

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

-----x
In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (MG)
(Jointly Administered)

Debtors.
-----x

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

Adversary Proceeding

Plaintiff,

Case No. 09-00504 (MG)

against

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.
-----x

**STIPULATION AND ORDER DISMISSING
ADVERSARY PROCEEDING AGAINST TRS SVCO LLC**

WHEREAS, on May 20, 2015, Plaintiff filed a First Amended Adversary Complaint for (1) Avoidance of Unperfected Lien, (2) Avoidance and Recovery of the Postpetition Transfers, (3) Avoidance and Recovery of Preferential Payments, and (4) Disallowance of Claims by Defendants (“**Amended Complaint**”) (ECF No. 91) and thereafter served the Amended Complaint on, among others defendants, TRS SVCO LLC (“**Defendant**”);

WHEREAS, the claims asserted against Defendant in the Amended Complaint concern transfers to Defendant on May 27, 2009 in the amount of \$0.02 and on June 30, 2009 in the amount of \$1.04 (the “**Transfers**”), which Plaintiff asserts were made pursuant to a certain term loan agreement, dated as of November 29, 2006, as amended by that certain first amendment dated as of March 4, 2009 (the “**Term Loan Agreement**”); and

WHEREAS, on November 16, 2015, Defendant filed an Answer to the Amended Complaint (ECF No. 231);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties, as follows:

1. The claims against Defendant set forth in the Amended Complaint, solely with respect to the Transfers, are dismissed from this adversary proceeding with prejudice; and
2. Defendant is dismissed from this adversary proceeding without prejudice as to any additional claims Plaintiff may have against Defendant arising out of the Term Loan Agreement.

Dated: New York, New York
August 25, 2016

Dated: New York, New York
August 25, 2016

BINDER & SCHWARTZ LLP

DAVIS POLK & WARDWELL LLP

By: /s/Eric B. Fisher
Eric B. Fisher
Neil S. Binder
Lindsay A. Bush
Lauren K. Handelsman
366 Madison Avenue, 6th Floor
New York, New York 10017
Telephone: (212) 510-7008
Facsimile: (212) 510-7299
Email: efisher@binderschwartz.com

By: /s/Elliot Moskowitz
Elliot Moskowitz
Marc J. Tobak
M. Nick Sage
450 Lexington Avenue
New York, New York 10017
Email: elliot.moskowitz@davispolk.com
Email: marc.tobak@davispolk.com
Email: m.nick.sage@davispolk.com

*Attorneys for Plaintiff Motors Liquidation
Company Avoidance Action Trust*

Attorneys for Defendant TRS SVCO LLC

IT IS SO ORDERED.

Dated: August 26, 2016
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge