

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

----- X
In re: : Chapter 11
EXIDE TECHNOLOGIES, :
 : Case No. 13-11482 (KJC)
 :
 Reorganized Debtor.¹ : **Related Docket Nos.: 4023, 4029, 4245, 4247, 4291,**
 : **4299, 4412**
----- X

**ORDER RESOLVING THE REORGANIZED DEBTOR'S MOTION FOR ENTRY OF
AN ORDER (I) ENFORCING THE PLAN INJUNCTION UNDER THE
CONFIRMATION ORDER AND THE CONFIRMED PLAN OF REORGANIZATION
AND (II) AWARDING COSTS AND ATTORNEY'S FEES**

Upon *The Reorganized Debtor's Motion for Entry of an Order (I) Enforcing the Plan Injunction Under the Confirmation Order and the Confirmed Plan of Reorganization and (II) Awarding Costs and Attorney's Fees* [Docket No. 4023] (the "Motion to Enforce"), *The South Coast Air Quality Management District's Objection To The [Motion to Enforce]* [Docket No. 4247] (the "Objection"), and all papers filed in connection with the Motion to Enforce and the Objection²; and it appearing that notice of the Motion to Enforce was good and sufficient upon the particular circumstances and that no other or further notice need be given; and this Court having considered the Motion to Enforce, the Objection, and all papers filed in connection with the Motion to Enforce and the Objection, and upon the record herein; and after due deliberation thereon and good and sufficient cause appearing therefor; it is hereby

¹ The last four digits of the Reorganized Debtor's taxpayer identification number are 2730. The Reorganized Debtor's corporate headquarters are located at 13000 Deerfield Parkway, Building 200, Milton, Georgia 30004.

² Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed to them in the Motion to Enforce or the Objection.


ORDERED, ADJUDGED, AND DECREED that:

1. The Motion to Enforce is RESOLVED as set forth herein.
2. By no later than September 30, 2015, the District shall file a motion (the "GUC Claims Motion") seeking a determination by this Court that all prepetition claims asserted in the Third Amended Complaint in the District's California State Action may be pursued by the District.
3. By no later than September 30, 2015, the District shall file a motion (the "Excepted-from-Discharge Motion") seeking to demonstrate a prima facie case regarding its alleged claims and application of the exception to discharge contained in 11 U.S.C. § 1141(d)(6).
4. By no later than September 30, 2015, the Reorganized Debtor shall file an objection (the "Administrative Claim Objection") to the District's Administrative Claim.
5. On October 14, 2015 at 10:00 a.m. Eastern Time, this Court will hold a scheduling/case status conference on the GUC Claims Motion, the Excepted-from-Discharge Motion, and the Administrative Claim Objection and parties may be permitted to attend via telephone upon making prior arrangements with the Court
6. No attorney's fees or costs shall be awarded in connection with the Motion to Enforce and the Reorganized Debtor waives its right to seek such attorney's fees or costs as to violations alleged therein.
7. The parties anticipate that the foregoing motions will result in the resolution of all the issues presented by the Motion to Enforce. Notwithstanding the foregoing, resolution of the Motion to Enforce as set forth herein is: (a) not dispositive on the merits, collateral estoppel, or res judicata with respect to any of the matters addressed in the Motion to Enforce or the Objection, (b) without prejudice to the Reorganized Debtor's right to file any motion based on

any alleged past or future failure or violation by the District with respect to the Bar Date Order, the Confirmation Order (including any request for attorney's fees and costs with respect to future violations) and/or any other applicable law or court order or the District's right to oppose any such motion (including any request for attorney's fees and costs), and (c) not a waiver or release by Exide, the District and /or other parties in interest of any right, claim, allegation, position or defense including, without limitation, the right to seek or oppose discovery or take any position with respect to the GUC Claims Motion, the Excepted-from-Discharge Motion, and the Administrative Claims Objection.

8. As a part of resolution of the Motion to Enforce set forth herein, the parties are stayed from proceeding in the California State Action in all respects until this Court issues final orders on the GUC Claims Motion, the Excepted-from-Discharge Motion, and the Administrative Claim Objection.

Dated: July 23 2015
Wilmington, Delaware



THE HONORABLE KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE