

Rate
↓
① ~~John~~
② ~~Jim~~
③ ~~Janette (dancer)~~
④ ~~R. G. + Finner~~
10/30/96

WEIL, GOTSHAL & MANGES LLP
Attorneys for Debtors in
Possession
767 Fifth Avenue
New York, New York 10153
(212) 310-8000
John J. Rapisardi, Esq. [JR 7781]
Gary T. Holtzer, Esq. [GH 7732]

Presentment Date:
November 4, 1996
12:00 noon

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re	:	
METALLURG, INC. and	:	Chapter 11 Case Nos.
SHIELDALLOY METALLURGICAL	:	93 B 44468 (JLG)
CORPORATION,	:	93 B 44469 (JLG)
	:	(Jointly Administered)
Debtors.	:	

-----X

NOTICE OF PROPOSED STIPULATION AND ORDER
DISMISSING CLAIM NUMBERS 310 THROUGH 328

PLEASE TAKE NOTICE that upon the annexed stipulation and order (the "Stipulation and Order") of Metallurg, Inc. and Shieldalloy Metallurgical Corporation (collectively, the "Debtors"), as debtors in possession, and those claimants indentified in footnote 1 of the Stipulation and Order dismissing Proofs of Claim numbers 310 through 328 asserting unsecured nonpriority claims in unspecified amounts, the undersigned will presented for signature the

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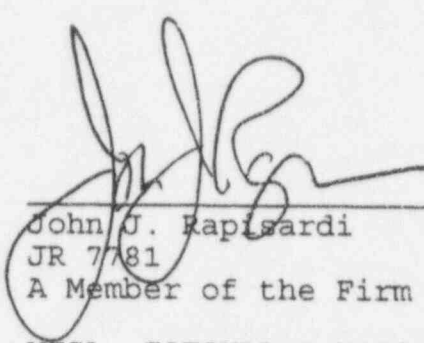
9611210066 961104
PDR ADOCK 04008948
C PDR

attached order to the Honorable James L. Garrity, Jr.,
United States Bankruptcy Judge, Room 610-2 of the United
States Bankruptcy Court, Alexander Hamilton Customs House,
One Bowling Green, New York, New York 10004, at 12:00 noon
on November 4, 1996.

PLEASE TAKE FURTHER NOTICE that responses, if any,
to the proposed Stipulation and Order shall be in writing,
shall conform to the Federal Rules of Bankruptcy Procedure
and the Local Rules of Bankruptcy Court, shall set forth the
name of the objectant, the nature and amount of any claim or
the interests held or asserted by the objectant against the
Debtors' estates or properties, the basis for the objection,
and the specific ground therefor, and shall be filed with
the Bankruptcy Court, with one copy to chambers, together
with proof of service thereof, and served upon Weil, Gotshal
& Manges LLP, Attorneys for the Debtors, 767 Fifth Avenue,
New York, New York 10153, Attn: Gary T. Holtzer, Esq., and
LeBoeuf, Lamb, Green & MacRae, Attorneys for Claimants, 225
Asylum Street, Hartford, Connecticut, 06103, Attn: David G.

Hetzel, Esq., so as to be received by 12:00 noon on November 1, 1996. Unless objections are received by that time, the order may be signed.

Dated: New York, New York
October 25, 1996



John J. Rapisardi
JR 7781
A Member of the Firm

WEIL, GOTSHAL & MANGES LLP
Attorneys for Debtors in
Possession
767 Fifth Avenue
New York, New York 10153
(212) 310-8000

To: THE PERSONS ON THE ANNEXED SERVICE LIST

SUPPLEMENTAL SERVICE LIST

Weil, Gotshal & Manges LLP
1615 L Street, Northwest
Suite 700
Washington, DC 20036
Attn: David R. Berz, Esq.
Adam P. Storchak, Esq.

LeBoeuf, Lamb, Green & MacRae
225 Asylum Street
Hartford, Connecticut 06103
Attn: David G. Hetzel, Esq.

Primary Service List for METALLURG INC./SHIELDALLOY

Last Updated On: 9/26/96

Page 1 of 5

176422 Canada Inc.
1920 Marie-Victoria
Contrecoeur, Quebec Canada

Anderson Kill Olick & Oshinsky
One Gateway Center
Suite 0901
Newark, NJ 07102
Attn: Paul E. Breen, Esq.

Bierman-Everett Foundry Co. *
c/o Steven Schnitzer, P.A.
40 West Northfield Road
P.O. Box 691
Livingston, NJ 07039-0691
Attn: Steven Schnitzer

Calame, Linebarger, Graham Pena
Burney Foreman Torres & Garza, L.L.
P.O. Box 3064
Houston, TX 77253
Attn: Eloise A. Guzman, Esq.

Abraham, Pressman & Bauer, P.C.
1818 Market Street
35th Floor
Philadelphia, PA 19103
Attn: Matthew H. Krekstein, Esq.

Atlantic Electric Company
1199 Black Horse Pike
Pleasantville, NJ 08233

Bingham, Dana & Gould
150 Federal Street
Boston, MA 02110-1726
Attn: Mary DeNevi, Esq.

Cambior, Inc.
800 Rene-Levesque Blvd. West
Suite 805
Montreal, Quebec H3B-1X9 Canada
Attn: Bruce Taylor

Adams & Ellis, P.C.
P.O. Box 2364
Savannah, GA 31498-2364

Bankruptcy Creditors' Service, Inc.
301 N. Harrison St.
Suite 206
Princeton, NJ 08540
Attn: Peter A. Chapman

Blakinger, Byler & Thomas, P.C.
28 Penn Square
Lancaster, PA 17603
Attn: Barry A. Solodsky, Esq.

Canada Life Assurance Company
330 University Avenue
U.S. Investment Division
Toronto, Ontario M5G 1R8 Canada
Attn: Mary Lue S. Bill

Advanta Leasing Corporation
1020 Laurel Oak Road
P.O. Box 1228
Voorhees, NJ 08043-1228
Attn: Cole B. Silver, Esq.

Battle Fowler LLP
75 East 55th Street
New York, NY 10022
Attn: Madlyn Gleich Primoff, Esq.

Boulanger, Hicks, Stein &
Churchill, P.C.
135 East 57th Street
New York, NY 10022
Attn: Michael S. Elkin, Esq.

Carlton, Fields, Ward, Emmanuel,
Smith & Cutler, P.A.
255 S. Orange Avenue
Suite 1600
Orlando, FL 32801
Attn: Robert L. Young, Esq.

AIOC Corporation
230 Park Avenue
New York, NY 10169
Attn: Glenn S. Kolleeny

Bayh, Connaughton, Fensterheim
& Malone, P.C.
1350 Eye Street, N.W.
Suite 200
Washington, DC 20005
Attn: Andrew C. Lynch, Esq.

Bruce H. Roswick, Esq.
101 East 52nd Street
32nd Floor
New York, NY 10022

Chemical Bank
270 Park Avenue, 40th Floor
New York, NY 10017
Attn: E. Lee Smith, Esq.

ANDERSON KILL & OLICK, P.C.
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020 US
Attn: LISA ANASTAS, ESQ.

Beveridge & Diamond, P.C.
1350 I Street, N.W.
Suite 700
Washington, DC 20005
Attn: Donald J. Patterson, Esq.
Dean H. Cannon, Esq.

Buchanan Ingersoll Professional
Corporation
58th Floor - USX Tower
600 Grant Street
Pittsburgh, PA 15219
Attn: Gregory A. Pearson, Esq.

Chemical Bank
270 Park Avenue, 40th Floor
New York, NY 10017
Attn: Mark Rechan

Primary Service List for METALLURG INC./SHIELDALLOY

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Page 2 of 5

Chemical Bank
270 Park Avenue
30th Fl.
New York, NY 10017
Attn: Agnes Levy

Davis, Polk & Wardwell
450 Lexington Avenue
New York, NY 10017
Attn: Don Bernstein, Esq.

FESIL KS
Briskebyveien 48
0259 05102 Norway
c/o Thacher,
2 World Trade Center
New York, NY 10048
Attn: Mr. Christopher F. Graham

Gulf Chemical & Metallurgical
P.O. Box 200785
Houston, TX 77216
Attn: Alan Orr

CIGNA Investments, Inc.
900 Cottage Grove
S-307
Bloomfield, CT 06002
Attn: Thomas Shea

Decommissioning and Regulatory
Issues Branch
Division of Low-Level Waste
Management and Deco
United States Nuclear Regulatory
Commission
Washington, D.C. 20555
Attn: John H. Austin, Chief

Finkel Goldstein Berzow &
Rosenbloom
26 Broadway
Suite 711
New York, NY 10004
Attn: Harold S. Berzow, Esq.

