

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,
Debtors.

Case No. 12-12020 (MG)
Chapter 11
Jointly Administered

Objection Date: February 23, 2023@ 4:00 p.m. (ET)
Hearing Date: March 2, 2023@ 10:00 a.m. (ET)

**CERTIFICATE OF NO OBJECTION TO PLAINTIFFS' *CORRECTED* MOTION
AND MEMORANDUM OF LAW OF THE *ROTHSTEIN* PLAINTIFFS (CLAIM
NOS. 4074 AND 3966) TO PERMIT FINAL DISTRIBUTION
OF FUNDS AND *CY PRES* DESIGNATION**

Landon Rothstein, Jennifer Davidson, Robert Davidson, and Ihor Kobryn, individually and on behalf of the putative class (collectively, the “Rothstein Plaintiffs” or “Plaintiffs”) (Claim Nos. 4074 and 3966), hereby submits this Certificate of No Objection to Plaintiffs’ *Corrected* Notice of Motion and Memorandum of Law of the *Rothstein* Plaintiffs (Claim Nos. 4074 and 3966) to Permit Final Distribution of Funds and *Cy Pres* Designation (the “Certificate”), pursuant to Local Bankruptcy Rule 9075-2 and respectfully states:

1. On February 8, 2023, Plaintiffs’ *Corrected* Notice of Motion to Permit Final Distribution of Funds in the *Rothstein* Class Action Settlement (Claim Nos. 4074 and 3966) and *Cy Pres* Designation was filed as Document Number 10747 (the “Motion”).

2. On February 8, 2023, notice of the Motion was provided via ECF and served by electronic mail to parties and claimants listed on Exhibit A of the Motion’s *Corrected* Certificate of Service [Doc. No. 10748]. On February 9, 2023, notice of the motion was served by First Class United States Mail to parties and claimants listed on Exhibit B of the Motion’s *Corrected* Certificate of Service [Doc. No. 10748].



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3. The deadline for filing an objection or response to the Motion expired on February 23, 2023 (the “Objection Deadline”).

4. The Objection Deadline has now passed, and counsel has reviewed the case docket not less than 48 hours after expiration of the Objection Deadline and is not aware of any objections, responsive pleadings, or request for hearing with respect to the Motion that have been filed with the clerk or served on counsel for the Plaintiffs.

5. The Plaintiffs respectfully request that the Court enter an order granting the Motion without further pleading or hearing. A copy of the Proposed Order that was attached to the Motion, is submitted with this Certificate.

Dated: February 27, 2023
New York, NY

Respectfully submitted,

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Plaintiffs' Special Bankruptcy Counsel

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***CORRECTED* [PROPOSED] ORDER AUTHORIZING FINAL DISTRIBUTION OF FUNDS IN THE *ROTHSTEIN* CLASS ACTION SETTLEMENT (CLAIM NOS. 4074 AND 3966) AND *CY PRES* DESIGNATION**

WHEREAS, by its Final Judgement and Order of Dismissal with Prejudice dated May 24, 2016 [Doc. 9907], this Court approved the terms of the Stipulation¹ and the Plan of Allocation for distributing the settlement proceeds to eligible Class Members; and

WHEREAS, by its Order dated May 24, 2019 [Doc. 10640], which was subsequently corrected on June 4, 2019 [Doc. 10642], the Court authorized the distribution of the Net Settlement Fund; and

WHEREAS, this Court has retained jurisdiction over any further application or matter which may arise in connection with this Action; and

NOW, THEREFORE, upon reading and filing of: (1) Plaintiffs' *Corrected* Notice of Motion to Permit Final Distribution of Funds in the *Rothstein* Class Action Settlement (Claim Nos. 4047 and 3966) and *Cy Pres* Designation and the *Corrected* memorandum of law in support thereof; (2) the Affidavit of Jay Geraci, dated December 21, 2022; and (3) upon all prior proceedings heretofore and herein, and after due deliberation, it is hereby:

¹ All capitalized terms not otherwise defined shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement with the Rothstein Plaintiffs, dated December 29, 2015 (the "Stipulation"), attached as Exhibit 1 to the Declaration of Mark A. Strauss dated January 11, 2016, and which was filed with the Court on January 11, 2016 [Doc. 9491-3].

ORDERED, that the remaining funds in the Settlement Fund are to be donated in a final distribution to The Legal Aid Society, a non-sectarian, not-for-profit 501(c)(3) organization; and it is further

ORDERED, that this Court retains jurisdiction over any further application or matter which may arise in connection with this Action.

IT IS SO ORDERED

this _____ day of _____, 2023__

THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE