

HEARING DATE AND TIME: May 31, 2012 at 9:45 a.m. (Eastern Time)

Barry N. Seidel (BS-1945)
Stefanie Birbrower Greer (SG-2898)
DICKSTEIN SHAPIRO LLP
1633 Broadway
New York, New York 10019-6708
Telephone: (212) 277-6500
Facsimile: (212) 277-6501

Attorneys for Motors Liquidation
Company GUC Trust

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

-----X	
	:
In re	:
	:
MOTORS LIQUIDATION COMPANY, et al.,	:
f/k/a General Motors Corp., et al.	:
	:
Debtors.	:
	:
-----X	

Chapter 11 Case No.
09-50026 (REG)
(Jointly Administered)

**REPLY TO RESPONSE OF MARVIN ECHOLS
TO THE 27TH OMNIBUS OBJECTION TO CLAIMS**

TO THE HONORABLE ROBERT E. GERBER
UNITED STATES BANKRUPTCY JUDGE:

The Motors Liquidation Company GUC Trust (the “**GUC Trust**”), formed by the above-captioned debtors (collectively, the “**Debtors**”) in connection with the Debtors’ Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (as may be amended, supplemented, or modified from time to time, the “**Plan**”), files this reply (the “**Reply**”) to the response (the “**Response**,” a copy of which is annexed hereto as Exhibit A) filed by Marvin Echols to the 27th Omnibus Objection to Claims (the “**Objection**”), which seeks to reclassify his claim against the Debtors (Claim Number 44240, the “**Claim**,” a copy of which is annexed hereto as Exhibit B). In support of this Reply, the GUC Trust respectfully represents:

INTRODUCTION

1. On November 24, 2009 Marvin Echols, a *pro se* claimant, filed the Claim, seeking to recover approximately \$30,000 from the Debtors in damages for “failure of ABS braking system.” In the Claim, Mr. Echols states that the Claim is entitled to “priority for recall warranty for [ABS] braking system” and also identifies the claim as a secured claim. Based on the foregoing, it appears Mr. Echols intended to assert his claim as a priority claim under section 507(a) of title 11, United States Code (the “**Bankruptcy Code**”).

2. On July 2, 2010, the Debtors filed the Objection, seeking to reclassify the Claim as an unsecured claim. Thereafter, Mr. Echols filed the Response, in which he reiterates that the Claim is based on “ABS braking system failures” and cites various authority for the proposition that the Claim is “[constructively] priority and or constructively a secured claim.” Response, pp. 3-4. As set forth more fully herein, Mr. Echols’ interpretation of the law is incorrect. As a matter of law, the Claim is an unsecured claim which is not entitled to either priority or secured status under the Bankruptcy Code.

ARGUMENT

3. Where (as here) an objection is filed refuting a claimant’s entitlement to priority or secured status, the burden shifts to the claimant to demonstrate the validity of the claim. See In re Oneida Ltd., 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009), aff’d, No. 09-cv-2229 (DC), 2010 WL 23487 (S.D.N.Y. Jan 22, 2010). Mr. Echols has not (and cannot) meet that burden.

4. First, the Claim is not a priority claim. Section 507(a) of the Bankruptcy Code limits claims entitled to priority status to claims for, among other things, certain domestic support obligations, wages, salaries or commissions, contributions to employee benefit plans,

and specific tax obligations. 11 U.S.C. § 507(a). Here, neither the Claim nor the Response indicates that the Claim falls within any of the categories of claims entitled to priority under the Bankruptcy Code. Instead, Mr. Echols describes the claim as a typical products liability claim, which has no place in the priority scheme. In re Motors Liquidation Company, 428 B.R. 43, 63 (S.D.N.Y. 2010) (finding that products liability claimants are unsecured creditors).

5. Second, the Claim is not a secured claim. Secured claims are limited to allowed claims where the creditor has a lien on property of the estate. 11 U.S.C. § 506(a)(1). Mr. Echols has provided no evidence that he has any lien whatsoever on property in which the Debtors have an interest. Mr. Echols's citations to case law and allegations about his "property interest rights in GM's property" are simply misguided. Response, p. 1. Again, the Claim is simply an unsecured product liability claim.

6. In light of the foregoing, the GUC Trust submits that the Objection should be sustained and the Claim should be reclassified as a general unsecured claim.

Dated: New York, New York
May 16, 2012

/s/ Stefanie Birbrower Greer
Barry N. Seidel (BS-1945)
Stefanie Birbrower Greer (SG-2898)

DICKSTEIN SHAPIRO LLP
1633 Broadway
New York, New York 10019-6708
Telephone: (212) 277-6500
Facsimile: (212) 277-6501

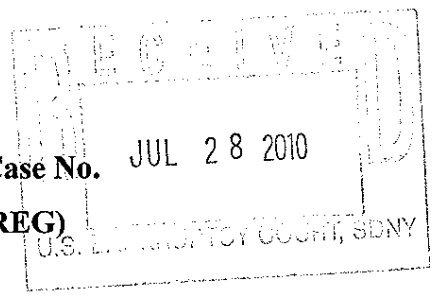
*Attorneys for Motors Liquidation
Company GUC Trust*

EXHIBIT A

ORIGINAL 2 of 6
FOR COURT
FILES (THIS CASE)

FOR GM [OLD GM] BANKRUPTCY CASE:

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



In re :
:
MOTORSLIQUIDATION COMPANY, et al, :
f/k/a General Motors Corp., et al :
_____ :

Chapter 11 Case No. JUL 28 2010
09 - 50026 (REG)
U.S. BANKRUPTCY COURT, SDNY
(Jointly Administered)

**SUBJECT: MY OBJECTIONS TO THE PURPORTED RECLASSIFICATION
OF MY CLAIM [#44240] IN THE ABOVE ENTITLED CASE , AMONG
OTHER THINGS, PROCEEDING IN PRO PER IN THIS MATTER
TIMELY [OR BY LEAVE OF COURT] FOR ALL THE REASONS
STATED HEREIN [OR OTHERWISE DOCUMENTED WITH MY
CLAIM [#44240] ; AND FOR OTHER PURPOSES [TIMELY OR BY
LEAVE OF COURT] RELATED HERETO.**

1. That I am MARVIN ECHOLS proceeding in pro per timely [or attempting to be timely]
or [OR BY LEAVE OF COURT] TIMELY filing my OJECTIONS TO YOUR [GM OR OLD GM'S]
PROPOSED RECLASSIFCATION OF MY CLAIM'S [# 44240] PRIORITY TO ALLEGED
UNSECURED CLAIM OF \$30,000.00 ON SEVERAL GROUNDS , INCLUDING,
BUT NOT LIMITED TO THE FOLLOWING, TO WIT:

(a). My GM VEHICLE HAS AT LEAST FIVE (5) RECALLS ON THE REPEATED FAILURE
OF [THE] GM ABS BRAKING SYSTEM TIMELY FILED WITH THE FEDERAL GOVERNMENT
AND CLAIMS [PLEASE SEE CLAIM# 44240 DOCUMENTS AND REFERENCES THEREIN,ETC
DETAILS] AND UNDER THE NHSTA LAWS [THE NATIONAL HIGHWAY SAFETY LAWS
[JUDICIAL NOTICE IS REQUESTED] GM HAS AT LEAST AN OBLIGATION TO REPLACE
THE SAME AT ITS PRESENT VALUE UNDER THOSSES LAWS, AND WHICH HAVE ME
[MARVIN ECHOLS] AS THE OWNER OF SAME AN ENTITLEMENT AND PROPERTY
INTEREST RIGHTS IN GM'S PROPERTY [BY EXTENDED WARRANTS OF SAME ETC]
UNDER SEVERAL UNITED STATES SUPREME COURT DECISIONS, INCLUDING BUT
NOT LIMITED TO THOSSES TIMELY CITED HEREIN, WHICH MADE CLEAR THAT THE

FOR GM [OLD GM] BANKRUPTCY CASE:

LAWS OF THE UNITED STATES ENFORCEMENT FOR HEALTH AND SAFETY , INTER ALIA,
SHALL SURVIVE THE GM CORP FILING FOR BANKRUPTCY, TO WIT:

(a)(1): MIDLANTIC NAT'L BANK v. NJDEP 474 US 494 (1986);

<http://supreme.justia.com/us/474/494/case.html>;

(a)(2): BOARD OF REGENTS OF STATE COLLEGES v. ROTH, 408 US 564 (1972); [defines property interest and entitlements ,etc] ; see also

(a)(3): CHURCH OF THE HOLY TRINITY v. UNITED STATES 143 US 457(1892);

<http://supreme.justia.com/us/143/457/case.html> ;

that “All laws should receive a sensible construction. General terms should be so limited in their application as not to lead to injustice, oppression, or an absurd consequence. It will always therefore be presumed that the legislature intended exceptions to its language which would avoid results of this character. The reason of the law in such case should prevail over its letter. [see page 143 us 461 etc]. The common sense of man approves the judgment mentioned by Puffendorf, that the Bolognian law which enacted that whoever drew blood in the streets should be punished with the utmost severity did not extend to the surgeon who opened the vein of a person that fell down in the street in a fit. The same common sense accepts the ruling, cited by Plowden , that the statute of 1st Edw ii which enacts that a prisoner who breaks prison shall be quity of a felony, does not extend to a prisoner who breaks out when the prison is on fire” see page 143 U.S 461 etc.

(a)(4): “ * * * that the efforts of the trustee to marshall and distribute the assets of the estate must Yield to governmental interest in pubic health and safety. See page 474 US 503 -504;

SEE MIDLANTIC NAT'L BANK v. NJDEPT, 474 U.S. 494 (1986); ;

<http://supreme.justia.com/us/474/494/case.html> ;

(a)(5): OATES v. NATIONAL BANK 100 U.S. 239(1879) ; see page 100 US 244 etc

<http://supreme.justia.com/us/100/239/case.html> ;

“ * * * The duty of the court, being satisfied of the intention of the legislature, clearly expressed in A constitutional enactment, is to give effect to the intention, and not to defeat it be adhering too Rigidly to the mere letter of the statute, or to technical rules of construction. Wilkinson v. Leland 2 Pet. 627; Sedqwick, Const. and Stat.Constr.196. And we should discard any construction that Would lead to absurd consequences. United States v. Kirby 7 Wall 482. We ought rather, adopting the language of Lord Hale, to be “curious and subtle to invent reasons and means” to carry over the clear intent of the lawmaking power when thus expressed..... * * *”

FOR GM [OLD GM] BANKRUPTCY CASE:

“A thing which is within the intention of the makers of a statute is as much within the statute as if it were within the letter and a thing which is within the letter of the statute is not within the statute unless it be within the meaning of the makers.’ ** see page 100 U.S. 244, 245, OATES, supra, 100 U.S. 239 (1879);

(a)(5): IN THE U.S. BANKRUPTCY CODE: paragraph 506 defines : DETERMINATION OF SECURED STATUS:

“ * * * * IS A SECURED CLAIM TO THE EXTENT OF A VALUE OF SUCH CREDITOR’S INTEREST IN THE ESTATE’S INTEREST IN SUCH CREDITOR’S INTEREST OR THE AMOUNT SO SUBJECT TO SETOFF AS THE CASE MAY BE, AND IS AN UNSECURED CLAIM TO THE EXTENT THAAT THE VALUE OF SUCH CREDITOR’S INTEREST OR THE AMOUNT SO SUBJECT TO SETOFF IS LESS THAN THE AMOUNT OF SUCH ALLOWED CLAIM. “ see paragraph 506 in BANKRUPTCY CODE.

