


UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE		PROOF OF CLAIM
Name of Debtor EXIDE TECHNOLOGIES		Case Number 02-11125 KJC
<p>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.</p>		
Name of Creditor (The person or other entity to whom the debtor owes money or property) SEARS, ROEBUCK		<p>REC'D AUG 05 2004</p> <p>THIS SPACE IS FOR COURT USE ONLY</p>
Name and Address where notices should be sent MR. TIMOTHY COTTIER LIBERTY MUTUAL INS CO 1000 PLAZA DRIVE SCHUMBERG, ILL 60173		
Telephone Number 800-811-8175		
Account or other number by which creditor identifies debtor		<input type="checkbox"/> Check here if this claim <input type="checkbox"/> replaces a previously filed claim dated _____ <input type="checkbox"/> amends
<p>1 Basis for Claim</p> <input checked="" type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____		
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages salaries and compensation (fill out below) Last four digits of SS # _____ Unpaid compensation for services performed from _____ to _____ (date) (date)		
2 Date debt was incurred VARIOUS - SEE ATTACHED		3 If court judgment, date obtained
4 Total Amount of Claim at Time Case Filed \$ 2100,000 (unsecured) (secured) (priority)		UNKNOWN (Total) in excess of \$100,000
<p>If all or part of your claim is secured or entitled to priority also complete Item 5 or 7 below</p> <input type="checkbox"/> 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.		
<p>5 Secured Claim</p> <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff)		<p>7 Unsecured Priority Claim</p> <input type="checkbox"/> Check this box if you have an unsecured priority claim
Brief Description of Collateral <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral \$ _____ Amount of arrearage and other charges at time case filed included in secured claim if any \$ _____		
<p>6 Unsecured Nonpriority Claim \$ _____</p> <input checked="" type="checkbox"/> Check this box if a) there is no collateral or lien securing your claim or b) your claim exceeds the value of the property securing it or if c) none or only part of your claim is entitled to priority		Amount entitled to priority \$ _____ Specify the priority of the claim <input type="checkbox"/> 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) <input type="checkbox"/> Contributions to an employee benefit plan 11 U.S.C. § 507(a)(4) <input type="checkbox"/> 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) <input type="checkbox"/> Alimony maintenance or support owed to a spouse former spouse or child - 11 U.S.C. § 507(a)(7) <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8) <input type="checkbox"/> Other Specify applicable paragraph of 11 U.S.C. § 507(a)(____) *Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment
<p>8 Credits The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim</p> <p>9 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</p> <p>10 Date Stamped Copy To receive an acknowledgment of the filing of your claim enclose a stamped self addressed envelope and copy of this proof of claim</p>		<p>THIS SPACE IS FOR COURT USE ONLY</p> <p style="text-align: right;">Exide Technologies  04667</p> <p style="text-align: right; font-size: small;">2004 JUL 26 PM 1</p>
Date 7/26/04	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) [Signature] Attorney 2393	

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to these general rules.

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began. In some states a court judgment is a lien. In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

2 Date Debt Incurred

Fill in the date when the debt first was owed by the debtor.

3 Court Judgments

If you have a court judgment for this debt, state the date the court entered the judgment.

4 Total Amount of Claim at Time Case Filed

Fill in the applicable amounts, including the total amount of the entire claim. If interest or other charges, in addition to the principal amount of the claim, are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5 Secured Claim

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS above.)

6 Unsecured Nonpriority Claim

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a general unsecured claim. (See DEFINITIONS above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

7 Unsecured Priority Claim

Check the appropriate place if you have an unsecured priority claim and state the amount entitled to priority. (See DEFINITIONS above.) A claim may be partly priority and partly nonpriority, if for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

8 Credits

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim, you have given the debtor credit for all payments received from the debtor.

