IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

U.S. Bankruptcy Court
RECEIVED
NOV 18 2003
Judge 10:42 am

In re:	)	Chapter 11
	)	
EXIDE TECHNOLOGIES, et al. [1],	)	Case No. 02-11125 (KJC)
	)	(Jointly Administered)
Debtors.	)	

Proposed Objection Deadline: November 20, 2003 at 4:00 p.m.
Proposed Hearing Date: November 24, 2003 at 4:00 p.m.

MOTION OF DEBTORS TO SHORTEN TIME WITH RESPECT TO MOTION FOR AN ORDER APPROVING DIP AMENDMENT AND FEE LETTER PURSUANT TO 11 U.S.C. §§ 105(a) AND 363(b)

TO: The Office of the United States Trustee; counsel to the Official Committee of Unsecured Creditors; counsel for the Official Committee of Equity Security Holders; counsel for the Prepetition Agent for the Prepetition Secured Lenders; counsel for the Post Petition Lenders; and Parties requesting notice pursuant to Bankruptcy Rule 2002.

The debtors and debtors in possession (the "Debtors") in the above-captioned cases have filed the Debtors' Motion For An Order Approving Dip Amendment And Fee Letter Pursuant To 11 U.S.C. §§ 105(A) And 363(B) (the "Motion"). A copy of the Motion is attached hereto.

The Debtors hereby move this Court pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Del. Bankr. L.R. 9006-1(e), and § 102 of Title 11 of the United States Code (the "Bankruptcy Code"), for an Order scheduling a hearing on the Motion and shortening time to object or respond to the Motion.

The Debtors seek an Order from this Court scheduling a hearing on the Motion for November 24, 2003 at 4:00 p.m. and requiring that objections, if any, to the Motion must be filed with the United States Bankruptcy Court on November 20, 2003 at 4:00 p.m. Eastern time.

[1] The Debtors in these proceedings are: Exide Technologies f/k/a Exide Corporation; Exide Delaware, L.L.C.; Exide Illinois, Inc. and RBD Liquidation, L.L.C.; Dixie Metals Company; and Refined Metals Corporation.

3144
11-17-03

On the Petition Date, the Debtors, their foreign non-debtor affiliates and their prepetition secured lenders (the "Prepetition Lenders") executed the Standstill Agreement and Fifth Amendment to the Credit Agreement (the "Standstill Agreement"), wherein the Prepetition Lenders agreed to forbear from exercising any of their rights or remedies relating to defaults under the prepetition credit agreement against the Debtors' non-debtor affiliates until no later than December 18, 2003.

Also on the Petition Date, the Debtors and their debtor in possession lenders (the "DIP Lenders") entered into the Secured Super Priority Debtor in Possession Credit Agreement (the "DIP" or "DIP Agreement"). Under the terms of the DIP Agreement, the loan will mature on November 18, 2003, which is 30 days prior to the expiration of the Standstill Agreement, without securing a parallel extension to the Standstill Agreement. Therefore, if the Debtors do not pay the amounts owed under the DIP by November 18, 2003, which the Debtors will not be able to do until they emerge from chapter 11 and receive their exit financing, they will default under the loan. Further, the Standstill Agreement contains a cross-default provision, which provides that a default under the DIP Agreement also constitutes a default under the Standstill Agreement. For these reasons the Debtors request shortened notice.

The Debtors have provided notice to the affected parties by hand delivery or overnight delivery or, in the case of the core group (committees, lenders and United States Trustee) by facsimile or e-mail. Given the nature of the relief requested in the Motion, the Debtors respectfully submit that the notice procedure described above is sufficient to provide parties in interest an opportunity to review and, if necessary, respond to the Motion.

Accordingly, under the circumstances the Debtors submit that shortening the time to respond will not prejudice the rights of any party in interest.

WHEREFORE, the Debtors respectfully request that the Court schedule a hearing on this matter for November 24, 2004 at 4:00 p.m. and setting November 20, 2003 at 4:00 p.m. as the deadline for parties in interest to respond or object and approve the form of notice attached hereto.

Dated: November 17, 2003

KIRKLAND & ELLIS LLP
Matthew N. Kleiman
Jason D. Horwitz
Ross M. Kwastenict
200 East Randolph Drive
Chicago, IL 60601
Telephone: (312) 861-2000
Facsimile: (312) 861-2200
-and-

PACHULSKI, STANG, ZIEHL, YOUNG, JONES & WEINTRAUB P.C.

Laura Davis Jones (Bar No. 2436)
James E. O'Neill (Bar No. 4042)
Kathleen Marshall DePhillips (Bar No. 4173)
919 North Market Street, 16th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400

Co-Counsel for the Debtors and Debtors in Possession

SO ORDERED this 21st day of Nov, 2003

The Honorable Kevin J. Carey