Harry Goldberg & Sons
P.O. Box 1028
Perth Amboy, NJ 08862

Considar, Inc.
630 Third Avenue
New York, NY 10017
Attn: Ed Dowling

Deutsche Bank A.G.
31 West 52nd Street
New York, NY 10019
Attn: Gregory Hill

Fred Lonner & Co., Inc.
One Penn Plaza
Suite 3509
New York, NY 10119

Harry Goldberg & Sons
c/o Markowitz & Zindler
3131 Princeton Pike
Lawrenceville, NJ 08648
Attn: Linda Schwimmer, Esq.

Corporacion Nacional Del
Cobre De Chile
c/o Codelco (USA), Inc.
177 Broad Street, 14th Fl.
Stamford, CT 06901
Attn: Mr. Raul Martinez

Deutsche Bank North America
31 West 52nd Street
New York, NY 10019
Attn: Silvia L. Spear, Director

Gerald Skoch, Esq.
Skotch & Churchmark Co., L.P.A.
24930 Detroit Road
Westlake, OH 44145

Heard, Goggan, Blair & Williams
3555 Timmons
Suite 800
Houston, TX 77027
Attn: Michael W. Deeds, Esq.
Attorneys For: Houston I.S.D.

Cressona Aluminum Co.
53 Pottsville Street
Cressona, PA 17929

Dr. W. Fergus Porter
8 Fraser Road
Westport, CT 06880

Glencore Ltd.
301 Tresser Blvd.
Stamford, CT 06901
Attn: David Boudo

Hodgson, Russ, Andrews, Woods &
1800 One M & T Plaza
Buffalo, NY 14203
Attn: John F. Donogher, Esq.

Cyprus Foote Mineral Co.
c/o Beveridge & Diamond, P.C.
1350 I Street, N.W.
Suite 700
Washington, DC 20005
Attn: D.J. Patterson, Esq.
D.H. Cannon, Esq.

Fabiano J. Pegurier
Praca Almirante Belfort
Vieira, 12/1101
Rio De Janeiro, 22,440 Brazil

Goesta Lofstrand
Ekvagen 9
Saltsjoebaden, S-133334 Sweden

Hoeganaes Corporation
River Road & Taylors Lane
Riverton, NJ 08077
Attn: Douglas Meehan

Primary Service List for METALLURG INC./SHIELDALLOY

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Page 3 of 5

Hunter Douglas Metals
P.O. Box 74413
Chicago, IL 60690

Kirkpatrick & Lockhart
1500 Oliver Building
Pittsburgh, PA 15222
Attn: Paula A. Schmeck, Esq.

Mary Jo White
United States Attorney
100 Church Street
New York, NY 10007
Attn: Edward A. Smith, Esq.

Middleton & Reutlinger
2500 Brown & Williamson Tower
Louisville, KY 40202
Attn: John M. Franck II

Huxley Barter Corporation
780 Third Avenue
34th Floor
New York, NY 10017
Attn: Bruce H. Roswik, Esq.

Kleban & Samor, P.C.
2425 Post Road
Southport, CT 06490
Attn: Andre Steinke

Matteucci, Falcon, Squires &
Lester, P.C.
21-3rd Street
P.O. Box 149
Great Falls, MT 59403-0149
Attn: Arthur G. Matteucci, Esq.
William A. Squires, Esq.

Midlantic Bank, N.A.
P.O. Box 600
Edison, NJ 08818
Attn: William R. Kendall, Vice Presi

Huxley Barter Corporation
330 Madison Avenue
34th Floor
New York, NY 10017
Attn: Bruce H. Roswick, Esq.

Laporte, Inc.
One Woodlawn Green
Suite 240
Charlotte, NC 28217
Attn: Thomas J. Riordan, Esq.

Mattioli & Mattioli
18 south Second Street
Hammonton, NJ 08037
Attn: Clarence J. Mattioli, Sr.

Milbank, Tweed, Hadley & McCloy
1 Chase Manhattan Plaza
New York, NY 10005
Attn: John J. Jerome, Esq.
Paul M. Fried, Esq.

Katz, Greenberg & Norton
105 East Fourth Street
Cincinnati, OH 45202
Attn: Louis Katz, Esq.

LeBoeuf, Lamb, Greene & MacRae
185 Asylum Street
CityPlace II
Hartford, CT 06103
Attn: Paul T. Fitzpatrick, Esq.

McCarter & English
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4096
Attn: Lisa S. Bonsall, Esq.

Mitsui & Co. (USA) Inc.
200 Park Avenue
New York, NY 10166
Attn: Diana Mandice

Kerr McGee Chemical Corporation
P.O. Box 25861
Oklahoma City, OK 73125
Attn: Mr. F. Javier Vela

LeBoeuf, Lamb, Greene & MacRae
1000 Kearns Building
136 South Main Street
Salt Lake City, UT 84101
Attn: Penrod W. Keith

Metal Exchange Corp.
P.O. Box 7446M
St. Louis, MO 63195
Attn: Tony Clover

Mitsui & Co. (USA), Inc.
200 Park Avenue
38th Floor
New York, NY 10166
Attn: Yoshi Kuriyama
Sam Danzis

Kerr-McGee Chemical Corporation
c/o Myron K. Cunningham, Esq.
Kerr-McGee Center
Oklahoma City, OK 73125

Marks & Murase
399 Park Avenue
New York, NY 10022
Attn: Michael Z. Brownstein, Esq.
Eric S. Brown, Esq.

Metallurg, Inc.
27 East 39th Street
New York, NY 10016
Attn: Eric Schondorf, Esq.

Morgan Guaranty Trust Co. of N.Y.
60 Wall Street
New York, NY 10262
Attn: Ms. Unn Boucher
Mr. Albert Gordon

Primary Service List for METALLURG INC./SHIELDALLOY

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Naobium Products Company, Inc.
1000 Old Pond Road
Bridgeville, PA 15017
Attn: Harry Stuart

Ohio Environmental Protection Agency
Southeast District Office
2195 Front Street
Logan, OH 43138-9031

Pension Benefit Guaranty
Corporation
Office of the General
Counsel, 22500
2020 K Street, N.W.
Washington, D.C. 20006
Attn: Bruce H. James, Esq.

Robert C. Jones Alloys, Inc.
245 High Drive
Huntington, WV 25705

National Westminster PLC
175 Water Street
29th Floor
New York, NY 10038
Attn: Mr. David Apps, V.P.
Mr. Cort Javarone

Ohio Office of the Attorney General
Environmental Enforcement Section
State Office Tower
30 East Broad Street
Columbus, OH 43215-3428
Attn: Robert J. Kari
Assistant Attorney General

Piper & Marbury
Charles Center South
36 South Charles Street
Baltimore, MD 21201
Attn: Mark J. Friedman, Esq.
Susan S. Sands, Esq.

Robert Fonner, Esq.
Office of the General Counsel
Nuclear Regulatory Commission
Washington, DC 20555
Attorneys For: Fuel Cycle & Safeguar

Newco Metals, Inc.
7628 South S. R. 13
Pendleton, IN 46064
Attn: Kipp Barber

Ohio Office of the Attorney General
Environmental Enforcement Section
State Office To
30 East Broad Street
Columbus, OH 43215-3428
Attn: Betty D. Montgomery
Attorney General

Folicano & Manzo
Park 80 West
Plaza II
Saddle Brook, NJ 07662
Attn: Peter R. Nurge

Rock Creek Aluminum
320 Huron Street
Elyria, OH 44036
Attn: Jim Skoch

Northwestern National Life Insurance Co.
c/o Washington Square Capital,
100 Washington Square, Suite 800
Minneapolis, MN 55401-2147
Attn: Mr. Edward B. Krekeler, Jr.

Ohio Power Company
P.O. Box 100
Canton, Ohio 44712

Quebec Metal Powders, Inc.
770 West Sherbrooke St.
Suite 1800/Montreal PQ
Montreal, Canada

Rogers & Wells
200 Park Avenue
New York, NY 10166
Attn: Selinda A. Melnik, Esq.

O'Melveny & Myers
153 East 53rd Street
New York, NY 10022
Attn: Peter V. Pantaleo, Esq.

Oppenheimer & Co., Inc.
World Financial Center
200 Liberty Street, 8th Floor
New York, NY 10281
Attn: Rick Paige, Esq.

Richards, Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, Delaware 19899
Attn: Thomas L. Ambro
Todd V. Jones

Ropes & Gray
One International Place
Boston, MA 02110-2624
Attn: Harold J. Marcus

Office of the United States Trustee
80 Broad Street
3rd Floor
New York, NY 10004
Attn: Doria Stetch, Esq.

