

JONES DAY  
222 East 41st Street  
New York, New York 10017  
Telephone: (212) 326-3939  
Facsimile: (212) 755-7306  
Richard H. Engman

- and -

JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212  
Heather Lennox  
Ryan T. Routh

Attorneys for Debtors  
and Debtors in Possession

**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
-----	

**NOTICE OF AGENDA OF MATTERS  
SCHEDULED FOR HEARING ON NOVEMBER 10, 2009 AT 10:00 A.M.**

Location of Hearings: 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

## **CONTESTED MATTERS**

- A. Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Chassis Group [Docket No. 429]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 490]

Requested Response Deadline: The requested response deadline for objections to cure amounts ("Cure Objections") was July 24, 2009 and the requested response deadline for objections to the assumption/assignment of contracts ("Assumption/Assignment Objections") listed on the schedule was August 4, 2009.

### Selected Related Documents:

1. Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 904]

Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 806]

Notice of Adjournment of Hearing on Assumption and Assignment Objections to September 29, 2009 Omnibus Hearing and Status of Pending Objections [Docket No. 770]

2. Order (I) Authorizing the Sale of Substantially all of the Debtors' Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (II) Authorizing the Assumption and Assignment of Certain Executory Contracts and Leases in Connection Therewith and (III) Granting Related Relief [Docket No. 674]

Affidavit of Service of James H. Myers filed by BMC Group, Inc. [Docket No. 685]

### Unresolved Responses Received:

3. Limited Objection of Production Services Management, Inc. to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Chassis Group [Docket No. 497]
4. Limited Objection of SKF USA Inc. to Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in

Connection with the Proposed Sale of the Debtors' Chassis Group  
[Docket No. 500]

5. Objection of General Electric Capital Corporation to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Chassis Group [Docket No. 507]
6. Objection of Spirit SPE Portfolio 2007-1, LLC to the Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Chassis Group [Docket No. 508]
7. Objection of Whitsett Manufacturing, LLC to Debtors' Proposed Cure Amount as to Lease Re: Sale of Chassis Group [Docket No. 510]
8. Objection of Chiron America, Inc. to Proposed Cure Costs in Connection with Assumption and Assignment of Support and Maintenance Agreement [Docket No. 484]

Status: The hearing with respect to SKF USA Inc. (item 4) is going forward.

The hearing with respect to Production Services Management, Inc. (item 3), General Electric Capital Corporation (item 5), Spirit SPE Portfolio 2007-1, LLC (item 6), Whitsett Manufacturing, LLC (item 7) and Chiron America, Inc. (item 8) is adjourned until November 30, 2009 at 10:00 a.m.

### **ADJOURNED MATTERS**

- B. Motion of Debtors and Debtors in Possession for (I) An Order (A) Approving Bidding Procedures for the Sale of the Debtors' Powertrain Group, (B) Approving Certain Bidder Protections and (C) Scheduling a Final Sale Hearing and Approving the Form and Manner of Notice Thereof; and (II) An Order (A) Authorizing the Sale of Certain Assets Related to the Debtors' Powertrain Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith [Docket No. 214]

Affidavit of Service of Alex Cedeno filed by BMC Group, Inc. [Docket No. 236]

Requested Response Deadline: August 3, 2009

Selected Related Documents:

1. Consolidated Reply to Objections to the Motion of Debtors and Debtors in Possession for (I) an Order (A) Approving Bidding Procedures for the Sale of the Debtors' Powertrain Group, (B) Approving Certain Bidding Protections (C) Scheduling a Final Sale Hearing and Approving the Form and Manner of Notice Thereof; and (II) an Order (A) Authorizing the Sale of Certain Assets Related to the Debtors' Powertrain Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith [Docket No. 611]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc.  
[Docket No. 642]

2. Order (I) Authorizing the Sale of Substantially all of the Debtors' Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (II) Authorizing the Assumption and Assignment of Certain Executory Contracts and Leases in Connection Therewith and (III) Granting Related Relief [Docket No. 674]

Affidavit of Service of James H. Myers filed by BMC Group, Inc.  
[Docket No. 685]

3. Amended Reply Memorandum of Law in Support of the Assumption and Assignment of an Unexpired Nonresidential Real Property Lease for Property Located in Twinsburg, Ohio in Connection With the Powertrain Sale Motion (Amended Only to Correct Attorney Signature Line) [Docket No. 693]

