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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

MOTION OF THE RESCAP LIQUIDATING TRUST AND THE RESCAP BORROWER CLAIMS TRUST FOR FINAL DECREE CLOSING CHAPTER 11 CASES

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TO THE HONORABLE MARTIN GLENN,
UNITED STATES BANKRUPTCY JUDGE:

The ResCap Liquidating Trust (the "**Liquidating Trust**"), [and the ResCap Borrower Claims Trust (the "Borrower Claims Trust" and together with the Liquidating Trust, the "**Trusts**")), each a] successor in interest to the debtors (the "**Debtors**") in the above-captioned Chapter 11 cases (collectively, the "**Chapter 11 Cases**"), hereby file[s] this motion (the "**Motion**") in the Bankruptcy Court for the Southern District of New York (the "**Court**") for the issuance of a final decree in substantially the form annexed hereto as Exhibit 1 (the "**Final Decree**") closing the Chapter 11 Case of Residential Capital, LLC ("**ResCap**") and other related relief. In support of this Motion, the Liquidating Trust [and the Borrower Claims Trust] respectfully represents as follows:

PRELIMINARY STATEMENT

1. The Liquidating Trust was established almost thirteen years ago for the benefit of allowed general unsecured creditors of the Debtors pursuant to a Chapter 11 Plan of the Debtors.[1] The purpose of the Liquidating Trust, among other things, was to liquidate the assets of the Debtors, including claims against third parties, transferred to the Liquidating Trust and to distribute the proceeds thereof to the beneficiaries of the Liquidating Trust. Beneficial interests in the Liquidating Trust are represented by units. In addition to the initial Plan distribution, since its inception, the Liquidating Trust has made distributions to holders of units in excess of $1.67 billion and is preparing to make one final distribution in the near term.

2. The Liquidating Trust has now sold all of its assets available for sale, and all claims against third parties transferred to the Liquidating Trust have been resolved. The board of the

[1] The Plan is more completely referenced below. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan.

Liquidating Trust has therefore determined to dissolve the Liquidating Trust and wind up its affairs. In this connection, the Liquidating Trust is seeking to close the remaining Chapter 11 Case of the Debtors and to obtain the other relief requested in this Motion.

3. The Borrower Claims Trust established pursuant to the Plan was formed for the purpose, inter alia, of making distributions to holders of mortgage loans with allowed claims against the Debtors. The Borrower Claims Trust made the final distribution to its beneficiaries in 2018. The Borrower Claims Trust is similarly seeking the relief requested in this Motion in order to wind down and terminate that trust.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and Article XII of the Plan. The Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

6. The statutory predicates for the relief requested herein are section 350 of title 11 of the United States Code (the "**Bankruptcy Code**") and Rule 3022 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**").

GENERAL BACKGROUND

7. On May 14, 2012, the Debtors commenced the Chapter 11 Cases under title 11 of the Bankruptcy Code. The Debtors' cases are being jointly administered pursuant to Bankruptcy Rule 1015(b).

8. On December 11, 2013, the Court entered an order [Docket No. 6065] (the "**Confirmation Order**") confirming the *Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, et al., and the Official Committee of Unsecured Creditors* [Docket No. 6065-1] (the "**Plan**").

9. On December 17, 2013 (the "**Effective Date**"), the effective date under the Plan occurred, the Plan was substantially consummated, and the Debtors emerged from Chapter 11. *See Notice of Entry of Confirmation Order Confirming the Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, et al., and the Official Committee of Unsecured Creditors and Occurrence of Effective Date* [Docket No. 6137].

The Liquidating Trust

10. Article VI of the Plan provided for the creation of the Liquidating Trust as successor in interest to the Debtors' estates for the purpose of liquidating the Liquidating Trust Assets (defined below) and distributing the proceeds thereof, resolving Disputed Claims, winding down the affairs of the Debtors, and performing certain other obligations.

11. The Liquidating Trust is a statutory trust formed under the laws of the State of Delaware. The Liquidating Trust is governed by the Amended and Restated ResCap Liquidating Trust Liquidating Trust Agreement, dated December 17, 2013 (as amended, the "**Liquidating Trust Agreement**").

12. On the Effective Date, the Debtors transferred all of the Available Assets of the Debtors' estates to the Liquidating Trust, the Borrower Claims Trust or others (each as set forth in the Plan), consisting, among other things, of cash, real estate-owned property and mortgages and other real estate-related assets and Causes of Action against third parties (such assets, together with all other property held from time to time by the Liquidating Trust, the "**Liquidating Trust Assets**").

13. The affairs of the Liquidating Trust have been managed by or under the direction of a board (the "**Liquidating Trust Board**") consisting of five trustees (the "**Liquidating Trustees**"). As required by Delaware law, there is also a trustee resident in the State of Delaware (the "**Delaware Trustee**"). The day-to-day management of the Liquidating Trust has been

performed by a manager (the "**Liquidating Trust Manager**") and by certain officers of the Liquidating Trust (together with the Liquidating Trust Manager, the "**Liquidating Trust Management**").

14. On the Effective Date, the Liquidating Trust issued transferable units of beneficial interest in the Liquidating Trust ("**Units**" and the holders of such Units, the "**Unitholders**") for the benefit of holders of allowed general unsecured claims against the Debtors not otherwise provided for under the Plan. Certain Units were issued to a Disputed Claims Reserve, for allocation to holders of general unsecured claims that were allowed subsequent to the Effective Date in accordance with prescribed claims resolution procedures.

15. Since the inception of the Liquidating Trust, the Liquidating Trust Board and the Liquidating Trust Management have worked diligently to monetize the Liquidating Trust Assets and to make distributions to Unitholders. In addition to the Effective Date Plan distribution of $1.765 billion, the Liquidating Trust has made over $1.67 billion in additional distributions to Unitholders from the proceeds of asset sales and litigation/settlement recoveries. The Liquidating Trust intends to make a final distribution of its cash to Unitholders as soon as administratively practicable, after reserving for the anticipated expenses of dissolution.[2]

16. As of this time, the Liquidating Trust has disposed of all of its assets available for sale, and all of the Causes of Action available to the Liquidating Trust have been resolved. The Liquidating Trust Board has therefore determined to dissolve the Liquidating Trust, in accordance with procedures prescribed for winding up the affairs of statutory trusts under the Delaware Statutory Trust Act. These procedures include, inter alia, settling and closing all business of the

[2] The anticipated cost of dissolution that the Liquidating Trust needs to reserve for includes preparing and filing final reports and tax returns, paying any statutory fees and franchise taxes, maintaining the Residual Records (as defined below) for the time period proposed, discharging any residual obligations, and paying professionals and agents that the Liquidating Trust may be required to engage during the dissolution period.

trust, discharging or making reasonable provision for liabilities of the trust and distributing to beneficial owners (here the Unitholders) any remaining assets of the trust. After the final distribution, the Liquidating Trust will cancel the Units and make arrangements for the retirement of the CUSIP from DTC. The Liquidating Trust will also prepare and make available final tax information to Unitholders and prepare and file final tax returns. A certificate of cancellation of the Liquidating Trust will be filed with the Delaware Secretary of State terminating the Liquidating Trust.[3] The Liquidating Trustees shall be deemed discharged of their duties and obligations as set forth in the Liquidating Trust Agreement.

The Borrower Claims Trust

17. Article IV.F of the Plan provides for the creation and implementation of the Borrower Claims Trust for the benefit of persons whose mortgage loans were originated, serviced, sold, consolidated or owed by any of the Debtors ("**Borrowers**"). The Borrower Claims Trust is a statutory trust formed under the laws of the State of Delaware and is governed by the ResCap Borrower Claims Trust Agreement, dated December 17, 2013 (the "**Borrower Claims Trust Agreement**" and together with the Liquidating Trust Agreement, the "**Trust Agreements**").

18. The purposes of the Borrower Claims Trust were to, among other things, "(i) direct the processing, liquidation and payment of the Allowed Borrower Claims in accordance with the Plan, and the distribution procedures established under the Borrower Claims Trust Agreement, and (ii) preserve, hold, and manage the assets of the Borrower Claims Trust for use in satisfying Allowed Borrower Claims." See Plan Art. IV.F.

[3] As set forth in the Liquidating Trust Agreement, an agent/company shall be appointed post-termination whose sole obligation will be to retain and ultimately arrange for the destruction of the books and records at the expense of the Liquidating Trust (on the terms set forth below).

19. The day-to-day management of the Borrower Claims Trust has been performed by a trustee (the "**Borrower Claims Trustee**"), overseen by a trust committee (the "**Borrower Claims Trust Committee**"). As required by Delaware law, there is also a trustee resident in the State of Delaware for the Borrower Claims Trust.

20. The Borrower Claims Trust has made slightly in excess of $53.5 million in distributions to its beneficiaries, with the last distribution having been made in 2018.

21. Following that distribution, the Borrower Claims Trust continued to jointly prosecute a litigation with the Liquidating Trust. That litigation has now been finally adjudicated, and the Borrower Claims Trust will not be making any further distributions to its beneficiaries.

22. The Borrower Claims Trust will be implementing the necessary steps to dissolve the Borrower Claims Trust in accordance with the Borrower Claims Trust Agreement and applicable law. The Borrower Claims Trustee shall then be deemed discharged of its duties and obligations as set forth in the Borrower Claims Trust Agreement.

Prior Case Closing Motions and Orders

23. Article III of the Plan provided for partial consolidation of the Debtors into three Debtor Groups (the ResCap Debtors, the GMACM Debtors and the RFC Debtors) solely for the purposes of describing treatment under the Plan and making distributions under the Plan. In addition, the Plan provided that holders of claims against ETS, a GMACM Debtor, would receive separate treatment from creditors of the other GMACM Debtors.

24. On February 10, 2015, the Liquidating Trust filed the *Motion of the ResCap Liquidating Trust for Final Decree Closing Certain Jointly Administered Chapter 11 Cases* [Docket No. 8107] (the "**Original Final Decree Motion**"), seeking closure of the Chapter 11 Cases of 47 Debtors that were consolidated into Debtor Groups for distribution purposes under the Plan, while leaving open the Chapter 11 Cases of the lead Debtor of each Debtor Group (*i.e.*,

Residential Capital, LLC, GMAC Mortgage, LLC, and Residential Funding, LLC) and ETS. On March 13, 2015, after notice and a hearing, the Court entered an order approving the relief sought in the Original Final Decree Motion [Docket No. 8299].

25. On February 21, 2017, the Liquidating Trust filed the *Motion of the ResCap Liquidating Trust for Final Decree Closing Chapter 11 Case of Executive Trustee Services, LLC* [Docket No. 10311] (the "**ETS Final Decree Motion**") seeking closure of the Chapter 11 Case of ETS. On April 7, 2017, after notice and a hearing, the Court entered an order approving the relief sought in the ETS Final Decree Motion [Docket No. 10353].

26. On November 5, 2018, the Liquidating Trust filed the *Motion of the ResCap Liquidating Trust for (I) an Order Extending the Term of the ResCap Liquidating Trust and (II) Final Decree Closing Certain Jointly Administered Chapter 11* [Docket No. 10590] (the "**GMAC and Residential Funding Final Decree Motion**"), seeking closure of the Chapter 11 Cases of GMAC Mortgage, LLC and Residential Funding, LLC. On December 6, 2018, after notice and a hearing, the Court entered an order approving the relief sought in the GMAC and Residential Funding Final Decree Motion [Docket No. 10605].

RELIEF REQUESTED

27. The Trusts seek the issuance of a Final Decree for ResCap, which is the last remaining open Chapter 11 Case.

28. As part of the Final Decree, the Trusts seek relief to destroy certain records (described herein). The Liquidating Trust also seeks to relieve Kurtzman Carson Consultants, LLC dba Verita Global ("**Verita**") from future Claims Agent services upon the closure of the bankruptcy case. In addition, the Liquidating Trust seeks to re-affirm the Litigation Order (defined below), subject to a modification on service.

BASIS FOR RELIEF

A. Entry of Final Relief

29. Section 350(a) of the Bankruptcy Code provides that "[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case." Bankruptcy Rule 3022 further provides that "[a]fter an estate is fully administered in a Chapter 11 case, the court must, on its own or on a party in interest's motion, enter a final decree closing the case."

