

Motion of Irma Ortiz, Victor Mancilla, and Ricardo Corona for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) (the “Ortiz Lift Stay Motion”).

By the Ortiz Lift Stay Motion, Irma Ortiz, Victor Mancilla, and Ricardo Corona (collectively, the “Movants”) seek entry of an order modifying the automatic stay to permit the Movants to proceed with litigation (the “California Action”)¹ against Chemtura Corporation (“Chemtura”) currently pending in the Superior Court of the State of California for the County of Los Angeles (the “State Court”).

On January 16, 2007, the Movants initiated the California Action against Chemtura and various other defendants (collectively, the “Defendants”),² seeking damages for, among other things, personal injuries suffered by Irma Ortiz and Ricardo Corona. The Movants claim that Ortiz and Corona developed a rare lung disease known as bronchiolitis obliterans from occupational exposure to products containing the chemical diacetyl, a substantial portion of which was allegedly manufactured and/or supplied by Chemtura. The Movants allege that the Defendants are liable for negligence, negligence per se, defective product design, defective product warnings, fraudulent concealment, breach of implied warranties and loss of consortium.

As set forth in the Ortiz Lift Stay Motion, the Movants seek relief from the automatic stay to litigate their personal injury claims against Chemtura to judgment in the State Court. The Movants assert that, without collecting on a judgment from Chemtura’s insurers and/or the other Defendants, they will be unable to pay for medical treatment. Consequently, the Movants claim that they would suffer irreparable harm without the stay modification. The Movants also maintain that relief from the automatic stay will not burden Chemtura’s estate because the

Movants will not enforce a judgment against Chemtura’s assets. Rather, the Movants are willing to stipulate that they will only execute judgments on the insurance proceeds available to Chemtura, provided that Chemtura responds to the Movants’ request for insurance policy information within ten (10) days of a hearing on the matter.

The Movants further request that the Bankruptcy Court abstain from hearing the issues raised in the California Action. The Movants assert that the State Court should adjudicate the personal injury actions as the cases have already been assigned to an experienced judge in the complex litigation department. In addition, the Movants claim that the issues raised in the California Action are so attenuated from the current bankruptcy matter that abstention will not adversely affect the bankruptcy proceeding.

¹ The California Action is captioned *Ortiz, et al., v. Flavor and Extract Manufacturers Association of the United States, et al.*, Case No. BC 364831.

² The other defendants in the California Action include Flavor and Extract Manufacturers Association of the United States (“FEMA”), Lucia I. Hinden and Chaja D. Berinstein, Advanced Biotech, Inc., Berje Incorporated, BF Goodrich Kalama, Citrus and Allied Essences Ltd., Naturex Inc., Penta Manufacturing Co., Polarome International USA, Sciencelab.com, Inc., Sigma-Aldrich Co., and Does 1 through 100, inclusive.