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Unsecured Creditors of Eastman Kodak Company, et al.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re:	:	Chapter 11
	:	
EASTMAN KODAK COMPANY, <u>et al.</u> ,	:	Case No. 12-10202 (ALG)
	:	
	:	(Jointly Administered)
Debtors.	:	
	:	
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	:	
EASTMAN KODAK COMPANY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Adv. Proc. No. 12-01720 (ALG)
	:	
APPLE INC. AND	:	
FLASHPOINT TECHNOLOGY, INC.,	:	
	:	
Defendants,	:	
	:	
-----		X

**JOINDER OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS
TO DEBTORS' OBJECTION TO DEFENDANTS' NOTICES OF APPEAL**

The Official Committee of Unsecured Creditors (the "Committee") of Eastman Kodak Company, and its affiliated chapter 11 debtors-in-possession (collectively, "Debtors"), through its co-counsel Togut, Segal & Segal LLP, hereby joins in the Debtors' Objection (the "Objection") to Apple Inc.'s and FlashPoint Technology,



Inc.'s (jointly, the "Defendants'") Notices of Appeal (the "Notices of Appeal"), filed on August 24, 2012, and in support thereof, respectfully states:

1. The Committee joins in the Debtors' opposition to the Notices of Appeal for all of the reasons set forth in the Objection, including, but not limited to: (i) the Notices of Appeal are procedurally improper; and (ii) Defendants have not shown the exceptional circumstances necessary for leave for interlocutory appeal.

2. The Committee submits that the relief sought by Defendants should be denied because the Notices of Appeal fail to comply with 28 U.S.C. § 158(a) and Federal Rule of Bankruptcy Procedure 8003(a).

3. Moreover, Defendants cannot satisfy the legal standard for leave for interlocutory appeal. Neither Defendant has provided any basis for the Court to grant them leave for an interlocutory appeal, and neither Defendant can.

CONCLUSION

WHEREFORE, the Committee supports the Objection for all of the legal and factual reasons stated therein.

DATED: New York, New York
August 31, 2012

Official Committee of Unsecured Creditors
of Eastman Kodak Company, et al.,
By Their Co-Counsel
TOGUT, SEGAL & SEGAL LLP
By:

/s/ Steven S. Flores
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