

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

In re:	*	
	*	
CITY HOMES III LLC	*	CASE NO: 13-25370-MMH
	*	
Debtor	*	(Chapter 11)

* * * * *

**NOTICE OF MOTION AND HEARING ON MOTION TO
APPROVE SETTLEMENT AGREEMENT WITH LIBERTY MUTUAL
MID-ATLANTIC INSURANCE COMPANY**

PLEASE TAKE NOTICE THAT Zvi Guttman (the "Plan Trustee"), the Chapter 11 Plan Trustee for City Homes III, LLC, the captioned post-confirmation debtor, and its post-confirmation debtor and non-debtor affiliates (collectively, "City Homes"), has filed a Motion for approval of a Settlement Agreement¹ between the Plan Trustee and Liberty Mutual Mid-Atlantic Insurance Co., formerly Merchants & Business Men’s Mutual Insurance Company ("Liberty Mutual") regarding certain liability insurance policies issued by Liberty Mutual that purport and are alleged to provide insurance coverage for Lead Paint Claims against City Homes during the period August 1, 1999 - June 1, 2001. Under the Settlement Agreement: (i) Liberty Mutual will pay an aggregate amount of \$3,392,055.00 to a Settlement Trust to be administered by the Plan Trustee; (ii) the Plan Trustee will release Liberty Mutual from any and all Claims, including any and all Lead-Paint Claims, and any obligations of any nature whatsoever under, arising from, based upon, attributable to, or derived from the Liberty Mutual Policies or the insurer/insured relationship between Liberty Mutual and Debtor; and (iii) Liberty Mutual will withdraw its appeal of an order enjoining an action to rescind the Liberty Mutual Policies.²

Copies of the Motion, the Settlement Agreement, and the proposed Order thereon can be viewed at and downloaded from the Court (Pacer.gov) or <https://guttman.lawyer/city-homes> or requested the Plan Trustee or his counsel at the addresses set forth below.

YOUR RIGHTS MAY BE AFFECTED BY THE MOTION, THE SETTLEMENT AGREEMENT, AND ANY ORDER ENTERED BY THE COURT APPROVING THE SETTLEMENT. If you wish to file an objection to the proposed settlement you must file your objection with the Bankruptcy Court at the United States Bankruptcy Court for the District of

¹ The description of the terms of the settlements contained herein is subject to the provisions of the Settlement Agreement ("Agreement"). To the extent there is any inconsistency between the description of the terms of the settlement contained herein and the provisions of the Agreement, the provisions of the Agreement shall control. Any capitalized terms not defined here have the meanings ascribed to them in the Agreement.

² The Plan Trustee has also filed a Motion for approval of an additional settlement between the Plan Trustee and the Holders of numerous Lead Paint Claims that allocates the funds in the Liberty Mutual Settlement Trust amongst those Holders. These documents can also be viewed at and download from <https://guttman.lawyer/city-homes> or requested from the Plan Trustee or his counsel.

Maryland, 101 W. Lombard St., Baltimore, MD 21201 (www.mdb.uscourts.gov), Case No. 13-25370-MMH, and serve your objection on the following: (i) Plan Trustee, Zvi Guttman, c/o The Law Offices of Zvi Guttman, P.A., Post Office Box 32308, Baltimore, Maryland 21282, Zvi@ZviGuttman.com; (ii) counsel for the Plan Trustee, David G. Sommer, Esq., Gallagher Evelius & Jones LLP, 218 N. Charles Street, Suite 400, Baltimore, MD 21201, dsommer@gejlaw.com; (iii) Office of the United States Trustee, 101 West Lombard Street, Suite 2625, Baltimore, MD 21201 (Attn: Gerard R. Vetter, Assistant U.S. Trustee); and (iv) counsel for Liberty Mutual, Robert L. Hoegle, Esq., 101 Constitution Ave., NW, 9th Floor, Washington, DC 20001, bob.hoegle@nelsonmullins.com. An objection must state the facts and legal grounds on which the objection is based. Objections must be filed and served no later than August 18, 2022. A hearing on the Motion and proposed settlement, if necessary, is scheduled for September 12, 2022 at 10:00 A.M. in Courtroom 9-D (via Zoom). Nevertheless, the Court, in its discretion, may conduct a hearing or determine the matter without a hearing regardless of the filing of an objection. If no timely objection is filed the proposed settlement may be authorized without further order or notice.

