

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
In re : **Chapter 11 Case No.**
:
:
MOTORS LIQUIDATION COMPANY, et al., : **09-50026 (REG)**
f/k/a General Motors Corp., et al. :
:
Debtors. : **(Jointly Administered)**
:
:
-----X

ORDER GRANTING DEBTORS' SEVENTY-NINTH OMNIBUS OBJECTION TO CLAIMS
(Workers' Compensation Claims in Retained States – New Jersey)

Upon the seventy-ninth omnibus objection to claims, dated August 17, 2010 (the “**Seventy-Ninth Omnibus Objection to Claims**”),¹ of Motors Liquidation Company (f/k/a General Motors Corporation) and its affiliated debtors, as debtors in possession (collectively, the “**Debtors**”), pursuant to section 502(b) of title 11, United States Code (the “**Bankruptcy Code**”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim filed in these chapter 11 cases (the “**Procedures Order**”) (Docket No. 4180], seeking entry of an order disallowing and expunging the Workers’ Compensation Claims on the grounds that such claims seek recovery of amounts for which the Debtors are not liable, because prepetition allowed workers’ compensation claims are currently being administered and paid for by the New Jersey Property Liability Guaranty Association as third party administrator for the surety funds being held by the New Jersey Division of Banking and Insurance; and in the event that the surety proceeds prove inadequate to satisfy the Workers’ Compensation Claims in full,

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Seventy-Ninth Omnibus Objection to Claims.

the Workers' Compensation Claims shall be paid from the Insolvency Fund maintained by the New Jersey Self-Insurers Guaranty Association; and due and proper notice of the Seventy-Ninth Omnibus Objection to Claims having been provided, and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Seventy-Ninth Omnibus Objection to Claims is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Seventy-Ninth Omnibus Objection to Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Seventy-Ninth Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on **Exhibit "A"** (the "**Order Exhibit**") annexed hereto under the heading "*Claims to be Disallowed and Expunged*" are disallowed and expunged; and it is further

ORDERED that, if applicable, the Seventy-Ninth Omnibus Objection to Claims is adjourned with respect to the claims listed on the Order Exhibit annexed hereto under the heading "*Objection Adjourned*" to the date indicated on the Order Exhibit, subject to further adjournments (such actual hearing date, the "**Adjourned Hearing Date**") (the "**Adjourned Claims**"), and the Debtors' response deadline with respect to the Adjourned Claims shall be 12:00 noon (prevailing Eastern Time) on the date that is three (3) business days before the Adjourned Hearing Date; and it is further

ORDERED that, if applicable, the Seventy-Ninth Omnibus Objection to Claims is withdrawn with respect to the claims listed on the Order Exhibit annexed hereto under the heading "*Objection Withdrawn*"; and it is further

ORDERED that, if applicable, the Seventy-Ninth Omnibus Objection to Claims is withdrawn with respect to the claims listed on the Order Exhibit annexed hereto under the heading “*Claim Withdrawn*” as those claims have been withdrawn by the corresponding claimant; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object on any basis are expressly reserved with respect to any claim listed on Exhibit “A” annexed to the Seventy-Ninth Omnibus Objection to claims under the heading “*Claims to be Disallowed and Expunged*” that is not listed on the Order Exhibit annexed hereto; and it is further

ORDERED that nothing in this Order shall affect the ability of a holder of a Workers’ Compensation Claim to seek recovery, pursuant to the provisions of the New Jersey Workers’ Compensation Law, N.J.S.A. § 34:15-120.15, et seq., from (i) the New Jersey Property Liability Guaranty Association, as third party administrator for the surety funds being held by the New Jersey Division of Banking and Insurance or (ii) the Insolvency Fund maintained by the New Jersey Self-Insurers Guaranty Association, in the event that the surety proceeds held by the New Jersey Division of Banking and Insurance prove inadequate to satisfy any Workers’ Compensation Claim in full; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York
September 30, 2010

s/ Robert E. Gerber
United States Bankruptcy Judge

**CLAIMS TO BE DISALLOWED AND EXPUNGED
STATE OF WORKERS' COMPENSATION CLAIM: NEW JERSEY**

Name and Address of Claimant	Claim #	Debtor	Claim Amount and Priority (1)	Grounds For Objection	Objection Page Reference
DANIEL MESSINA C/O WILENTZ GOLDMAN & SPITZER ATTN D PACHECO 90 WOODBRIDGE CENTER DRIVE WOODBIDGE, NJ 07095	60180	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			Unliquidated		
GLORIA REED C/O DEVLIN CITTADINO & SHAW 3131 PRINCETON PIKE BLVD BLDG 1A TRENTON, NJ 08648	12056	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			Unliquidated		
HILDA GUERRA C/O WILENTZ GOLDMAN & SPITZER 90 WOODBRIDGE CENTER DRIVE ATTN D PACHECO WOODBIDGE, NJ 07095	60036	Motors Liquidation Company	\$0.00 (S) \$0.00 (A) \$0.00 (P) \$60,000.00 (U) \$60,000.00 (T)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			Unliquidated		
JAMES STEVENS C/O WILENTZ GOLDMAN AND SPITZER ATTN: D PACHECO 90 WOODBRIDGE CENTER DRIVE WOODBIDGE, NJ 07095	60586	Motors Liquidation Company	\$0.00 (S) \$0.00 (A) \$0.00 (P) \$15,000.00 (U) \$15,000.00 (T)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			Unliquidated		
JOSEPH SCHITTONI 40 WILENTZ GOLDMAN & SPITZER ATTN D PACHECO 90 WOODBRIDGE CENTER DRIVE WOODBIDGE, NJ 07095	63531	Motors Liquidation Company	\$0.00 (S) \$0.00 (A) \$0.00 (P) \$15,000.00 (U) \$15,000.00 (T)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			Unliquidated		

(1) In the "Claim Amount and Priority" column, (S) = secured claim, (A) = administrative expense claim, (P) = priority claim, (U) = unsecured claim and (T) = total claim. The amounts listed are taken directly from the proofs of claim, and thus replicate any mathematical errors on the proofs of claim. Where the claim amount is zero, unliquidated, unidentified, or otherwise cannot be determined, the amount listed is "0.00".

