

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

In re:)	Chapter 11
EASTMAN KODAK COMPANY, <i>et al.</i> , ¹)	Bankruptcy Case No. 12-10202
Debtors.)	(ALG)
RICOH COMPANY, LTD. and RICOH AMERICAS CORPORATION,)	(Jointly Administered)
Plaintiffs,)	
v.)	Adv. Proc. No. 13-01332 (ALG)
EASTMAN KODAK COMPANY,)	
Defendant.)	

STIPULATION AND ORDER STAYING PLAINTIFFS’ ADVERSARY PROCEEDING

This Stipulation and Order Staying Plaintiffs’ Adversary Proceeding is entered into by and between Eastman Kodak Company (“**Kodak**”) and Ricoh Company, Ltd. and Ricoh Americas Corporation (together, “**Plaintiffs**”), by and through their respective undersigned counsel.

WHEREAS, on April 18, 2013, Plaintiffs commenced the adversary proceeding captioned *Ricoh Company, Ltd. and Ricoh Americas Corporation v. Eastman Kodak Company*, Adv. Pro. No. 13-01332 (ALG) (the “**Adversary Proceeding**”);

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.



WHEREAS, the return date on the summons in the Adversary Proceeding was May 22, 2013;

WHEREAS, on May 10, 2013, Kodak filed a Motion for Entry of an Order Enforcing the Automatic Stay Against Ricoh Company, Ltd.'s and Ricoh Americas Corporation's Adversary Proceeding (the "**Motion**");

WHEREAS, on May 23, 2013, the parties entered into a stipulation extending the time for Kodak to respond to Plaintiffs' Adversary Proceeding complaint until June 14, 2013, *inter alia*, to permit the Court to consider the Motion;

WHEREAS, on May 29, 2013, the Court heard oral argument on the Motion and took the matter under advisement pending discussions between the parties to voluntarily stay the Adversary Proceeding;

WHEREAS, counsel to Kodak and Plaintiffs have conferred and agree that a voluntary stay of the Adversary Proceeding, as resolution of the Motion, is appropriate;

NOW THEREFORE, the parties hereby stipulate and agree, through their undersigned counsel, as follows:

1. Plaintiffs' Adversary Proceeding shall be stayed until the earlier of forty-five (45) days following entry of an order confirming a plan reorganization in these chapter 11 cases or September 30, 2013 (the "**Stay**").
2. Kodak shall respond to Plaintiffs' Adversary Proceeding complaint within ten (10) days after expiration of the Stay.
3. Kodak shall file any objections to the Plaintiffs' prepetition proofs of claim numbers 5835 and 5807 alleging patent infringement within ten (10) days after expiration of the Stay.

4. Kodak and Plaintiffs shall participate in the mediation before Magistrate Judge Gabriel W. Gorenstein of the U.S. District Court for the Southern District of New York in good faith with respect to all disputes between the parties, including Plaintiffs' prepetition proofs of claim and the Adversary Proceeding, in accordance with U.S. District Court Judge Denise Cote's order dated May 9, 2013. The parties shall exchange mediation statements as directed by Magistrate Judge Gorenstein.

5. This stipulation is without prejudice to the rights of Kodak to seek to extend the stay of Plaintiffs' Adversary Proceeding or to seek a further extension of time to respond to Plaintiffs' Adversary Proceeding complaint. Plaintiffs reserve the right to oppose any request for a further extension of the stay of the Adversary Proceeding or time to respond to the Adversary Proceeding complaint.

Dated: June 5, 2013
New York, New York

**QUINN EMANUEL URQUHART
& SULLIVAN LLP**

By: /s/ Eric Winston
Eric Winston, Esq.
(admitted *pro hac vice*)
865 S. Figueroa Street, 10th Floor
Los Angeles, California 90017
(213) 443-3000

*Attorneys for Ricoh Company, Ltd. and
Ricoch Americas Corporation*

SULLIVAN & CROMWELL LLP

By: /s/ Brian D. Glueckstein
Brian D. Glueckstein, Esq.
125 Broad Street
New York, New York 10004
(212) 558-4000

Attorneys for Eastman Kodak Company

IT IS SO ORDERED.

Dated: June 6, 2013
New York, New York

s/Allan L. Gropper
The Honorable Allan L. Gropper
United States Bankruptcy Judge