 to assert that any cross-claim does or does not “relate back” to the filing of the complaint in the Adversary Proceeding and is or is not barred by the statute of limitation or any other legal, equitable, or other defense relating to the passage of time.

3. **Further extensions of the cross-claim deadline:** The Extended Stipulating Defendants, or any subset thereof, may stipulate between and among themselves to further extensions of the cross-claim deadline between and among themselves on the same terms set out herein without the need for a court order.

4. **Preservation of the Existing Stipulations and Orders:** Except as specifically modified herein, the terms of the Original Scheduling Order and the Cross-Claim Extension Stipulation, as may have been subsequently modified or amended, shall remain in full force and effect.

[Remainder of the Page Intentionally Left Blank]

STIPULATED AND AGREED:

Dated: November 3, 2016

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Appendix A

Arch Reinsurance Ltd.
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Board of Fire and Police Pension Commissioners of the City of Los Angeles
Board of Pensions of the Presbyterian Church (U.S.A.)
Building Trades United Pension Trust Fund
Carpenters Pension Fund of Illinois
Caterpillar Inc. Master Retirement Trust
City of Milwaukee Employees' Retirement System
Coca-Cola Company Retirement & Master Trust
Columbus Unconstrained Bond Fund (formerly Reams Unconstrained Bond Fund)
Connecticut General Life Insurance Company In Respect of Its Separate Account 4828CP
Cummins Inc. and Affiliates Collective Investment Trust
Dallas Employee Retirement Fund
DDJ High Yield Fund
Debello Investors LLC
Eighth District Electrical Pension Fund
Emerson Electric Co. Retirement Master Trust
Employees' Retirement System of Baltimore County
GoldenTree Loan Opportunities III, Ltd.
GoldenTree Loan Opportunities IV, Ltd.
Halliburton Company Employee Benefit Master Trust
Health Care Foundation of Greater Kansas City
ILWU/PMA Pension Plan Trust
Indiana Public Retirement System
Indiana State Police Pension Trust
Indiana University
Inter-Local Pension Fund of the Graphic Communications Conference of the International Brotherhood of Teamsters
J.C. Penney Corporation, Inc. Pension Plan Trust
Kraft Heinz Foods Company ¹ & Kraft Foods Master Retirement Trust
Kynikos Opportunity Fund II, L.P.
Kynikos Opportunity Fund International Limited
Kynikos Opportunity Fund, L.P.
Master Trust for Certain Tax Qualified Bechtel Retirement Plans ²
Master Trust Pursuant to the Retirement Plans of APL Limited & Subsidiaries
Mather Foundation
Montana Board of Investments
Municipal Employees' Retirement System of Michigan
New Orleans Carpenters Pension Plan <i>f/k/a Louisiana Carpenters Regional Council Pension</i>

¹ Based upon their records, neither Kraft Heinz Food Company nor Kraft Foods Global, Inc. received any of the transfers referenced in the Amended Complaint and thus reserve all of their rights with respect thereto.

² In 2009, the Master Trust held the assets of the Bechtel Trust & Thrift Plan and the Becon Trust & Thrift Plan.

<i>Plan</i>
Purdue University
Prudential Retirement Insurance & Annuity Company, on behalf of Separate Account SA-18
Retirement Board of the Park Employees' and Retirement Board Employees' Annuity and Benefit Fund of Chicago
Santa Barbara County Employees' Retirement System
Scout Core Plus Bond Fund (formerly Frontegra Columbus Core Plus Bond Fund)
Seattle City Employees' Retirement System
Shinnecock CLO II, Ltd.
Sonoma County Employees' Retirement Association
State of Indiana Major Moves Construction Fund
Stichting Bewaarder Syntrus Achmea Global High Yield Pool <i>f/k/a Stichting Bewaarder Interpolis Pensioenen Global High Yield Pool</i>
Stichting Pensioenfonds Hoogovens
Stichting Pensioenfonds Metaal en Techniek
St. Luke's Health System Corporation, as successor to St. Luke's Episcopal Health System Foundation
Taxable Fixed Income Managers: Portfolio 1 [Series] <i>f/k/a Goldman Sachs GMS Core Plus Fixed Income Portfolio</i>
The Children's Hospital of Philadelphia Foundation
The Duchossois Group Inc. Pension Trust
The Rotary Foundation
Twin Lake Total Return Partners LP <i>f/k/a Talon Total Return Partners LP</i>
Twin Lake Total Return Partners QP LP <i>f/k/a Talon Total Return QP Partners LP</i>
University of Kentucky
Ventura County Employees' Retirement Association
Vulcan Ventures, Inc.
Wexford Catalyst Investors LLC
Wexford Spectrum Investors LLC