9 Supporting Documents

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed, or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In Re

Chapter 11

EXIDE TECHNOLOGIES, et, al ,

Case No 02-11125 KJC

Reorganized Debtor

(Jointly Administered)

STATEMENT OF LIBERTY MUTUAL INSURANCE COMPANY
ON BEHALF OF SEARS, ROEBUCK AND COMPANY
IN SUPPORT OF ITS PROOF OF CLAIM

Pursuant to the Notice of Exide Technologies' Amendment to Schedule, attached herewith, Liberty Mutual Insurance Company, on behalf of its insured, Sears, Roebuck and Company, hereby files the enclosed Proof of Claim. In support of this, Sears asserts as follows:

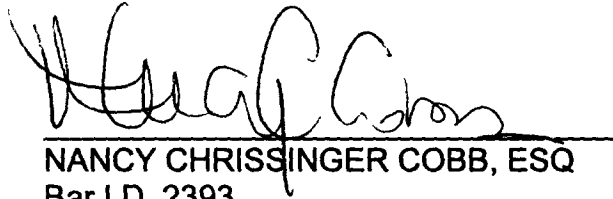
1 Debtor, Exide Technologies, Inc., manufactured batteries for use and sale at Sears' Automotive Centers ("the products"). In accordance with said business relationship, Exide Technologies agreed to indemnify and hold Sears harmless from any and all liability associated with claims arising from the purchase, ownership, maintenance or use of the products. Included within this agreement was Exide's agreement to assume the defense of Sears in any lawsuit arising from the purchase, ownership, maintenance or use of the products.

2 Since 1998, Sears has been involved in the handling of at least seventy-seven claims involving Exide batteries. A partial list is attached herewith. Most of these claims involve allegations of battery leakage.

3 Exide has declined to honor its obligation to assume the defense of Sears, indemnify Sears or hold Sears harmless. As a result, Sears, through its insurance program, has been obligated to defend itself. As a further result, Sears has incurred legal fees and litigation costs associated with the defense of these claims. It has also expended monies to resolve claims.

4 As of this date and despite diligent efforts on its part, Sears cannot identify with specificity the aggregate amount of money at issue. Upon information and belief, as of the dates of loss, Exide had in place a policy or policies of insurance which would cover the losses in question. As of this date, the anticipated exposure is in excess of \$100,000.

CHRISSINGER & BAUMBERGER

A handwritten signature in black ink, appearing to read "Nancy Cobb", is written over a horizontal line.

