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Counsel to the Oldco M Distribution Trust

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

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In re	: Chapter 11
Oldco M Corporation	: Case No. 09-13412 (MG)
(f/k/a Metaldyne Corporation), <i>et al.</i> ,	: (Jointly Administered)
Debtors.	:
	: :
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**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 28, 2014 AT 11:00 A.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 PROCEEDING BY NOTICE OF PRESENTMENT – NO HEARING  
REQUIRED**

- A. 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.

- B. 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.

**MATTERS GOING FORWARD**

- C. 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:

1. Order Disallowing and Expunging Certain Claims (Omnibus Objection No. 29) [Docket No. 2362]
2. Second Order Disallowing and Expunging Certain Claims (Omnibus Objection No. 29) [Docket No. 2378]

Responses Received:

3. Response to Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow and Expunge Certain Claims (Omnibus Objection No. 33) [Docket No. 2386]

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 will be going forward as a status conference only.

- D. Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow and Expunge Certain Claims (Omnibus Objection No. 33) [Docket No. 2354]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 2357]

Related Documents:

1. Order Disallowing, and Expunging Certain Claims (Omnibus Objection No. 33) [Docket No. 2379]

Responses Received:

2. Response to Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow and Expunge Certain Claims (Omnibus Objection No. 33) [Docket No. 2386]

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 will be going forward as a status conference only.

**ADJOURNED MATTERS**

- E. 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 will be adjourned to the next omnibus hearing date.

- F. 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 will be adjourned to the next omnibus hearing date.

- G. Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Reclassify, and Expunge Certain Claims (Omnibus Objection No. 34) [Docket No. 2355]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 2357]

Related Documents:

1. Order Disallowing, Reducing, Reclassifying, and Expunging Certain Claims (Omnibus Objection No. 34) [Docket No. 2380]

Responses Received:

2. Response of DSSI LLC to Omnibus Objection of Oldco M Distribution Trust Seeking to Disallow, Reduce, Liquidate, Expunge, and Reclassify Certain Claims (Omnibus Objection No. 34) [Docket No. 2367]

Status: The trustee will withdraw the objection as to Claim No. 348 of Bend Tooling, Inc., Claim No. 2038 of Custom Tool & Die Co., and Claim No. 2083 of Meyer Pallets. The Objection as to Claim No. 3537 of Henry County Treasurer has been resolved and the parties are working to document the resolution and have agreed to adjourn the matter to the next omnibus hearing date, Claim No. 2991 of Preferred Inc – Fort Wayne, and Claim No. 3565 of Thornapple Township have been adjourned to the next omnibus hearing date.

Dated: January 23, 2014  
New York, New York

Respectfully submitted,

/s/ Mark D. Silverschotz  
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