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Counsel to the Oldco M Distribution Trust

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re	:	Chapter 11
	:	
Oldco M Corporation	:	Case No. 09-13412 (MG)
(f/k/a Metaldyne Corporation), <i>et al.</i> ,	:	
	:	(Jointly Administered)
Debtors.	:	
-----X	:	

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON AUGUST 27, 2013 AT 2:00 P.M.**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton Custom House, One Bowling Green, Room 501, New York, New York  
10004-1408.

**MATTERS GOING FORWARD**

- A. Omnibus Objection of Oldco M. Distribution Trust Seeking to Disallow and Expunge Certain Claims (Omnibus Objection No. 29) [Docket No. 2334]

Affidavit of Service of James H. Myers filed by BMC Group, Inc. [Docket No. 2335]

Related Documents: None.

Responses Received: None.

Status: All claims with respect to Gary M. Banks, Timothy D. Leuliette, Jeff Stafeil, Daniel P. Tredwell, Samuel Valenti III, Heartland Industrial Partners LP and Heartland Industrial Associates LLC have been adjourned to the next omnibus hearing. All other matters will be going forward.

**PROCEEDING BY NOTICE OF PRESENTMENT – NO HEARING REQUIRED**

- B. Executive Sounding Board Associates, Inc., as Trustee for the Oldco M Distribution Trust, Plaintiff v. Archives Management Warehouse, Defendant. Adversary Proceeding No. 11-01988 (MG): Motion for Default Judgment; Notice of Hearing on Motion for Default Judgment and Application for Default Judgment [Adv. Docket No. 9]

Related Documents:

1. Complaint to: (I) Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 547 and 550; and (II) Disallow Claims Pursuant to 11 U.S.C. § 502(d) [Adv. Docket No. 1]

Responses Received: None.

Status: This matter has been put on presentment, therefore, no hearing is required.

- C. Executive Sounding Board Associates, Inc., as Trustee for the Oldco M Distribution Trust, Plaintiff v. Reliable Spring & Wire Forms Co., Defendant. Adversary Proceeding No. 11-02069 (MG): Motion for Default Judgment; Notice of Hearing on Motion for Default Judgment and Application for Default Judgment [Adv. Docket No. 7]

Related Documents:

1. Complaint to: (I) Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 547 and 550; and (II) Disallow Claims Pursuant to 11 U.S.C. § 502(d) [Adv. Docket No. 1]

Responses Received: None.

Status: This matter has been put on presentment, therefore, no hearing is required.

**ADJOURNED MATTERS**

- D. Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow Certain Duplicate Claims (Omnibus Objection No. 23), together with the Notice of Hearing thereto [Docket No. 1512]

Affidavit of Service of Mabel Soto, filed by BMC Group, Inc. [Docket No. 1517]

Related Documents:

1. Notice of Presentment of Stipulation and Agreed Order Between Oldco M Distribution Trust and General Electric Capital Corporation Regarding the Allowance of Claims [Docket No. 1515]
2. So Ordered Stipulation signed on 4/22/2010 Between Oldco M Distribution Trust and General Electric Capital Corporation Regarding the Allowance of Claims [Docket No. 1531]
3. Order Signed On 7/16/2010 Re: Disallowing Certain Duplicate Claims (Omnibus Objection No. 23) [Docket No. 1605]

Responses Received: None.

Status: The objection as to Claim Number 2168 of De Lage Landen, Claim Number 3248 of Dearborn Refining Site, Claim Number 3542 of Dock Foundry Co d/b/a Metal Technologies Inc., Claim Numbers 3546 and 3549 of Milwaukee Ductile Iron Inc. d/b/a Metal Technologies Inc., and Claim Numbers 3544 and 3545 of Ravenna Casting Ctr Inc. d/b/a Metal Technologies Inc. have been resolved and the parties are drafting a stipulation that will be presented to the Court at the omnibus hearing on **September 30, 2013 at 10:00 a.m.**

- E. Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection No. 25) [Docket No. 1614]

Affidavit of Service of James H. Myers, filed by the BMC Group, Inc. [Docket No. 1620]

Related Documents:

1. Supplement to Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection No. 25) [Docket No. 1644]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 1645]

2. Notice of Limited Withdrawal of Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain

Administrative Expense Claims (Omnibus Objection No. 25) to Claim No. 287  
[Docket No. 1648]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 1653]

3. Notice of Limited Withdrawal of Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection No. 25) to Claim No. 1949 [Docket No. 1649]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 1653]

