

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

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|--------------------------------|---|--------------------------|
| In Re: |) | BK No.: 12-49219 |
| EDISON MISSION ENERGY, et al., |) | (Jointly Administered) |
| |) | Chapter: 11 |
| |) | Honorable Jacqueline Cox |
| |) | |
| Debtor(s) |) | |

**ORDER APPROVING STIPULATION BETWEEN
THE REORGANIZATION TRUST AND MILLER**

Upon consideration of the EME Reorganization Trust’s Motion to Approve Stipulation Resolving Miller Claims (the “Motion”) seeking approval of the stipulation between the Reorganization Trust and Richard Miller, Jr. and Renee Miller in the form attached to this Order as Exhibit 1 (the “Miller Stipulation”) (capitalized terms not otherwise defined herein shall have the meanings ascribed in the Motion); and the Court having found that the Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding under 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion and Miller Stipulation are approved as set forth in this Order.
2. Claim 1041 is disallowed and expunged with prejudice, and Claim 955 shall be the sole Remaining Claim.
3. In full and final satisfaction of Claim 955, Claim 955 shall be an Allowed Class C-3 Claim in the amount of \$2.0 million, which shall be satisfied solely by EME Homer City Generation L.P. in accordance with the terms of the Plan.
4. Other than the distributions on Claim 955 as an Allowed Class C-3 Claim, the Reorganization Trust and the Homer City Debtors shall not have any liability to Miller on account of the Miller Claims or matters alleged therein.
5. Notwithstanding the foregoing, Miller may pursue recovery for the injuries asserted in the Miller Claims against EME Homer City to the extent insurance coverage exists covering EME Homer City including but not limited to any excess liability or umbrella coverage, provided that the Reorganization Trust and/or the Homer City Debtors shall not have any duty to pay, directly or indirectly, other than the distributions on Claim 955 as a Class C-3 Claim, or any obligation to maintain insurance coverage or cooperate in the collection of the proceeds of any applicable insurance policy. Nothing in any of the documents relating to the attached Stipulation, and including the attached Stipulation, shall be construed to limit in any way any defenses that EME Homer City may assert in connection with any lawsuit initiated by or on behalf of Richard Miller, Jr. and /or Renee Miller, his wife, including, but not limited to EME Homer City contesting the issues of liability and damages. This Order expressly adopts and incorporates the parties’ previously executed Tolling Agreement and Joint Motion to Dissolve Stay and to Dismiss Action in connection with the case of Richard Miller, Jr. & Renee Miller v. EME Homer

City Generation, L.P., et al., C.A. No. 2:13-cv-00352, in the United States District Court for the Western District of Pennsylvania, Pittsburgh Division.

6. GCG, Inc. is directed to update the claims register to reflect the terms of the Miller Stipulation and this Order.

7. The Reorganization Trust is authorized to take all actions necessary to effectuate the relief granted pursuant to this order in accordance with the Motion and the Miller Stipulation.

8. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order and the Miller Stipulation.

Enter:

Dated:

United States Bankruptcy Judge

Prepared by:

James Savin (admitted pro hac vice)
Kevin M. Eide (admitted pro hac vice)
AKIN GUMP STRAUSS HAUER & FELD LLP
1333 New Hampshire Avenue, N.W.
Washington, DC 20036-1564
(202) 887-4000 (Telephone)
(202) 887-4288 (Facsimile)

and

David F. Staber (pro hac vice admission pending)
AKIN GUMP STRAUSS HAUER & FELD LLP
1700 Pacific Avenue, Suite 4100
Dallas, Texas 75201-4624
(214) 969-2800 (Telephone)
(214) 969-4343 (Facsimile)

and

David M. Neff
Brian Audette
PERKINS COIE LLP
131 South Dearborn Street, Suite 1700
Chicago, Illinois 60603-5559
(312) 324-8400 (Telephone)
(312) 324-9400 (Facsimile)

Co-Counsel to the EME Reorganization Trust