

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.<sup>1</sup> : **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 (Substantive) Twenty-Ninth 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, and (C) Reduce and Allow Claims (the “Objection”)**.<sup>2</sup>

**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

<sup>1</sup> 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.

<sup>2</sup> 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

SHAW FISHMAN GLANTZ & TOWBIN LLC  
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-and-

/s/ Johnna M. Darby  
Thomas M. Horan (DE Bar No. 4641)  
Johnna M. Darby (DE Bar No. 5153)  
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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’S (SUBSTANTIVE) TWENTY-NINTH 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, AND (C) REDUCE  
AND ALLOW CLAIMS  
(“TWENTY-NINTH 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, B and C 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) adjusting the priority of the proof of claim listed on Exhibit A to the Proposed Order;
- (ii) disallowing and expunging the proofs of claim listed on Exhibit B to the Proposed Order; and
- (iii) reducing and allowing the proofs of claim listed on Exhibit C to the Proposed Order. In

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<sup>1</sup> 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 Objection, the Reorganized Debtor relies on the Declaration of Holden Bixler in Support of the Reorganized Debtor's (Substantive) Twenty-Ninth 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, and (C) Reduce and Allow 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).<sup>2</sup>

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 has filed twenty-eight 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.

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<sup>2</sup> 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).

## 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: (i) adjusting the priority of the proof of claim listed on Exhibit A to the Proposed Order; (ii) disallowing and expunging the proofs of claim listed on Exhibit B to the Proposed Order; and (iii) reducing and allowing the proofs of claim listed on Exhibit C to the Proposed Order.

## OBJECTION TO CLAIMS

### A. Misclassified Claim

17. The Disputed Claim identified on Exhibit A to the Proposed Order (the “Misclassified Claim”) is a Claim that asserts an administrative claim, but which should be reclassified as set forth on Exhibit A as indicated in the column titled “Modified Classification” because the Claimant has failed to provide evidence, and the Reorganized Debtor is not aware of any facts, to support the administrative claim status as asserted. Failure to reclassify the Misclassified Claim could result in the Claimant receiving a better recovery than other similarly situated creditors, even though such recovery is not warranted. Accordingly, the Reorganized Debtor requests entry of an order reclassifying the Misclassified Claim as set forth on Exhibit A as indicated in the column titled “Modified Classification” on Exhibit A to the Proposed Order.

### B. No Liability Claims

18. The Disputed Claims identified on Exhibit B to the Proposed Order (the “No Liability Claims”) are all “protective” Claims for indemnification, contribution or reimbursement or other payments asserted by former officers and directors of the Debtor that fail to evidence any liability on the part of the Debtor or Reorganized Debtor and are not reflected in the Books and Records. The Reorganized Debtor has determined that the Debtor and the Reorganized

Debtor are not liable for the No Liability Claims for the reasons set forth in the column titled “Reason for Disallowance” on Exhibit B to the Proposed Order.

19. While the Reorganized Debtor recognizes that the Debtor’s by-laws, certain agreements<sup>3</sup> and Article 9.3 of the Plan<sup>4</sup> may provide for the indemnification of officers and directors on certain terms and conditions prior to the Effective Date, the Reorganized Debtor disputes that the Debtor or Reorganized Debtor is liable to any of the former officers and directors identified in Exhibit B for indemnification, contribution or reimbursement of any kind. The No Liability Claims assert contingent and unliquidated “protective” claims for indemnification, contribution and reimbursement, and fail to allege sufficient facts to support a compensable claim and, thus, each Claimant has no present right to payment under applicable law. As such, the No Liability Claims are unenforceable against the Debtor or Reorganized Debtor and are not even entitled to prima facie validity.

20. The Reorganized Debtor denies all liability with respect to the No Liability Claims and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with each of the No Liability Claims. Accordingly, the Reorganized Debtor requests that each of the No Liability Claims be disallowed and expunged in its entirety.

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<sup>3</sup> Pursuant to Article 6.16(a) of the Plan, and to the extent that the Debtor intended for any employment, severance (change in control), retirement, indemnification or other agreement with its respective active directors, officers, managing members and employees to remain in place after the Effective Date, the Debtor listed such agreement on the list of “Assumed Executory Contracts and Unexpired Leases” contained in Exhibit 9.1 of the Plan. No such agreement for any of the former officers and directors identified in Exhibit B were listed in Exhibit 9.1 of the Plan and assumed by the Debtor.

