

**K&L GATES LLP**  
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**Hearing Date: To be determined by Court**  
**Hearing Time: To be determined by Court**  
**Response Deadline: March 4, 2016**

*Attorneys for Sanford C. Bernstein Fund Inc. - Intermediate Duration Portfolio, Sanford C. Bernstein Fund Inc. II - Intermediate Duration Institutional Portfolio, and Ivy Funds, on behalf of its series, Ivy High Income Fund*

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

In re:	:	Chapter 11 Case
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	:	Case No. 09-50026 (REG)
Debtors.	:	(Jointly Administered)
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 (REG)
vs.	:	
JPMORGAN CHASE BANK, N.A., <i>et al.</i> ,	:	
Defendants.	:	

**NOTICE OF MOTION OF DEFENDANTS SANFORD C. BERNSTEIN FUND INC. -  
INTERMEDIATE DURATION PORTFOLIO, SANFORD C. BERNSTEIN FUND INC.  
II - INTERMEDIATE DURATION INSTITUTIONAL PORTFOLIO, AND IVY FUNDS,  
ON BEHALF OF ITS SERIES, IVY HIGH INCOME FUND FOR JUDGMENT ON  
THE PLEADINGS AND JOINDER IN ARGUMENTS**

**PLEASE TAKE NOTICE** that, upon the Motion of Defendants Sanford C. Bernstein Fund Inc. - Intermediate Duration Portfolio, Sanford C. Bernstein Fund Inc. II - Intermediate Duration Institutional Portfolio (named in the Amended Complaint as “Sanford Bernstein II Interm DU”), and Ivy Funds, on behalf of its series, Ivy High Income Fund (named in the Amended Complaint as “Ivy Fund Inc.-High Income Fund” and “Ivy Funds-Ivy High Income Fund”) (collectively, the “Moving Defendants”) for Judgment on the Pleadings, filed herein on January 27, 2016 (the “Motion”), the undersigned has moved the Honorable Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York (the “Bankruptcy Court”) for an order entering judgment on the pleadings in favor of the Moving Defendants and dismissing the Amended Complaint of Plaintiff Motors Liquidation Company Avoidance Action Trust as against the Moving Defendants, which Motion shall be heard on **a date and time to be determined by the Bankruptcy Court.**

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the Motion must: (i) be in writing; (ii) describe with particularity the grounds for such objection; (iii) conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Southern District of New York (collectively, the “Bankruptcy Rules”); (iv) be filed electronically with the Bankruptcy Court at <http://ecf.nysb.uscourts.gov> in accordance with General Order M-399 or, if the objecting party cannot electronically file the objection via the Bankruptcy Court’s ECF, be manually filed with the Clerk of the Bankruptcy Court, with a courtesy copy to the Chambers of the Honorable Martin Glenn; and (v) be served on counsel to the Moving Defendants, K&L Gates LLP, 599 Lexington Avenue, New York, NY 10022 (Attn: Robert T. Honeywell, Esq.) so that such

objection is received on or before **March 4, 2016** (the “Objection Deadline”), as set forth in the Stipulation and Order Amending and Supplementing Prior Order Regarding Discovery and Scheduling, entered in this adversary proceeding on January 4, 2016 [ECF No. 341].

**PLEASE TAKE FURTHER NOTICE** that, if no objections to the Motion are timely filed by the Objection Deadline in accordance with this notice, the Court may grant the relief requested in the Motion without a hearing.

Dated: New York, New York  
January 27, 2016

K&L GATES LLP

By: /s/ Robert T. Honeywell  
Robert T. Honeywell

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