A fortiori, because the [my] full claimed amount of \$30,000.00 [see CLAIM # 44240 HEREOF] Should not be reduced, deducted , or decreased by the DEBTORS GM [OR OLD GM] for all The reasons herein , and /or otherwise in related documented at National Highway and Safety Administration of the federal government, my claim [44240] again on these grounds should not be reclassified or otherwise reduced by changing to an unsecured claim; inter alia.;

(a)(6): THE FEDERAL GOVERNMENTS SOVERIGN IMMUNITY IS ALSO CLAIMED AND PLEADED AGAINST THE DEBTOR’S GM [OR OLD GM’S] CLAIMS OR ANY OF THE DEBTORS OJECTIONS TO SAME UNDER THE CITED AUTHORITIES HEREIN AND OTHERWISE OF RECORDS RELATED HERETO, AND UNDER THE AUTHORITY OF 11 U.S.C. PARAGRAPH 523 ; EXCEPTIONS TO DISCHARGE ; SEE ALSO TITLE 11 USC Paragraph 523(2) in relevant parts states:, to wit:

TITLE 11 U.S.C. paragraph 523(2):

“(2) for money, property, service, or an extension , renewal, or refinancing of credit, to the extent obtained by-----

(B) use of a statement in writing ----- [i.e. GM continued obligation for health and safety under the five recalls for the repeated ABS BRAKING SYSTEM FAILURES AS RELATES TO MY TIMELY CLAIM[#44240] TO SAME] [WORDS IN BRAKETS WERE ADDED HEREAT]

(iii) on which the CREDITOR to whom the DEBTOR is liable for such money, property,

FOR GM [OLD GM] BANKRUPTCY CASE:

Services, or credit reasonably relied ; [MORE PARTICULARLY DOCUMENTED IN MY CLAIM[#44240] WITH THE NATIONAL HIGHWAY AND SAFETY ADMINISTRATION OF THE FEDERAL GOVERNMENT] WORDS IN BRACKETS WERE ADDED HEREBY BY ME] IN THIS SECTION];

(a)(7): THAT THE UNITED STATES SUPREME COURT HAVE DEFINED PROPERTY INTEREST RELATED HEREIN, INTER ALIA, AND ENTITLEMENTS, IN THE FOLLOWING PRECEDENT, CASE LAW; AMONG OTHER AUTHORITY(IES), TO WIT:

(a)(7)(i): BOARD OF REGENTS OF THE STATE COLLEGES v. ROTH, 408 U.S. 564, 577 (1972); [DEFINES DUE PROCESS REQUIREMENT FOR [MY] PROPERTY INTEREST ,ETC SEE PAGE 408 576 ALSO, ETC [U.S. SUPT COURT];

<http://supreme.justia.com/us/408/564/case.html> ;

and [please also see]: (a)(7)(ii): ESTATE OF COWART v. NICKLAS DRILLING CO, ET AL, 505 U.S. 469 AT PAGE 477 (1992) [DEFINES ENTITLEMENT, ETC, PROPERTY INTEREST, ETC]; [RELATED HERETO ALSO];

<http://supreme.justia.com/us/505/469/case.html> ;

2. THAT I [MARVIN ECHOLS] BELIEVE THAT I HAVE MADE AT LEAST A PRIMA FACIE CASE AGAINST GM [OR THE OLD GM] IN THIS REPLY TO SHOW TO THE BANKRUPTCY COURT THAT THE RECLASSIFICATION OF MY CLAIM [#44240] SHOULD NOT BE ALLOWED BY THIS COURT ON ANY PURPORTED REASONS THAT GM [OR THE OLD GM] HAVE OR MAY OFFER TO THIS COURT WHICH I BELIEVE IS A PRETEXT OF THE DEBTORS TO NOT REASONABLE SETTLE MY CLAIMS OF RECORD IN DETAILS [#44240] ;SEE SCHAFFER,INFRA, 546 U.S. ____ 2005;

