

**PROOF OF CLAIM**

101730  
**YOUR CLAIM IS SCHEDULED AS**  
sa42109  
UNKNOWN UNSECURED CONTINGENT  
DISPUTED UNLIQUIDATED

In re  
Exide Technologies  
*P268-070609-01*

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.

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**

Name of Creditor and Address  
 02209278109532  
Elizabeth Fisher  
~~JACKIE DELONG~~ CLAIM REPRESENTATIVE  
SEARS C/O HELMSMAN MGMT SVCS INC  
1000 PLAZA DR STE 600 PO Box 768  
SCHAUMBURG, IL 60173-7900  
MISAWAKA IN 46546 0768

Creditor Telephone Number (800) 348-2478 X 2506  
CREDITOR TAX ID # 04-2791584  
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR P268-070609-01

Check here  replaces or amends a previously filed claim dated \_\_\_\_\_

1 BASIS FOR CLAIM  
 Goods sold  Personal injury/wrongful death  Retiree benefits as defined in 11 U.S.C. § 1114(a)  
 Services performed  Taxes  Wages, salaries and compensation (Fill out below)  
 Money loaned  Other (describe briefly) *battery leaked causing electrical damage*  
Your social security number \_\_\_\_\_  
Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

2 DATE DEBT WAS INCURRED *09-24-2000* 3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE \$ *260.01* (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

THIS SPACE FOR COURT USE ONLY  
**FILED**  
AUG 4 2004  
**BMC**  
Exide Technologies  
  
04655

DATE SIGNED *7/29/2004*  
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):  
*Elizabeth C Fisher for Helmsman Management Service*

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

PAGE 01  
 INSD SEARS ROEBUCK AND CO  
 CLMT WEISBERG,STUART

CHECK LIST (CK)  
 DOL 09/14/2000 CLAIM NO P 268-070609-01 HOD  
 CLAIM STATUS O

SPEC CLM SERV Y

SV NO	CH/EFT NO	PAYEE	PYMT AMT	ISSUE DATE	T/C ST	PR ST	RV ST	R/R ST	ID
001	00098179	STUART WEISBERG	260 01	10/26/2000			00		C268B24

SKIP TO DATE

ENTER SV NO AND  
 SP CMSP R+C CMR+C STATUS STOP PRINT DISPLAY CORR MENU  
 R/R ST MESSAGE

SCREEN SUFFIX REMARKS Y ID A499B10

S

# RUSSELL & SMITH

A TRADITION OF EXCELLENCE



3440 South  Loop West  
P O Box 20629 Zip 77225-0629  
HOUSTON, TEXAS 77025



*'Serving Houston over 63 Years'*  
(713) 663-4111

SUB TOTAL	ALLOWANCE	PLS PRICE DIFF	LEAS REF
(CHECK OFF) APPROPRIATE BOX			
CLAIM REVIEW	AUTHORIZATION TO SUBMIT CLAIM	PARTS SCRAP OUT	
\$	\$	\$	
DATE	LABOR	OTA	
DATE: _____ SIGNATURE: _____			

SERVICE INSTALLED PARTS			PROGRAM CODES	DEALER CODE
DATE INSTALLED	ACQUITTANCE	ORIGINAL NUMBER	REPAIR 1	52C026
MO	DA	YF	REPAIR 2	
APPROVAL CODE OR NO		COMMITMENT CODE		TRA CODE
			REPAIR 3	045728

ON BEHALF OF SERVICING DEALER I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO GARNER THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE THAT ANY PART REPAIRED OR REPLACED OR CLAIM HAD BEEN COINVESTIGATED IN ANY WAY WITH AN ACCIDENT, NEGLIGENCE OR MISUSE RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY REPRESENTATIVES OF FORD


I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW  
THIS COPY MUST BE RETURNED FOR ADJUSTMENT (SIGNED) DEALER GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

