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6 Claimants as listed in Dkt. 222, Appendix A to
Dkt. 241, and footnote 2 of Dkt. 334

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

9 In re
10 MOTORS LIQUIDATION COMPANY, et al.,
11 Debtors.

Case No. 09-50026 (MG)
Chapter 11
Adv No. 09-00504 (MG)

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

16 Plaintiff,

17 vs.

18 JP MORGAN CHASE BANK, M.A., et al.,

19 Defendants.

20
21 **EX PARTE MOTION OF DEFENDANTS AND CROSS-CLAIMANTS**
22 **THE TERM LOAN LENDERS TO FILE LETTER BRIEF UNDER SEAL**
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1 Pursuant to § 107(b) of the Federal Bankruptcy Code, Federal Rule of Bankruptcy
2 Procedure 9018, and as permitted by Judge Glenn’s Chambers’ Rules for Sealing Orders,
3 Defendants and Cross-Claimants the Term Loan Lenders (“Cross-Claimants”) file this motion for
4 an *ex parte* order granting them leave to file their Letter Brief, dated July 6, 2016, under seal.
5

6 Under the Court’s Stipulation and Order Pursuant to Federal Rule of Evidence 502 dated
7 May 25, 2016 (Dkt. No. 623), this Court has authorized Cross-Claimants to file a letter brief
8 identifying additional materials they contend are subject to JPMorgan’s waiver of attorney-client
9 privilege and attorney work-product protection. The Cross-Claimants’ letter brief contains
10 discussion of confidential documents produced in this matter that have been marked
11 “Confidential” or “Outside Attorneys’ Eyes Only,” pursuant to the terms of the Amended Agreed
12 Protective Order signed by this Court on April 18, 2016 (Dkt. No. 489). The Cross-Claimants
13 therefore ask for this Court’s permission to file their letter brief under seal.
14

15 The Cross-Claimants have electronically filed, concurrent with this motion, a redacted
16 version of their letter brief. The redacted letter brief, along with this motion to seal, will be
17 transmitted to counsel for all parties via electronic filing. The Cross-Claimants will provide to the
18 Court and to counsel for Defendant JPMorgan an unredacted version of the brief by electronic
19 mail.
20

21 No previous request for the relief sought herein has been made by the Cross-Claimants to
22 this or any other court.

23 WHEREFORE the Cross-Claimants respectfully request entry of an order substantially in
24 the form of Appendix A to this motion, granting the relief requested and such other and further
25 relief as is just and proper.
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1 DATED: July 6, 2016

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Respectfully submitted,

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/s/ Craig A. Lavoie

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APPENDIX A

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

In re

MOTORS LIQUIDATION COMPANY, et al.,

Debtors.

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

Plaintiff,

vs.

JP MORGAN CHASE BANK, M.A., et al.,

Defendants.

Chapter 11 Case

Case No. 09-50026 (MG)

(Jointly Administered)

Adversary Proceeding

Case No. 09-00504 (MG)

***EX PARTE ORDER GRANTING THE EX PARTE MOTION OF
DEFENDANTS AND CROSS-CLAIMANTS THE TERM LOAN
LENDERS TO FILE LETTER BRIEF UNDER SEAL***

Upon consideration of the *Ex Parte* Motion of Defendants and Cross-Claimants the Term Loan Lenders to File Letter Brief Under Seal, dated July 6, 2016, for an order pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 to authorize the Cross-Claimants to file an unredacted letter brief under seal, the Court finds and determines that it has jurisdiction to rule on this Motion under 28 U.S.C. §§ 157 and 1334; consideration of the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b); the Cross-Claimants have provided due and proper notice of the Motion and no further notice is necessary; and the legal and factual bases set forth in the Motion establish just and sufficient cause to grant the relief requested herein.

IT IS HEREBY ORDERED THAT:

1. The Motion to File Letter Brief Under Seal is granted.
2. Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, the Cross-Claimants are authorized to file their letter brief under seal.
3. Upon the conclusion of the above-captioned adversary proceeding, the Cross-Claimants shall move to unseal or dispose of the confidential information in the letter brief.
4. This order is without prejudice to the rights of any party in interest or the United States Trustee to seek to unseal the letter brief or any part of it.
5. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: July __, 2016
New York, New York

/_____
MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE