

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

EXIDE TECHNOLOGIES, ET AL

Debtors.

CHAPTER 11

Case No. 02-11125(KJC)
Jointly Administered Cases

Hearing Date: October 9, 2003 at 10:00 am
Response Deadline: October 6, 2003 at 4:00 pm

**RESPONSE OF ENERSYS, INC. IN OPPOSITION TO DEBTORS' MOTION FOR A
PROTECTIVE ORDER TO QUASH ENERSYS' RULE 30(b)(6) NOTICE OF
DEPOSITION AND CROSS-MOTION TO PRECLUDE THE TRIAL TESTIMONY
OF CRAIG H. MUHLHAUSER AND ATTORNEY STUART KUPINSKY**

EnerSys, Inc. ("**EnerSys**") responds (the "**Response**") in opposition to *Debtors Motion for a Protective Order to Quash EnerSys' Rule 30(b)(6) Notice of Deposition* and moves (the "**Cross-Motion**") the Court to enter an order precluding the testimony of Debtor's employees, Mr. Craig H. Muhlhauser and Attorney Stuart Kupinsky, at the November 19 and 20, 2003 trial.

The grounds supporting EnerSys' opposition to the motion for a protective order and the grounds supporting the preclusion of any testimony of Debtors' Chief Executive Officer, Craig H. Muhlhauser, and General Counsel, Stuart Kupinsky, Esquire, in connection with the Cross-Motion, are fully set forth in *EnerSys, Inc.'s Memorandum of Law in the Opposition to Debtor Exide Technologies' Motion for a Protective Order to Quash EnerSys' Rule 30(B)(6) Notice of Deposition and in Support of the Cross-Motion of EnerSys, Inc. to Preclude the Trial Testimony of Craig H. Muhlhauser and Attorney Stuart Kupinsky*, and related documents thereto, filed on even date herewith.

WHEREFORE, EnerSys respectfully requests that the Court enter an denying the Debtors' motion for a protective order and an order precluding the testimony of Craig H. Mulhauser and Attorney Stuart Kupinsky at the November 19 and 20, 2003 trial.

Dated: September 29, 2003

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