Reply Memorandum of Law in Support of the Assumption and Assignment of an Unexpired Nonresidential Real Property Lease for Property Located in Twinsburg, Ohio in Connection with the Powertrain Sale Motion [Docket No. 692]

4. Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 904]

Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 806]

Notice of Adjournment of Hearing on Assumption and Assignment Objections to September 29, 2009 Omnibus Hearing and Status of Pending Objections [Docket No. 770]

5. Notice of Evidentiary Hearing on Certain Pleadings Related to the Debtors' Nonresidential Real Property Leases With Dyne (DE) LP Scheduled to be Heard on November 18, 2009 at 2:00 P.M.  
[Docket No. 909] ]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc.  
[Docket No. 944]

Unresolved Responses Received:

6. Limited Objection of Formtech Industries, LLC to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors Powertrain Group [Docket No. 441]
7. Objection of GATX Corp. to Notice of Filing of Contract and Cure Schedule of Certain Contracts and Unexpired Leases to be Assumed and Assigned [Docket No. 458]
8. Objection and Memorandum of Law of DYNE (DE) LP in Opposition to Debtors' Proposed Assumption and Assignment of a Portion of DYNE (DE) LP's Unexpired Nonresidential Real Property Lease in Connection with the Powertrain Group Sale [Docket No. 505]

Declaration of Benjamin P. Harris in Opposition to Debtors' Memorandum of Law in Support of Severance of Lease and of Assumption and Assignment of Severed Portions of Unexpired Lease [Docket No. 538]

9. Oracle USA, Inc.'s Opposition and Rights Reservation to Debtors' and Debtor in Possession's Motion for (I) an Order (A) Approving Bidding Procedures for the Sale of the Debtors' Powertrain Group (B) Approving Certain Bidder Protections and (C) Scheduling a Final Sale Hearing and Approving the Form and Manner of Notice Thereof; and (II) an Order (A) Authorizing the Sale of Certain Assets Related to the Debtors' Powertrain Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases In Connection Therewith [Docket No. 586]
10. General Electric Capital Corporation's (I) Second Limited Objection to Motion of Debtors and Debtors in Possession for an Order (A) Authorizing the Sale of Certain Assets Related to the Debtors' Powertrain Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired

Leases in Connection Therewith and (II) Supplement to Objection to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Powertrain Group [Docket No. 622]

11. Objection of GATX Corporation to Assumption and Assignment of Unexpired Lease Agreement in Connection with the Sale of the Debtors' Assets [Docket No. 695]

Status: The hearing with respect to Formtech Industries, LLC (item 6), GATX Corp (items 7 and 11), Oracle USA, Inc. (item 9) and General Electric Capital Corporation (item 10) is adjourned until November 30, 2009 at 10:00 a.m.

The hearing with respect to Dyne (DE) LP (item 8) is adjourned until November 18, 2009 at 2:00 p.m.

- C. Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Powertrain Group [Docket No. 352]

Affidavit of Service of James H. Myers filed by BMC Group, Inc. [Docket No. 404]

Requested Response Deadline: The requested response deadline for objections to cure amounts ("Cure Objections") was July 20, 2009 and the requested response deadline to the assumption/assignment of contracts ("Assumption/Assignment Objections") listed on the schedule was August 5, 2009.

Related Documents:

1. Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 904]

Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 806]

Notice of Adjournment of Hearing on Assumption and Assignment Objections to September 29, 2009 Omnibus Hearing and Status of Pending Objections [Docket No. 770]

Unresolved Responses Received:

2. Limited Objection of DYNE (DE) LP to Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially Be Assumed and Assigned in Connection with the Proposed Sale of the Debtors Powertrain Group [Docket No. 467]
3. Objection of General Electric Capital Corporation to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be Assumed and Assigned in Connection with the Proposed Sale of the Debtors' Powertrain Group [Docket No. 509]

Status: The hearing with respect to General Electric Capital Corporation (item 3) is adjourned until November 30, 2009 at 10:00 a.m.

The hearing with respect to Dyne (DE) LP (item 2) is adjourned until November 18, 2009 at 2:00 p.m.

