

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11
:
EXIDE TECHNOLOGIES, : Case No. 13-11482 (KJC)
:
Reorganized Debtor.¹ : **Hrg. Date: July 12, 2017 at 1:30 p.m. (ET)**
: **Obj. Due: June 26, 2017 at 4:00 p.m. (ET)**
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NOTICE OF OBJECTION

PLEASE TAKE NOTICE that the reorganized debtor (“Exide” or the “Reorganized Debtor”) has filed the attached **Reorganized Debtor’s (Non-Substantive) Twenty-Eighth Omnibus Objection Pursuant To Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, And Local Rule 3007-1 To Certain (A) Duplicate Claims and (B) Insufficient Documentation Claims (the “Objection”)**.²

PLEASE TAKE FURTHER NOTICE that responses to the Objection, if any, must be filed on or before **June 26, 2017 at 4:00 p.m. (Eastern Time)** (the “**Response Deadline**”) with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801; and served upon (i) the Office of the U.S. Trustee, 844 North King Street, Room 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Mark Kenney, Esq., (ii) the Reorganized Debtor, Exide Technologies, 13000 Deerfield Parkway, Suite 100, Milton, Georgia 30004, Attn: Keith Scott, (iii) counsel to the Reorganized Debtor, Shaw Fishman Glantz & Towbin LLC, 321 N. Clark Street, Suite 800, Chicago, Illinois 60654, Attn: Allen Guon and John Guzzardo and Shaw Fishman Glantz & Towbin LLC, 300 Delaware Avenue, Suite 1370, Wilmington, Delaware 19801, Attn: Thomas M. Horan and Johnna M. Darby, (iv) the GUC Trust Trustee, Peter S. Kravitz of Province, Inc., 9209 Canwood Street, Suite 210, Agoura Hills, CA 9130, and (v) counsel to the GUC Trust, Dana P. Kane of Kelley Drye & Warren LLP, 101 Park Avenue, New York, NY 10178, in each case so as to be received **no later than 4:00 p.m. (Eastern Time) on June 26, 2017**.

PLEASE TAKE FURTHER NOTICE that responses to the Objection **MUST**, at a minimum, contain the following:

- (a) a caption setting forth the name of this Court, the above-referenced case number, and the title of the Objection to which the Response

¹ The last four digits of the 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 Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

is directed; the name of the Claimant and description of the basis for the amount of the Claim;

- (b) a concise statement setting forth the reasons why a particular Claim should not be disallowed for the reasons set forth in the Objection, including, but not limited to, the specific factual and legal bases upon which the Claimant will rely in opposing the Objection at the Hearing;
- (c) all documentation or other evidence of the Claim in question, to the extent not already included with the Claimant's proof of claim, upon which the Claimant will rely in opposing the Objection at the Hearing;
- (d) the name, address, telephone number, and fax number of the person(s) (who may be the Claimant or a legal representative thereof) possessing ultimate authority to reconcile, settle, or otherwise resolve the Claim on behalf of the Claimant; and
- (e) the name, address, telephone number, and fax number of the person(s) (who may be the Claimant or a legal representative thereof) to whom the Reorganized Debtor should serve any reply to the Response, if different than the address(es) presented in the Claim.

PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE OBJECTION WILL BE HELD ON JULY 12, 2017 AT 1:30 P.M. (EASTERN TIME) BEFORE THE HONORABLE KEVIN J. CAREY, UNITED STATES BANKRUPTCY JUDGE, IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801.

PLEASE TAKE FURTHER NOTICE THAT IF YOU ARE A CLAIMANT AND FAIL TO TIMELY FILE AND SERVE A RESPONSE IN ACCORDANCE WITH THE ABOVE REQUIREMENTS THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: Wilmington, Delaware
June 12, 2017

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-and-

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Counsel for the Reorganized Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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 In re: : Chapter 11
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 EXIDE TECHNOLOGIES, : Case No. 13-11482 (KJC)
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 Reorganized Debtor.¹ : **Hrg. Date: July 12, 2017 at 1:30 p.m. (ET)**
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**REORGANIZED DEBTOR’S (NON-SUBSTANTIVE) TWENTY-EIGHTH OMNIBUS
 OBJECTION PURSUANT TO BANKRUPTCY CODE SECTION 502(b),
 BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO CERTAIN
 (A) DUPLICATE CLAIMS AND (B) INSUFFICIENT SUPPORTING
 DOCUMENTATION CLAIMS
 (“TWENTY-EIGHTH OMNIBUS CLAIMS OBJECTION”)**

The reorganized debtor in the above-captioned case (“Exide” or the “Reorganized Debtor”), hereby files this omnibus objection (the “Objection”) to certain claims (the “Disputed Claims”) filed against the former debtor and debtor in possession in the above-captioned case (the “Debtor”), and listed on Exhibits A and B to the proposed form of order (the “Proposed Order”), pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), and respectfully requests entry of an order in substantially the form of the Proposed Order filed concurrently herewith: (i) disallowing and expunging the proofs of claim listed on Exhibit A to the Proposed Order; and (ii) disallowing and expunging the proofs of claim listed on Exhibit B to the Proposed Order. In support of the Objection, the Reorganized Debtor relies on the Declaration of Holden Bixler in

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.

Support of the Reorganized Debtor's (Non-Substantive) Twenty-Eighth Omnibus Objection Pursuant To Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, And Local Rule 3007-1 To Certain (A) Duplicate Claims and (B) Insufficient Documentation Claims attached hereto as Exhibit 1. In further support of the Objection, the Reorganized Debtor respectfully represents:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider the Objection under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of the case and the Objection in this District is proper under 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are Bankruptcy Code section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1.

3. Pursuant to Local Rule 9013-1(f), the Reorganized Debtor consents to the entry of a final judgment or order with respect to the Objection if it is determined that this Court would lack Article III jurisdiction to enter such final order or judgment absent the consent of the parties.

BACKGROUND

A. The Chapter 11 Case

4. On June 10, 2013 (the "Petition Date"), the Debtor commenced a case by filing a petition for relief under chapter 11 of the Bankruptcy Code (the "Chapter 11 Case").

5. The Debtor continued to operate its business and manage its property as debtor and debtor in possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

6. On June 18, 2013, the United States Trustee for the District of Delaware (the "U.S. Trustee") appointed an Official Committee of Unsecured Creditors (the "Creditors' Committee") in the Chapter 11 Case pursuant to Bankruptcy Code section 1102. No trustee has been appointed in the Chapter 11 Case.

7. On August 9, 2013, the Debtor filed its schedules of assets and liabilities and statements of financial affairs (Docket No. 498) (the “Schedules”).

8. On February 4, 2015, this Court entered an Order (A) Approving the Adequacy of the Debtor’s Disclosure Statement with Respect to the Plan of Reorganization of Exide Technologies; (B) Approving Solicitation and Notice Procedures with Respect to Confirmation of the Debtor’s Proposed Plan of Reorganization; (C) Approving the Form of Various Ballots and Notices in Connection Therewith; and (D) Scheduling Certain Dates with Respect Thereto (Docket No. 3092) (the “Solicitation Procedures Order”). The Solicitation Procedures Order, among other things, (a) approved the adequacy of the Second Amended Disclosure Statement With Respect to the Second Amended Plan of Reorganization of Exide Technologies (Docket No. 3095) (the “Disclosure Statement”) and (b) authorized Exide to solicit acceptances or rejections of the Fourth Amended Plan of Reorganization of Exide Technologies (the “Plan”).

9. On March 27, 2015, the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) entered the Findings of Fact, Conclusions of Law and Order Confirming Fourth Amended Plan of Reorganization of Exide Technologies (Docket No. 3423) (the “Confirmation Order”), which, among other things, confirmed the Plan.

10. On April 30, 2015, the Debtor substantially consummated the Plan (the “Effective Date”). The Reorganized Debtor has emerged from chapter 11 as Exide Technologies. Pursuant to Article 15.8 of the Plan, the Creditors’ Committee was dissolved on the Effective Date and Peter Kravitz of Province, Inc. was appointed as GUC Trust Trustee (as defined in the Plan). Pursuant to the Plan, the Reorganized Debtor may object to any Claims filed in the Chapter 11 Case. In addition, under the Plan, the GUC Trust Trustee also has authority to object to certain Claims filed in the Chapter 11 Case.

B. Bar Dates and Proofs of Claim

11. On June 11, 2013, this Court entered an order appointing GCG, Inc. (n/k/a Garden City Group, LLC) (“GCG”) as the claims and noticing agent pursuant to the Order Authorizing Employment And Retention Of GCG, Inc. As Claims And Noticing Agent, Pursuant To 28 U.S.C. § 156(c), 11 U.S.C. § 105(a) And Fed. R. Bankr. P. 2002 And Del. Bankr. L.R. 2002-1(F) *Nunc Pro Tunc* To The Petition Date (Docket No. 76). GCG is authorized to maintain (i) all proofs of claim filed against the Debtor and (ii) an official claims register by docketing all proofs of claim in a claims database containing, *inter alia*, information regarding the name and address of each claimant, the date the proof of claim was received by GCG, the claim number assigned to the proof of claim, and the asserted amount and classification of the claim.

12. On September 13, 2013, this Court entered the Order (I) Establishing Deadlines For (A) Submitting Proofs Of Claim And (B) Requests For Payment Under Bankruptcy Code Section 503(b)(9), (II) Approving The Form And Manner For Submitting Such Proofs Of Claim And Requests For Payment, And (III) Approving Notice Thereof (Docket No. 696) (the “Bar Date Order”). Pursuant to the Bar Date Order, all persons or entities who wished to assert claims against the Debtor’s estate were required to file a proof of claim against the Debtor in the Chapter 11 Case by no later than October 31, 2013 at 5:00 p.m. (Eastern) (the “General Bar Date”). The General Bar Date applied to any person, other than governmental units, holding a claim (other than a personal injury claim related to the Debtor’s Vernon facility) against the Debtor allegedly owing as of the Petition Date, including claims under Bankruptcy Code section 503(b)(9), or any person with an alleged claim or expense claimed to have allegedly arisen prior to the Petition Date. Any governmental unit seeking to file a claim against the Debtor was required to do so by no later than December 9, 2013 at 5:00 p.m. (Eastern). Any person seeking

to file a personal injury claim related to the Debtor's Vernon facility was required to do so no later than January 31, 2014 at 5:00 p.m. (Eastern).²

13. To date, approximately 4,100 proofs of claim (the "Claims," and the persons or entities filing such Claims, the "Claimants") have been filed in the Chapter 11 Case in the total amount of approximately \$10.785 billion. Since the Petition Date, the Debtor and/or Reorganized Debtor have filed twenty-seven omnibus claims objections to Claims. After hearing these omnibus claims objections, this Court disallowed and expunged approximately 1460 Claims asserting more than \$4.9 billion in liquidated liabilities (plus unliquidated amounts).

14. The Reorganized Debtor and its advisors are comprehensively reviewing and reconciling all Claims. Moreover, in the ordinary course of business, the Reorganized Debtor maintains books and records (the "Books and Records") that reflect, among other things, the Debtor's or the Reorganized Debtor's, as applicable, liabilities and the amounts thereof owed to its creditors. The Reorganized Debtor is also comparing the Claims asserted in the Proofs of Claims to the Books and Records to determine the validity of the asserted claims.

15. This reconciliation process includes identifying particular categories of Claims that may be targeted for disallowance and expungement, reduction and allowance, reassignment, or reclassification. To reduce the number of Claims, and to avoid possible double recovery, or otherwise improper recovery by Claimants, the Reorganized Debtor anticipates filing several omnibus objections.

RELIEF REQUESTED

16. By the Objection, the Reorganized Debtor respectfully seeks entry of an order pursuant to Bankruptcy Code section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1

² See Supplemental Order (I) Extending The Claims Bar Date Solely With Respect To Personal Injury Claims Relating To The Debtor's Vernon California Facility, (II) Approving The Form And Manner For Submitting Such Proofs Of Claim, And (III) Approving Notice Thereof, entered October 24, 2013 (Docket No. 956).

(i) disallowing and expunging the proofs of claim listed on Exhibit A to the Proposed Order because they are duplicates of other Claims; and (ii) disallowing and expunging the proofs of claim listed on Exhibit B to the Proposed Order because they do not satisfy the requirements for a proof of claim by failing to include sufficient facts and documentation to support the claim.

OBJECTIONS TO CLAIMS

A. Duplicate Claims

17. With respect to the Duplicate Claims listed on Exhibit A to the Proposed Order (the “Duplicate Claims”), it appears that the Claimants erroneously filed the same proof of Claim in the same amount against the Debtor more than once for a single alleged liability. The Debtor should not be required to satisfy the same obligation twice. Moreover, the elimination of duplicative Claims will enable GCG to maintain a claims register that more accurately reflects the claims asserted against the Debtor.

18. Therefore, the Reorganized Debtor hereby objects to the allowance of the Duplicate Claims included on Exhibit A to the Proposed Order and requests that such Duplicate Claims under the column heading “Duplicate Claim to be Disallowed” be disallowed. If the Reorganized Debtor’s objection to the Duplicate Claims is sustained, the Claims listed under the column heading “Remaining Claim Number” will remain on the claims register, subject to the Reorganized Debtor’s right to object on any grounds that bankruptcy or non-bankruptcy law permits. Therefore, any Claimant holding a Duplicate Claim will suffer no prejudice by having the applicable Duplicate Claim disallowed.

B. Insufficient Documentation Claims

19. The Disputed Claims identified on Exhibit B to the Proposed Order (the “Insufficient Documentation Claims”), have been filed without any documentation to

substantiate the proof of claim. As explained in *In re Rockefeller Ctr. Props.*, 272 B.R. 524, 542 n. 17 (Bankr. S.D.N.Y. 2000):

A proof of claim is a special form of complaint against a debtor. Form 10 sets forth what is required in a proof of claim. What Form 10 requires is remarkably similar to FRCP 8(a)(2) which requires that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” FRCP 9, which is adopted by Bankruptcy Rule 7009 and applies to adversary proceedings, seems appropriately applied to proofs of claim as well.

20. A proof of claim must “set forth the facts necessary to support the claim.” *In re Chain*, 255 B.R. 278, 280 (Bankr. D. Conn. 2000) (citing COLLIER ON BANKRUPTCY ¶ 3001.09[1] (15th ed. rev. 2005)). If the proof of claim fails to set forth the necessary supporting facts, it is “not entitled to the presumption of prima facie validity, and the burdens of going forward and of proving its claims by a preponderance of the evidence are on the [claimant].” *In re Marino*, 90 B.R. 25, 28 (Bankr. D. Conn. 1988); *see also In re Svendson*, 34 B.R. 341, 342 (Bankr. D.R.I., 1983) (proofs of claim failed to “set forth all the necessary facts to establish the claim[s].”) (alteration in original) (citation omitted).

21. Without providing sufficient information or documentation to allow the Debtor to reconcile the proof of claim with its Books and Records, the Insufficient Documentation Claims fail to satisfy the requirements for a proof of claim. *See Chain*, 255 B.R. at 280; *see also In re 20/20 Sport, Inc.*, 200 B.R. 972, 978 (Bankr. S.D.N.Y. 1996) (“In bankruptcy cases, courts have traditionally analogized a creditor’s claim to a civil complaint, [and] a trustee’s objection to an answer “). Although the Debtor has attempted to compare the amounts requested in the Insufficient Documentation Claims with any amounts due according to the Debtor’s Schedules as well as its Books and Records, the Insufficient Documentation Claims do not contain any

information to allow the Debtor to determine from the proofs of claim themselves what amounts, if any, are valid and owing to the Claimants by the Debtor.

22. Accordingly, the Debtor hereby requests that the Court enter an order expunging and disallowing these Insufficient Documentation Claims, unless the Claimants provide supporting documentation for the Insufficient Documentation Claims on or prior to June 13, 2017 at 4:00 p.m. (Eastern Time). If supporting documentation is timely provided to any Insufficient Documentation Claim, the Debtor may decide not to proceed with its objection to such Claim.

APPLICABLE AUTHORITY

23. Bankruptcy Code section 502(b) provides in pertinent part that:

the court, after notice and a hearing, shall determine the amount of [a] claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that . . . such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured.

11 U.S.C. § 502(b)(1).

24. The Reorganized Debtor believes the Disputed Claims noted above are unenforceable against the Debtor for the reasons set forth above. Therefore, pursuant to Bankruptcy Code sections 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1, the Reorganized Debtor respectfully requests that this Court enter an order disallowing each Duplicate Claim and Insufficient Documentation Claim, as set forth on Exhibits A and B to the Proposed Order, respectively.

RESPONSES TO THE OBJECTION

25. Filing and Service of Responses: To contest the Objection, a Claimant must file and serve a written response to the Objection (a "Response") so that it is actually received by the

Clerk of the Bankruptcy Court and the parties in the following paragraph **no later than 4:00 p.m. (Eastern Time) on June 26, 2017** (the “Response Deadline”). Claimants should locate their names and Claims in the Objection, and carefully review the Proposed Order and the exhibits attached thereto. A Response must address each ground upon which the Reorganized Debtor objects to a particular Claim. A hearing (the “Hearing”) to consider the Reorganized Debtor’s Objection shall be held on **July 12, 2017 at 1:30 p.m. (Eastern Time)**, before the Honorable Kevin J. Carey, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 5th Floor, Courtroom No. 5, Wilmington, Delaware 19801.

26. Every Response must be filed on or before **June 26, 2017 at 4:00 p.m. (Eastern Time)** with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801 and served upon the following entities at the following addresses: (i) the Office of the U.S. Trustee, 844 North King Street, Room 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Mark Kenney, Esq., (ii) the Reorganized Debtor, Exide Technologies, 13000 Deerfield Parkway, Suite 100, Milton, Georgia 30004, Attn: Keith Scott, (iii) counsel to the Reorganized Debtor, Shaw Fishman Glantz & Towbin LLC, 321 N. Clark Street, Suite 800, Chicago, Illinois 60654, Attn: Allen Guon and John Guzzardo and Shaw Fishman Glantz & Towbin LLC, 300 Delaware Avenue, Suite 1370, Wilmington, Delaware 19801, Attn: Thomas M. Horan and Johnna M. Darby, (iv) the GUC Trust Trustee, Peter S. Kravitz of Province, Inc., 9209 Canwood Street, Suite 210, Agoura Hills, CA 91301, and (v) counsel to the GUC Trust, Dana P. Kane of Kelley Drye & Warren LLP, 101 Park Avenue, New York, NY 10178, so as to be received **no later than the Response Deadline, June 26, 2017 at 4:00 p.m. (Eastern Time)**.

27. Content of Responses: Every Response to the Objection must contain, at a minimum, the following:

- (a) a caption setting forth the name of this Court, the above-referenced case number, and the title of the Objection to which the Response is directed; the name of the Claimant and description of the basis for the amount of the Claim;
- (b) a concise statement setting forth the reasons why a particular Claim should not be disallowed for the reasons set forth in the Objection, including, but not limited to, the specific factual and legal bases upon which the Claimant will rely in opposing the Objection at the Hearing;
- (c) all documentation or other evidence of the Claim in question, to the extent not already included with the Claimant's proof of claim, upon which the Claimant will rely in opposing the Objection at the Hearing;
- (d) the name, address, telephone number, and fax number of the person(s) (who may be the Claimant or a legal representative thereof) possessing ultimate authority to reconcile, settle, or otherwise resolve the Claim on behalf of the Claimant; and
- (e) the name, address, telephone number, and fax number of the person(s) (who may be the Claimant or a legal representative thereof) to whom the Reorganized Debtor should serve any reply to the Response, if different than the address(es) presented in the Claim.

28. Timely Response Required; Hearing: If a Response is properly and timely filed and served in accordance with the above procedures, the Reorganized Debtor will endeavor to reach a consensual resolution with the applicable Claimant. If no consensual resolution is reached, this Court will conduct a hearing with respect to the Objection and the Response on **July 12, 2017 at 1:30 p.m. (Eastern Time)**, or such other date and time as parties filing Responses may be notified. Only those Responses made in writing and timely filed and received will be considered by this Court at any such hearing.

29. Replies to Responses: Consistent with Local Rules 3007-1(h)(ii) and 9006-1(d), the Debtor may, at its option, file and serve a reply to a Claimant's Response no later than 4:00 p.m. (Eastern) one (1) day prior to the day the agenda for the hearing is due.

30. Adjournment of Hearing: The Reorganized Debtor reserves the right to adjourn the Hearing on any Claim included in the Objection. In the event that the Reorganized Debtor adjourns the Hearing, it will state that the Hearing on that particular Claim has been adjourned on the agenda for the Hearing on the Objection, which agenda will be served on the person designated by the Claimant in each Response.

31. If a Claimant whose Claim is subject to the Objection, and who is served with the Objection, fails to file and serve a timely Response in compliance with the foregoing procedures, the Reorganized Debtor will present to this Court an appropriate order **without further notice to the Claimant.**

32. Separate Contested Matter: Each of the Disputed Claims and the Reorganized Debtor's objections thereto, as asserted in the Objection, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. The Reorganized Debtor requests that any order entered by this Court with respect to an objection asserted herein be deemed a separate order with respect to each such Disputed Claim.

RESERVATION OF RIGHTS

33. The Reorganized Debtor expressly reserves the right to amend, modify, or supplement the Objection and to file additional objections to any proofs of claim or any other claims (filed or not) which may be asserted against the Debtor including, without limitation, objections as to the liability, amount, or priority of any Claims listed on Exhibits A and B to the Proposed Order. Should one or more of the grounds for the Objection be dismissed or overruled,

the Debtor reserves the right to object to any Disputed Claim listed on Exhibits A and B to the Proposed Order on any other ground.

STATEMENT OF COMPLIANCE WITH LOCAL BANKRUPTCY RULE 3007-1

34. The undersigned representative of Shaw Fishman Glantz & Towbin LLC has reviewed the requirements of Local Rule 3007-1 and certifies that the Objection substantially complies with that Local Rule. To the extent that the Objection does not comply in all respects with the requirements of Local Rule 3007-1, the Reorganized Debtor believes such deviations are not material and respectfully requests that any such requirement be waived.

FURTHER INFORMATION

35. Questions about or requests for additional information about the Objection should be directed to the Reorganized Debtor's counsel in writing at the following address: Shaw Fishman Glantz & Towbin LLC, 300 Delaware Avenue, Suite 1370, Wilmington, Delaware 19801, Attn: Thomas M. Horan and Johnna M. Darby. Questions regarding the amount of a Claim or the filing of a Claim should be directed to GCG toll free at (888) 985-9831 or at the Reorganized Debtor's restructuring website <http://www.exiderestructuringinfo.com>. Claimants should not contact the Clerk of this Court to discuss the merits of their proofs of claim or the Objection.

NOTICE

36. The Reorganized Debtor has provided notice of the Objection to (i) the Office of the U.S. Trustee; (ii) counsel to the agent under the debtor in possession financing; (iii) counsel to the agent for the Debtor's prepetition secured lenders; (iv) the indenture trustee for each of the Debtor's secured and unsecured outstanding bond issuances; (v) counsel to the unofficial committee of senior secured noteholders; (vi) the GUC Trust Trustee, Peter S. Kravitz of Province, Inc., 9209 Canwood Street, Suite 210, Agoura Hills, CA 91301; (vii) counsel to the

GUC Trust, Dana P. Kane of Kelley Drye & Warren LLP, 101 Park Avenue, New York, NY 10178; (viii) all parties entitled to notice pursuant to Bankruptcy Rule 2002; and (ix) each of the Claimants identified on Exhibits A and B to the Proposed Order.

WHEREFORE, the Reorganized Debtor respectfully requests that this Court enter the Proposed Order attached hereto: (a) granting the relief requested herein; and (b) granting to the Reorganized Debtor such other and further relief as this Court may deem just and proper

Dated: Wilmington, Delaware
June 12, 2017

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-and-

/s/ Johnna M. Darby
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Counsel for the Reorganized Debtor

EXHIBIT 1

Declaration of Holden Bixler

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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 In re: : Chapter 11
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 EXIDE TECHNOLOGIES, : Case No. 13-11482 (KJC)
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 Reorganized Debtor.¹ :
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**DECLARATION OF HOLDEN BIXLER IN SUPPORT OF REORGANIZED DEBTOR’S
(NON-SUBSTANTIVE) TWENTY-EIGHTH OMNIBUS OBJECTION PURSUANT TO
BANKRUPTCY CODE SECTION 502(b), BANKRUPTCY RULE 3007, AND LOCAL
RULE 3007-1 TO CERTAIN (A) DUPLICATE CLAIMS AND (B) INSUFFICIENT
DOCUMENTATION CLAIMS**

I, Holden Bixler, pursuant to 28 U.S.C. § 1746, declare:

1. I am a Senior Director for Alvarez & Marsal (“A&M”). I am currently one of the restructuring advisors to the reorganized debtor in the above-captioned case (“Exide” or the “Reorganized Debtor”). In this capacity, I am one of the persons responsible for overseeing the claims reconciliation and objection process in the Debtor’s Chapter 11 Case.² I have read the Reorganized Debtor’s (Non-Substantive) Twenty-Eighth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) Duplicate Claims and (B) Insufficient Documentation Claims (the “Objection”), and am directly, or by and through my personnel or agents, familiar with the information contained therein, the proposed form of order (the “Proposed Order”), and the exhibits attached thereto.

2. Significant resources and time have been expended in reviewing and reconciling the proofs of claim filed or pending against the Debtor or Reorganized Debtor, as applicable, in

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² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

this case. The Claims were carefully reviewed and analyzed in good faith utilizing due diligence by the appropriate personnel, including A&M personnel, company personnel, and the Debtor's Court-appointed claims and noticing agent, GCG, Inc. (k/n/a Garden City Group, LLC) ("GCG"). These efforts resulted in the identification of the Duplicate Claims and Insufficient Documentation Claims, as defined in the Objection and identified respectively in Exhibits A and B to the Proposed Order.

3. The information contained in Exhibits A and B to the Proposed Order are true and correct to the best of my knowledge.

4. The Reorganized Debtor has determined that the Duplicate Claims identified on Exhibit A to the Proposed Order are duplicative of other Claims filed in the Chapter 11 Case. Accordingly, to prevent the Claimants from receiving an unwarranted double recovery, the Debtor seeks to disallow the Duplicate Claims identified on Exhibit A to the Proposed Order in full.

5. The Reorganized Debtor has determined that the Insufficient Documentation Claims identified on Exhibit B to the Proposed Order have been filed without sufficient documentation to substantiate the proof of claim. The Reorganized Debtor and A&M personnel have carefully reviewed the Insufficient Documentation Claims as well as all supporting information and documentation, if any, provided therewith. Moreover, the Reorganized Debtor and A&M personnel have made reasonable efforts to research each Insufficient Documentation Claim on the Debtor's Schedules and its Books and Records and believe that such documentation does not provide prima facie evidence of the validity and amount of the claim. Accordingly, the Debtor seeks to disallow the Insufficient Documentation Claims identified on Exhibit B to the Proposed Order in full.

I declare under penalty of perjury that the foregoing information is true and correct to the best of my knowledge, information and belief.

Executed on June 12, 2017

/s/ Holden Bixler

Holden Bixler

Proposed Order

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 No. _____**
 :
 ----- X

ORDER SUSTAINING REORGANIZED DEBTOR’S (NON-SUBSTANTIVE) TWENTY-EIGHTH OMNIBUS OBJECTION PURSUANT TO BANKRUPTCY CODE SECTION 502(b), BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO CERTAIN (A) DUPLICATE CLAIMS AND (B) INSUFFICIENT DOCUMENTATION CLAIMS

Upon the Reorganized Debtor’s (Non-Substantive) Twenty-Eighth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) Duplicate Claims and (B) Insufficient Documentation Claims (the “Objection”),² and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and this Court having considered the Objection, the claims listed on Exhibits A and B attached hereto, and any responses thereto; and upon the Declaration of Holden Bixler in Support of the Reorganized Debtor’s (Non-Substantive) Twenty-Eighth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) Duplicate Claims and (B) Insufficient Documentation Claims; 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 Objection.

ORDERED, ADJUDGED, AND DECREED that:

1. The relief requested in the Objection is GRANTED, as set forth herein.
2. The Duplicate Claims listed on Exhibit A in the column titled “Duplicate Claim to be Disallowed” are disallowed.
3. The Insufficient Documentation Claims listed on Exhibit B in the column titled “Claim Number” are disallowed.
4. The Reorganized Debtor’s objection to each Claim addressed in the Objection constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each claim. Any stay of this Order pending appeal by any of the Claimants subject to this Order shall only apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters covered hereby.
5. The Reorganized Debtor shall retain and shall have the right to object in the future to any of the proofs of claim listed on Exhibits A and B hereto on any additional grounds, and to seek to amend, modify, and/or supplement this Order as may be necessary. In addition, the Reorganized Debtor’s rights are reserved to file future objections to Claims asserted in proofs of claim that have been or may subsequently be filed in the Chapter 11 Case, or Claims that may be listed on the Schedules, on the grounds set forth herein or any other appropriate grounds that bankruptcy and non-bankruptcy law permits.
6. Nothing contained herein shall constitute, nor shall it be deemed to constitute, the allowance of any Claim asserted against the Debtor or Reorganized Debtor, including, but not limited to the Disputed Claims.

7. This Court shall retain jurisdiction over the Debtor, the Reorganized Debtor, and the Claimants whose Disputed Claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.

8. The Reorganized Debtor is authorized and empowered to execute and deliver such documents and to take and perform all actions necessary to implement and effectuate the relief granted in this Order.

9. The Reorganized Debtor's Claims and Noticing Agent, Garden City Group, LLC, is hereby directed to serve this Order, including any relevant exhibits, and to take and perform all actions necessary to implement and effectuate the relief granted in this Order.

Dated: _____, 2017
Wilmington, Delaware

THE HONORABLE KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE

**EXIDE TECHNOLOGIES 13-11482 (KJC)
 TWENTY-EIGHTH (NON-SUBSTANTIVE) OMNIBUS CLAIMS OBJECTION
 EXHIBIT A - EXACT DUPLICATE CLAIMS**

	NAME OF CLAIMANT	REMAINING CLAIM NUMBER	DUPLICATE CLAIM TO BE DISALLOWED	CLAIM AMOUNT	REASON FOR DISALLOWANCE
1	FERGUSON, DAVID S ADDRESS ON FILE	4100 (a)	4099	Undetermined*	Proof of Claim is duplicative of Proof of Claim listed in column entitled Remaining Claim Number.
2	O'HIGGINS, JOHN C/O SPECTRIS PLC HERITAGE HOUSE, CHURCH ROAD EGHAM SURREY TW20 9QD UNITED KINGDOM	4107 (a)	4106	Undetermined*	Proof of Claim is duplicative of Proof of Claim listed in column entitled Remaining Claim Number.
3	PENNSYLVANIA DEPARTMENT OF REVENUE BANKRUPTCY DIVISION PO BOX 280946 HARRISBURG, PA 17128-0946	N/A	4141	\$0.00	Proof of Claim is duplicative of Proof of Claim No. 4139 filed by the Claimant. Proof of Claim No. 4139 was disallowed on January 5, 2017 pursuant to the Order Sustaining Reorganized Debtor's (Substantive) Twenty-Seventh Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007 and Local Rule 3007-1 to Certain (A) Misclassified Claims (B) No Liability Claims (C) Reduce and Allow Claims and (D) Contingent Contribution Claims (Docket No. 4743).
4	RESSNER, M P ADDRESS ON FILE	4114 (a)	4115 (a)	Undetermined*	Proof of Claim is duplicative of Proof of Claim listed in column entitled Remaining Claim Number.
5	WETZEL, CARROLL R ADDRESS ON FILE	4105 (a)	4104	Undetermined*	Proof of Claim is duplicative of Proof of Claim listed in column entitled Remaining Claim Number.
			TOTAL	Undetermined*	

* - Indicates claim contains unliquidated and/or undetermined amounts
 (a) Claim contained on Exhibit B to the 29th Omnibus Claims Objection for No Liability Claims

EXIDE TECHNOLOGIES 13-11482 (KJC)
TWENTY-EIGHTH (NON-SUBSTANTIVE) OMNIBUS CLAIMS OBJECTION
EXHIBIT B - INSUFFICIENT SUPPORTING DOCUMENTATION CLAIMS

	NAME OF CLAIMANT	CLAIM NUMBER	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	ASPBURY, HERBERT F ADDRESS ON FILE	4120	Undetermined*	Claimant does not include sufficient documentation to ascertain the validity of the asserted rejection damages.
2	ASPBURY, HERBERT F ADDRESS ON FILE	4121	Undetermined*	Claimant does not include sufficient documentation to ascertain the validity of the asserted rejection damages.
3	BRUCE COLE ADDRESS ON FILE	2514 (a)	Undetermined*	With respect to the portion of the asserted claim for unreimbursed officer expenses, Claimant does not include sufficient documentation to ascertain the validity of the asserted claim amount.
4	DAMASKA, PHILLIP ADDRESS ON FILE	2238 (a)	Undetermined*	With respect to the portion of the asserted claim for unreimbursed officer expenses, Claimant does not include sufficient documentation to ascertain the validity of the asserted claim amount.
5	JASON PICKETT ADDRESS ON FILE	2516 (a)	Undetermined*	With respect to the portion of the asserted claim for unreimbursed officer expenses, Claimant does not include sufficient documentation to ascertain the validity of the asserted claim amount.
6	REILLY, JOHN P ADDRESS ON FILE	4102	Undetermined*	Claimant does not include sufficient documentation to ascertain the validity of the asserted rejection damages.
		TOTAL	Undetermined*	

* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit B to the 29th Omnibus Claims Objection for No Liability Claims

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