<sup>4</sup> Pursuant to Article 9.3 of the Plan, the Reorganized Debtor’s aggregate indemnification liability arising out of any losses, liabilities, or expenses relating to events giving rise to Indemnification Obligations (as defined in the Plan) that occurred prior to the Petition Date (“Prepetition Indemnification Obligations”) is capped at the amount of \$1 million for all Indemnitees (as defined in the Plan) and shall be net of and in excess of all available insurance for all such Prepetition Indemnification Obligations.

**C. Reduce and Allow Claims**

21. The Disputed Claims identified on Exhibit C to the Proposed Order (the “Reduce and Allow Claims”), the Reorganized Debtor objects to the Reduce and Allow Claims pursuant to Bankruptcy Code section 502(b)(1) because such claims are filed for amounts that differ from the amounts reflected on the Books and Records. In evaluating the Reduce and Allow Claims, the Reorganized Debtor has thoroughly reviewed the Books and Records and the filed proofs of claim, as well as the supporting documentation provided by each Claimant, and has determined that the amount of each claim is overstated for the reasons set forth in the column titled “Reason for Modification” on Exhibit C to the Proposed Order. Accordingly, the Reorganized Debtor objects to the Reduce and Allow Claims and requests that the Reduce and Allow Claims be reduced and allowed in the amounts set forth on Exhibit C to the Proposed Order.

**APPLICABLE AUTHORITY**

22. 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).

23. When asserting a proof of claim against a bankrupt estate, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *In re Allegheny Int’l. Inc.*, 954 F.2d 167,173 (3d Cir. 1992); *Svenska Taendsticks Fabrik Aktiebolaget v. Irving Trust Co. (In re Int’l Match Corp.)*, 69 F. 2d 73, 76 (2d Cir. 1934) (finding that a proof of claim should at least allege facts from which legal liability can be seen to exist). Where the claimant alleges sufficient facts to support its claim, its claim is afforded prima facie validity.

*Allegheny*, 954 F.2d at 173. A party wishing to dispute such a claim must produce evidence in sufficient force to negate the claim's prima facie validity. *Id.* In practice, the objecting party must produce evidence that would refute at least one of the allegations essential to the claim's legal sufficiency. *Id.* Once the objecting party produces such evidence, the burden shifts back to the claimant to prove the validity of his or her claim by a preponderance of the evidence. *Id.* The burden of persuasion is always on the claimant. *Id.*

24. The Reorganized Debtor has met its burden in refuting the legal sufficiency of the Disputed Claims and has demonstrated that: (a) the Claimant who filed the Misclassified Claim is not entitled to the administrative expense claim status asserted in the Misclassified Claim; (b) the No Liability Claims should be disallowed and expunged in their entirety; and (c) the Reduce and Allow Claims should be reduced and allowed as set forth on Exhibit C of the Proposed Order.

25. As asserted, the Disputed Claims are unenforceable against the Debtor or the Reorganized Debtor for the reasons set forth above. Therefore, pursuant to Bankruptcy Code section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1, the Reorganized Debtor respectfully requests that this Court enter an order (i) reclassifying the Misclassified Claim as listed on Exhibit A attached to the Proposed Order, (ii) disallowing and expunging each No Liability Claim listed on Exhibit B attached to the Proposed Order, and (iii) reducing and allowing the Reduce and Allow Claims listed on Exhibit C attached to the Proposed Order.

### **RESPONSES TO THE OBJECTION**

26. 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.

27. 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, each case so as to be received **no later than the Response Deadline, June 26, 2017 at 4:00 p.m. (Eastern Time)**.

28. 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.

29. 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.

30. Replies to Responses: Consistent with Local Rules 3007-1(h)(ii) and 9006-1(d), the Reorganized 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.

31. 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.

32. 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.**

33. 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**

34. 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, B and C 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, B and C to the Proposed Order on any other ground.

**STATEMENT OF COMPLIANCE WITH LOCAL BANKRUPTCY RULE 3007-1**

35. 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**

36. 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**

37. 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, B and C 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

**SHAW FISHMAN GLANTZ & TOWBIN LLC**

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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.<sup>1</sup> :  
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**DECLARATION OF HOLDEN BIXLER IN SUPPORT OF REORGANIZED DEBTOR’S  
(SUBSTANTIVE) TWENTY-NINTH 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, AND (C) REDUCE AND ALLOW 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.<sup>2</sup> I have read the Reorganized Debtor’s (Substantive) Twenty-Ninth 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, and (C) Reduce and Allow 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.