- D. Motion of Debtors and Debtors in Possession for (I) An Order (A) Approving Bidding Procedures for the Sale of Certain Assets of the Debtors' Chassis Group, (B) Authorizing the Debtors to Grant Certain Bidder Protections, If Applicable, and (C) Scheduling a Final Sale Hearing and Approving the Form and Manner of Notice Thereof; and (II) An Order (A) Authorizing the Sale of Certain of the Assets of the Debtors' Chassis Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith, together with the Notice of Hearing thereto [Docket No. 323]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 329]

Requested Response Deadline: July 24, 2009

Selected Related Documents:

1. Consolidated Reply to Objections to the Motion of Debtors and Debtors in Possession for (I) an Order (A) Approving Bidding Procedures for the Sale of Certain Assets of the Debtors' Chassis Group, (B) Authorizing the Debtors to Grant Certain Bidder Protections, If Applicable, and (C) Scheduling a Final Sale Hearing and Approving the Form and Manner of Notice Thereof; and (II) an Order (A) Authorizing the Sale of Certain of the Assets of the Debtors' Chassis Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith [Docket No. 569]

Affidavit of Service of Alex Ceden0 filed by BMC Group, Inc.  
[Docket No. 591]

2. Notice of Successful Bidder for Substantially All of the Debtors' Assets [Docket No. 632]

Affidavit of Service of Alex Ceden0 filed by BMC Group, Inc.  
[Docket No. 666]

3. Order (I) Authorizing the Sale of Substantially all of the Debtors' Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (II) Authorizing the Assumption and Assignment of Certain Executory Contracts and Leases in Connection Therewith and (III) Granting Related Relief [Docket No. 674]

Affidavit of Service of James H. Myers filed by BMC Group, Inc.  
[Docket No. 685]

4. Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 904]

Notice of Adjournment of Hearing of Certain Assumption and Assignment Objections and Status of Pending Objections [Docket No. 806]

Notice of Adjournment of Hearing on Assumption and Assignment Objections to September 29, 2009 Omnibus Hearing and Status of Pending Objections [Docket No. 770]

Unresolved Responses Received:

5. Limited Objection of Formtech Industries, LLC to the Debtors Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially Be Assumed and Assigned in Connection with the Proposed Sale of The Debtors Chassis Group [Docket No. 442]
6. General Electric Capital Corporation's (I) Limited Objection to Motion of Debtors and Debtors in Possession for an Order (A) Authorizing the Sale of Certain Assets Related to the Debtors' Chassis Group Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith and (II) Supplement to Objection to the Debtors' Notice of Filing Contract and Cure Schedule of Certain Executory Contracts and Unexpired Leases to Potentially be



Assumed and Assigned in Connection with the Proposed Sale of  
the Debtors' Chassis Group [Docket No. 620]

Status: The hearing on this matter is adjourned until November 30, 2009 at  
10:00 a.m.

- E. Third Omnibus Motion of Debtors and Debtors in Possession, Pursuant to  
Section 365 of the Bankruptcy Code and Bankruptcy Rule 6006, for an Order  
Authorizing the Rejection of Certain Executory Contracts and Unexpired Leases,  
together with the Notice of Hearing thereto [Docket No. 764]

Affidavit of Service of Alex Cedeno filed by BMC Group, Inc. [Docket No. 779]

Requested Response Deadline: September 22, 2009.

Related Documents:

1. Third Order Authorizing the Rejection of Certain Executory  
Contracts and Unexpired Leases [Docket No. 819]
2. Revised Notice of Hearing on Certain Relief Requested in the  
Third Omnibus Motion of Debtors and Debtors in Possession,  
Pursuant to Section 365 of the Bankruptcy Code and Bankruptcy  
Rule 6006, for an Order Authorizing the Rejection of Certain  
Executory Contracts and Unexpired Leases [Docket No. 821]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc.  
[Docket No. 834]

Responses Received:

3. Limited Objection of Hi-Vol Products, LLC to Assumption and  
Assignment of Certain Executory Contracts and Unexpired Leases  
[Docket No. 908]

Status: This Motion was granted in part at the hearing before the Court on  
September 29, 2009. The hearing with respect to the leases related to the real  
property located in Livonia, Michigan (including Hi-Vol Products' objection) is  
adjourned until November 30, 2009 at 10:00 a.m.

- F. Motion (I) to Lift the Automatic Stay, and (II) to Extend Time for Filing Proofs of  
Claim by Unknown Potential Members of the Class in an Action Filed in the  
Eastern District of Michigan (filed by Anthony Ziebron and James Vrana)  
[Docket No. 686]

Exhibits to Motion (I) to Lift the Automatic Stay, and (II) to Extend Time for  
Filing Proofs of Claim by Unknown Potential Members of the Class in an Action  
Filed in the Eastern District of Michigan [Docket No. 687]

Requested Response Deadline: September 11, 2009 at 4:00 p.m.