4. Amended Notice of Limited Withdrawal of Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection No. 25) to Claim No. 1949 [Docket No. 1664]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 1665]

5. Order Disallowing, Reducing, Liquidating, Expunging and Reclassifying Certain Administrative Claims [Docket No. 2119]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 2122]

Responses Received:

6. Response of Fischer Canada Stainless Steel Tubing Inc. to Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection #25) [Docket No. 1624]
7. Response of Nissan North America, Inc. to the Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection #25) [Docket No. 1625]
8. Response and Objection of Canon Financial Services, Inc. to Motion of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection #25) [Docket No. 1626]
9. Notice of Withdrawal of Response of Nissan North America, Inc. to the Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge and Reclassify Certain Administrative Expense Claims (Omnibus Objection No. 25) [Docket No. 1630]

Certificate of Service of Stephen Starr [Docket No. 1627]

Status: As it relates to Claim Number 3547 filed by Metal Technologies Auburn LLC (a/k/a Metal Technologies Inc.), the Trust and Metal Technologies Auburn LLC have resolved the objection and the parties are drafting a stipulation that will be presented to the Court at the next omnibus hearing. This matter has been adjourned to the omnibus hearing on **September 30, 2013 at 10:00 a.m.**

- F. Motion of the Oldco M Distribution Trust for Entry of an Order Establishing Estimation Procedures and Estimating the Claims of the Ace Companies, Disallowing Certain Claims, and Granting Certain Related Relief [Docket No. 2243]

Affidavit of Service of Mabel Soto, filed by BMC Group, Inc. [Docket No. 2247]

Related Documents:

1. Notice of Hearing on Motion of the Oldco M Distribution Trust for Entry of an Order Establishing Estimation Procedures and Estimating the Claims of the Ace Companies, Disallowing Certain Claims, and Granting Certain Related Relief [Docket No. 2244]
2. Affidavit of Service of Alexandra P. Kaloa, filed by BMC Group, Inc. [Docket No. 2245]

Affidavit of Service of Mabel Soto, filed by BMC Group, Inc. [Docket No. 2247]

Responses Received:

3. Objection of ACE American Insurance Company, Illinois Union Insurance Company, Indemnity Insurance Company of North America, Pacific Employers Insurance company and ESIS, Inc. to Motion of the Oldco M Distribution Trust for Entry of an Order Establishing Estimation Procedures and Estimating the Claims of the ACE Companies, Disallowing Certain Claims, and Granting Related Relief [Docket No. 2271]

Certificate of Service of Wendy M. Simkuluk [Docket No. 2272]

Status: This matter has been resolved in principal and the parties are currently working on documenting the settlement. Accordingly, this matter is adjourned to the omnibus hearing on **September 30, 2013 at 10:00 a.m.**

- G. Complaint for Turnover of Estate Property Pursuant to 11 U.S.C. § 542 (ACE American Insurance Company, et al., Adversary Case No. 12-01688) [Adversary Docket No. 1]

Affidavit of Service of Mabel Soto, filed by BMC Group, Inc. [Adversary Docket No. 2]

Related Documents:

1. Summons with Notice of Pretrial Conference [Adversary Docket No. 3]

2. Motion of ACE American Insurance Company, Illinois Union Insurance Company, Indemnity Insurance Company of North America, Pacific Employers Insurance company and ESIS, Inc. to Compel Arbitration and to Dismiss or Stay Certain Litigation; Brief in Support of Requests to Compel Arbitration and to Dismiss or Stay Certain Litigation; and Affidavit of Edward A. Mungiole, Jr. In Support of Brief [Adversary Docket No. 9]

Certificate of Service of Wendy M. Simkuluk [Docket No. 10]

3. Notice of Hearing on Motion of ACE American Insurance Company, Illinois Union Insurance Company, Indemnity Insurance Company of North America, Pacific Employers Insurance company and ESIS, Inc. to Compel Arbitration and to Dismiss or Stay Certain Litigation; Brief in Support of Requests to Compel Arbitration and to Dismiss or Stay Certain Litigation; and Affidavit of Edward A. Mungiole, Jr. In Support of Brief [Adversary Docket No. 11]

Responses Received: None.

Status: This matter has been resolved in principal and the parties are currently working on documenting the settlement. Accordingly, this matter is adjourned to the omnibus hearing on **September 30, 2013 at 10:00 a.m.**

Dated: August 26, 2013  
New York, New York

Respectfully submitted,

/s/ Mark D. Silverschotz

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