

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

In re:

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

Debtors.

Chapter 11

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

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

Plaintiff,

against

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

Defendants.

Adversary Proceeding

Case No. 09-00504 (MG)

**ORDER # 2 REGARDING CHALLENGE TO ATTORNEY-CLIENT PRIVILEGE AND
ATTORNEY WORK PRODUCT PROTECTION**

Counsel for JPMorgan Chase Bank, N.A. (“JPMorgan”) provided the Court with its Amended Privilege Log on August 31, 2016, and, on September 1, 2016, delivered to chambers, four boxes of documents for *in camera* review, including copies of all documents as to which privilege has been asserted. Counsel for Certain Term Lender defendants, who have cross-claimed against JPMorgan, have disputed the assertion of privilege, but it is unclear whether the assertion of privilege is disputed as to all 774 documents listed (a few of the numbers are shown as “Intentionally Left Blank”) on the Amended Privilege Log. For some documents, the Amended Privilege Log states “Redacted Documents to be Produced.”

The focus of the privilege dispute, as addressed in letter briefs previously filed with the Court, was attorney-client privilege and attorney work product protection. (*See* ECF Docs. ## 645, 653.) Some documents listed in the privilege log are identified as subject to “Bank Examiner Privilege.”

On or before 5:00 p.m. (prevailing Eastern Standard Time), September 12, 2016, counsel for the Certain Term Lender defendants shall file a pleading, identifying by the document number listed on the Amended Privilege Log, the specific documents for which they, in good faith, dispute the assertion of privilege. This will facilitate the Court’s *in camera* review of the documents.

IT IS SO ORDERED.

Dated: September 1, 2016
New York, New York

Martin Glenn

MARTIN GLENN
United States Bankruptcy Judge