

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GENERAL MOTORS CORPORATION,
a Delaware corporation, GM DE MEXICO
S. DE R.L. DE C.V., a Mexican entity, and
GM OF CANADA LTD., a Canadian entity,

Plaintiffs,

v.

ALBERT WEBER GMBH, a German entity,
and WEBER AUTOMOTIVE CORPORATION,
a South Carolina corporation,

Defendants.

Case No. 2:08-cv-12671

Hon. Lawrence P. Zatkoff
Mag. Judge Mark A. Randon

CONSENT JUDGMENT

Pursuant to an Opinion and Order dated June 14, 2012 (Docket # 70) (the “Summary Judgment Order”), the Court found that GM de Mexico S. de R.L. de C.V. and GM of Canada Ltd. (“Plaintiffs”) properly terminated the purchase orders at issue and granted Plaintiffs’ summary judgment Motion on liability regarding all of the counts in Plaintiffs’ Amended Complaint and all of the counts in the Amended Counterclaim filed by Albert Weber GmbH and Weber Automotive Corporation (“Defendants”). After issuance of the Summary Judgment Order, the sole issue remaining for trial was the amount of damages Plaintiffs could recover. A Final Pretrial and Settlement Conference was held on August 28, 2012. At the conference, Plaintiffs and Defendants reached a settlement that requires entry of this Consent Judgment. Plaintiffs and Defendants have stipulated to entry of this Consent Judgment. Accordingly,

IT IS ORDERED AND ADJUDGED AS FOLLOWS:

1. Judgment is entered in favor of Plaintiffs and against Defendants, jointly and severally, in the amount of \$5,500,000.

2. The amount of the Judgment shall be paid as follows: \$2,500,000 on or before December 15, 2012 and \$3,000,000 on or before December 15, 2013. Time is of the essence with respect to both payments. If either payment is not made by the due date, Plaintiffs can immediately commence actions to collect the full amount of this Consent Judgment less any amounts already paid by Defendants.

3. If Plaintiffs are required to take action to collect any portion of this Consent Judgment, then this Consent Judgment shall bear interest at the rate of 5% per annum, compounded monthly, from the date this Consent Judgment is entered until the date it is satisfied in full.

4. The Summary Judgment Order and this Consent Judgment resolve all claims and counterclaims between Plaintiffs and Defendants. There shall be no right of any appeal from the Summary Judgment Order or from this Consent Judgment.

5. The only remaining claims are between Plaintiff General Motors Corporation, now known as Motors Liquidation Corporation, and Weber Automotive Corporation. Those claims have been stayed by the bankruptcy of Motors Liquidation Corporation. Accordingly, upon entry of this Consent Judgment, the balance of this case, involving only those claims, shall be administratively closed.

6. The Court retains jurisdiction to enforce this Consent Judgment.

IT IS SO ORDERED.

Dated September 19, 2012

s/Lawrence P. Zatkoff
Lawrence P. Zatkoff
United States District Judge

The parties to this action and their respective attorneys hereby stipulate to entry of the above Consent Judgment.

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GM DE MEXICO S. DE R.L. DE C.V.

ALBERT WEBER GMBH

By: /s/ Lawrence S. Buonomo
Its: Global Process Leader-Litigation
General Motors Legal Staff

By: /s/ Albert Weber
Its: President and CEO

GM OF CANADA LTD.

WEBER AUTOMOTIVE CORPORATION

By: /s/ Lawrence S. Buonomo
Its: Global Process Leader-Litigation
General Motors Legal Staff

By: /s/ Albert Weber
Its: President and CEO