Oppenheimer Wolff & Donnelly
Suite 3400
45 South Seventh Street
Minneapolis, MN 55402
Attn: Michael B. Frisco, Esq.
Matthew E. Roy, Esq.

Riker, Danzig, Scherer, Hyland
& Perretti
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
Attn: Craig J. Donaldson, Esq.

Shieldalloy's UAW Employees
of District 65
c/o Security Plan
13 Astor Place
New York, NY 10003
Attn: Steve Nickerson

Primary Service List for METALLURG INC./SHIELDALLOY

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Signore & Mayewski, P.C.
P.O. Box 429
Spring House, PA 19477-0429
Attn: Stephen R. Signore, Jr. Esq.

Tenzer, Greenblatt, Fallon & Kaplan
405 Lexington Avenue
New York, NY 10174
Attn: Andrew B. Exkstein, Esq.

Townley & Updike
405 Lexington Avenue
New York, NY 10174
Attn: Edward M. Flint, Esq.

Skoch & Churchmach Co., L.P.A.
24930 Detroit Road
Westlake, OH 44145
Attn: Gerald Skoch, Esq.

Thacher Proffitt & Wood
Two World Trade Center
New York, NY 10048
Attn: Joel B. Harris, Esq.

United States Environmental
Protection Agency
Department of Justice
Environmental Enforcement
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044
Attn: Henry S. Friedman, Esq.

SKW Metals & Alloys, Inc.
P.O. Box 360070M
Pittsburgh, PA 15251

The First National Bank of Boston
100 Federal Street
Boston, MA 02110
Attn: Elizabeth A. Ratto.

Walter Fischer
32 East Gate
Manhasset, NY 11030

State of Jersey
Department of Law and Public
Safety Division of Law
Environmental Protection Section
Richard H. Hughe
CN 112
Trenton, NJ 08625
Attn: Kenneth W. Elwell

The Ore & Chemical Corporation
Metallgesellschaft Limited
520 Madison Avenue
New York, NY 10022
Attn: Howard M. Steinberg, Esq.

White & Case
1155 6th Avenue
New York, NY 10036
Attn: Allan Gropper, Esq.

State of New Jersey
Department of Environmental
Protection and Energy
Office of the Commissioner
CN 402
Trenton, NJ 08625-0402
Attn: Mr. Scott A. Weiner

Timminco Metals
P.O. Box 66512
Chicago, IL 60666

William T. Josem, Esq.
Cleary & Josem
1420 Walnut Street
Suite 300
Philadelphia, PA 19102

Stroock, Stroock & Lavan
7 Hanover Square
New York, NY 10004-2696
Attn: Larry Handelsman, Esq.

TOMAS SIMONOFF
EXECUTIVE PLAZA
2111 NEW ROAD, SUITE 101
NORTHFIELD, NJ 08225 US
Attn: DOUGLAS STANGER, ESQ.

Zolfo, Cooper & Co.
292 Madison Ave.
New York, NY 10017
Attn: Chris Davino

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	
METALLURG, INC. AND	:	
SHIELDALLOY METALLURGICAL	:	Chapter 11 Case Nos.
CORPORATION,	:	93 B 44468 (JLG)
	:	93 B 44469 (JLG)
	:	(Jointly Administered)
Debtors.	:	

STIPULATION AND ORDER OF DISMISSAL
OF CLAIMS 310 THROUGH 328

WHEREAS, certain parties have filed Proofs of Claim numbers 310-328¹ ("Claimants") asserting unsecured nonpriority claims in an unspecified amount; and

WHEREAS, said claims are based upon alleged liability under §§ 107 and 113 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §§ 9607, 9613 for cleanup costs incurred at the Metamora Landfill located in Metamora, Michigan; and

WHEREAS, based upon certain information exchanged between the parties, the parties have reached an agreement

1. The Proofs of Claim were filed by: General Motors Corporation; Chrysler Motors Corporation; Lapeer Metal Products Co.; Sherwin Williams; Richfield Disposal Co., Inc.; Olsonite Corp; BFI North Metro; Mayco Plastics; Reichold Chemicals, Inc.; Grow Group Inc.; Allied-Signal Inc.; Seibert-Oxidermo; Sear Ray Boats, Inc.; BASF Corporation Inmont Division; Foamseal Inc.; Ford Motor Company; Johnson Controls/Universal Die Casting; Mercury Paint Co.; and the Metamora Landfill Steering Committee a/k/a Metamora Landfill Settling PRP Group.

