

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. 4973, 5005
:
----- X

ORDER SUSTAINING PETER KRAVITZ, AS THE GUC TRUST TRUSTEE OF THE EXIDE CREDITORS' LIQUIDATING TRUST'S (SUBSTANTIVE) THIRTY-FIRST OMNIBUS OBJECTION PURSUANT TO BANKRUPTCY CODE SECTION 502(b), BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1 TO CERTAIN NO LIABILITY CLAIMS

Upon the objection filed in the above-captioned case entitled *Peter Kravitz, as the GUC Trust Trustee of the Exide Creditors' Liquidating Trust's (Substantive) Thirty-First Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain No Liability 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 Exhibit A attached hereto, and any responses thereto; and upon the *Declaration of Peter Kravitz in Support of Peter Kravitz, as the GUC Trust Trustee of the Exide Creditors' Liquidating Trust's (Substantive) Thirty-First Omnibus Objection Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1 To Certain No Liability Claims*;

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.

and upon the record herein; and after due deliberation thereon and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

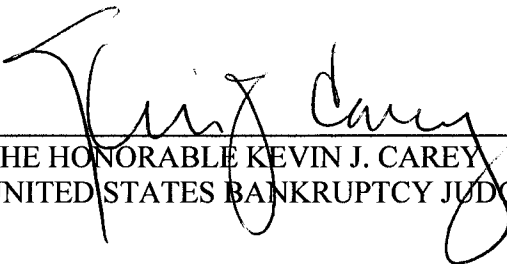
1. The relief requested in the Objection is GRANTED, as set forth herein.
2. The No Liability Claims listed on Exhibit A are hereby disallowed and expunged in their entirety as set forth in Exhibit A.
3. The Trustee's objection to each Claim addressed in the Objection constitutes a separate contested 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.
4. The Trustee and Reorganized Debtor shall retain and shall have the right to object in the future to any of the proofs of claim listed on Exhibit A hereto on any additional grounds, and to seek to amend, modify, and/or supplement this Order as may be necessary. In addition, the Trustee's and 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.
5. 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.

6. This Court shall retain jurisdiction over the Debtor, the Reorganized Debtor, the Trustee 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.

7. The Trustee and Reorganized Debtor are 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.

8. 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: March 24, 2018
Wilmington, Delaware



THE HONORABLE KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE

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

NAME	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1 HATCHER, BARBARA ADDRESS ON FILE	2276	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. To the extent that the Reorganized Debtor and Claimant entered into new employment arrangements and/or change in control agreements after the Effective Date, Claimant was obligated to waive and release all pre-existing claims, including those arising from pre-existing employment, change in control or other employment-related agreements and/or benefits. The asserted claim also 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 Trustee denies all liability of the GUC Trust with respect to the claim and reserves his right and the right of the Reorganized Debtor to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
2 IUANOW, NICHOLAS J ADDRESS ON FILE	2694	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. To the extent that the Reorganized Debtor and Claimant entered into new employment arrangements and/or change in control agreements after the Effective Date, Claimant was obligated to waive and release all pre-existing claims, including those arising from pre-existing employment, change in control or other employment-related agreements and/or benefits. The asserted claim also 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 Trustee denies all liability of the GUC Trust with respect to the claim and reserves his right and the right of the Reorganized Debtor to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
3 KALTER, BRAD ADDRESS ON FILE	2279	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. To the extent that the Reorganized Debtor and Claimant entered into new employment arrangements and/or change in control agreements after the Effective Date, Claimant was obligated to waive and release all pre-existing claims, including those arising from pre-existing employment, change in control or other employment-related agreements and/or benefits. The asserted claim also 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 Trustee denies all liability of the GUC Trust with respect to the claim and reserves his right and the right of the Reorganized Debtor 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

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

NAME	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
4 LOU MARTINEZ ADDRESS ON FILE	2515	Undetermined*	Claimant filed a contingent and unliquidated protective claim in undetermined amounts for (a) indemnity, contribution, reimbursement or other payments, (b) a Change in Control Executive Severance Plan, (c) an equity award claim based on any long term incentive compensation agreement with the Debtor, and (d) being precluded from selling shares in the Debtor while serving as an officer of the Debtor, all of which should be disallowed. To the extent that the Reorganized Debtor and Claimant entered into new employment arrangements and/or change in control agreements after the Effective Date, Claimant was obligated to waive and release all pre-existing claims, including those arising from pre-existing employment, change in control or other employment-related agreements and/or benefits. The asserted claim also 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 Trustee denies all liability of the GUC Trust with respect to the claim and reserves his right and the right of the Reorganized Debtor to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
5 MICHAEL OSTERMANN ADDRESS ON FILE	2513	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. To the extent that the Reorganized Debtor and Claimant entered into new employment arrangements and/or change in control agreements after the Effective Date, Claimant was obligated to waive and release all pre-existing claims, including those arising from pre-existing employment, change in control or other employment-related agreements and/or benefits. The asserted claim also 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 Trustee denies all liability of the GUC Trust with respect to the claim and reserves his right and the right of the Reorganized Debtor to assert defenses to any additional support that may be provided by the claimant in connection with the claim.
TOTAL		\$0.00	

* - Indicates claim contains unliquidated and/or undetermined amounts