INVOICE TO		DRIVER/OWNER INFORMATION - INVOICE 050 07	
WEICBERG, STUART R 9251 BURDINE RD 378 HOUSTON TX 77196 HOME (713) 723-1228 WORK (713) 745-0202		WEICBERG, STUART R 9251 BURDINE RD 378 HOUSTON TX 77094 HOME (713) 723-1228 WORK (713) 745-0202	
F R OFFICE USE		VEHICLE INFORMATION	
TAG 5275 ADV 226 ARMY INVOICE FREIM CUL C LA	VIN 1FALP6547TR241860	LICENSE NUMBER TX 4EY81X	
MFG 1FA0U1 TAX RULES YWYN INVOICED 09/15/2000 (1) 25112	96 FORD CONTOUR GL	4DR CON SEL	
ODMETER IN 1440	STOCK # 00040220		
DATES BEGIN 09/13/00 DONE 09/14/01	DATE IN SERVICE 02/09/97 PRODUCTION 071596		SOLO (20977
CONCERN 27* BATTERY		OPERATION TECH HOURS AMOUNT	
CORRECTION INSTALLED NEW BATTERY AT FAL VALUE DAYS SPECIAL PRICE		BATTERY 27 5* 20 00	
COMMENT LABOR INCLUDES TESTING AND REPLACING BATTERY			
PART NUMBER	QTY	NOTE	DESCRIPTION
SMC BXL 96 R	1		BATTERY ASSY
FACTORY TECH 227 - ESPINALES, FFHN			SELL 39 93 39 93
QMD CODE H37		FAIL CODE 82	
		SUBTOTAL	
		PARTS INSTALLED 51 95	
		ENVIRONMENTAL PROTECTION 2 00	
		MECHANICAL REPAIR LABOR 20 00	
		TOTAL CHARGE FOR CONCERN 74 95	
TYPE C LINE CLASS (PH NOS			
CONCERN 51 THE ENGINE WILL NOT TURN OVER WHEN THIS HAPPENED THE CAP WOULD COME OUT OF OPERATION		TECH HOURS AMOUNT	
PARK REPORT PLEASE		ELECT 27 2 5 170 00	
CORRECTION CIRCUIT TESTED TRIPLED OUT OPEN CIRCUIT REPLACED CORRODED FUSE BOX			
COMMENT WIRING DUE TO BATTERY ACID LEAKAGE FROM BATTERY REPLACED BATTERY R			
PART NUMBER	QTY	NOTE	DESCRIPTION
PCD* FORZ 14 00 A	1		CABLE ASSY - BATTERY
FACTORY TECH 227 - ESPINALES, FRAN			SELL 77 28 77 28
CF ETESTORS (EMIL)			
		SUBTOTAL	
		PARTS INSTALLED 7 20	
		TO MATCH EST 11 00	
		MECHANICAL REPAIR LABOR 27 00	
		TO MATCH EST 53 00	
		TOTAL CHARGE FOR CONCERN 107 20	
TYPE C		PAGE 1	

815215

# RUSSELL & SMITH

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3440 South  Loop West  
P O Box 20629 Zip 77225 0629  
HOUSTON, TEXAS 77025



"Serving Houston over 63 Years"  
(713) 663-4111

CLB TOTAL	ALLOWANCE	PLUS PRICE DIFF	LESS REC
(CHECK /X/ APPROPRIATE BOX)			
<input type="checkbox"/> CLAIMS REVIEW	<input type="checkbox"/> AUTHORIZATION SUBMIT CLAIM	<input type="checkbox"/> PARTS SCRAP OUT	
AMT \$		LATOR \$	

SERVICE INSTALLED PARTS			PROGRAM CODES	DEALER CODE
DATE INSTALLED	AC P/ED MILE OE	OR INVA RO NUMBER	REPAIR 1	52C026
MO	DAY	YR	REPAIR 2	
APPROVAL CODE OR NO		COMMITMENT CODE		PKA CODE
			REPAIR 3	04572&

ON BEHALF OF SERVICING DEALER I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MALFE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY REPRESENTATIVES OF FORD.

I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW

X THIS COPY MUST BE RETURNED FOR ADJUSTMENT (SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

INVOICE TO		DRIVER/OWNER INFORMATION -- INVOICE CHARGE	
WEISBERG STUART P		WEISBERG, STUART R	
FIA OFFIC. USE		VEHICLE INFORMATION	
TAG 5275 ADV 274 ARMER INVOICED, 04/15/2000 09 27 12 LA 95 CONTAINR RED		LICENSE NUMBER TX 12B-11X	
CONCERN 5.4 THE A/C IS NOT COOLING PROPERLY REPORT PLEASE	OPERATION	TECH HOURS	AMOUNT
CORRECTION: PRESSURE TEST A/C SYSTEM FOUND NO LEAKS VERIFIED W/ BLOWING OUT OF	AC	2.0	135.00
COMMENT: DEFROST TRACED AND REPHIRED VACUUM LEAK. RETEST FOR PROPER OPERATION			
FACTORY TECH 277 - ESP VALVES, FRAN EP-N			
SUBTOTAL			
MECHANICAL REPAIR LABOR		135.00	
TECH RATE		48.00	
TOTAL CHARGE FOR CONCERN		183.00	
GRAND TOTAL			
PAYMENT DISTRIBUTION FOR INVOICE 050130			
TOTAL CHARGE		183.00	
CASH DUE		26.00	
SUMMARY OF CHARGES FOR INVOICE 050130			
PARTS INSTALLED	177.22		
PARTS DISCOUNT	11.54		
ENVIRONMENTAL PROTECTION	2.00		
MECHANICAL REPAIR LABOR	226.00		
LABOR DISCOUNT	134.00		
SUB-TOTAL	177.64		
SALES TAX	10.97		
TOTAL CHARGE	188.61		
IF YOU HAVE ANY QUESTIONS - PLEASE SEE LANCE L ORMER #7			

