

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

EXIDE TECHNOLOGIES,

Reorganized Debtor.

Chapter 11

Case No. 13-11482 (KJC)

Related Docket No. 4949

**CERTIFICATION OF COUNSEL REGARDING REVISED PROPOSED ORDER
SUSTAINING REORGANIZED DEBTOR'S (SUBSTANTIVE) THIRTIETH
OMNIBUS OBJECTION PURSUANT TO BANKRUPTCY CODE SECTION 502(B),
BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO CERTAIN (A) NO
LIABILITY CLAIMS, (B) MISCLASSIFIED CLAIM, (C) CONTINGENT
CONTRIBUTION CLAIM, AND (D) DUPLICATE CLAIM**

The undersigned hereby certifies the following:

1. On January 17, 2018, the reorganized debtor in the above-captioned case ("Exide" or the "Reorganized Debtor"), filed the *Reorganized Debtor's (Substantive) Thirtieth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 to Certain (A) No Liability Claims, (B) Misclassified Claim, (C) Contingent Contribution Claim, and (D) Duplicate Claim* (the "Objection") [Docket No. 4949].
2. The deadline to respond to the Objection was January 31, 2018 at 4:00 p.m. Eastern Time (the "Response Deadline"). The Response Deadline has been extended to March 2, 2018 for NL Industries, Inc. ("NL Industries").
3. Attached hereto as Exhibit A is a revised proposed form of order (the "Revised Proposed Order") deleting NL Industries from the form of order filed with the

Objection¹. Attached hereto as Exhibit B is a blackline showing changes to the Revised Proposed Order from the version of the proposed order filed with the Objection.

4. Accordingly, the Reorganized Debtor respectfully requests entry of the Revised Proposed Order at the Court's convenience.

Dated: February 20, 2018

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-and-

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Special Conflicts Counsel for the Reorganized Debtor

¹ NL Industries was the only claimant listed on exhibits B and C to the Objection and therefore exhibits B and C have been deleted from the revised proposed form of order.

Exhibit A
(Clean 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. 4949
----- X

**ORDER SUSTAINING REORGANIZED DEBTOR’S (SUBSTANTIVE) THIRTIETH
OMNIBUS OBJECTION PURSUANT TO BANKRUPTCY CODE
SECTION 502(b), BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO
CERTAIN (A) NO LIABILITY CLAIMS, (B) MISCLASSIFIED CLAIM,
(C) CONTINGENT CONTRIBUTION CLAIM, AND (D) DUPLICATE CLAIM**

Upon the Reorganized Debtor’s (Substantive) Thirtieth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) No Liability Claims, (B) Misclassified Claim, (C) Contingent Contribution Claim, and (D) Duplicate Claim (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 D attached hereto, and any responses thereto; and upon the Declaration of Holden Bixler in Support of the Reorganized Debtor’s (Substantive) Thirtieth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) No Liability Claims, (B) Misclassified Claim, (C) Contingent Contribution Claim, and (D) Duplicate Claim; 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.
1. The No Liability Claims listed on Exhibit A in the column titled "Claim Number" are disallowed.
2. The Duplicate Claim listed on Exhibit D in the column titled "Duplicate Claim to be Disallowed" is disallowed.
3. The deadline to respond to the Objection has been extended to March 2, 2018 for NL Industries Inc. ("NL Industries"). The hearing on the Objection with respect to NL Industries has been continued to a date and time to be determined.
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 D 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: _____, 2018
Wilmington, Delaware

