

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

In re:

MOTORS LIQUIDATION COMPANY, *et al.*,

Debtors.

Chapter 11

Case No.: 09-50026 (MG)
(Jointly Administered)

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

Adversary Proceeding

Case No.: 09-00504 (MG)

Plaintiff,

v.

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

Defendants.

**STIPULATION AND ORDER FURTHER EXTENDING TIME FOR
GENERAL MOTORS LLC TO FILE A MOTION TO SEAL SOME
MOTION IN LIMINE BRIEFING AND TRIAL MATERIALS**

WHEREAS, on April 18, 2016, the Court entered the Amended Agreed Protective Order (ECF No. 489) (the “**Amended Agreed Protective Order**”), which governs discovery provided by and to all parties and non-parties in this Action;

WHEREAS, on March 8, 2017, the Court entered a *Stipulation and Order Permitting the Parties to File Motion in Limine Under Seal* (ECF No. 862) (the “**March 8, 2017 Stipulation and Order**”)¹, setting forth the procedures regarding the treatment of the Motion in Limine

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the March 8, 2017 Stipulation and Order and the April 6, 2017 Stipulation and Order (defined below).

Briefing that contains information designated by parties and third parties as Confidential or OAE0, in accordance with the terms therein and the Amended Agreed Protective Order;

WHEREAS, on April 6, 2017, the Court entered a *Stipulation and Order Permitting the Parties to Submit Trial Exhibits and Deposition Designations Under Seal* (ECF No. 921) (the “**April 6, 2017 Stipulation and Order**”), setting forth the procedures regarding the treatment of the Trial Materials that contain information designated by parties and third parties as Confidential or OAE0, in accordance with the terms therein and the Amended Agreed Protective Order;

WHEREAS, in accordance with the March 8, 2017 Stipulation and Order and the April 6, 2017 Stipulation and Order, the parties recently served all third parties, including General Motors LLC (“**New GM**”), with the relevant portions of the Motion in Limine Briefing and Trial Materials that contained each third party’s Confidential or OAE0 material on April 3, 2017 and April 10, 2017, respectively;

WHEREAS, in accordance with the March 8, 2017 Stipulation and Order and the April 6, 2017 Stipulation and Order, the deadline for any party or third party to file any motion to seal some or all of the Motion in Limine Briefing or Trial Materials is April 14, 2017;

WHEREAS, on April 14, 2017, the Court entered a Stipulation and Order Extending Time for General Motors, LLC to File a Motion to Seal Some Motion in Limine Briefing and Trial Materials (ECF No. 956), which extended the time for New GM to file a motion to seal for some of all of the Motion in Limine Briefing and Trial Materials until April 19, 2019;

WHEREAS, due to time limitations, the significant amount of Motion in Limine Briefing and Trial Materials that the parties provided for New GM’s review, New GM’s concerns as to the confidential nature of certain of the information contained therein, and on-

going discussions about New GM's concerns, New GM requests a further brief extension of time to file a motion to seal some or all of the Motion in Limine Briefing or Trial Materials to April 20, 2017 at 1:00 p.m. (ET);

WHEREAS, counsel for New GM, counsel for Plaintiff, counsel for Defendant JPMorgan Chase Bank, N.A., and counsel for the Defendants' Steering Committee have met and conferred regarding New GM's request for an extension of time to file a motion to seal some or all of the Motion in Limine Briefing or Trial Materials and New GM has agreed that no further extensions will be requested;

WHEREAS, good cause exists for granting New GM an extension of time to file any motions to seal some or all of the Motion in Limine Briefing or Trial Materials;

IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the undersigned parties, that:

1. The deadline to file any motion to seal some or all of the Motion in Limine Briefing or Trial Materials² shall be extended to on or before April 20, 2017 at 1:00 p.m. (ET), solely with respect to New GM, and that New GM shall not seek any further extensions.

2. The deadline for the parties to file the Motion in Limine Briefing on the Court's electronic docket in the event that no party or third party files a motion to seal some or all of the Motion in Limine Briefing or Trial Materials shall be extended to on or before April 21, 2017.

3. In the event New GM files a motion to seal some or all of the Motion in Limine Briefing or Trial Materials, such documents shall remain sealed and the time for the parties to

² For the sake of clarity, New GM has no concerns about and does not seek to potentially seal or redact any of New GM's business records involving information about General Motors North America marked as exhibits by the Parties.

file any applicable, redacted versions, shall be (i) four days after the close of evidence, or (ii) pursuant to the Court's Order.

4. The remainder of the March 8, 2017 Stipulation and Order and the April 6, 2017 Stipulation and Order shall remain in full force and effect.

Dated: New York, New York
April 19, 2017

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Products Inc., Loan Funding XI LLC,
Deutsche Bank AG, Deutsche Bank AG
Cayman Islands Branch, Goldman Sachs
Lending Partners LLC, Goldman Sachs –
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Ltd., Marathon CLO II Ltd., Marathon
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Funding Inc., Muzinich &
Company (Ireland) Ltd. for the Account of
Muzinich Loan Fund Plus (f/k/a Muzinich &
Company (Ireland) Ltd. for the Account of
Extra Yield \$ Loan Fund), and The Royal
Bank of Scotland plc*

IT IS SO ORDERED.

Dated: _____, 2017
New York, New York

MARTIN GLENN
United States Bankruptcy Judge