Docket #4909 Date Filed: 8/30/2013

Presentment Date and Time: September 3, 2013 at 12:00 p.m. (ET)

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	)	Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, et al.,	)	Chapter 11
Debtors.	)	Jointly Administered

NOTICE OF PRESENTMENT OF PROPOSED ORDER GRANTING DEBTORS' TWENTY-THIRD OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY – BOOKS AND RECORDS CLAIMS)

PLEASE TAKE NOTICE that on July 25, 2013, the debtors and debtors in possession in the above-captioned cases (collectively, the "Debtors")[1] filed the *Debtors' Twenty-Third Omnibus Objection to Claims* (*No Liability – Books and Records Claims*) [Docket No. 4358] (the "Omnibus Objection").

PLEASE TAKE FURTHER NOTICE that on August 26, 2013, in connection with the Omnibus Objection, the Debtors filed a Notice of Adjournment of Hearing on the Omnibus Objection [Docket No. 4827] (the "Notice of Adjournment"). Pursuant to the Notice of

[1] The names of the Debtors in these cases and their respective tax identification numbers are identified on Exhibit 1 to the Affidavit of James Whitlinger, Chief Financial Officer of Residential Capital, LLC, in Support of Chapter 11 Petitions and First Day Motions [Docket No. 6] (the "Whitlinger Affidavit").

Adjournment, the Omnibus Objection solely as it relates to the claim filed by Ross Thayer (Claim No. 956) has been adjourned to the omnibus hearing scheduled for September 11, 2013.

PLEASE TAKE FURTHER NOTICE that for the remaining matters relating to the Omnibus Objection, the Debtors will present the proposed *Order Granting Debtors' Twenty-Third Omnibus Objection to Claims* (*No Liability – Books and Records Claims*) (the "Proposed Order"), annexed hereto as Exhibit 1, to the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, Room 501, for signature on **September 3, 2013 at 12:00 p.m. (Prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that a copy of the Omnibus Objection and Proposed Order may be obtained via PACER at http://www.nysb.uscourts.gov or from the Debtors' restructuring website at www.kccllc.net/rescap.

Dated: August 29, 2013
New York, New York

/s/ Norman S. Rosenbaum

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EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	)	Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, et al.,	)	Chapter 11
Debtors.	)	Jointly Administered

ORDER GRANTING DEBTORS' TWENTY-THIRD OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY – BOOKS AND RECORDS CLAIMS)

Upon the twenty-third omnibus objection to claims, dated July 25, 2013 (the "Twenty-Third Omnibus Claims Objection"),[1] of Residential Capital, LLC and its affiliated debtors in the above-referenced Chapter 11 Cases, as debtors and debtors in possession (collectively, the "Debtors"), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 3294] (the "Procedures Order"), disallowing and expunging the No Liability Claims on the basis that such claims fail to articulate any legal or factual justification for asserting a claim against the Debtors, all as more fully described in the Twenty-Third Omnibus Claims Objection; and it appearing that this Court has jurisdiction to consider the Twenty-Third Omnibus Claims Objection pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Twenty-Third Omnibus Claims 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 Twenty-Third Omnibus Claims Objection having been provided, and it appearing that no other or further

[1] Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors' Twenty-Third Omnibus Claims Objection.

notice need be provided; upon consideration of the Twenty-Third Omnibus Claims Objection and the *Declaration of Deanna Horst in Support of the Debtors' Twenty-Third Omnibus Objection to Claims (No Liability – Books and Records Claims),* annexed to the Twenty-Third Omnibus Claims Objection as Exhibit 1; and the Court having found and determined that the relief sought in the Twenty-Third Omnibus Claims Objection is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Twenty-Third Omnibus Claims Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Twenty-Third Omnibus Claims Objection is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on **Exhibit A** annexed hereto under the heading "Claims to be Disallowed and Expunged" (collectively, the "No Liability Claims") are disallowed and expunged; and it is further

ORDERED that Kurtzman Carson Consultants LLC, the Debtors' claims and noticing agent, is directed to disallow and expunge the No Liability Claims identified on the schedule attached as **Exhibit A** hereto so that such claims are no longer maintained on the Debtors' claims register; and it is further

ORDERED that the Twenty-Third Omnibus Claims Objection solely as it relates to the claim filed by Ross Thayer (Claim No. 956) has been adjourned to the omnibus hearing scheduled for September 11, 2013; and it is further

ORDERED that the Debtors are authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that notice of the Twenty-Third Omnibus Claims Objection as provided therein shall be deemed good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a), the Case Management Procedures entered on May 23, 2012 [Docket No. 141], the Procedures Order, and the Local Bankruptcy Rules of this Court are satisfied by such notice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of any claim not listed on **Exhibit A**, and all rights to object on any basis are expressly reserved with respect to any other claim not listed on **Exhibit A**; and it is further

ORDERED that this Order shall be a final order with respect to each of the No Liability Claims identified on **Exhibit A**, annexed hereto, as if each such No Liability Claim had been individually objected to; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: _____ ___, 2013
New York, New York

THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

TWENTY-THIRD OMNIBUS OBJECTION - NO LIABILITY - BOOKS AND RECORDS CLAIMS (NON-BORROWER CLAIMS)