30. The phrase "fully administered" is not defined by the Bankruptcy Code. As one court has noted, that term could mean very different things: "[a]t one extreme, an estate could be fully administered when a Chapter 11 plan is confirmed and the estate dissolves. . . . [a]t the other extreme, an estate could be fully administered when all that is called for under a plan occurs." *In re Mold Makers, Inc*., 124 B.R. 766, 768 (Bankr. N.D. Ill. 1990). Bankruptcy Rule 3022 is thus "intended to allow bankruptcy courts flexibility in determining whether an estate is fully administered." *See In re Motors Liquidation Co.*, 625 B.R. 605, 614 (Bankr. S.D.N.Y. 2021) (quoting *Spierer v. Federated Dep't Stores, Inc. (In re Federated Dep't Stores, Inc*.), 43 F. App'x 820, 822 (6th Cir. 2002)).

31. The Advisory Committee Note to Bankruptcy Rule 3022 provides factors that a court should consider in determining whether an estate has been fully administered, including:

- whether the order confirming the plan has become final;
- whether deposits required by the plan have been distributed;
- whether the property proposed by the plan to be transferred has been transferred;
- whether the debtor or the successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan;
- whether payments under the plan have commenced; or
- whether all motions, contested matters, and adversary proceedings have been finally resolved.

1991 Advisory Comm. Note to Fed. R. Bankr. P. 3022 (the "**Advisory Committee Note**").

32. Generally, courts weigh the factors set forth by the Advisory Committee Note in determining whether an estate has been fully administered while keeping in mind that entry of the final decree in and of itself "is essentially an administrative task" and the final decree "simply delineates on the docket that the case is closed; it represents the administrative conclusion of a case for record keeping purposes." *See In re Endo Int'l plc*, 666 B.R. 221, 225-26 (Bankr. S.D.N.Y. 2024) (citing *In re Kliegel Bros. Universal Elec. Stage Lighting Co.*, 238 B.R. 531, 541 (Bankr. E.D.N.Y. 1999) and *In re Gould*, 437 B.R. 34, 38 (Bankr. D. Conn. 2010)); *see also Ericson v. IDC Servs*. (*In re IDC Servs*.), No. 93 B 45992, 1998 U.S. Dist. LEXIS 13449, at *9 (S.D.N.Y. Aug. 28, 1998).

33. Although courts apply the factors set forth by the Advisory Committee Note, no one factor is dispositive or required. *See Wattenmaker v. Avaya Inc. (In re Avaya Inc.)*, No. 19-CV-56987 (AJN), 2020 WL 5051580, at *2 (S.D.N.Y. Apr. 30, 2020). The Advisory Committee Note makes clear that in any event, a court should not keep a case open "only because of the possibility that the court's jurisdiction may be invoked in the future" or because payments remain to be made under the plan. Thus, even if all of the Advisory Committee Note factors are not satisfied, a court can nevertheless determine that issuance of a final decree is warranted. *See, e.g., In re Avaya*, 2020 WL 5051580 at *4 (affirming issuance of final decree despite two unresolved claims); *In re Federated Dep't Stores*, 43 F. App'x at 823 (affirming issuance of final decree despite outstanding litigation of claims that could take many years to resolve); *In re JMP-Newcor Int'l, Inc.*, 225 B.R. 462, 465 (Bankr. N.D. Ill. 1998) (issuing final decree although adversary proceeding pending and certain disbursements remained to be made). Courts have also found cases to be fully administered where there are outstanding distributions to be made. See, e.g., *In re Avaya*, 2020 WL

5051580 at *2-3; *Mold Makers*, 124 B.R. at 768; *In re Jordan Mfg. Co.*, 138 B.R. 30, 35–36 (Bankr. C.D. Ill. 1992).

34. As reflected in the most recent quarterly report, the one remaining Cause of Action of the Trusts was jointly prosecuted by the Liquidating Trust and the Borrower Claims Trust. That case has now been finally resolved on appeal. There are no pending adversary proceedings, appeals or other litigations.

35. The Borrower Claims Trust made its final distribution to holders in 2018.

36. The Liquidating Trust recently made a penultimate distribution in May 2026 and intends to make a final distribution to Unitholders as soon as administratively practicable, after reserving for the anticipated expenses of dissolution. Following the final distribution, the Units will be cancelled, and the CUSIP associated with the Units will be retired.

37. Entry of the Final Decree is thus appropriate here because the Chapter 11 Case of ResCap has been "fully administered" within the meaning of section 350(a) of the Bankruptcy Code. Specifically:

- the Confirmation Order is a Final Order;
- the Plan went effective on December 17, 2013;
- other than the final distribution from the Liquidating Trust, no additional distributions will be made to Unitholders or beneficiaries; and
- there are no open adversary proceedings or contested matters pending before the Court in the case.

38. Closing the final Chapter 11 Case will benefit the estates and the Court by reducing the costs and burdens attendant to keeping open the case, as it is not contemplated that any further relief will be required for the administration of the Debtors' estate.

39. Prior to filing this Motion, the Trusts provided the United States Trustee with a copy of this Motion and have been advised that the United States Trustee has no objection to the relief requested herein.

40. To the extent any disputes arise in connection with the Plan or the Final Decree with respect to ResCap, the Trusts request that this Court retain jurisdiction in connection with such disputes, as provided in Article XII of the Plan.

41. Similar relief has been granted by the Court in other cases. *See e.g. In re Benitago Inc.*, Case No. 23-11394 (SHL) (Bankr. S.D.N.Y. 2024) [Docket No. 564]; *In re Avianca Holdings S.A.*, Case No. 20-11133 (MG) (Bankr. S.D.N.Y. 2023) [Docket No. 2769]; *In re LATAM Airlines Group S.A.*, Case No. 20-11254 (Bankr. S.D.N.Y. 2023) (JLG) [Docket No. 7499]; N*ine West Holdings, Inc.*, Case No. 18-10947 (SCC) (Bankr. S.D.N.Y. 2020); Docket No. [1673].

42. A closing report (the "**Closing Report**") will be filed in accordance with Local Rule 3022-1 for the Southern District of New York.

B. Termination of Claims and Noticing Services

43. Verita was appointed as the claims agent in the Chapter 11 Cases. Upon closing of the ResCap Chapter 11 Case, the Liquidating Trust or the Clerk of the Court will no longer require Verita to provide Claims Agent and Noticing Services. Therefore, consistent with this Court's Protocol for the Employment of Claims and Noticing Agents under 28 U.S.C. § 156(c) (the "**Claims Agent Protocol**"), the Liquidating Trust requests that the proposed Final Decree relieve Verita of its obligations to continue performing such services as described in the KCC Retention Order and the underlying agreement for services. Consistent with the Claims Agent Protocol and Local Rule 5075-1(d), within thirty (30) days after this Court's entry of the Final Decree, Verita will (i) forward to the Clerk an electronic version of all imaged claims and (ii) docket the Final Claims Register.

44. The Liquidating Trust intends to continue using Verita to maintain financial and tax information and other documents on a website for one year at a reduced cost.

C. Record Destruction

45. On October 2, 2019, the Court approved the Liquidating Trust's request to destroy certain obsolete records (the "**Original Records Destruction Order**") [Docket No. 10666] and on April 16, 2021, the Court approved the Liquidating Trust's supplemental request to destroy certain obsolete records (the "**Second Records Destruction Order**") [Docket No. 10709]. As set forth in the motion for the Second Records Destruction Order, at the time, the Liquidating Trust was retaining records relating to the two pending litigations and records necessary for administration of the Debtors' estate. As all litigations have been finally resolved or adjudicated, there is no longer any reason to retain records relating to such litigations.

46. Pursuant to Article XII.3 of the ResCap Liquidating Trust Agreement, the Liquidating Trust is obligated to retain records for six years following final distribution or such earlier date as approved by the bankruptcy court. The Liquidating Trust currently has in its possession records relating to certain litigations (including the insurance coverage litigation) that were not yet resolved at the time of the Second Records Destruction Order and other financial records relating to the Liquidating Trust. Many of these records are stored at external storage facilities, at a cost of approximately $400 per month. The Liquidating Trust seeks to immediately destroy the documents relating to the litigations, all of which are completely resolved, and any other residual documents that are not required for purposes of the dissolution of the Liquidating Trust: (the "**Liquidating Trust Obsolete Records**"). The Liquidating Trust proposes to retain (through the appointment of a records agent whose sole responsibility is to oversee the retention and destruction of the records at the sole expense of the Liquidating Trust) the financial

information relating to distributions and back-up for tax filings (the "**Residual Records**") for one year following the filing of the final tax return.

47. Pursuant to Article 11.3 of the Borrower Claims Trust Agreement, the Borrower Claims Trust was required to retain records for six years following final distributions. The Borrower Claims Trust completed distributions in 2018 (more than six years ago). The Borrower Claims Trust currently has in its possession electronic records relating to the Borrower Claims Trust Agreement and Amendments, Delaware Trust Certificate, spreadsheets regarding distributions, correspondence regarding distributions, claimant information, underlying bankruptcy pleadings and plan documents, tax returns, bank statements, financial statements, committee meeting minutes, and documents posted on Borrower Claims Trust website ("**Borrower Claims Trust Obsolete Records**" and together with the Liquidating Trust Obsolete Records, the "**Obsolete Records**"). The Borrower Claims Trust submits there is no need to retain these records any longer. Pursuant to Article 11.2 of the Borrower Trust Agreement, the Borrower Claims Trustee will transfer the Borrower Claims Trust Obsolete Records to the Liquidating Trust and the Liquidating Trust seeks to then immediately destroy such records.

D. Amendment of Litigation Order Protocol

48. On August 5, 2019, the Court entered an order (the "**Litigation Order**") [Docket No. 10655] that, among other things, clarified the procedure for holders of senior liens to commence foreclosure actions (the "**Senior Lien Foreclosure Action**") and for third parties to assert non-monetary quiet title claims or other non-monetary relief against the Liquidating Trust and/or one or more Debtors seeking to correct the applicable land records in instances where a mortgage was allegedly not properly released, transferred or assigned (each, a "**Quiet Title Action**"). Pursuant to the Litigation Order, the Liquidating Trust was authorized to default and permit the entry of a default judgment in any Quiet Title Action asserting only non-monetary quiet-

title claims or in any Senior Lien Foreclosure Action asserting only non-monetary claims (other than with respect to certain specified mortgage assets). The Litigation Order also outlined the procedure to effectuate service on the Liquidating Trust and provided that "following the termination of the Liquidating Trust, the Liquidating Trust, the Liquidating Trust Manager, the Liquidating Trust Board Members, and any current or former employee of the Liquidating Trust or the Debtors shall have no further obligation to accept any service of process on behalf of the Liquidating Trust or any Debtor, and no such service shall be deemed effective upon the Liquidating Trust or any Debtor."

49. The Liquidating Trust expects that even after closure of the Chapter 11 Cases and of the Liquidating Trust itself, one of its professionals or agents may continue to receive some residual requests for Senior Lien Foreclosure Actions or Quiet Title Actions. The Liquidating Trust therefore requests that the proposed Final Decree reference that the Litigation Order remains in full force and effect, but provide that the Liquidating Trust and its agents and professionals are no longer required to accept service in any such actions. Third parties commencing a Senior Lien Foreclosure Action or Quiet Title Action may annex the Litigation Order and the Final Decree in any petition.

NOTICE

50. Pursuant to the *Order Establishing Certain Notice, Case Management, and Administrative Procedures* approved by the Court (the "**Case Management Order**") [Docket No. 141], notice of this Motion has been given to the U.S. Trustee and parties identified on the Special Service List and General Service List (as such terms are defined in the Case Management Order). The Trusts submit that no other or further notice of the Motion is necessary.

CONCLUSION

WHEREFORE, the Liquidating Trust and the Borrower Claims Trust request the entry of the Final Decree and such other and further relief as is just and proper.

Dated: July 9, 2026
New York, New York

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EXHIBIT 1

Final Decree

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

FINAL DECREE PURSUANT TO SECTION 350(A) OF THE BANKRUPTCY CODE AND BANKRUPTCY RULE 3022 CLOSING CHAPTER 11 CASE OF RESIDENTIAL CAPITAL, LLC

This Court having considered the motion (the "**Motion**")[4] of the ResCap Liquidating Trust (the "**Liquidating Trust**") and the ResCap Borrower Claims Trust, (the "**Borrower Claims Trust**" and together with the Liquidating Trust, the "**Trusts**"), each a successor in interest to the debtors (the "**Debtors**") in the above-captioned Chapter 11 cases (the "**Chapter 11 Cases**"), for a final decree in the Chapter 11 Case of Residential Capital, LLC ("**ResCap**) as more fully set forth in the Motion; and the Court having subject matter jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334 and the Amended Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated January 31, 2012 (Preska, C.J.); and the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided, and no other or further notice need be provided; and the relief requested in the Motion being in the best interests of the Debtors and their estates and creditors, and the Court having

[4] Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as provided herein.

2. Pursuant to section 350(a) of the Bankruptcy Code and Rule 3022 of the Bankruptcy Rules, a final decree is hereby entered in the case of ResCap and such case is closed.

3. The Liquidating Trust shall reserve sufficient funds to pay the Office of the United States Trustee the amount of any quarterly fees due pursuant to 28 U.S.C. § 1930 and any applicable interest due pursuant to 31 U.S.C. § 3717, which fees and interest, if any, shall be paid within fifteen (15) days of the entry of this Order of Final Decree (the "**Order**"). Within five (5) days after the entry of the Order, the Liquidating Trust shall provide to the United States Trustee an affidavit indicating cash disbursements for the second quarter of 2026 and for any additional time until the Order has been entered.

4. The services of Verita as claims and noticing agent are terminated effective upon Verita completing the services set forth in this Order. Verita shall prepare a final claims register pursuant to any current guidelines for implementing 28 U.S.C. § 156(c). Verita shall prepare each proof of claim submitted in these cases (whether originally submitted in electronic or paper format) in pdf format for submission to the Clerk's office and shall certify to the Clerk's office that the proofs of claim submitted in electronic format constitutes all of the proofs of claim submitted in these cases. Verita shall not destroy or otherwise dispose of paper copies of claims received in this case unless authorized to do so by the Clerk of the Court.

5. Verita is authorized to continue to maintain financial and tax information and other documents on a website for one year at a reduced cost.

6. Any proof of claim filed against any of the Debtors subsequent to entry of this Final Decree shall be deemed disallowed and expunged without any further action by the Liquidating Trust or the Borrower Claims Trust, and no distributions shall be required to be made under the Plan on account of such claim.

7. The Trusts and their professionals are authorized to dispose of the Obsolete Records immediately upon entry of this Order and the Liquidating Trust is authorized to arrange for the destruction of the Residual Records one year after the final tax returns.

8. Upon the final distribution to Unitholders, the Liquidating Trustee is authorized and directed to cancel the Units and arrange for the retirement of the CUSIP from DTC.

9. The Order (I) Modifying the Court's Order Approving Procedures by Which Third Parties may Request and Obtain Stipulated Relief from the Automatic Stay to Commence or Continue Actions to Foreclose on Senior Liens (ii) Clarifying the Scope of the Plan Injunction Provisions, (III) to the Extent Necessary, Modifying the Automatic Stay and Plan Injunction Provisions to Permit Third Parties to Commence and Complete Actions to Foreclosure on Senior Liens and Non-Monetary Causes of Action Seeking to Clear or Quiet Title and (IV) Modifying the Court's Order Establishing Procedures Enforcing Injunctive Provisions of the Plan and Confirmation Order (the "**Litigation Order**") [Docket No. 10655] remains in full force and effect, provided that third parties are no longer required to effectuate service on the Liquidating Trust, one of its agents or professionals or one of the former Debtors.

10. This Court shall have jurisdiction with respect to issues arising in connection with the Plan or under this Final Decree.

Dated: _____, 2026
New York, New York

UNITED STATES BANKRUPTCY JUDGE

NO OBJECTION:

OFFICE OF THE UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF NEW YORK

By: Paul Schwartzberg
Trial Attorney