

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

**TRUMP ENTERTAINMENT RESORTS, INC.,
*et al.*¹,**

Reorganized Debtors.

Case No. 14-12103 (KG)

Chapter 11

(Jointly Administered)

Response Deadline: April 4, 2016 at 4:00 p.m. (ET)

Hearing Date: April 13, 2016 at 10:00 a.m. (ET)

**SIXTEENTH OMNIBUS (SUBSTANTIVE) OBJECTION TO
CERTAIN (A) NO LIABILITY CLAIMS AND (B) RECLASSIFIED CLAIMS**

Nathan A. Schultz, in his capacity as Distribution Trustee (the “Trustee”) of the TER Trust, by and through its undersigned counsel, hereby submits this Sixteenth Omnibus (substantive) objection (the “Sixteenth Omnibus Objection”) to certain no liability and reclassified claims pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. Rule 3007 (the “Bankruptcy Rules”) and Del. Bankr. L.R. 3007-1, and respectfully requests the entry of an order substantially in the form attached hereto as Exhibit A (the “Proposed Order”) disallowing and expunging the claims listed on Exhibit 1 and Exhibit 2 to the Proposed Order (each a “Disputed Claim” and, collectively, the “Disputed Claims”).

In support of this Sixteenth Omnibus Objection, the Trustee relies upon his Declaration (the “Schultz Decl.”), a copy of which is attached hereto as Exhibit B and respectfully represents as follows:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Trump Entertainment Resorts, Inc. (8402), Trump Entertainment Resorts Holdings, L.P. (8407), Trump Plaza Associates, LLC (1643), Trump Marina Associates, LLC (8426), Trump Taj Mahal Associates, LLC (6368), Trump Entertainment Resorts Development Company, LLC (2230), TER Development Co., LLC (0425) and TERH LP Inc. (1184).

JURISDICTION AND VENUE

1. This Court has jurisdiction over the Sixteenth Omnibus Objection pursuant to 28 U.S.C. §§ 157 and 1334, and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated as of February 29, 2012. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory and legal predicates for the relief sought herein are section 502 of the Bankruptcy Code, as defined below, Bankruptcy Rule 3007 and Local Rule 3007-1.

BACKGROUND

3. On September 9, 2014 (the "Petition Date"), Trump Entertainment Resorts, Inc. and its affiliated chapter 11 debtors and debtors-in-possession (collectively, the "Debtors") each filed voluntary petitions for relief under chapter 11, title 11, United States Code, 11 U.S.C. §§ 101 - 1532 (the "Bankruptcy Code"). From the Petition Date through February 26, 2016 (the "Plan Effective Date"), the Debtors operated their businesses and managed their assets as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. On September 10, 2014, the Court entered an order [Docket No. 43] appointing Prime Clerk LLC ("Prime Clerk") as claims and noticing agent in these chapter 11 cases. Among other things, Prime Clerk is authorized to (a) receive, maintain, and record and otherwise administer the proofs of claim filed in these chapter 11 cases and (b) maintain official claims registers for each of the Debtors.

5. On January 30, 2015, the Debtors filed the *Disclosure Statement for the Debtors' Third Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code* (the "Disclosure Statement") [Docket No. 840].

6. By Order dated January 30, 2015, the Court approved the Debtors' Disclosure Statement as containing adequate information within the meaning of section 1125 of the Bankruptcy Code, and authorized the Debtors to solicit votes to accept or reject the *Debtors' Third Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code* (including all exhibits thereto and as amended, modified or supplemented from time to time, the "Plan").

7. On March 12, 2015, the Court entered an Order confirming the Plan [Docket No. 1123]. The Plan became effective on the Plan Effective Date. *See* [Docket No. 1902].

8. The Plan provides that, following the Plan Effective Date, the Trustee shall have the exclusive authority to object to, prosecute any objection to, request estimation of, compromise or settle General Unsecured Claims. *See* Plan at § 9.1.

BAR DATE AND PROOF OF CLAIM

9. On October 22, 2014, the Court entered the *Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* (the "Bar Date Order") [Docket No. 336]. Pursuant to the Bar Date Order, the deadline (i) for all persons or entities (including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts) that assert a claim, as defined in section 101(5) of the Bankruptcy Code, against the Debtors, including, without limitation, any claims under section 503(b)(9) of the Bankruptcy Code, secured claims, and priority claims, which arose on or prior to the Petition Date, to file proofs of claim was November 24, 2014 (the "General Bar Date"), and (ii) for all governmental units to file proofs of claim against the Debtors was 5:00 p.m. on March 9, 2015 (the "Government Bar Date").

