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April 30, 2014

VIA HAND DELIVERY AND ECF FILING

The Honorable Robert E. Gerber  
United States Bankruptcy Court for the Southern District of New York  
Alexander Hamilton Custom House  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1415

**RE: In re Motors Liquidation Co., et al.**  
**Case No. 09-50026 (REG)**

Dear Judge Gerber:

This firm serves as co-counsel, along with the firms of Kozyak Tropin & Throckmorton, P.A., Podhurst Orseck, P.A., Searcy Denney Scarola Barnhart & Shipley, Harke Clasby & Bushman LLP, Higer, Lichter & Givner LLP, and Friedin Dobrinsky, to the plaintiffs in actions styled *Santiago v. General Motors, LLC* (Case No. 14-CV-21147), *Espineira v. General Motors, LLC and Delphi Automotive, PLC* (Case No. 14-CV-21417), and *DeSutter et al. v. GM LLC*, (Case No. 14-CV-80497), all of which are pending in the United States District Court for the Southern District of Florida. All three actions are class action complaints against General Motors, LLC (“**New GM**”) for violation of the Racketeering Influenced and Corrupt Organizations Act (“**RICO**”) and other statutory and common law claims arising from its participation in the sale of GM cars with defective ignition switches and the concealment of this dangerous defect.

On March 24, 2014, a plaintiff in another action against New GM filed a motion seeking to establish a Multi-District Litigation (“**MDL**”) panel to centralize and coordinate the federal ignition switch defect litigation. On April 25, 2014, New GM filed a response indicating that it does not oppose transfer by the Judicial Panel on Multidistrict Litigation (“**JPML**”) to an MDL panel (although it does oppose selection of the Central District of California as the court to handle the litigation). The JPML has scheduled a hearing for May 29, 2014 to consider the matter.

In response to the Court’s April 22, 2014 endorsed order regarding New GM’s “Motion to Enforce Sale Order and Injunction,” class action/plaintiffs’ attorneys and bankruptcy attorneys representing numerous plaintiffs met earlier this week at the offices of Brown Rudnick in order to coordinate their efforts as directed by Your Honor’s endorsed order. The assembled group determined by a consensus that there would be a sub-group of bankruptcy attorneys from Brown



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Rudnick, Stutzman Bromberg and Caplin Drysdale who will make a presentation for purposes of the May 2 hearing and, that such sub-group, may coordinate the efforts of the group as a whole beyond the May 2 hearing. Additionally, the consensus of the group was that they wish me to serve as liaison counsel to consult with and work with the bankruptcy sub-group and with respect to all of the plaintiffs in connection with the matters before the Court. I am eager to assist the parties and the Court in any manner that I may be most useful.

I write to advise that due to a long-standing commitment to attend the wedding of a close friend out of the country, I regretfully am unable to attend this Court's May 2, 2014 conference. My very capable colleagues at the sub-group firms will be taking the lead on behalf of the plaintiffs at the May 2, 2014 conference. My partner David M. Posner will be present and will be prepared to address the Court as may be needed and identified by the Court and other parties as necessary on behalf of the Santiago and Espineira Plaintiffs.

We understand that the agenda items that the sub-group of bankruptcy attorneys intends to present to the Court, with which we concur, include the following items:

1. The extent to which proceedings in this Court should be coordinated with the JPML proceedings.
2. Whether the issue of the enforceability, as a matter of due process, of the Sale Order against our clients and the other plaintiffs should be addressed as a threshold issue before other issues that may be raised by New GM's Motion to Enforce.

Lastly, in view of the letter filed this evening by New GM (Doc. 12673), we anticipate that the agenda will include the response by the plaintiff sub-group led by Brown Rudnick, Stutzman Bromberg and Caplin Drysdale to this letter.

Respectfully submitted,

*Melanie L. Cyganowski*

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