You may contact the undersigned for additional information.

July 1, 2022

Respectfully submitted,

/s/ Zvi Guttman

Zvi Guttman (06902)
The Law Offices of Zvi Guttman, P.A.
Post Office Box 32308
Baltimore, Maryland 21282
(410) 580-0500 Phone
(410) 580-0700 Fax
Zvi@ZviGuttman.com

/s/ David G. Sommer

David G. Sommer (Fed. Bar No. 27581)
Paul S. Caiola (Fed. Bar No. 23940)
Gallagher Evelius & Jones LLP
218 N. Charles Street, Suite 400
Baltimore, MD 21201
(410) 727-7702
pcaiola@gejlaw.com
dsommer@gejlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of July 2022, I reviewed the Court's CM/ECF system and it reports that an electronic copy of the foregoing Notice of Motion and Hearing on Motion to Approve Settlement Agreement with Liberty Mutual Mid-Atlantic Insurance Company will be served electronically by the Court's CM/ECF system on the following:

CM/ECF

Paul S Caiola pcaiola@gejlaw.com, gomara@gejlaw.com, ceyley@gejlaw.com
Richard L. Costella rcostella@tydings.com, jmurphy@tydings.com
G. David Dean ddean@coleschotz.com, PRatkowiak@coleschotz.com
Mark Edelson Medelson@mdattorney.com, dlawal@mdattorney.com
Kristen S. Eustis kristen.s.eustis@usdoj.gov
John Patrick Gill jpg@shapirosher.com, msw@shapirosher.com
Evan M. Goldman medelson@goldmangoldman.com
Jonathan Adam Grasso jgrasso@coleschotz.com
Jonathan Adam Grasso jon@piercemccoy.com
Zvi Guttman zvi@zviguttman.com, zviguttman@gmail.com, zviguttman@outlook.com
Zvi Guttman zguttman@gmail.com, zviguttman@outlook.com, MD55@ecfbis.com
John C Kilgannon jck@stevenslee.com, pam@stevenslee.com
Harry Lee hlee@steptoe.com
Katherine A. (UST) Levin Katherine.A.Levin@usdoj.gov, amy.busch@usdoj.gov
Kevin Clark Maclay kmaclay@capdale.com
John Marks Moore mark@markmoorelaw.com, andy@markmoorelaw.com
Cara Leigh O'Brien cobrien@ektlaw.com
Todd E. Phillips tphillips@capdale.com, cecilia-guerrero-caplin-6140@ecf.pacerpro.com
Shannon Jacob Posner sjposner@posner-law.com
Wendy Dworshak Pullano wpullano@bregmanlaw.com, kristy@bregmanlaw.com, drigterink@bregmanlaw.com
Kami Elizabeth Quinn quinnk@gotofirm.com
David Sommer dsommer@gejlaw.com, ceyley@gejlaw.com, gomara@gejlaw.com
Nicholas Adam Szokoly nick.szokoly@murphyfalcon.com
Joshua Robert Taylor jrtaylor@steptoe.com
US Trustee - Baltimore USTPRegion04.BA.ECF@USDOJ.GOV
Irving Edward Walker iwalker@coleschotz.com, jdonaghy@coleschotz.com, pratkowiak@coleschotz.com

I HEREBY FURTHER CERTIFY that on this 1st day of July 2022, a copy of the foregoing Notice of Motion and Hearing on Motion to Approve Settlement Agreement with Liberty Mutual Mid-Atlantic Insurance Company was also mailed first class mail, postage prepaid to:

Robert L. Hoegle
Nelson Mullins
101 Constitution Avenue, NW | Suite 900
Washington, D.C., 20001

William C. Burgy, Esq.
Peter T. Nicholl, Esq.
The Law Offices of Peter T. Nicholl
36 South Charles St, Suite 1700
Baltimore, MD 21201

David F. Albright, Jr., Esq.
201 North Charles Street, 5th Floor
Baltimore, MD 21201

Brian S. Brown, Esq.
Brown & Barron, LLC
7 St. Paul Street, Suite 800
Baltimore, Maryland 21202

Thomas F. Yost, Jr., Esq.
Michael A. Pulver, Esq.
The Yost Legal Group
341 N. Calvert Street, Suite 100
Baltimore, MD 21202

/s/ David G. Sommer
David G. Sommer