UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

102939

YOUR CLAIM IS SCHEDULED AS

sa43326

UNKNOWN UNSECURED CONTINGENT
DISPUTED UNLIQUIDATED

In re

Exide Technologies

Case Number

02-11125

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A "request" for payment of an administrative expense may be filed pursuant to 11 U S C § 503

Name of Creditor and Address

02209278110815

ESTATE OF MILLARD MCKEITHEN
C/O JOHN F MCKAY ESQ
MCKAY LAW FIRM
7465 EXCHANGE PL
BATON ROUGE LA 70806

Creditor Telephone Number ( ) 225-924-3641

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ Check box if you have never received any notices from the bankruptcy court in this case

☐ Check box if this address differs from the address on the envelope sent to you by the court

The amounts reflected above constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file again

THIS SPACE IS FOR COURT USE ONLY

CREDITOR TAX I D #

72-1376555

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

03-54

Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM

☐ Goods sold
☐ Services performed
☐ Money loaned
☒ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED

3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650*) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor s business whichever is earlier 11 U S C § 507(a)(3)

☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)

☐ Up to $2 100 of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)

☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)

☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)

☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents,* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

9 DATE-STAMPED COPY To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of this proof of claim

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm, prevailing Eastern Time on July 26, 2004

BY MAIL TO
Exide Technologies et al
c/o Bankruptcy Management Corporation
PO Box 1063
El Segundo CA 90245 - 1063

BY HAND OR OVERNIGHT DELIVERY TO
Exide Technologies et al
c/o Bankruptcy Management Corporation
1330 East Franklin Ave
El Segundo CA 90245

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FILED
JUL 15 2004
BMC

DATE SIGNED 7/14/04

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

John F. McKay

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C §§ 152 AND 3571

Exide Technologies
04182

McKAY LAW FIRM

ATTORNEYS AT LAW

7465 Exchange Place
Baton Rouge Louisiana 70806 1571

John F McKay
Christopher R Sonnier
John M McKay

Licensed to Practice in Louisiana and Texas

225/924 3641
Fax 225/924 3644

July 14, 2004

VIA FEDERAL EXPRESS

Exide Technologies, et al
c/o Bankruptcy Management Corporation
1330 East Franklin Ave
El Segundo, CA 90245

Re Exide Technologies
Case No 02-11125

Estate of Millard McKeithen,
Mardie McKeithen,
David McKeithen,
Jerry McKeithen, and
Susan McKeithen Rodriguez

Dear Sir

Enclosed please find the original and one copy of the completed Proof of Claim forms and Contaminant-Related Personal Injury Proof of Claim forms for the Estate of Millard McKeithen, Mardie McKeithen, David McKeithen, Jerry McKeithen, and Susan McKeithen Rodriguez I would appreciate it if you would return the copies to my office indicating the date of filing in the self-addressed, stamped envelope provided for your convenience

Thanking you in advance, I remain,

Sincerely yours,

John F McKay

JFM/chm
Enclosure
cc Kirkland & Ellis, LLP
Pachulski, Stang, Ziehl, Young, Jones & Weintraub, P C