

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:)	
)	Case No. 04-27848-MBM
ACR MANAGEMENT, L.L.C., <u>et al.</u> , ¹)	
)	Chapter 11
)	
Debtors.)	(Jointly Administered)
)	
<hr style="width: 100%; border: 0.5px solid black;"/> ACR MANAGEMENT, L.L.C., <u>et al.</u> ,)	
)	Hearing Date and Time: _____
Movants,)	
)	Objection Deadline: _____
v.)	
)	Docket No. _____
Parties Listed on <u>Exhibit A</u> Attached Hereto)	
)	
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**DEBTORS' FOURTH OMNIBUS OBJECTION TO CLAIMS
UNDER 11 U.S.C. §§ 105(a) AND 502(b) AND FED. R. BANKR. P. 3007**

The above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) hereby file the *Debtors’ Fourth Omnibus Objection to Claims* (the “Fourth Omnibus Objection”) and respectfully state as follows in support thereof:

JURISDICTION

1. The Court has jurisdiction over this Fourth Omnibus Objection under 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (B). Venue of this proceeding and this Fourth Omnibus Objection is properly in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory bases for the relief requested herein are sections

¹ The Debtors are the following entities: ACR Management, L.L.C., Anthony Crane Rental Holdings, L.P., ACR/Dunn Acquisition, Inc., Anthony Crane Capital Corporation, Anthony Crane Holdings Capital Corporation, Anthony Crane International, L.P., Anthony Crane Sales & Leasing, L.P., Anthony International Equipment Services Corporation, Anthony Sales & Leasing Corporation, Carlisle Equipment Group, L.P., Carlisle GP, L.L.C., Husky Crane, Inc., Anthony Crane Rental, L.P., d/b/a Maxim Crane Works, Maxim Crane Works, LLC, Sacramento Valley Crane Service, Inc., The Crane & Rigging Company, LLC, Thompson & Rich Crane Service, Inc.

105(a) and 502(b) of the United States Bankruptcy Code, 11 U. S. C. §§101, et seq., and Rule 3007 of the Federal Rules of Bankruptcy Procedure.

BACKGROUND

2. On June 14, 2004 (the “Petition Date”), each of the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”).

3. On December 29, 2004, the Debtors filed their third amended plan of reorganization (CM/ECF #1079, the “Plan²”). On December 30, 2004, this Court signed an Order confirming the Plan (CM/ECF#1094, the “Confirmation Order”), and the Plan became effective pursuant to its terms on January 28, 2005.

4. Prior to the commencement of these Chapter 11 Cases, the Debtors maintained, in the ordinary course of business, books and records (the “Books and Records”) that reflected, among other things, the Debtors’ liabilities and the amounts thereof owed to their creditors. With the assistance of the Debtors’ current management, the Debtors have reviewed the Proofs of Claim that have been filed in these Chapter 11 Cases.

REQUEST FOR RELIEF

5. By this Fourth Omnibus Objection, the Debtors object to certain claims set forth on Exhibit A³ attached hereto (the “Duplicative Claims”). Based upon the Debtors’ Books and Records, the Debtors believe and therefore aver that these are Proofs of Claim that are duplicative of another claim filed by the same claimant for the same liability.

² Capitalized terms not defined herein shall have the meanings ascribed to them in the Plan, the Confirmation Order, or the Revised Post-Confirmation Order (CM/ECF#1160).

³ Certain of the claims listed on Exhibit A maybe also be the subject matter of a specific or general claims objection that the Debtors intend to file relating to claims filed by taxing authorities.

6. The Debtors respectfully request that only the claims on Exhibit A set forth in the column labeled "Surviving Claim-Claim Number" be Allowed Claims and that all other Duplicative Claims listed on Exhibit A be disallowed and expunged in their entirety.

7. If these Duplicative Claims are not disallowed and expunged, the Debtors will be obligated to award more than one recovery, despite the singular liability against the Debtors arising out of the same occurrence.

8. The Debtors hereby reserve the right to object in the future to any of the Claims listed on Exhibit A to this Fourth Omnibus Objection, on any ground, and to amend, modify and/or supplement this Fourth Omnibus Objection, including without limitation, to object to amended, surviving, transferred, re-classified and newly-filed Claims. Separate notice will be served and a separate hearing will be scheduled for any such objection.

9. The Debtors also file this Fourth Omnibus Objection, without prejudice to file additional objections to other Proofs of Claim filed in these Chapter 11 Cases on any ground.

WHEREFORE, the Debtors respectfully request that this Court (i) enter an Order disallowing and expunging each Claim described in this Fourth Omnibus Objection (and set forth on Exhibit A attached hereto) and (ii) grant such further relief as is just and proper.

Pittsburgh, Pennsylvania
Dated: February 23, 2005

Campbell & Levine, LLC

/s/ David B. Salzman
Douglas A. Campbell (PA I.D. #23143)
David B. Salzman (PA I.D. #39360)
Salene R. Mazur (PA I.D. #86422)
1700 Grant Building
Pittsburgh, PA 15219
Telephone: (412) 261-0310
Facsimile: (412) 261-5066

Co-Counsel for the Debtors and Debtors-in-Possession