(2) Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

CLAIMS TO BE DISALLOWED AND EXPUNGED STATE OF WORKERS' COMPENSATION CLAIM: NEW JERSEY
--

Name and Address of Claimant	Claim #	Debtor	Claim Amount and Priority (1)	Grounds For Objection	Objection Page Reference
JOSEPHINE SZYDLOWSKI C/O WILENTZ GOLDMAN & SPITZER ATTN D PACHECO 90 WOODBRIDGE CENTER DRIVE WOODBRIDGE, NJ 07095 UNITED STATES OF AMERICA	64536	Motors Liquidation Company	\$0.00 (S) \$0.00 (A) \$0.00 (P) \$15,000.00 (U)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			State of Workers' Compensation Claim: New Jersey	\$15,000.00 (T)	
Unliquidated					
LARRY KAMMER DEVLIN, CITTADINO & SHAW 3131 PRINCETON PIKE BLVD BLDG 1A TRENTON, NJ 08648	11564	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			State of Workers' Compensation Claim: New Jersey		
Unliquidated					
LEROY HEARN C/O DEVLIN CITTADINO & SHAW 3131 PRINCETON PIKE BLVD BLDG 1A TRENTON, NJ 08648 UNITED STATES OF AMERICA	15199	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			State of Workers' Compensation Claim: New Jersey		
Unliquidated					
MANUEL RAMALHO C/O WILENTZ GOLDMAN & SPITZER 90 WOODBRIDGE CENTER DRIVE ATTN D PACHECO WOODBRIDGE, NJ 07095	60757	Motors Liquidation Company	\$0.00 (S) \$0.00 (A) \$0.00 (P) \$15,000.00 (U)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			State of Workers' Compensation Claim: New Jersey	\$15,000.00 (T)	
Unliquidated					
NESTOR SANTIAGO DEVLIN CITTADINO & SHAW 3131 PRINCETON PIKE BLVD BLDG 1A TRENTON, NJ 08648	11565	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			State of Workers' Compensation Claim: New Jersey		
Unliquidated					

(1) In the "Claim Amount and Priority" column, (S) = secured claim, (A) = administrative expense claim, (P) = priority claim, (U) = unsecured claim and (T) = total claim. The amounts listed are taken directly from the proofs of claim, and thus replicate any mathematical errors on the proofs of claim. Where the claim amount is zero, unliquidated, unidentified, or otherwise cannot be determined, the amount listed is "0.00".

(2) Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.

CLAIMS TO BE DISALLOWED AND EXPUNGED STATE OF WORKERS' COMPENSATION CLAIM: NEW JERSEY
--

Name and Address of Claimant	Claim #	Debtor	Claim Amount and Priority (1)	Grounds For Objection	Objection Page Reference
RICHARD DARCY C/O WILENTE GOLDMAND & SPITZER ATTN D PACHECO 90 WOODBRIDGE CENTER DR WOODBIDGE, NJ 07095	64553	Motors Liquidation Company	\$0.00 (S)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			\$0.00 (A)		
			\$0.00 (P)		
			\$150,000.00 (U)		
State of Workers' Compensation Claim: New Jersey			\$150,000.00 (T)		
Unliquidated					
SHIRLEY AUSTIN DELVIN CITTADINO & SHAW 3131 PRINCETON PIKE BLVD BLDG 1A TRENTON, NJ 08648	17406	Motors Liquidation Company		Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
State of Workers' Compensation Claim: New Jersey					
Unliquidated					
STANLEY SZYDLOWSKI C/O WILENTZ GOLDMAN & SPITZER ATTN D. PACHECO 90 WOODBRIDGE CENTER DRIVE WOODBIDGE, NJ 07095 UNITED STATES OF AMERICA	64535	Motors Liquidation Company	\$0.00 (S)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			\$0.00 (A)		
			\$0.00 (P)		
			\$8,000.00 (U)		
State of Workers' Compensation Claim: New Jersey			\$8,000.00 (T)		
Unliquidated					
VITO D'ARMETTA 27 BRISTOL AVE STATEN ISLAND, NY 10301	454	Motors Liquidation Company	\$0.00 (S)	Liability assumed by New Jersey Self- Insurers Guaranty Association	Pgs. 1-5
			\$0.00 (A)		
			\$97,500.00 (P)		
			\$0.00 (U)		
State of Workers' Compensation Claim: New Jersey			\$97,500.00 (T)		
Unliquidated					
Claims to be Disallowed and Expunged Totals	14		\$0.00 (S)		
			\$0.00 (A)		
			\$97,500.00 (P)		
			\$278,000.00 (U)		
			\$375,500.00 (T)		

(1) In the "Claim Amount and Priority" column, (S) = secured claim, (A) = administrative expense claim, (P) = priority claim, (U) = unsecured claim and (T) = total claim. The amounts listed are taken directly from the proofs of claim, and thus replicate any mathematical errors on the proofs of claim. Where the claim amount is zero, unliquidated, unidentified, or otherwise cannot be determined, the amount listed is "0.00".

(2) Claims on the exhibit are sorted in alphabetical order based on the creditor name as listed on proof of claim form.