10. The Bar Date Order also provides that if the Debtors amend or supplement the Schedules subsequent to the date of service of the Bar Date Notice (as defined in the Bar Date Order), then the Debtors shall give notice of any such amendment or supplement to the holders of claims affected thereby, and such holders shall be afforded the later of (i) the General Bar Date or (ii) 5:00 p.m. (prevailing Eastern Time) on the date that is twenty-one (21) days from the date on which such notice is given, to file proofs of claim in respect of their claims (the “Amended Schedules Bar Date”).

11. In addition, pursuant to the Bar Date Order, any person or entity that holds a claim (each, a “Rejection Damages Claim”) that arises from the rejection of an executory contract or unexpired lease must file a proof of claim based on such rejection on or before the later of (i) the General Bar Date or (ii) 5:00 p.m. (prevailing Eastern Time) on the date that is thirty (30) days following the entry of the order approving the rejection of the executory contract or unexpired lease pursuant to which the entity asserting the Rejection Damages Claim is a party (collectively with the General Bar Date, the Government Bar Date, and the Amended Schedules Bar Date, the “Bar Dates”).

12. Not less than 900 proofs of claim (the “Proofs of Claim”) asserting in excess of \$1.9 billion in General Unsecured Claims have been filed against Debtors. The Proofs of Claim are recorded on the official claims registry in these cases (the “Claims Registry”) which is maintained by Prime Clerk. The Trustee and the Trustee’s professionals have been reviewing, analyzing and reconciling the General Unsecured Claims, including both the General Unsecured Claims listed on the Debtors’ Schedules and the General Unsecured Claims asserted in the Proofs of Claim (including supporting documentation) filed in these chapter 11 cases.

13. Based upon this reconciliation process, and as indicated in the Schultz Decl., the Trustee has determined that the Disputed Claims listed on Exhibits 1 and 2 (collectively, the “Exhibits”) to the Proposed Order should be disallowed and expunged or reclassified for the reasons set forth herein and on the Exhibits.

RELIEF REQUESTED AND BASIS FOR RELIEF

14. By this Sixteenth Omnibus Objection, the Trustee seeks entry of an order pursuant to Sections 105(a) and 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1, reclassifying or expunging and disallowing, as applicable, each of the Proofs of Claim identified on the Exhibits to the Proposed Order.

15. Section 502(b) of the Bankruptcy Code provides, in pertinent part, that:

[T]he court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that -- (1) such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured; . . .

11 U.S.C. § 502(b).

16. When asserting a proof of claim against a debtor, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *In re Allegheny Int’l, Inc.*, 954 F.2d 167, 173 (3d Cir. 1992). Where the claimant alleges sufficient facts to support its claim, its claim is afforded *prima facie* validity. *Id.* at 173. A claim, however, should not be allowed if that claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law. 11 U.S.C. § 502(b)(1). If an objection is made to the proof of claim, the claimant has the ultimate burden of persuasion as to the validity and amount of the claim. *Allegheny*, 954 F.2d at 173.

Disputed Claims

17. The Trustee objects to the Disputed Claims listed on the Exhibits to the Proposed Order pursuant to Section 502(b)(1) of the Bankruptcy Code because, based on a review of the Debtors' books and records and the relevant Proofs of Claim, there is either (i) no liability due and owing to the claimants on account of such claims (the "No Liability Claims"), or (ii) such claims should be reclassified (the "Reclassified Claims").

A. No Liability Claims

18. Pursuant to Section 502(b)(1) of the Bankruptcy Code, the Trustee objects to and seeks disallowance of the No Liability Claims listed on Exhibit 1 to the Proposed Order. Specifically, a review of the Debtors' books and records indicates that the No Liability Claims are Proofs of Claim that, among other things: (i) assert claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses; and (ii) assert claims that were discharged in the Debtors' prior bankruptcy case, *In re: TCI 2 Holdings, LLC, et al.*, Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.

B. Reclassified Claims

19. The Trustee objects to the Reclassified Claims listed on Exhibit 2 to the Proposed Order pursuant to Section 502(b)(1) of the Bankruptcy Code because, based on a review of the Debtors' books and records and the relevant Proofs of Claim, the Reclassified Claims are stockholder interests, and under the Plan, such claims must be reclassified as Existing TER Interests² (Class 6).

² As defined in the Plan.

20. For the reasons set forth above, the Trustee requests that the Court enter the Proposed Order reclassifying or expunging and disallowing, as applicable, the Disputed Claims as specified in the Exhibits annexed to the Proposed Order.

RESPONSES TO OBJECTIONS

21. To contest this Sixteenth Omnibus Objection, a claimant must file and serve a written response in accordance with the procedures set forth in the notice of this Sixteenth Omnibus Objection so that it is received no later than 4:00 p.m. (Prevailing Eastern Time) on April 4, 2016. Claimants should read the proposed Sixteenth Omnibus Objection, Notice, Proposed Order and the Exhibits carefully.

RESERVATION OF RIGHTS

22. The Trustee reserves the right to adjourn the hearing on any Disputed Claim. In the event that the Trustee does so, the Trustee's agenda for the hearing on that Disputed Claim will so state and will be served on the claimant.

23. The Trustee expressly reserves the right to amend, modify or supplement the Sixteenth Omnibus Objection, and to file additional objections to any other General Unsecured Claims (filed or not) that may be asserted against the Debtors' estates, including, without limitation, any and all of the Disputed Claims. The Trustee also reserves any and all rights, claims and defenses of the Debtors with respect to any and all of the Disputed Claims, and nothing included in or omitted from this Sixteenth Omnibus Objection, the Proposed Order, or Exhibits 1 and 2 thereto is intended or shall be deemed to impair, prejudice, waive or otherwise affect any rights, claims, or defenses of the Trustee or the Debtors' estates with respect to the Disputed Claims.

NOTICE

24. Notice of this Sixteenth Omnibus Objection has been provided to: (i) the Office of the United States Trustee for Region Three; (ii) counsel for the Reorganized Debtors; (iii) counsel to the Reorganized Debtors' secured lenders; (iv) all other parties having requested notice under Bankruptcy Rule 2002; and (v) all parties listed on the Exhibits to the Proposed Order attached hereto as Exhibit A. The Trustee submits that the foregoing constitutes good and sufficient notice and that no other or further notice need be given.

COMPLIANCE WITH DELAWARE BANKRUPTCY LOCAL RULE 3007-1

25. To the best of the Trustee's knowledge and belief, the Sixteenth Omnibus Objection and the Exhibits to the Proposed Order comply with the requirements of Del. Bankr. L.R. 3007-1 and *General Order Regarding Applicability of Rule 3007(c) of the Amended Federal Rules of Bankruptcy Procedure* dated November 27, 2007 (the "General Order"). To the extent that the Sixteenth Omnibus Objection does not comply in all respects with the requirements of Local Rule 3007-1 or the General Order, the Trustee believes that any such deviations are not material and respectfully requests that any such requirement be waived.

CONCLUSION

WHEREFORE, the Trustee respectfully requests that the Court enter the Proposed Order expunging and disallowing, as applicable, the Disputed Claims listed on the Exhibits to the Proposed Order, and granting the Trustee such other and further relief as is just and proper.

Dated: March 14, 2016
Wilmington, Delaware

Respectfully submitted,

GIBBONS P.C.

By: /s/ Natasha M. Songonuga
Natasha M. Songonuga, Esq. (Bar No. 5391)
300 Delaware Avenue, Suite 1015
Wilmington, DE 19801-1671

Telephone: (302) 518-6324
Facsimile: (302) 429-6294
E-mail: nsongonuga@gibbonslaw.com

-and-

Karen A. Giannelli, Esq. (admitted *pro hac vice*)
One Gateway Center
Newark, New Jersey 07102-5310
Telephone: (973) 596-4523
Facsimile: (973) 639-6244
E-mail: kgiannelli@gibbonslaw.com

Counsel for the Distribution Trustee

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

**TRUMP ENTERTAINMENT RESORTS, INC.,
*et al.*¹,**

Reorganized Debtors.

