

have already been paid out and cannot be accessed by Movants. This is effectively a *mootness* argument. In reply, Movants draw the Court's attention to, *In The Matter Of: Resource Technology Corporation*, 430 F.3d 884, 888 (7th Cir. 2005), Cert. Denied by *Banco Panamericano, Inc. v. Chastang Landfill, Inc.*, 2006 U.S. LEXIS 5706 (U.S., Oct. 2, 2006):

Unscrambling a transaction may be difficult, but it can be done. No one (to our knowledge) thinks that an antitrust or corporate-law challenge to a merger becomes moot as soon as the deal is consummated. Courts can and do order divestiture or damages in such situations.

Movants Motion to Reconsider requests - first and foremost - that the Rejection Order be vacated along with the Claims Bar Date. Should this relief be forthcoming, Debtors' arguments pertaining to the fact that various Movants failed to file a claim would be moot.

Accordingly, for all of the foregoing, Movants respectfully request the Motion for Reconsideration be granted, the Rejection Order and Claims Bar Date be vacated, and any other relief the Court may find appropriate.

Respectfully submitted this 22nd day of January, 2010.

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RESPONSE TO DEBTOR'S OBJECTION TO MOVANTS' MOTION TO RECONSIDER THE COURT'S JUNE 9, 2009 REJECTION ORDER AND JUNE 19, 2009 REJECTION OPINION - 30

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