

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

In re:	:	Chapter 11 Case
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	:	Case No. 09-50026 (MG)
	:	
Debtors.	:	(Jointly Administered)
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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,	:	
	:	
vs.	:	
	:	
JPMORGAN CHASE BANK, N.A., individually and as Administrative Agent for various lenders party to the Term Loan Agreement described herein, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**STIPULATION AND [PROPOSED] ORDER AMENDING AND SUPPLEMENTING
ORDER REGARDING DISCOVERY AND SCHEDULING (ECF 153)**

WHEREAS, on August 17, 2015, the Court entered an Order Regarding Discovery and Scheduling (ECF 153—“August 17, 2015 Order”), Paragraph 1 of which established certain discovery and motion deadlines for the instant action;

WHEREAS, on March 28, 2016, the Court entered an Order (ECF 442—“March 28, 2016 Order”), Paragraph 1 of which amended the August 17, 2015 Order to establish separate, later discovery and motion deadlines relating to certain cross-claims (the “Cross-Claims”) filed against JPMorgan Chase Bank (“JPMorgan”);

WHEREAS, on May 4, 2016, the Court entered an Order Amending the August 17, 2015 “Order Regarding Discovery and Scheduling” to Provide for Proceedings Concerning Characterization and Valuation of Representative Assets (ECF 547—“May 4, 2016 Order”), Paragraph 1 of which further amended the August 17, 2015 Order to establish separate discovery and motion deadlines relating to Collateral Identification Issues and Valuation Principles Issues (as those terms are defined in the May 4, 2016 Order);

WHEREAS, after having met and conferred, counsel for Plaintiff and counsel for the members of the Defendants’ Steering Committee agree that the discovery deadlines established in the August 17, 2015 Order should, with respect to discovery concerning the circumstances of the filing of the UCC-3 at issue in this action, be amended to align with the deadlines concerning the Cross-Claims as established by the March 28, 2016 Order;

WHEREAS, good cause exists for amending the relevant deadlines, because counsel for the members of the Defendants’ Steering Committee expect that discovery concerning the circumstances of the filing of the UCC-3 will overlap with discovery concerning the Cross-Claims, and also expect that having a single set of deadlines pertaining to both will eliminate unnecessary duplication, including with respect to depositions; and

WHEREAS, placing discovery concerning the circumstances of the filing of the UCC-3 on the same schedule as discovery concerning the Cross-Claims, without altering deadlines concerning Collateral Identification Issues and Valuation Principles Issues or any other issues concerning Plaintiff’s action against Defendants, will not materially delay resolution of this matter;

NOW, THEREFORE, IT IS HEREBY STIPULATED [AND ORDERED] AS FOLLOWS:

1. **Amended and Supplemented Scheduling Order:** The deadlines established in the August 17, 2015 Order shall, as they pertain to the circumstances concerning the filing of the UCC-3 at issue in this action, be amended to align with the deadlines relating to Cross-Claims, as established in the March 28, 2016 Order (“Revised Deadlines”), *provided that* the Revised Deadlines shall not alter in any way the deadlines for any other issues concerning Plaintiff’s action against Defendants, including the deadlines established in the May 4, 2016 Order concerning Collateral Identification Issues and Valuation Principles Issues. The Revised Deadlines shall be as follows:

Nov. 28, 2016	Deadline for fact discovery (including depositions)
Dec. 12, 2016	Parties to serve expert reports (if any)
Jan. 12, 2017	Parties to serve rebuttal expert reports (if any)
Feb. 28, 2017	Expert depositions (if any) completed / Close of discovery
Mar. 15, 2017	Summary judgment motions or, if required, letter requests for dispositive motions, filed and served
TBD by Court	Pre-trial conference
TBD by Court	Trial dates

2. **Further Adjustments to Schedule:** Each party reserves its right to apply to the Court to alter any of the deadlines herein or in the Prior Scheduling Order, and each party reserves its right to oppose any such application.

3. **Plaintiff’s Reservation of Rights:** Plaintiff reserves all objections with respect to any discovery sought concerning the filing of the UCC-3 at issue in this action.

4. **Initial Scheduling Order Otherwise Remains in Effect:** Except as set out herein, the August 17, 2015 Order, the March 28, 2016 Order, and the May 4, 2016 Orders shall remain in full force and effect.

SO STIPULATED.

DATED: June 14, 2016

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*Attorneys for Defendant JPMorgan Chase Bank,
N.A.*

IT IS SO ORDERED.

DATED: New York, New York
June __, 2016

MARTIN GLENN
United States Bankruptcy Judge

CERTIFICATE OF SERVICE

I certify that, on June 14, 2016, I caused the foregoing document to be served via the Court's ECF system upon all appearing parties.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 14, 2016 at Los Angeles, California.

/s/ Michael Lamb

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