

BINDER & SCHWARTZ LLP

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Attorneys for Plaintiff

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

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In re:

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

Debtors.

-----X
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.
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Chapter 11

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

Adversary Proceeding

Case No. 09-00504 (MG)

**NOTICE OF DISMISSAL OF
ADVERSARY PROCEEDING AGAINST
HARCH CLO II LTD. AND HARCH CLO III LTD.**

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**”) (Adv. Pro. Dkt. No. 91) and thereafter served the Amended Complaint on, among others, Defendants Harch CLO II Ltd. and Harch CLO III Ltd. (“**Defendants**,” as identified at ¶¶ 217-218 of the Amended Complaint); and

WHEREAS, the claims asserted against Defendants in the Amended Complaint concern certain prepetition transfers made on or about May 27, 2009 in the amounts of \$3,761.20 and \$3,737.69, respectively, (the “**Transfers**”) 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, the parties have amicably resolved all differences;

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a), made applicable to this action by Rule 7041 of the Federal Rules of Bankruptcy Procedure, the claims against Defendants **Harch CLO II Ltd. and Harch CLO III Ltd.** are dismissed from this adversary proceeding with prejudice.

Dated: New York, New York
September 20, 2016

BINDER & SCHWARTZ LLP

/s/Eric B. Fisher

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