Case No. 14-12103 (KG)

Chapter 11

(Jointly Administered)

**ORDER GRANTING AND SUSTAINING THE
SIXTEENTH OMNIBUS (SUBSTANTIVE) OBJECTION TO
CERTAIN (A) NO LIABILITY CLAIMS AND (B) RECLASSIFIED CLAIMS**

Upon consideration of the *Sixteenth Omnibus (Substantive) Objection to Certain (A) No Liability Claims and (B) Reclassified Claims* (the “Sixteenth Omnibus Objection”) filed by Nathan A. Schultz, in his capacity as Distribution Trustee (the “Trustee”) of the TER Trust; and upon the *Declaration of Nathan A. Schultz in Support of the Sixteenth Omnibus Objections to Certain (A) No Liability Claims and (B) Reclassified Claims*, dated March 3, 2016; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having reviewed the Sixteenth Omnibus Objection and any timely filed responses thereto, and finding good and sufficient cause for granting the relief requested in the Sixteenth Omnibus Objection; and due and proper notice of the Sixteenth Omnibus Objection having been provided to those parties identified on Exhibit 1 and Exhibit 2 hereto, and, if known, to such parties’ counsel of record, and no other or further notice being required; and the Court having determined that the legal and factual bases set forth in the Sixteenth Omnibus Objection establish good cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

¹ The “Debtors” in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Trump Entertainment Resorts, Inc. (8402), Trump Entertainment Resorts Holdings, L.P. (8407), Trump Plaza Associates, LLC (1643), Trump Marina Associates, LLC (8426), Trump Taj Mahal Associates, LLC (6368), Trump Entertainment Resorts Development Company, LLC (2230), TER Development Co., LLC (0425) and TERH LP Inc. (1184).

IT IS FOUND AND DETERMINED THAT:

- A. The Sixteenth Omnibus Objection is **SUSTAINED** as set forth herein.
- B. Each holder of a Disputed Claim² listed on Exhibit 1 and/or Exhibit 2 hereto (the “Claimants”) or each such Claimant’s counsel, if known, was properly and timely served with a copy of the Sixteenth Omnibus Objection, the Proposed Order and the accompanying exhibits.
- C. The Sixteenth Omnibus Objection is a core proceeding pursuant to 28 U.S.C. §157(b)(2).
- D. Each of the Disputed Claims listed on Exhibit 1 hereto is a claim for which there is no liability in that Claimants: (i) assert claims that are not reflected in the Debtors’ books and records; and (ii) assert claims that were discharged in the Debtors’ prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.
- E. Each of the Disputed Claims listed on Exhibit 2 hereto is a Proof of Claim for which is to be reclassified because, based on a review of the Debtors’ books and records and the relevant Proofs of Claim, the Reclassified Claims are stockholder interests, and under the Plan, such claims must be reclassified as Existing TER Interests³ (Class 6).

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. The relief sought in the Sixteenth Omnibus Objection is **GRANTED** as set forth herein.
2. Each of the No Liability Claims identified on Exhibit 1 attached to this Order are hereby and shall be **EXPUNGED** and **DISALLOWED** in their entirety.

² Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to such terms in the Sixteenth Omnibus Objection.

³ As defined in the Plan.

3. Each of the Reclassified Claims identified on Exhibit 2 attached to this Order are hereby and shall be **RECLASSIFIED** as Existing TER Interests (Class 6) as defined in the Plan.

4. Prime Clerk, LLC, the official claims agent appointed in these cases, is hereby authorized and directed to make such revisions to the official Claims Registry as are necessary to reflect the relief granted pursuant to this Order.

5. Other than as set forth herein, nothing in this Order or the Sixteenth Omnibus Objection is intended or shall be construed as: (i) an admission as to the validity of any claim against any of the Debtors; (ii) a waiver of the Trustee's rights to dispute any General Unsecured Claim on any grounds; (iv) a promise to pay any claim; or (v) a waiver of the Trustee's causes of action against the Claimants whose claims are subject to the Sixteenth Omnibus Objection, including, without limitation, any avoidance actions.

6. The Trustee's objection to each Disputed Claim addressed in the Sixteenth Omnibus Objection constitutes a separate contested matter as contemplated by Fed. R. Bankr. P. 9014. This Order shall be deemed a separate order with respect to each Disputed Claim. Any stay of the Order pending appeal by any of the Claimants whose Disputed Claim is subject to this Order shall only apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters covered by this Order.

7. This Order is without prejudice to the Trustee's right to amend, modify or supplement the Sixteenth Omnibus Objection or to file additional objections to General Unsecured Claims (filed or not) asserted against the Debtors.

8. This Court shall retain jurisdiction over the Claimants whose claims are subject to the Sixteenth Omnibus Objection with respect to any matters related to or arising from that objection or the implementation of this Order.