Related Documents: None to date.

Responses Received:

1. Objection of Debtors and Debtors in Possession to Motion (I) to Lift the Automatic Stay, and (II) to Extend Time for Filing Proofs of Claim by Unknown Potential Members of the Class in an Action Filed in the Eastern District of Michigan [Docket No. 775]

Affidavit of Service of Alex Cedeno filed by BMC Group, Inc. [Docket No. 785]

2. Objection of the Official Committee of Unsecured Creditors to Motion (I) to Lift the Automatic Stay, and (II) to Extend Time for Filing Proofs of Claim by Unknown Potential Members of the Class in an Action Filed in the Eastern District of Michigan [Docket No. 776]

Status: The hearing on this matter is adjourned until November 30, 2009 at 10:00 a.m.

- G. Motion of Debtors and Debtors in Possession, Pursuant to Section 365 of the Bankruptcy Code and Bankruptcy Rule 6006, for an Order Authorizing Them to Reject (A) Certain Unexpired Nonresidential Real Property Leases With Dyne (DE) LP and (B) Certain Related Subleases, together with the Notice of Hearing thereto [Docket No. 630]

Affidavit of Service of Alex Cedeno filed by BMC Group, Inc. [Docket No. 667]

Requested Response Deadline: August 20, 2009 at 4:00 p.m.

Related Documents:

1. Notice of Evidentiary Hearing on Certain Pleadings Related to the Debtors' Nonresidential Real Property Leases With Dyne (DE) LP Scheduled to be Heard on November 18, 2009 at 2:00 P.M. [Docket No. 909]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 944]

Responses Received:

2. Objection of Dyne (DE) LP to Motion of Debtors and Debtors in Possession, Pursuant to Section 365 of the Bankruptcy Code and Bankruptcy Rule 6006, for an Order Authorizing Them to Reject

(A) Certain Unexpired Nonresidential Real Property "Leases" with Dyne (DE) LP and (B) Certain Related Subleases [Docket No. 714]

Status: The hearing with respect to Dyne (DE) LP is scheduled for November 18, 2009 at 2:00 p.m.

- H. Motion for an Order Compelling the Debtors to Assume or Reject a Certain Lease Agreement with Navistar Leasing Company (filed by Navistar Leasing Company) [Docket No. 719]

Requested Response Deadline: The objection deadline was extended until September 14, 2009 at 12:00 p.m. (Eastern Time).

Related Documents:

1. Notice of Adjournment of Hearing on Motion for an Order Compelling the Debtors to Assume or Reject a Certain Lease Agreement with Navistar Leasing Company [Docket No. 892]

Notice of Adjournment of Hearing on Motion for an Order Compelling the Debtors to Assume or Reject a Certain Lease Agreement with Navistar Leasing Company [Docket No. 784]

Responses Received:

2. Objection of Debtors and Debtors in Possession to Motion for an Order Compelling the Debtors to Assume or Reject a Certain Lease Agreement with Navistar Leasing Company [Docket No. 781]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 788]

Status: The hearing on this matter is adjourned until November 30, 2009 at 10:00 a.m.

- I. Fourth Omnibus Motion of Debtors and Debtors in Possession for an Order Authorizing the Rejection of Certain Executory Contracts and Unexpired Leases, together with the Notice of Hearing thereto [Docket No. 817]

Affidavit of Service of Mabel Soto filed by BMC Group, Inc. [Docket No. 834]

Requested Response Deadline: October 22, 2009 at 4:00 p.m. The deadline was extended until November 19, 2009 for General Electric Capital Corporation.

Related Documents: None to date.

Responses Received: None to date.

Status: This Motion was granted in part at the hearing before the Court on October 29, 2009. The hearing with respect to the leases to which General Electric Capital Corporation is a party is adjourned until November 30, 2009 at 10:00 a.m.

Dated: November 5, 2009  
New York, New York

Respectfully submitted,

/s/ Ryan T. Routh  
Richard H. Engman  
JONES DAY  
222 East 41st Street  
New York, New York 10017  
Telephone: (212) 326-3939  
Facsimile: (212) 755-7306

- and -

Heather Lennox  
Ryan T. Routh  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212

ATTORNEYS FOR DEBTORS AND  
DEBTORS IN POSSESSION