NANCY CHRISSINGER COBB, ESQ

Bar I D 2393

Three Mill Road, Suite 301

Wilmington, DE 19806

(302) 777-0100

Attorney for Sears

Dated July 26, 2004

Claim #	DOI	Claimant name	Jurisdiction
P268-024795-01	10/14/1998	Fujumoto, Ruth	Hawaii
P268-047681-01	10/12/1991	Parker, Marsha	CA
P268-047998-01	10/1/1999	Pepka, Peter	PA
P268-048185-01	10/18/1999	Dutton, Shanno	AZ
P268-048212-01	10/19/1999	Walker, John	CA
P268-048313-01	10/22/1999	Schrier, Tym	CA
P268-048578-01	5/19/1999	Shrader, Newto	TX
P268-048627-01	9/11/1999	Melancon, Joe	LA
P268-048640-01	10/26/1999	Snyder, Ellen	PA
P268-049225-01	11/2/1999	Cruise, John	CA
P268-049788-01	11/6/1999	Simpson, Chiqu	FL
P268-050052-01	11/8/1999	Keller, R	FI
P268-050174-01	11/20/1999	Smith, Mike	ID
P268-050404-01	11/22/1999	McIlwain, Derr	CA
P268-050561-01	11/24/1999	Johnson, Clay	GA
P268-050943-01	11/19/1999	Skinner, Bob	LA
P268-051016-01	11/6/1999	Azizi, Sohiei	CA
P268-051090-01	11/23/1999	Sanders, Donn	NC
P268-051670-01	12/10/1999	Kontodiakos, M	FL
P268-051887-01	12/8/1999	Pistoll, Gustav	PA
P268-052178-01	12/13/1999	Sieradzki, Andre	FL
P268-052470-01	12/17/1999	McReynolds, D	KS
P268-053641-01	1/6/2000	Borchert, Winfr	FL
P268-053699-01	9/10/1999	Johnson, Joe	FL
P268-053811-01	1/4/2000	Stevens, Susan	LA
P268-054006-01	10/7/1998	Peterson, Tracy	TX
P268-054043-01	1/11/2000	Berhosky, Mich	FL
P268-054208-01	1/16/2000	Heil, Mary	KS
P268-054275-01	8/3/1999	Reddington, Ad	VA
P268-054784-01	12/1/1999	Campbell, Merd	CA
P268-055130-01	1/31/2000	Mawyer, Tracee	CA
P268-055194-01	2/1/2000	Rummel, Gary	AZ
P268-055228-01	1/25/2000	Wratislaw, Davi	FL
P268-055683-01	2/10/2000	Tews, Toni	CA
P268-056475-01	2/22/2000	Guerrero, Jesus	AZ
P268-056784-01	3/1/2000	Sprague, Tonja	OK
P268-056872-01	2/28/2000	Martinez, mario	AZ
P268-058001-01	3/17/2000	Brown, Ivorlyn	Tx
P268-058496-01	3/26/2000	Schroder, Ernie	TX
P268-058567-01	3/28/2000	Peron, Karen	FL
P268-058656-01	3/29/2000	Gleason, Eugen	Hawaii
P268-058967-01	4/1/2000	Loeb, Jeff	Az
P268-059161-01	4/7/2000	Barroso, mary	Tx
P268-059175-01	4/6/2000	Rhoden, Gary	FL
P268-059456-01	2/25/2000	Hager, Kim	Hawaii
P268-059826-01	4/16/2000	Mendez, Gloria	CA
P268-059851-01	4/18/2000	Daigon, Ralph	FI
P268-060711-01	3/10/2000	Giompalo, Davi	FL
P268-060761-01	4/27/2000	Santomassion	FL
P268-061546-01	5/12/2000	Davenport, Bev	GA
P268-062003-01	5/19/2000	Wadley, Kimbel	FL

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DISTRICT OF DELAWARE

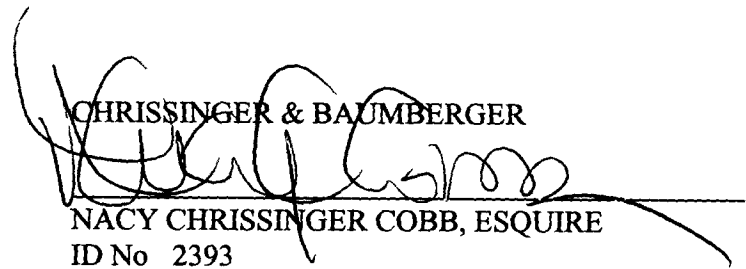
2004 JUL 26 PM 4 05

11:30

AFFIDAVIT OF NANCY CHRISSINGER COBB

I NANCY CHRISSINGER COBB, Esquire of the law firm of Chrissinger & Baumberger have been contacted by an out of state legal office within Liberty Mutual Insurance Company to file the attached Statement of Liberty Mutual Insurance Company on Behalf of Sears, Roebuck and Company In Support of its Proof of Claim

Please accept this filing manually as we do not have the resources to file the attachment electronically



CHRISSINGER & BAUMBERGER

NANCY CHRISSINGER COBB, ESQUIRE
ID No 2393
3 Mill Road, Suite 301
Wilmington, DE 19806
(302) 777-0100

Date

7-26-04

SWORN TO AND SUBSCRIBED before me, a Notary Public, this 26th day of July, 2004


NOTARY PUBLIC

SHARON L. COLE
Notary Public, State of Delaware
My Commission Expires March 1, 2006