	Claims to Be Disallowed and Expunged						
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Reason for Disallowance
1	AMABILE KOENIG 8625 JAMESTOWN DRIVE WHITE LAKE, MI 48386	2782	11/07/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $940,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Claimant is ineligible to receive severance under terms of employment contract, and claims for unpaid severance and damages for alleged emotional distress are therefore invalid.
2	Clark J. Gebman 8686 Sheridan Dr Buffalo, NY 14221	5643	11/16/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $3,000,000,000.00 General Unsecured	Residential Capital, LLC	12-12020	Claim seeks damages for alleged tortious interference by Debtors; however, the claim is not based on any identified contract, business relationship or valid business expectancy that would form the predicate to support a finding against any Debtor.
3	Ivy Le Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3532	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	Residential Capital, LLC	12-12020	In connection with claimant's termination of employment with Debtors, claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions and, accordingly, Debtors are not liable to claimant on account of asserted claims.
4	Ivy Le Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3534	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	In connection with claimant's termination of employment with Debtors, claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions and, accordingly, Debtors are not liable to claimant on account of asserted claims.
5	Jenkins Teneka vs GMAC Mortgage LLC Erin Patrick Lyons Dutton Braun Staack and Hellman PO Box 810 Waterloo, IA 50704	2871	11/07/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $130,179.55 General Unsecured	GMAC Mortgage, LLC	12-12032	Complaint seeking alleged disability discrimination by Debtors was filed prepetition by claimant against GMAC Mortgage, LLC with the Iowa Civil Rights Commission ("ICRC"), Case No. 26A-2012-00351C (EEOC), Case No. 1-12-62002 (ICRC); however, ICRC dismissed the complaint, closed the matter on May 3, 2012, and accordingly, there is no legal basis for liability of any Debtor to claimant.
6	M Nawaz Raja et al v Indy Mac Bank FSB GMAC Mortage LLC GMAC LLC et al no other Ally or ResCap entities named 42907 Parkbrooke Ct Broadlands, VA 20148	1276	10/12/2012	$91,662,688.32 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Claimant has never been a borrower under a mortgage loan owned or serviced by Debtors and, accordingly, there is no legal basis for liability of any Debtor to claimant.
7	M. Nawaz Raja vs Indy Mac Bank FSB, GMAC Mortgage LLC, GMAC LLC et al 42907 Parkbrooke Court Broadlands, VA 20148	1511	10/22/2012	$0.00 Administrative Priority $0.00 Administrative Secured $91,662,688.32 Secured $0.00 Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Claimant has never been a borrower under a mortgage loan owned or serviced by Debtors and, accordingly, there is no legal basis for liability of any Debtor to claimant.

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

TWENTY-THIRD OMNIBUS OBJECTION - NO LIABILITY - BOOKS AND RECORDS CLAIMS (NON-BORROWER CLAIMS)

	Claims to Be Disallowed and Expunged						
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Reason for Disallowance
8	Neelum Nawaz Raja vs. Indy Mac Bank FSB, GMAC Mortgage LLC, GMAC LLC et al 42907 Parkbrooke Court Broadlands, VA 20148	1510	10/22/2012	$0.00 Administrative Priority $0.00 Administrative Secured $91,662,688.32 Secured $0.00 Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Claimant has never been a borrower under a mortgage loan owned or serviced by Debtors and, accordingly, there is no legal basis for liability of any Debtor to claimant.
9	Nicholas Hagar Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3522	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	Residential Capital, LLC	12-12020	Debtors are not liable to claimant for payment of wages, salaries or commissions because claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions, in connection with claimant's termination of employment.
10	Nicholas Hagar Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3530	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Debtors are not liable to claimant for payment of wages, salaries or commissions because claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions, in connection with claimant's termination of employment.
11	RONALD WAGNER 464 ROSLYN AVE GLENSIDE, PA 19038	1095	10/10/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $11,692.41 Priority $0.00 General Unsecured	Residential Capital, LLC	12-12020	In connection with claimant's termination of employment with Debtors, claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions and, accordingly, Debtors are not liable to claimant on account of asserted claims.
12	SUNCOAST MORTGAGE CORPORATION 4129 CHURCH RD MOUNT LAUREL, NJ 08054	2774	11/07/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $2,400,000.00 General Unsecured	RFC Asset Management, LLC	12-12066	As alleged claims for breach of contract and tortious interference with contract are based on allegations that Ally Bank stopped lending to claimant, there is no basis for liability of any Debtor to claimant on account of claims arising from such act.
13	The S.E. Farris Law Firm 116 East Lockwood St. Louis, MO 63119	2242	11/05/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $200,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Claim seeks payment of attorneys' fees in a foreclosure-related case in which claimant is plaintiff's counsel and GMAC Mortgage, LLC is a defendant; Debtors have determined that plaintiff is not entitled to attorneys' fees under any applicable statute.
14	Tony Bolton Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3535	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	GMAC Mortgage, LLC	12-12032	In connection with claimant's termination of employment with Debtors, claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions and, accordingly, Debtors are not liable to claimant on account of asserted claims.

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

TWENTY-THIRD OMNIBUS OBJECTION - NO LIABILITY - BOOKS AND RECORDS CLAIMS (NON-BORROWER CLAIMS)

	Claims to Be Disallowed and Expunged						
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Reason for Disallowance
15	Tony Bolton Michael J. Studenka, Esq. Newmeyer & Dillion, LLP 895 Dove Street, Fifth Floor Newport Beach, CA 92660	3537	11/09/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured UNLIQUIDATED Priority $0.00 General Unsecured	Residential Capital, LLC	12-12020	In connection with claimant's termination of employment with Debtors, claimant executed a general release of claims against GMAC Mortgage, LLC and its affiliates, including claims for wages, salaries or commissions and, accordingly, Debtors are not liable to claimant on account of asserted claims.
16	William Lyon & Associates INC. 2261 River Plaza Dr #398 Sacramento , CA 95833	3657	11/08/2012	$0.00 Administrative Priority $0.00 Administrative Secured $0.00 Secured $0.00 Priority $217,310.82 General Unsecured	Residential Capital, LLC	12-12020	Debtors are not liable to claimant for reimbursement of expenses because such amounts were already paid and claims were released under a settlement agreement executed by claimant.