

Hearing Date: September 19, 2012 at 11:00 a.m.
Objection Deadline: September 12, 2012 at 4:00 p.m.

Andrew G. Dietderich
Marc R. Trevino
Michael H. Torkin
Robin D. Fessel
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588

Lonie A. Hassel (admitted *pro hac vice*)
Edward J. Meehan (admitted *pro hac vice*)
GROOM LAW GROUP, CHTD
1701 Pennsylvania Avenue, N.W.
Washington, DC 20006-5811
Telephone: (202) 857-0620
Facsimile: (202) 659-4503

Counsel to the Debtors and
Debtors in Possession

Counsel to the Debtors and
Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	Chapter 11
)	
EASTMAN KODAK COMPANY, <i>et al.</i> , ¹)	Case No. 12-10202 (ALG)
Debtors.)	(Jointly Administered)
<hr/>)	
OFFICIAL COMMITTEE OF RETIRED)	
EMPLOYEES OF EASTMAN KODAK)	
COMPANY, <i>et al.</i> ,)	
)	
	Plaintiffs;)	Adv. Proc. No. 12-01747
)	
v.)	
)	
EASTMAN KODAK COMPANY, <i>et al.</i> ,)	
)	
	Defendants.)	
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¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Eastman Kodak Company (7150); Creo Manufacturing America LLC (4412); Eastman Kodak International Capital Company, Inc. (2341); Far East Development Ltd. (2300); FPC Inc. (9183); Kodak (Near East), Inc. (7936); Kodak Americas, Ltd. (6256); Kodak Aviation Leasing LLC (5224); Kodak Imaging Network, Inc. (4107); Kodak Philippines, Ltd. (7862); Kodak Portuguesa Limited (9171); Kodak Realty, Inc. (2045); Laser-Pacific Media Corporation (4617); NPEC Inc. (5677); Pakon, Inc. (3462); and Qualex Inc. (6019). The location of the Debtors' corporate headquarters is: 343 State Street, Rochester, NY 14650.



**NOTICE OF DEFENDANT DEBTOR'S MOTION TO DISMISS, OR
IN THE ALTERNATIVE, TO STAY THE COMPLAINT OF
RETIREE COMMITTEE FOR DECLARATORY JUDGMENT**

PLEASE TAKE NOTICE that a hearing on *Defendant Debtor's Motion to Dismiss, or in the Alternative, to Stay the Complaint of Retiree Committee for Declaratory Judgment* (the "**Motion**"), will be held before the Honorable Allan L. Gropper, United States Bankruptcy Judge, in Room 617 of the United States Bankruptcy Court for the Southern District of New York (the "**Bankruptcy Court**"), One Bowling Green, New York, New York 10004, on **September 19, 2012 at 11:00 a.m. (EDT)**.

PLEASE TAKE FURTHER NOTICE that responses or objections, if any, to the relief requested in the Motion must be filed electronically with the Court on the docket of *Official Committee of Retiree Employees of Eastman Kodak Company, et al. v. Eastman Kodak Company, et al. (In re Eastman Kodak Company)*, Adv. Proc. No. 12-01747 (ALG), pursuant to the Court's General Order M-399 (available at <http://www.nysb.uscourts.gov/orders/m399.pdf>), by registered users of the Court's case filing system and by all other parties in interest on a 3.5 inch disc, preferably in portable document format, Microsoft Word or any other Windows-based word processing format and served by U.S. mail, overnight delivery, hand delivery or, with the exception of the Court and the United States Trustee, facsimile upon each of the following:

(a) the Chambers of the Honorable Allan L. Gropper, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004; (b) the Debtors and their counsel; (c) the Office of the United States Trustee for the Southern District of New York; (d) Milbank, Tweed, Hadley & McCloy LLP, counsel to the Official Committee of Unsecured Creditors; (e) U.S. Bank, National Association, as indenture trustee; (f) Wilmington Trust, National Association, as indenture trustee; (g) the Securities and Exchange Commission; (h) the Internal Revenue Service; (i) Davis Polk & Wardwell LLP, counsel to Citicorp North America,

Inc., as agent for the Debtors' postpetition secured lenders; (j) the Environmental Protection Agency; (k) Akin Gump Strauss Hauer & Feld LLP, counsel to the Ad Hoc Committee of Second Lien Noteholders; (l) Arent Fox LLP, co-counsel for the Official Committee of Retired Employees of Eastman Kodak Company, et al.; and (m) Haskell Slaughter Young & Rediker, LLC, co-counsel for the Official Committee of Retired Employees of Eastman Kodak Company, et al., so as to be actually received no later than **September 12, 2012 at 4:00 p.m. (EDT)**. Only those responses that are timely filed, served and received will be considered at the hearing.

Failure to file a timely objection may result in entry of a final order granting the Motion as requested by the Debtors.

Dated: August 13, 2012
New York, New York

/s/ Andrew G. Dietderich
Andrew G. Dietderich
Marc R. Trevino
Michael H. Torkin
Robin D. Fessel
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
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