

**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.*,

Chapter 11

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

Debtors.

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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.
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**STIPULATION AND
ORDER SETTING VALUATION DATE**

WHEREAS, on May 4, 2016, the Court entered an *Order Re Motion to Determine Valuation Date For Experts' Valuation of Assets* (ECF No. 548), requesting that counsel in this Action propose a briefing schedule for motions *in limine* "seeking a determination of the appropriate valuation date for the expert analysis and reports that will be prepared in this case";

WHEREAS, on May 23, 2016, the Court entered a *Stipulation and Order Setting the Schedule for Motions In Limine Regarding the Valuation Date for the Surviving Collateral* (ECF No. 615) and set a briefing schedule for Plaintiff's and Defendants' Steering Committee's cross-motions *in limine* as to the appropriate valuation date(s) for the Surviving Collateral for the Term Loan;

WHEREAS, counsel for Plaintiff and Defendants' Steering Committee have met and conferred regarding the appropriate valuation date; and

WHEREAS, an agreed-to valuation date is in the interest of the parties and the Court and will promote the just and efficient conduct of this litigation;

IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the undersigned parties, as follows:

1. The parties will use June 30, 2009, the date the Term Loan was repaid in full, as the date as of which the Surviving Collateral will be valued; and
2. The foregoing paragraph does not preclude any party from putting forth evidence as to whether the May 27, 2009 transfers (Count III of the Amended Complaint (ECF No. 91)) are avoidable and recoverable in accordance with 11 U.S.C. § 547(b)(5).

Dated: New York, New York
June 23, 2016

New York, New York
June 23, 2016

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Dated: June 27, 2016
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge