

**THOMPSON COBURN LLP**

488 Madison Avenue  
New York, New York 10022  
Telephone: 212-478-7200  
Facsimile: 212-478-7400  
Mark T. Power  
Joseph Orbach

*Co-counsel for Successor Litigation Trustee*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

EXTENDED STAY INC., et al.,

Debtors.

-----X

Case No. 09-13764 (JLG)

Chapter 11

(Jointly Administered)

**CERTIFICATE OF NO OBJECTION REGARDING AMENDED NOTICE OF  
HEARING ON LITIGATION TRUSTEE’S  
ELEVENTH OMNIBUS OBJECTION TO CLAIMS  
(Duplicate Claims )**

Pursuant to Rule 9075-2 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Southern District of New York (the “Local Rules”), the undersigned hereby certifies as follows:

1. On June 6, 2023, Finnbar O’Connor, in his capacity as Successor Litigation Trustee for and on behalf of the Extended Stay Litigation Trust (the “Trustee”) filed the *Amended Notice of Hearing on Litigation Trustee’s Eleventh Omnibus Objection to Claims (Duplicate Claims )* (the “Notice”) [Docket No. 1990].

2. The Notice was served on June 9, 2023 in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules. See Certificate of Service of Angela Nguyen, sworn to on June 14, 2023 [Docket No. 1992].



3. Pursuant to the Notice, and in accordance with the Local Rules, any objections to the Notice were to be filed and served by no later than June 27, 2023 at 4:00 p.m. (prevailing Eastern time) (the “Objection Deadline”).

4. As of the date hereof, which is more than 48 hours after the Objection Deadline, other than as set forth in Paragraph 5 below, no objection or responsive pleading with respect to the Notice has been filed or served on Trustee’s counsel, and Trustee’s counsel has reviewed the Court’s docket in this case and no objection or responsive pleading with respect to the Notice appears thereon.

5. Counsel for claimant Micros System Inc. (n/k/a Oracle America, Inc.) contacted the undersigned counsel for the Trustee and requested that the objection with respect to claim number 87 be withdrawn from the Eleventh Omnibus Objection. After reviewing the underlying claim and the filed objection, the Trustee agreed with the claimant to withdraw the objection to such claim from the Eleventh Omnibus Objection and to submit a modified proposed order to the Court that does not include such claim.

6. Accordingly, it is respectfully requested that the Court enter the proposed order attached hereto as **Exhibit A**, which is identical to the proposed order attached to the Notice except for the removal of claim number 87, and granting the Motion without need for a hearing.

Dated: New York, New York  
July 7, 2023

**THOMPSON COBURN LLP**

By: /s/ Joseph Orbach  
Joseph Orbach  
Mark T. Power

488 Madison Avenue  
New York, NY 10022  
Telephone: 212-478-7200  
Fax: 212-478-7400  
jorbach@thompsoncoburn.com  
mpower@thompsoncoburn.com

*Co-counsel for Successor Litigation Trustee*

**EXHIBIT A**

**THOMPSON COBURN HAHN & HESSEN LLP**

488 Madison Avenue  
New York, New York 10022  
Telephone: 212-478-7200  
Facsimile: 212-478-7400  
Mark T. Power  
Joseph Orbach

*Co-counsel for Successor Litigation Trustee*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

EXTENDED STAY INC., et al.,

Debtors.

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Case No. 09-13764 (JLG)

Chapter 11

(Jointly Administered)

**ORDER GRANTING LITIGATION TRUSTEE'S  
ELEVENTH OMNIBUS OBJECTION TO CLAIMS  
(Duplicate Claims)**

Upon the Successor Litigation Trustee's (the "Trustee") Eleventh Omnibus Objection to Claims (Duplicate Claims) (the "Objection," Docket No. 1556), dated January 17, 2012, seeking to disallow and expunge certain duplicate claims, all as more fully set forth in the Objection; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated July 19, 1984 (Ward, Acting C.J.); and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided to (i) Claimants, (ii) the United States Trustee for the Southern District of New York, (iii) counsel to Newco, (iv) counsel to the Debtors,

and (v) those parties included on the latest master service list on file in these chapter 11 cases, and it appearing that no other or further notice need be provided; and a hearing having been scheduled on the Objection for July 25, 2023; and the Court having determined that the relief sought in the Objection is in the best interests of the Plan Debtors, their estates, and their creditors; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Objection is granted; and it is further

ORDERED that each of the claims listed on Exhibit 1 attached hereto is hereby disallowed and expunged in its entirety; and it is further

ORDERED that the claims agent is authorized and directed, pursuant to this Order, to modify the official claims registry in these chapter 11 cases as necessary to implement the relief granted in this Order; and it is further

ORDERED that the Trustee's rights and defenses with respect to any claims filed by Claimants, including those listed in Exhibit 1 attached hereto shall be preserved, including, but not limited to, the right to further object to the claims on any basis; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the interpretation and/or implementation of this Order.

Dated:           , 2023  
New York, New York

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Honorable James L. Garrity  
United States Bankruptcy Judge

**EXHIBIT 1**

**Duplicate and/or Amended Claims to be Disallowed and Expunged in Their Entirety**

<b>No.</b>	<b>Claimant</b>	<b>Claim To Be Expunged</b>	<b>Debtor Name</b>	<b>Asserted Claim Amount</b>	<b>Nature of Asserted Claim</b>	<b>Basis for Objection</b>	<b>Surviving Claim</b>	<b>Objection Page Reference</b>
1.	Google Inc.	54	Extended Stay Inc.	\$182,603.26	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this claim is duplicative of claim number 160	160	pp. 1-7
2.	John Cambiotis	1444	ESA PA Properties L.L.C.	\$250,000	General Unsecured	This claim is duplicative of claim number 1443	1443	pp. 1-7
3.	John Cambiotis and Anastasia Lekkes	129	ESA PA Properties L.L.C.	\$250,000	General Unsecured	This claim is duplicative of claim number 1443	1443	pp. 1-7
4.	Las Vegas Valley Water District	313	Extended Stay Inc.	\$8,151.47	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and	279	pp. 1-7

No.	Claimant	Claim To Be Expunged	Debtor Name	Asserted Claim Amount	Nature of Asserted Claim	Basis for Objection	Surviving Claim	Objection Page Reference
						Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this claim is duplicative of claim number 279.		
5.	Lydecker Lee Berga & de Zayas LLC	163	Extended Stay Inc.	\$19,927.21	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this claim is duplicative of claim number 949	949	pp. 1-7
6.	Lyecker Lee Berga & de Zayas LLC	190	Extended Stay Inc.	\$19,927.21	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and	949	pp. 1-7



No.	Claimant	Claim To Be Expunged	Debtor Name	Asserted Claim Amount	Nature of Asserted Claim	Basis for Objection	Surviving Claim	Objection Page Reference
						Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this claim is duplicative of claim number 949		
7.	<b><u>This Claim has been resolved and removed from this exhibit.</u></b>							
8.	Penelope Zeller	1239	ESA P Portfolio L.L.C.	\$320,000	General Unsecured	This claim is duplicative of claim number 1233	1233	pp. 1-7
9.	Peyton H. Owen, Jr.	575	Homestead Village L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 569	569	pp. 1-7
10.	Verizon	226	Extended Stay Inc.	\$950.01	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this	2001	pp. 1-7

No.	Claimant	Claim To Be Expunged	Debtor Name	Asserted Claim Amount	Nature of Asserted Claim	Basis for Objection	Surviving Claim	Objection Page Reference
						claim is duplicative of claim number 2001		
11.	Zurich American Insurance Company and its affiliates see attachment	22	Homestead Village L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 15	15	pp. 1-7
12.	Zurich American Insurance Company and its affiliates see attachment	30	Extended Stay Inc.	Unliquidated	General Unsecured	The claim was filed against "Extended Stay Inc., et al." Consistent with the Plan, the Trust and Trustee have no obligation to object to claims of ESI. To the extent this claim is filed against a Debtor other than ESI, this claim is duplicative of claim number 15	15	pp. 1-7