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Attorneys for Attestor Capital LLP

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re : Chapter 11 : LEHMAN BROTHERS HOLDINGS INC., et al., : Case No. 08-13555 (SCC) : Debtors. : (Jointly Administered)

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# JOINDER OF ATTESTOR CAPITAL LLP TO OBJECTION OF DEUTSCHE BANK AG AND AFFILIATES TO MOTION OF PLAN ADMINISTRATOR TO ESTIMATE CLAIMS FOR RESERVE AND DISTRIBUTION PURPOSES

Attestor Capital LLP ("Attestor") hereby joins in the Objection of Deutsche Bank AG and its affiliates (collectively, "Deutsche Bank"), filed on March 21, 2017 (the "DB Objection") to the Plan Administrator's Motion Pursuant to Sections 8.4, 9.3, and 14.1 of the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors to Estimate Claims for Reserve and Distribution Purposes, filed on February 23, 2017 [ECF #54094] (the "Recent Motion"), to the extent the Recent Motion is deemed relevant to the Motion of the Plan Administrator Pursuant to Sections 8.4, 9.3, and 14.1 of the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors to Estimate Claims for Reserve and Distribution Purposes, filed on June 10, 2015 [ECF #49954] (the "Initial Motion") and Attestor's Objection and Joinder in Objection to the Initial Motion (the "Initial Objection") [ECF #50602].

## **JOINDER**

1. For the reasons set forth in the accompanying Declaration of Pierre Bour, without waiver of any arguments made in the Initial Objection, Attestor joins in the factual statements and legal arguments set forth in the DB Objection (except paragraph 10, which is specific to Deutsche Bank's claims), which also apply to Attestor's Primary Claims against LBIE and corresponding Guarantee Claims against LBHI.

### **CONCLUSION**

For the reasons set forth in the Initial Objection and the DB Objection, Attestor respectfully requests that the Initial Motion be denied.

Dated: New York, New York March 21, 2017

### MORGAN, LEWIS & BOCKIUS LLP

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