328.01 (Battery + Repairs) PAGE -  
 - 68.00 (A/C) LAST PAGE

**\$ 260.01 - TOTAL REFUND EXPECTED FROM EXIDE or SEARS**

815216

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Helmsman  
Management  
Services, Inc

NOTICE OF RELEASE AND  
SETTLEMENT OF CLAIM

Stuart & Diane Weisberg - Sears Roebuck & Co  
File No P268-070609-01

For the sole consideration of  
Two Hundred Sixty Dollars And 01/100 (\$260.01) The undersigned hereby  
releases and forever discharges

SEARS ROEBUCK & COMPANY, HELMSMAN MANAGEMENT SERVICES,  
EXIDE, and all other persons, firms and corporations from all claims and  
demands, rights and cause of action of any kind the undersigned now has or  
hereafter may have on account of or in any way growing out of Personal injuries  
known or unknown to me/us at the present time and Property Damage resulting  
or to result from an occurrence which happened on or prior to, September 14<sup>th</sup>,  
2000, and do hereby covenant to indemnify and save harmless the said party or  
parties from against all claims and demands whatsoever on account of or in any  
way growing out of said occurrence or its results both to person and property  
This release expresses a full and complete SETTLEMENT of a liability claimed  
and denied, regardless of the adequacy of the above consideration, the  
acceptance of this release shall not operate as an admission of liability on the part  
of anyone nor as estoppel, waiver or bar with respect to any claim the party or  
parties released may have against the undersigned Witness my hand and seal

(1) Dated 10-13 2000

YOU ARE MAKING A FINAL  
SETTLEMENT THIS IS A RELEASE  
READ BEFORE SIGNING

(4) \_\_\_\_\_  
(Witness Signature)  
\_\_\_\_\_  
(Address)  
(5) \_\_\_\_\_  
(Witness Signature)  
\_\_\_\_\_  
(Address)

(2) I/WE Diane Weisberg  
(3) [Signature]  
(Signature)  
(3) \_\_\_\_\_  
(Signature)  
\_\_\_\_\_

S

1000 Plaza Dr  
Suite 600  
Schaumburg Illinois 60173 7900  
Telephone 800-811-8175  
Fax 847-517-2540



Helmsman  
Management  
Services, Inc

September 26, 2000

Exide Corporation  
645 Penn Street  
Reading, PA 19601  
Attn Brenda/Sheila

RE Stuart Weisberg - Sears, Roebuck & Co  
Claim Number P268-070609-01

**FILE**

To whom it may concern

Helmsman Management Services, Inc is the third party administrator for Sears, Roebuck & Co The above-captioned claim for damages has been made against Sears alleging liability arising out of the sale of your product We hereby tender complete defense and indemnification of Sears to you and your insurance company

Specifically, the claimant, Mr Weisberg, alleges that on September 14<sup>th</sup>, 2000, the battery he purchased from Sears on 01/18/99, leaked and caused damage to his vehicle The battery has a model number of 36241 and the Sears store is in possession of it at this time Mr Weisberg, resides at 9251 Burdine #387, Houston, TX 77096 He has a home phone number of 713-723-1228 Via carbon copy of this letter, we have advised the claimant of the tender of this claim to you

Your relationship with Sears requires that you add Sears as an additional insured on your insurance policy You also agreed to indemnify and hold harmless Sears for any liability it has arising out of the sale of the product

As a result, I request that you forward this tender to your insurer, and that you and your insurer agree to accept Sears' complete defense and indemnity with respect to this claim Please confirm within thirty (30) days that you and your insurance company will accept the complete defense and indemnification of Sears If confirmation is not received by that time, Helmsman and Sears will take whatever actions necessary to enforce your obligations to Sears

S

Should you have any questions in this regard, please feel free to contact me at  
800-811-8175, ext 2492

Sincerely,



Elsa Perez  
Claims Representative

cc Stuart Weisberg, claimant

Sears Roebuck & Co , customer  
Sears Auto Center  
9570 SW Freeway  
Houston, TX 77074  
Attn Avas Morris  
713-778-5031

S



100 LINCOLN WAY WEST  
MISHAWAKA, IN 46544

PRESORTED  
FIRST CLASS



UNITED STATES POSTAGE  
02 14  
0004320170  
\$ 05.75<sup>00</sup>  
JUL 30 2004  
MAILED FROM ZIP CODE 46544

**FIRST CLASS MAIL**

FROM



**Liberty  
Mutual™**

CENTRAL RECOVERY UNIT  
1 LIBERTY SQUARE  
100 LINCOLNWAY WEST  
MISHAWAKA IN 46544

TO

EXIDE TECHNOLOGIES ET AL  
C/O BANKRUPTCY MANAGEMENT CORPORATION  
PO BOX 1063  
EL SEGUNDO CA 90245-1063

REC'D AUG 04 2004

*Please Handle Carefully*