THE HONORABLE KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE

**EXIDE TECHNOLOGIES 13-11482 (KJC)
THIRTIETH (SUBSTANTIVE) OMNIBUS OBJECTION
EXHIBIT A – NO LIABILITY CLAIMS**

CLAIM #	NAME	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	COOK, KATE S COOK LAW GROUP LLC PO BOX 2415 GAINESVILLE, GA 30503-2415	Undetermined*	No liability exists on the Debtor's books and records. The claim was satisfied by a third party.
2	COOK, MATTHEW E COOK LAW GROUP LLC PO BOX 2415 GAINESVILLE, GA 30503-2415	\$250,000.00*	No liability exists on the Debtor's books and records. The claim was satisfied by a third party.
3	CORTEZ, JAIME LARRY BENDESKY, BRIAN E. FRITZ, WILLIAM A. WEISS C/O SALTZ, MONGELUZZI, BARRETT & BENDESKY, P.C. ONE LIBERTY PLACE, 52ND FLOOR, 1650 MARKET ST. PHILADELPHIA, PA 19103	Undetermined*	The claimant asserts a claim for personal injury damages against the Debtor which is barred by the applicable state law. In particular, the Debtor and Reorganized Debtor are entitled to immunity under the exclusivity provision of the Pennsylvania Workers Compensation Act, 77 P.S. §481(a). See <i>Soto v. Nabisco, Inc.</i> , 32 A.3d 787, 790 (Pa. Super. 2001). The Reorganized Debtor also denies all liability and incorporates by reference its Answer, New Matter and Cross Claim to the Complaint filed by Jamie Cortez, the Plaintiff in the underlying Pennsylvania state court action entitled <i>Cortez v. Exide Technologies, Inc.</i> , et al., Philadelphia Court of Common Pleas, December Term 2011, No. 03838, including all other defenses previously asserted in the underlying action and related proceedings. The Reorganized Debtor has investigated the allegations asserted in the claim, as well as its applicable defenses, and has determined that the claimant fails to allege any damages or facts necessary to support a compensable claim, and thus, has no present right to payment under applicable law. The Reorganized Debtor reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
4	NATIONAL AUTOMOTIVE PARTS ASSOCIATION & GENUINE PARTS COMPANY C/O BARACK FERRAZZANO KIRSCHBAUM ET AL ATTN KIMBERLY J ROBINSON 200 W MADISON ST STE 3900 CHICAGO, IL 60606	Undetermined*	The portions of the asserted claim for indemnity under or arising from the Trademark Agreement, Indemnity Agreement, the Supplier Agreement, the Statement (as those terms are defined in the Addendum to the Proof of Claim) and any other any other agreements between Claimants and the Debtor (see Addendum) should be disallowed, as the Debtor has no liability for the asserted claim. Claimant filed a contingent and unliquidated protective claim for indemnity for unspecified causes of action. 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 any claim for indemnification and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
TOTAL		\$250,000.00*	

* - Indicates claim contains unliquidated and/or undetermined amounts

**EXIDE TECHNOLOGIES 13-11482 (KJC)
THIRTIETH (SUBSTANTIVE) OMNIBUS CLAIMS OBJECTION
EXHIBIT D - DUPLICATE CLAIM**

	REMAINING CLAIM NUMBER	DUPLICATE CLAIM TO BE DISALLOWED	CLAIM AMOUNT	REASON FOR DISALLOWANCE
1	4179	4180	\$10,000.00	Proof of Claim is duplicative of Proof of Claim listed in column entitled Remaining Claim Number.
NAME OF CLAIMANT DC POWER SOLUTIONS INC FDBA TIMA POWER SYSTEMS C/O KEMPINKSY LAW LTD 1111 SANTA MONICA BLVD STE 1700 LOS ANGELES, CA 90025				
TOTAL			\$10,000.00	

* - Indicates claim contains unliquidated and/or undetermined amounts

Exhibit B
(Blackline Order)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

----- x
 - :
 : Chapter 11
 In re: :
 : Case No. 13-11482 (KJC)
 EXIDE TECHNOLOGIES, :
 : Related Docket No. _____
 Reorganized Debtor.¹ :
 ----- x

**ORDER SUSTAINING REORGANIZED DEBTOR’S (SUBSTANTIVE) THIRTIETH
 OMNIBUS OBJECTION PURSUANT TO BANKRUPTCY CODE
 SECTION 502(b), BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO
 CERTAIN (A) NO LIABILITY CLAIMS, (B) MISCLASSIFIED CLAIM, (C)
CONTINGENT CONTRIBUTION CLAIM, AND (D) DUPLICATE CLAIM**

Upon the Reorganized Debtor’s (Substantive) Thirtieth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) No Liability Claims, (B) Misclassified Claim, (C) Contingent Contribution Claim, and (D) Duplicate Claim (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, B, C and D attached hereto, and any responses thereto; and upon the Declaration of Holden Bixler in Support of the Reorganized Debtor’s (Substantive) Thirtieth Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain (A) No Liability Claims, (B) Misclassified Claim, (C) Contingent Contribution Claim, and (D)

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.

Duplicate Claim; and after due deliberation thereon and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The relief requested in the Objection is GRANTED, as set forth herein.

1. The No Liability Claims listed on Exhibit A in the column titled "Claim Number" are disallowed.

~~2. The Misclassified Claim listed on Exhibit B is hereby reclassified as set forth in Exhibit B under the heading "Modified Classification."~~

~~3. The Contingent Contribution Claim listed on Exhibit C is hereby disallowed and expunged in its entirety as set forth in Exhibit C.~~

~~2.~~ 4. The Duplicate Claim listed on Exhibit D in the column titled "Duplicate Claim to be Disallowed" is disallowed.

~~3.~~ 3. The deadline to respond to the Objection has been extended to March 2, 2018 for NL Industries Inc. ("NL Industries"). The hearing on the Objection with respect to NL Industries has been continued to a date and time to be determined.

~~4.~~ 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.

~~5.~~ 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, C and D 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. ~~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.

7. ~~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.

8. ~~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.

