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June 28, 2011

## VIA E-MAIL TRANSMISSION AND ECF

The Honorable Robert E. Gerber  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York, New York 10004

**Re: In re Motors Liquidation Company, et al.**  
**Case No. 09-50026**

Dear Judge Gerber:

King & Spalding LLP is counsel to General Motors LLC (“**New GM**”) in the above-referenced bankruptcy cases. The Court previously scheduled a hearing for May 17, 2011 to hear argument on the relief requested in various pleading filed by Billy Ray Kidwell. On May 10, 2011, counsel for New GM was contacted by counsel for Motors Liquidation Company (“**MLC**”), the above-referenced Debtors, stating that the hearing on the Kidwell matters was being adjourned at the direction of the Court and that they spoke to Mr. Kidwell, who stated that June 22, 2011 was an appropriate adjourned date for the hearing. As counsel for MLC was in contact with Mr. Kidwell, counsel for New GM never spoke to Mr. Kidwell about the adjourned date for the hearing.

Counsel for New GM appeared at the hearing on June 22, 2011; Mr. Kidwell did not appear. However, on June 27, 2011, a letter from Mr. Kidwell was docketed in this bankruptcy case. Mr. Kidwell stated in his letter that he was contacted approximately three weeks ago about rescheduling the hearing and that while he was told the date, he was also told that he would receive formal notice of the rescheduled hearing date and the procedures for appearing by telephone. He further states that he never received the information and asked the Court to advise him of the hearing date and the process for attending by phone.

A representative of the law firm representing MLC has informed us that the Garden City Group (MLC’s claims agent) sent Mr. Kidwell a copy of the May 17<sup>th</sup> agenda stating that the matters were adjourned to June 22, 2011, but inadvertently did not send Mr. Kidwell the June 22 agenda.

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As noted, we were not involved in the noticing and adjournment process. New GM does believe that all of the Kidwell matters can be decided on the pleadings previously filed with the Court without oral argument. However, if there was a miscommunication between counsel for MLC and Mr. Kidwell, and Mr. Kidwell believes it is important to have oral argument on his submitted papers, New GM has no objection to the hearing being rescheduled by the Court, assuming the Court believes a hearing is necessary and appropriate.

Respectfully submitted,

*/s/ Arthur Steinberg*

Arthur Steinberg

cc: Mr. Billy Ray Kidwell  
5064 Silver Bell Drive  
Port Charlotte, Florida 33948

Joseph Smolinsky, Esq. (via e-mail transmission)