

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)  
Related ECF No's: 1548, 1987, 1993, 2004  
  
Chapter 11  
  
(Jointly Administered)

**ORDER GRANTING LITIGATION TRUSTEE'S  
FOURTH OMNIBUS OBJECTION TO CLAIMS  
(Duplicate Claims filed by HVM LLC)**

Upon the Successor Litigation Trustee's (the "Trustee") Fourth Omnibus Objection to Claims (Duplicate Claims filed by HVM LLC) (the "Objection," Docket No. 1548), dated January 17, 2012, seeking to disallow and expunge certain claims filed by HVM LLC ("HVM"), 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) HVM, (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 a **Certificate of No Objection** having been filed on July 7, 2023 (Docket



**No. 2004); [JLG]** 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 HVM, 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: July 25, 2023  
New York, New York

/s/ James L. Garrity, Jr.  
Honorable James L. Garrity, Jr.  
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	HVM LLC	615	ESA P Portfolio L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
2	HVM LLC	619	Homestead Village L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
3	HVM LLC	624	ESA 2005 Portfolio L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
4	HVM LLC	634	ESA P Portfolio MD Trust	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
5	HVM LLC	637	ESA 2005-San Jose L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
6	HVM LLC	642	ESA MD Properties Business Trust	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
7	HVM LLC	650	ESA 2005-Waltham L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
8	HVM LLC	655	ESA Canada Properties Trust	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	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
9	HVM LLC	660	ESA Acquisition Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
10	HVM LLC	666	ESA Canada Trustee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
11	HVM LLC	688	ESA Alaska L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
12	HVM LLC	695	ESA UD Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
13	HVM LLC	697	ESA 2007 Operating Lessee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
14	HVM LLC	707	ESA Canada Properties Borrower L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
15	HVM LLC	711	ESH/HV Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
16	HVM LLC	716	ESA 2005 Operating Lessee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
17	HVM LLC	723	ESA Operating Lessee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	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
18	HVM LLC	731	ESH/MSTX Property L.P.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
19	HVM LLC	734	ESA FL Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
20	HVM LLC	744	ESH/TN Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
21	HVM LLC	749	ESA MD Borrower L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
22	HVM LLC	751	ESA P Portfolio Operating Lessee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
23	HVM LLC	764	ESA MN Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
24	HVM LLC	783	ESH/TX Properties L.P.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
25	HVM LLC	789	ESA P Portfolio MD Borrower L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
26	HVM LLC	794	ESA Canada Operating Lessee Inc.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	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
27	HVM LLC	809	ESA P Portfolio PA Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	PP. 1-7
28	HVM LLC	818	ESA P Portfolio TXNC Properties L.P.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
29	HVM LLC	828	ESA PA Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
30	HVM LLC	848	ESA Properties L.L.C.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7
31	HVM LLC	863	ESA TX Properties L.P.	Unliquidated	General Unsecured	This claim is duplicative of claim number 686	686	pp. 1-7