3. A fortiori, for all the above reasons and otherwise of records this Court is respectfully request To deny the DEBTORS MOTIONS AND CLAIMS RELATED HERETO; AND TO RETAIN THE STATUS OF MY CLAIMS [CLAIM#44240] IN THIS BANKRUPTCY CASE AS [CONSTRUCTIVELY] PRIORITY AND OR [CONSTRUCTIVELY] A SECURED CLAIM UNDER THE BANKRUPTCY CODE PRIORITY AND SECURED CLAIMS SECTIONS: TO WIT: 507 [PRIORITY]; 11 USC PARAGRAPH 502(b) FOR COURT DETERMINATION OF CLAIM AND AMOUNT, ETC; 11 USC 305(C) "THE legislative history to section 305

FOR GM [OLD GM] BANKRUPTCY CASE:

States that the “bankruptcy court, based on its experience and discretion, is vested with the Power of decision: S.Rep. No. 95-989 at 36(1978) as reprinted in 1978 U.S.C.C.AN5787,5822.

4. THAT FOR ALL THE ABOVE REASONS ALSO, THE BURDEN OF PROOF SHOULD MOVE THE THE DEBTOR IN THIS MATTERS TO SHOW TO THIS COURT WHY THEIR [GM OR OLD GM’S] PENDING MOTIONS , AMONG OTHER THINGS, SHOULD BE DENIED; [PLEASE SEE:] SCHAFFER v. WEAST [DOCKET NO. 04-698]2205; 546 U.S. _____ (2005) [IN RELEVANT PARTS ON BURDEN OF PROOFS ETC];

5. A FORTIORI, THE PENDING MOTIONS ON THE ISSUES BEFORE THIS COURT RELATED TO MY CLAIM #44240 BY GM ETC SHOULD BE DENIED IN ALL RESPECTS.

6. THIS IS MY REPLY TO THE DEBTORS PENDING MOTIONS, OR OTHERWISE ,AND IS MADE OF MY [MARVIN ECHOLS] PERSONAL KNOWLEDGE OF THE FACTS AND RELEVANT LAWS AND EQUITY [IES] ; AND THE SAME IS NOT INTERPOSED FOR ANY IMPROPER PURPOSE;

7. WHEREFORE, IT IS PRAYED THAT THE MOTION, AMONG OTHER THINGS, THAT GM [OR OLD GM] IS OBJECTING TO MY VALID CLAIM [#44240] WOULD OR WILL BE DENIED IN ALL RESPECTS IN THE ALLEGED RECLASSIFICATION OF SAME OR OTHERS.

DATED: JULY 26, 2010

xx Marvin Echols

MARVIN ECHOLS,

[FOR CLAIM # 44240]

P. O. BOX 2211

BAY CITY, MICHIGAN 48707

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 27th DAY OF JULY, 2010

Patti Shockey ; MY COMMISSION EXPIRES ON: 3-8-2011
Patti Shockey

NOTARY PUBLIC IN THE BAY COUNTY BUILDING IN BAY CITY, MICHIGAN 48708

ADDRESS: 515 CENTER AVE, IN BAY CITY, MICHIGAN 48708

EXHIBIT B

B 10 (Official Form 10) (12/08)