9. ~~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: _____, 2018
Wilmington, Delaware

THE HONORABLE KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE

**EXIDE TECHNOLOGIES 13-11482 (KJC)
THIRTIETH (SUBSTANTIVE) OMNIBUS OBJECTION
EXHIBIT A – NO LIABILITY CLAIMS**

CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	Undetermined*	No liability exists on the Debtor's books and records. The claim was satisfied by a third party.
<p>CLAIM NAME: COOK, KATE S COOK LAW GROUP LLC PO BOX 2415 GAINESVILLE, GA 30503-2415</p>		
2	\$250,000.00*	No liability exists on the Debtor's books and records. The claim was satisfied by a third party.
<p>CLAIM NAME: COOK, MATTHEW E COOK LAW GROUP LLC PO BOX 2415 GAINESVILLE, GA 30503-2415</p>		
3	Undetermined*	The claimant asserts a claim for personal injury damages against the Debtor which is barred by the applicable state law. In particular, the Debtor and Reorganized Debtor are entitled to immunity under the exclusivity provision of the Pennsylvania Workers Compensation Act, 77 P.S. §481(a). See <i>Soto v. Nabisco, Inc.</i> , 32 A.3d 787, 790 (Pa. Super. 2001). The Reorganized Debtor also denies all liability and incorporates by reference its Answer, New Matter and Cross Claim to the Complaint filed by Jamie Cortez, the Plaintiff in the underlying Pennsylvania state court action entitled <i>Cortez v. Exide Technologies, Inc.</i> , et al., Philadelphia Court of Common Pleas, December Term 2011, No. 03838, including all other defenses previously asserted in the underlying action and related proceedings. The Reorganized Debtor has investigated the allegations asserted in the claim, as well as its applicable defenses, and has determined that the claimant fails to allege any damages or facts necessary to support a compensable claim, and thus, has no present right to payment under applicable law. The Reorganized Debtor reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
<p>CLAIM NAME: CORTEZ, JAIME LARRY BENDESKY, BRIAN E. FRITZ, WILLIAM A. WEISS C/O SALTZ, MONGELUZZI, BARRETT & BENDESKY, P.C. ONE LIBERTY PLACE, 52ND FLOOR, 1650 MARKET ST. PHILADELPHIA, PA 19103</p>		
4	Undetermined*	The portions of the asserted claim for indemnity under or arising from the Trademark Agreement, Indemnity Agreement, the Supplier Agreement, the Statement (as those terms are defined in the Addendum to the Proof of Claim) and any other any other agreements between Claimants and the Debtor (see Addendum) should be disallowed, as the Debtor has no liability for the asserted claim. Claimant filed a contingent and unliquidated protective claim for indemnity for unspecified causes of action. 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 any claim for indemnification and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
<p>CLAIM NAME: NATIONAL AUTOMOTIVE PARTS ASSOCIATION & GENUINE PARTS COMPANY C/O BARACK FERRAZZANO KIRSCHBAUM ET AL ATTN KIMBERLY J ROBINSON 200 W MADISON ST STE 3900 CHICAGO, IL 60606</p>		
5	Undetermined*	The portions of the asserted claim for indemnity under or arising from the Trademark Agreement, Indemnity Agreement, the Supplier Agreement, the Statement (as those terms are defined in the Addendum to the Proof of Claim) and any other any other agreements between Claimants and the Debtor (see Addendum) should be disallowed, as the Debtor has no liability for the asserted claim. Claimant filed a contingent and unliquidated protective claim for indemnity for unspecified causes of action. 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 any claim for indemnification and reserves its right to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
<p>CLAIM NAME: NI INDUSTRIES INC C/O LAW OFFICES OF JOEL L HARRZ 327 L CLAYTON DR STE 215 SUCCESION AZ 85116</p>		

* - Indicates claim contains unliquidated and/or undetermined amounts
 (*) Claim contained on Exhibit B to the 31st Omnibus Claims Objection for Misclassified Claim (b) Claim contained on Exhibit C to the 31st Omnibus Claims Objection for Contingent Contribution Claim

0495292-0199430

**EXIDE TECHNOLOGIES 13-11482 (KJC)
THIRTIETH (SUBSTANTIVE) OMNIBUS OBJECTION
EXHIBIT A - NO LIABILITY CLAIMS**

NAME	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
			<p>approved by the Bankruptcy Court on February 13, 2012 in the 2002 bankruptcy case, satisfied, discharged and released in full the claims presented to the asserted claim in particular, the liquidation settled any liability for the Perth Amboy site which relates to the Karlan Bay claim. Third, the asserted claim fails to allege any damages or facts necessary to support a compensable claim and thus claimant has no right to payment under applicable law. The Claimant also does not include sufficient documentation to ascertain the validity of the asserted claim amount. Fourth, the asserted claim for joint and several liability has no allegations supporting any non-divisible liability of the Debtor for the actions alleged with respect to the use or disposal of materials removed from the facility by other persons. Fifth, the Debtor has no liability for interest because there is no specific amount demanded in writing for which the Debtor has any liability, and because the claim states no date on which any specific cost was incurred. The 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>
TOTAL		\$80,450,000.00	

* - Indicates claim contains unliquidated and/or undetermined amounts
 (a) Claim contained on Exhibit P to the 31st Omnibus Claims Objection for Misclassified Claim(b) Claim contained on Exhibit C to the 31st Omnibus Claims Objection for Contingent Contribution Claim
 0495292-0499430
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