<sup>1</sup> 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.

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

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 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 Misclassified Claims, the No Liability Claims, and the Reduce and Allow Claims, as defined in the Objection, and identified respectively in Exhibits A, B and C to the Proposed Order.

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

4. To my knowledge, the Misclassified Claim, identified in Exhibit A to the Proposed Order is a proof of claim that asserts an administrative claim, but should be adjusted to general unsecured status because the Claimant has failed to provide any evidence to support an administrative claim. I believe that failure to reclassify the Misclassified Claim would result in the Claimant receiving a better recovery than other unsecured creditors, even though such recovery is not warranted. It is my understanding that following a review of the Books and Records, the Reorganized Debtor has determined that the Misclassified Claim should be reclassified as indicated in the "Modified Classification" column on Exhibit A to the Proposed Order.

5. To my knowledge, the proofs of claim listed on Exhibit B to the Proposed Order are all "protective" Claims for indemnification, contribution or reimbursement asserted by former officers and directors of the Debtor that fail to evidence any liability on the part of the Debtor or Reorganized Debtor and are not reflected in the Books and Records. It is my

understanding that following a review the proofs of claim and the Books and Records, the Reorganized Debtor has determined that it is not liable for the No Liability Claims for the reasons set forth in the column titled “Reason for Disallowance” on Exhibit B to the Proposed Order. If the No Liability Claims are not disallowed, the Claimants asserting such Claims may receive an unwarranted recovery from the estate.

6. To my knowledge, the proofs of claim listed on Exhibit C to the Proposed Order should be properly allowed in a reduced amount due to the reasons set forth in the column titled “Reason for Modification” on Exhibit C to the Proposed Order. Failure to reduce the amount of the Reduce and Allow Claims could result in the Claimants that filed such proofs of claim receiving a better recovery than other creditors within the class.

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.<sup>1</sup> : **Related Docket No. \_\_\_\_\_**  
 :  
 ----- X

**ORDER SUSTAINING REORGANIZED DEBTOR’S (SUBSTANTIVE)  
 TWENTY-NINTH 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, AND  
(C) REDUCE AND ALLOW CLAIMS**

Upon the Reorganized Debtor’s (Substantive) Twenty-Ninth 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, and (C) Reduce and Allow Claims,<sup>2</sup> 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, B and C attached hereto, and any responses thereto; and upon the Declaration of Holden Bixler in Support of the Reorganized Debtor’s (Substantive) Twenty-Ninth 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, and (C) Reduce and Allow Claims; and upon the record herein; and after due deliberation thereon and good and sufficient cause appearing therefor; it is hereby

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<sup>1</sup> 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.

<sup>2</sup> 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 Misclassified Claim listed on Exhibit A is hereby reclassified as set forth in Exhibit A attached hereto under the heading “Modified Classification.”
3. The No Liability Claims listed on Exhibit B are hereby disallowed and expunged in their entirety as set forth in Exhibit B.
4. The Reduce and Allow Claims listed on Exhibit C are hereby reduced and allowed in the amounts listed as set forth in Exhibit C under the headings “Modified Classification” and “Modified Amount.”
5. 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.
6. 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, B and C 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.

7. 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.

8. 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.

9. 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.

10. 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

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THE HONORABLE KEVIN J. CAREY  
UNITED STATES BANKRUPTCY JUDGE

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT A – MISCLASSIFIED CLAIM**

	<b>NAME OF CLAIMANT</b>	<b>CLAIM #</b>	<b>CLAIM CLASSIFICATION STATUS</b>	<b>CLAIM AMOUNT</b>	<b>MODIFIED CLASSIFICATION</b>	<b>MODIFIED CLAIM AMOUNT</b>	<b>REASON FOR RECLASSIFICATION</b>
1	UGI UTILITIES INC C/O BLANK ROME LLP ATTN SAMUEL H BECKER, ESQ ONE LOGAN SQUARE 130 N 18TH ST PHILADELPHIA, PA 19103	3226 (a)	Administrative	Undetermined*	Administrative	\$0.00	The Claimant is not entitled to administrative priority status under the bankruptcy code.
			Unsecured	\$918,018.49*	Unsecured	\$918,018.49*	
			Subtotal	\$918,018.49*	Subtotal	\$918,018.49*	
			<b>TOTAL</b>	<b>\$918,018.49*</b>	<b>TOTAL</b>	<b>\$918,018.49*</b>	

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit C to the 29<sup>th</sup> Omnibus Claims Objection to Reduce and Allow Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT B – NO LIABILITY CLAIMS**

NAME OF CLAIMANT	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1 BRUCE COLE ADDRESS ON FILE	2514 (b)	Undetermined*	Claimant filed a contingent and unliquidated protective claim in undetermined amounts for indemnity, contribution, reimbursement or other payments, which should be disallowed as the Debtor has no liability for the asserted claim. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
2 DAMASKA, PHILLIP ADDRESS ON FILE	2238 (b)	Undetermined*	Claimant filed a contingent and unliquidated protective claim in undetermined amounts for indemnity, contribution, reimbursement or other payments, which should be disallowed as the Debtor has no liability for the asserted claim. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
3 DAPPOLONIA, MICHAEL R ADDRESS ON FILE	4101	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and postpetition damages based on the Debtor's rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
4 FERGUSON, DAVID S ADDRESS ON FILE	4100 (a)	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and post-petition damages based on the Debtor's rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 28<sup>th</sup> Omnibus Claims Objection for Exact Duplicate Claims

(b) Claim contained on Exhibit B to the 28<sup>th</sup> Omnibus Claims Objection for Insufficient Supporting Documentation Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)**  
**TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION**  
**EXHIBIT B – NO LIABILITY CLAIMS**

NAME OF CLAIMANT	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
5 JASON PICKETT ADDRESS ON FILE	2516 (b)	Undetermined*	Claimant filed a contingent and unliquidated protective claim in undetermined amounts for (a) indemnity, contribution, reimbursement or other payments and (b) a Change in Control Executive Severance Plan, all of which should be disallowed. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
6 O'HIGGINS, JOHN C/O SPECTRIS PLC HERITAGE HOUSE CHURCH ROAD EGHAM SURREY TW20 9QD UNITED KINGDOM	4107 (a)	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and post-petition damages based on the Debtor's rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
7 REILLY, JOHN P ADDRESS ON FILE	4103	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and post-petition damages based on the Debtor's rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
8 RESSNER, M P ADDRESS ON FILE	4115 (a)	Undetermined*	Unsigned Administrative Claim Form does not identify the creditor. The envelope enclosing the form indicates "M.P. Ressner" on the return address. To the extent the claim is attributable to Michael Ressner, it fails to comply with Fed. R. Bankr. P. 3001(b) and should be stricken. As to the merits of the asserted claim and the addendum, Claimant filed an unliquidated administrative claim for prepetition and post-petition damages based on the Debtor's rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 28<sup>th</sup> Omnibus Claims Objection for Exact Duplicate Claims

(b) Claim contained on Exhibit B to the 28<sup>th</sup> Omnibus Claims Objection for Insufficient Supporting Documentation Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT B – NO LIABILITY CLAIMS**

NAME OF CLAIMANT	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
9 RESSNER, MICHAEL P ADDRESS ON FILE	4114 (a)	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and post-petition damages based on the Debtor’s rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
10 WETZEL, CARROLL R ADDRESS ON FILE	4105 (a)	Undetermined*	Claimant filed an unliquidated prepetition and administrative claim for prepetition and post-petition damages based on the Debtor’s rejection of an Indemnification Agreement, dated November 4, 2010. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. The Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
<b>TOTAL</b>		<b>Undetermined*</b>	

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 28<sup>th</sup> Omnibus Claims Objection for Exact Duplicate Claims

(b) Claim contained on Exhibit B to the 28<sup>th</sup> Omnibus Claims Objection for Insufficient Supporting Documentation Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT C – REDUCE AND ALLOW CLAIMS**

	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
1	ASPBURY, HERBERT F C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	1659 Unsecured	\$11,000.00*	\$11,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should be also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant’s claim for unpaid prepetition director fees and expenses in the amount of \$9,000 for director fees and \$2,000 for director reimbursable expenses is allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees and reimbursable expenses, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT C – REDUCE AND ALLOW CLAIMS**

	NAME OF CLAIMANT	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
2	D'APPOLONIA, MICHAEL R C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	1707	Unsecured	\$11,000.00*	\$11,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant's claim for unpaid prepetition director fees and expenses in the amount of \$9,000 for director fees and \$2,000 for director reimbursable expenses is allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees and reimbursable expenses, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT C – REDUCE AND ALLOW CLAIMS**

NAME OF CLAIMANT	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
3 FERGUSON, DAVID S C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	1686	Unsecured	\$8,000.00*	\$8,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should be also disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant’s claim for unpaid prepetition director fees and expenses in the amount of \$7,000 for director fees and \$1,000 for director reimbursable expenses are allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees and reimbursable expenses, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT C – REDUCE AND ALLOW CLAIMS**

NAME OF CLAIMANT	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
4 O'HIGGINS, JOHN EDWARD C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	1715	Unsecured	\$11,000.00*	\$11,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 67,852 shares of restricted stock units in the Debtor should also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant's claim for unpaid prepetition director fees in the amount of \$11,000 are allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)  
 TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION  
 EXHIBIT C – REDUCE AND ALLOW CLAIMS**

NAME OF CLAIMANT	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
5 REILLY, JOHN P ADDRESS ON FILE	1603	Unsecured	\$9,000.00*	\$9,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant’s claim for unpaid prepetition director fees in the amount of \$9,000 are allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)**  
**TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION**  
**EXHIBIT C – REDUCE AND ALLOW CLAIMS**

	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
6	RESSNER, MICHAEL P C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	1625 Unsecured	\$10,000.00*	\$10,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant’s claim for unpaid prepetition director fees and expenses in the amount of \$9,000 for director fees and \$1,000 for director reimbursable expenses are allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees and reimbursable expenses, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>
7	UGI UTILITIES INC C/O BLANK ROME LLP ATTN SAMUEL H BECKER, ESQ ONE LOGAN SQUARE 130 N 18TH ST PHILADELPHIA, PA 19103	3226 (a) Administrative (b) Unsecured Subtotal	\$0.00 \$918,018.49* \$918,018.49*	\$0.00 \$918,018.49 \$918,018.49	<p>Claim for rejection damages should be allowed as a general unsecured claim in the amount of \$918,018.49.</p>

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims

**EXIDE TECHNOLOGIES 13-11482 (KJC)**  
**TWENTY-NINTH (SUBSTANTIVE) OMNIBUS OBJECTION**  
**EXHIBIT C – REDUCE AND ALLOW CLAIMS**

	NAME OF CLAIMANT	CLAIM #	ASSERTED CLAIM CLASSIFICATION	ASSERTED CLAIM AMOUNT	MODIFIED AMOUNT	REASON
8	WETZEL JR, CARROLL R C/O AKIN GUMP STRAUSS HAUER & FELD LLP ATTN SARAH LINK SCHULTZ 1700 PACIFIC AVE STE 4100 DALLAS, TX 75201	2232	Unsecured	\$11,000.00*	\$11,000.00	<p>Claimant filed a contingent and unliquidated protective claim for indemnity. The asserted claim fails to allege any damages or facts necessary to support a compensable claim and, thus, claimant has no present right to payment under applicable law. Accordingly, the Reorganized Debtor has no liability for the asserted claim and the claim should be disallowed.</p> <p>The portion of the asserted claim for 76,901 shares of restricted stock units in the Debtor should also be disallowed. Pursuant to Article 4.9 of the Plan, all Interests in the Debtor were extinguished on the Effective Date and have no value.</p> <p>Claimant’s claim for unpaid prepetition director fees and expenses in the amount of \$9,000 for director fees and \$2,000 for director reimbursable expenses are allowed as a general unsecured claim.</p> <p>Other than with respect to the allowed prepetition director fees and reimbursable expenses, the Reorganized Debtor denies all liability with respect to the claim and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.</p>
<b>TOTAL</b>				<b>\$1,172,179.81*</b>	<b>\$1,141,121.07</b>	

\* - Indicates claim contains unliquidated and/or undetermined amounts

(a) Claim contained on Exhibit A to the 29<sup>th</sup> Omnibus Claims Objection for Misclassified Claims

(b) Claim contained on Exhibit D to the 29<sup>th</sup> Omnibus Claims Objection for Contingent Contribution Claims