UNITED STATES BANKRUPTCY COURT		PROOF OF CLAIM
Name of Debtor MOTORS LIQUIDATION COMPANY (F/K/A General Motors Corp.)		Case Number 09-50026
<small>NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</small>		
Name of Creditor (the person or other entity to whom the debtor owes money or property) MARVIN ECHOLS		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim
Name and address where notices should be sent P.O. BOX 2211 BAY CITY, MICHIGAN 48707		Court Claim Number _____ <i>(if known)</i>
Telephone number 1-989-529-3937		Filed on _____
Name and address where payment should be sent (if different from above) FILED - 44240 MOTORS LIQUIDATION COMPANY F/K/A GENERAL MOTORS CORP SDNY # 09-50026 (REG)		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars
Telephone number SDNY # 09-50026 (REG)		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case
1 Amount of Claim as of Date Case Filed \$25,000.00 to \$30,000.00 <i>estimated value to replace my 1986 Cadillac/Deville/Fleetwood</i> If all or part of your claim is secured, complete item 4 below, however, if all of your claim is unsecured, do not complete item 4 GM DEALER IN BAY CITY HAD LAST PHYSICAL POSSESSION OF MY VEHICLE (Said Cadillac/Deville/Fleetwood) year 1986 If all or part of your claim is entitled to priority, complete item 5 PRIORITY FOR RECALL WARRANTY FOR [ABS] BRAKING SYSTEM <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges FAILURES		5 Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount Specify the priority of the claim
2 Basis for Claim FOR FAILURE OF ABS BRAKING SYSTEM UNDER SEVERAL FEDERAL GOVERNMENT RECALLS.		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B)
3 Last four digits of any number by which creditor identifies debtor PLEASE CALL 1-800-414-9607 OR 1-866-790-5600 3a Debtor may have scheduled account as _____ AT GM, ETC. FOR THIS INFORMATION. (See instruction #3a on reverse side)		<input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4)
4 Secured Claim (See instruction #4 on reverse side) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information YES: UNDER NHTSA ATTN: CRD COMPLAINTS AT THE FEDERAL GOVERNMENT 1-202-366-0699 Nature of property or right of setoff <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other [PHONE #] Describe Value of Property \$ _____ Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any \$ _____ Basis for perfection _____ Amount of Secured Claim \$ _____ Amount Unsecured \$ _____		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5) <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7) <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8) <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____)
6 Credits The amount of all payments on this claim has been credited for the purpose of making this proof of claim		Amount entitled to priority \$ _____
7 Documents Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side)		<small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment</small>
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING PLEASE CONTACT NHTSA ATTN: CRD COMPLAINTS AT TELEPHONE #1-202-366-0699 FOR DETAILED COPIES OF DOCUMENTS. If the documents are not available, please explain PLEASE SEE ATTACHED PAPERS HERE WITHIN.		
Date 11-20-2009	Signature The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. Marvin Echols	FOR COURT USE ONLY



INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances such as bankruptcy cases not filed voluntarily by the debtor there may be exceptions to these general rules.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

Creditor's Name and Address

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1 Amount of Claim as of Date Case Filed

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2 Basis for Claim

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3 Last Four Digits of Any Number by Which Creditor Identifies Debtor

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a Debtor May Have Scheduled Account As

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4 Secured Claim

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5 Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a)

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6 Credits

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7 Documents

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

*delivered
11:06 AM.
09-26-2008
Receipt of same
is in the mail
to me - OK me*



EH 097871705 US



Customer Copy
Label 11 B March 2004

UNITED STATES POSTAL SERVICE®

Post Office - To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 48706	City of Delivery West Linn, MO	Postage \$ 16.50
Date Acquired 9/25/08	Scheduled Date of Delivery 9/26	Return Receipt Fee \$
Mo. 9 Day 25 Year 08	Scheduled Time of Delivery <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	CC D Fee \$
Weight 1.25 lbs	Insurance <input type="checkbox"/> 2 d Lt <input type="checkbox"/> Int Day	Insurance Fee \$
		Total Postage & Fees \$ 16.50
		Acceptance Entry Point CRD

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt	Mo. Day	Time	Employee Signature
Mo. Day	Mo. Day	Time	Employee Signature
Mo. Day	Mo. Day	Time	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct No **WAIVER OF SIGNATURE (Domestic Mail Only)**
Additional merchandise insurance to void if customer requests waiver of signature
I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY
 Weekend Holiday Mailing Signature

FROM (PLEASE PRINT) PHONE (**989-529-3937**)

MARVIN ECHOLS
P.O. BOX 2211
BAY CITY, MICH. 48707

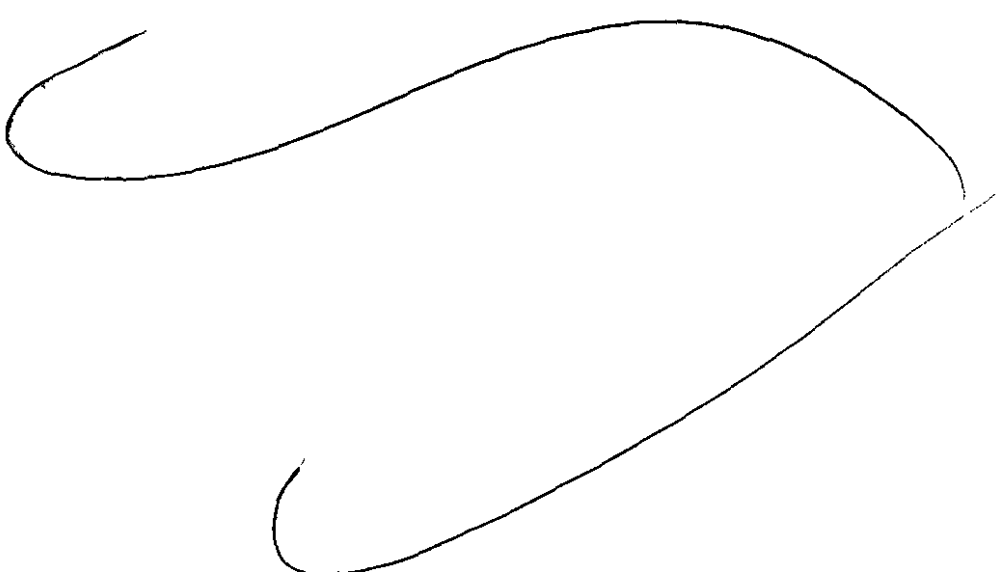
TO (PLEASE PRINT) PHONE (**202-306-0699**)

NHTSA
ATTN: CRD
1200 NEW JERSEY AVE S.E.
WASHINGTON D.C. 20590

FOR PICKUP OR TRACKING
Visit www.usps.com
Call 1-800-222-1811

ZIP + 4 (U.S. ADDRESSES ONLY DO NOT USE FOR FOREIGN POSTAL CODES)
20590+

FOR INTERNATIONAL DESTINATIONS WRITE COUNTRY NAME BELOW





ORIGIN (POSTAL SERVICE USE ONLY)

PO/ZIP Code **48706**

Date Accepted **9/25/08**

Time Accepted **9:25 AM**

Flat Rate or Weight

Day of Delivery Next 2nd 3rd 4th 5th

Scheduled Date of Delivery **9/26**

Month **9** Day **26**

Scheduled Time of Delivery 9 AM 1 PM 3 PM

Postage **16.50**

Return Receipt Fee **0**

COB Fee **0**

Insurance Fee **0**

Total Postage & Fees **16.50**

Acceptance Emp. Initials **MB**

FROM (PLEASE PRINT) PHONE **989-529-3937**

MARVIN ECHOLS

P.O. BOX 2211

BAY CITY, MICH. 48707

FOR PICKUP OR TRACKING

Visit **www.usps.com**

Call 1-800-222-1811

EXPRESS MAIL Customer Copy

Label 1-18 March 2004

UNITED STATES POSTAL SERVICE® Post Office To Addressee

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt Time AM PM Employee Signature

Mo Day

Delivery Attempt Time AM PM Employee Signature

Mo Day

Delivery Date Time AM PM Employee Signature

Mo Day

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT Express Mail Corporate Act No

Federal Agency Act No or Postal Service Act No

WAIVER OF SIGNATURE (Domestic Mail Only)

Additional merchandise insurance to void if contents are lost or damaged requires waiver of signature from addressee. (International mail only.)

Signature required for delivery to be made without obtaining signature of addressee. (Domestic Mail Only.)

Signature required for delivery to be made without obtaining signature of addressee. (International mail only.)

Signature required for delivery to be made without obtaining signature of addressee. (International mail only.)

Signature required for delivery to be made without obtaining signature of addressee. (International mail only.)

TO (PLEASE PRINT) PHONE **202-366-0699**

NHTSA

ATTN: CRD

1200 NEW JERSEY AVE S.E.

WASHINGTON D.C. 20590

ZIP+4 (U.S. ADDRESSES ONLY DO NOT USE FOR FOREIGN POSTAL CODES)

2 0 5 9 0 +

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW

GM04-196
092088

