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*Counsel for The Extended Stay Litigation Trust,  
Finbarr O'Connor as Successor Trustee for and on  
behalf of the Extended Stay Litigation Trust,  
CWC Capital Asset Management LLC, and U.S. Bank  
National Association, as Trustee for the Registered  
Holders of Wachovia Bank Commercial Mortgage  
Trust Commercial Mortgage Pass-Through  
Certificates, Series 2007-ESH*

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

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In re:

Chapter 11

EXTENDED STAY, INC., et al.,

Case No. 09-13764 (JMP)

Debtors.

Jointly Administered

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**NOTICE OF WITHDRAWAL OF MOTION PURSUANT TO BANKRUPTCY RULE  
9019 AND 11 U.S.C. § 105(a) BY THE EXTENDED STAY LITIGATION TRUST AND  
FINBARR O'CONNOR AS SUCCESSOR TRUSTEE FOR ENTRY OF  
AN ORDER APPROVING SETTLEMENT AGREEMENT**

**PLEASE TAKE NOTICE** that on March 29, 2023, the Extended Stay Litigation Trust and Finbarr O'Connor as Successor Trustee filed a Motion Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure and Section 105 of the Bankruptcy Code for Entry of an Order Approving Settlement Agreement concurrently on this docket, see CM/ECF Nos. 1975-1977 (the



“Motion”), and on the docket for O’Connor, et al., v. DL-DW Holdings, et al., Adv. Pro. No. 11-02254-JLG. See 11-02254-JLG CM/ECF Nos. 516-519 (the “Adversary Proceeding Motion”).<sup>1</sup>

**PLEASE TAKE FURTHER NOTICE** that all creditors have been notified of the Adversary Proceeding Motion.

**PLEASE TAKE FURTHER NOTICE** that the Motion is hereby withdrawn from this docket. The hearing scheduled for April 25, 2023 in O’Connor, et al., v. DL-DW Holdings, et al. with respect to the Adversary Proceeding Motion will proceed.

Dated: March 31, 2023

**VENABLE LLP**

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the Extended Stay Litigation Trust,  
CWCapital Asset Management LLC,  
and U.S. Bank National Association, as  
Trustee for the Registered Holders of  
Wachovia Bank Commercial Mortgage  
Trust Commercial Mortgage Pass-  
Through Certificates, Series 2007-ESH*

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<sup>1</sup> The Motion and the Adversary Proceeding Motion are identical.