and desire to enter into a Stipulation dismissing claims 310 through 328 from this cause of action; and

NOW, THEREFORE, IT IS HEREBY AGREED AND STIPULATED that claims 310 through 328 should be dismissed with prejudice;

IT IS HEREBY AGREED that when this Order has been entered and becomes final and not appealable, (i) it shall be binding upon each of the parties hereto, and each of their respective agents, attorneys, successors and assigns; (ii) all claims of Claimants shall be disallowed and expunged in their entirety, with prejudice; and (iii) all claims of debtors, affiliates, insurers, officers and directors shall be and hereby are decreed to be released and waived with respect to the Claimants, their officers, directors, shareholders, attorneys and agents; and

IT IS HEREBY AGREED that this Stipulation and Order is in full and final satisfaction of any and all claims asserted, or that could have been asserted as of the date of this Stipulation and Order, by, on behalf of, or through, Claimants against the Debtors and its predecessors, successors and assigns; and

IT IS HEREBY AGREED that each of the parties executing this Stipulation and Order represents and warrants that it is authorized to enter into this Stipulation and Order, subject to Bankruptcy Court approval, and is authorized to

bind the party on whose behalf it is so executed and to effectuate the transactions contemplated hereby; and

IT IS HEREBY AGREED that the Bankruptcy Court shall have the continuing and exclusive jurisdiction to interpret and enforce this Stipulation and Order and to determine any and all disputes relating thereto; and

IT IS HEREBY AGREED that this Stipulation and Order is subject to the approval of the Bankruptcy Court. In the event that the Bankruptcy Court does not approve this Stipulation and Order, this Stipulation and Order shall be null and void and of no force or effect; and

IT IS HEREBY AGREED that this Stipulation and Order may be executed in one or more counterparts, each of which when taken together shall constitute one and the same instrument; and

NOW, THEREFORE, in consideration of the foregoing terms

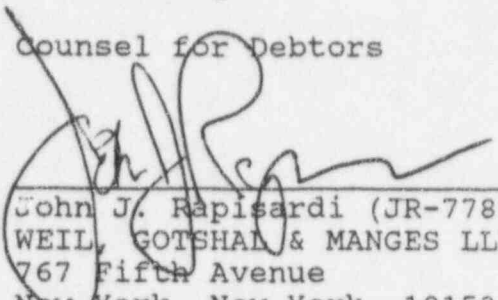
IT IS HEREBY ORDERED that claims 310 through 328 are hereby DISMISSED with prejudice.

SO ORDERED this ____ day of October, 1996.

United States Bankruptcy Judge

Seen and agreed:

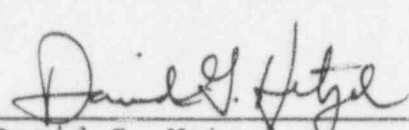
Counsel for Debtors



John J. Rapisardi (JR-7781)
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
(212) 310-8000

David R. Berz
Adam P. Storchak
WEIL, GOTSHAL & MANGES LLP
1615 L Street, Northwest
Suite 700
Washington, D.C. 20036
(202) 682-7000

Counsel for Claimants



David G. Hetzel
LeBoeuf, Lamb, Greene & MacRae
225 Asylum Street
Hartford, Connecticut 06103
(203) 293-3500

Index No.

93 B 44468-69 (JLG)

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re

METALLURG, INC., and
SHIELDALLOY METALLURGICAL
CORPORATION,
Debtors.

NOTICE OF PROPOSED STIPULATION AND ORDER DISMISSING CLAIM NUMBERS 310 THROUGH 328

WEIL, GOTSHAL & MANGES

Attorneys for Metallurg, Inc. and Shieldalloy Metallurgical
Corporation.

767 FIFTH AVENUE
BOROUGH OF MANHATTAN, NEW YORK, N.Y. 10153
(212) 310-8000

To:

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated:

.....
Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

☐
NOTICE OF
ENTRY

that the within is a true copy of a
entered in the office of the clerk of the within named court on

19

☐
NOTICE OF
SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the Hon.
one of the judges of the within named Court,

at
on

19

, at

M.

Dated:

WEIL, GOTSHAL & MANGES LLP

Attorneys for

767 FIFTH AVENUE
BOROUGH OF MANHATTAN, NEW YORK, N.Y. 10153

To:

Attorney(s) for