

Objection Deadline: March 22, 2017
Pretrial Conference: April 7, 2017 at 10:00 a.m. (EDT)

BINDER & SCHWARTZ LLP

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Company Avoidance Action Trust*

**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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**NOTICE OF MOTION *IN LIMINE* TO EXCLUDE
THE KPMG REPORT AND ITS SCHEDULES AND WORK PAPERS**

PLEASE TAKE NOTICE that on March 8, 2017, the Motors Liquidation Company Avoidance Action Trust (the “**Trust**”), by and through Wilmington Trust Company, solely in its capacity as Trust Administrator and Trustee, served a motion *in limine*, pursuant to Rules 402, 403, and 801 of the Federal Rules of Evidence, made applicable by Rule 9017 of the Federal Rules of Bankruptcy Procedure, to exclude the report prepared by KPMG LLP and its accompanying schedules and work papers (the “**KPMG Motion in Limine**”).

PLEASE TAKE FURTHER NOTICE that a pretrial conference will be held before the Honorable Martin Glenn, United States Bankruptcy Judge, in Room 523 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on **April 7, 2017 at 10:00 a.m. (EDT)**.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the KPMG Motion *in Limine* must be made in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be served on all parties so as to be received no later than **March 22, 2017** (the “**Objection Deadline**”) and filed with the Court pursuant to the *Stipulation and Order Permitting the Parties to File Motions in Limine Under Seal* (ECF No. 862) (the “**Stipulation and Order**”).

PLEASE TAKE FURTHER NOTICE that replies, if any, to the KPMG Motion *in Limine* must be made in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be served on all parties so as to be received no later than **March 31, 2017** and filed with the Court pursuant to the Stipulation and Order.

PLEASE TAKE FURTHER NOTICE that if you do not timely file and serve a written objection to the relief requested in the KPMG Motion *in Limine*, the Bankruptcy Court may

deem any opposition waived, treat the KPMG Motion *in Limine* as conceded, and enter an order granting the relief requested in the KPMG Motion *in Limine* without further notice or hearing.

Dated: March 8, 2017
New York, New York

Respectfully submitted,

BINDER & SCHWARTZ LLP

/s/ Neil S. Binder

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