Dated: _____, 2016
Wilmington, Delaware

The Honorable Kevin Gross
United States Bankruptcy Judge

Exhibit 1
No Liability Claims

	Name of Claimant	Claim No. to be Disallowed	Claim Amount	Reason for Disallowance
1.	MICHAEL ATANASIO SAMUEL DI MEGLIO, JR., ESQ. 141 EAST MAIN STREET HUNTINGTON, NY 11743	352	\$200,000.00	Assert claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses.
2.	CARVETTE, III, CHARLES 10203 ROCKY TREE ST LAS VEGAS, NV 89183	786	12,649.27	(i) Asserts claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses; and (ii) asserts claims that were discharged in the Debtors' prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.
3.	SAYLOR, RANDALL 1908 WINDSOR DR SIERRA VISTA, AZ 85635-4876	899	\$7,989.75	(i) Assert claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses; and (ii) asserts claims that were discharged in the Debtors' prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.
4.	SAYLOR, RANDALL BENEFICIARY IRA THELMA SAYLOR, DEC'D 1908 WINDSOR DR SIERRA VISTA, AZ 85635-4876	900	\$7,989.75	(i) Asserts claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses; and (ii) asserts claims that were discharged in the Debtors' prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.
5.	SABATINI, JONANN LEE D. ROSENFELD, ESQUIRE 2091 SPRINGDALE ROAD, SUITE TWO CHERRY HILL, NJ 08003	414	\$250,000.00	Claimant provided complaint and attorney fee agreement to document claim. Documentation does not support basis for claim, "personal injuries sustained due to Debtor's negligence, settlement violated."

Exhibit 1
No Liability Claims

	Name of Claimant	Claim No. to be Disallowed	Claim Amount	Reason for Disallowance
6.	STATE OF NEW JERSEY, DEPARTMENT OF TREASURY TIMOTHY COLE, DIVISION OF TAXATION BANKRUPTCY SECTION 50 BARRACK ST, P O BOX 245 TRENTON, NJ 08695-0245	796	\$3,407,147.96	(i) Asserts claims that are not reflected in the Debtors' books and records, which were maintained in the ordinary course of the Debtors' businesses; and (ii) asserts claims that were discharged in the Debtors' prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.
7.	STOKES, ELEANOR JEFFREY S. POSTA, ESQ. STARK & STARK P O BOX 5315 PRINCETON, NJ 08543	499	\$750,000.00	Claimant asserts a personal injury claim in a blank amount against the Debtors. Upon information and belief, the claim relates to the claimant's general unsecured claim asserted in the Debtors' prior chapter 11 cases, <i>In re: TCI 2 Holdings, LLC, et al.</i> , Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey (the "2009 Case"). In that case, the claimant's claim was "Allowed" in the amount of \$750,000, which represented a distribution of \$6,750. Upon information and belief, claimant failed, upon request, to provide the W-9 documentation required in order for the distribution to have been made. Per the 2009 plan or reorganization undelivered distribution are deemed unclaimed property and the distribution is said to revert to the reorganized debtors in the 2009 Case. Accordingly, the Debtors are not liable for this claim.
8.	WOODWARD, JOHN NICHOLAS RADANO RADANO & LIDE 78 WEST PARK AVE, SUITE 2 VINELAND, NJ 08360	446	\$100,000.00	Claimant provided documentation relating to his injuries, but none of the documentation supports a claim against the Debtors. He did not work for Debtors, but claims injury at job site.

Exhibit 2
Reclassified Claims

	Name of Claimant	Claim No.	Claim Amount	Claim Classification Status	Modified Classification Status	Reason for Reclassification
1.	JUNEWICZ, JAMES J. 306 KENILWORTH AVE KENILWORTH, IL 60043	781	Blank	Unsecured	Existing TER Interests (Class 6)	Asserts a stockholder interest which under the Plan must be classified as Existing TER Interests (as such term is defined in the Plan), Class 6.
2.	SINPHONY INVESTMENTS LTD. AVE COLUMBIA 1-A-30 OESTE EDIFICIO PUBERZA APTO 701 CALI COLUMBIA	890	Blank	Unsecured	Existing TER Interests (Class 6)	Asserts a stockholder interest which under the Plan must be classified as Existing TER Interests (as such term is defined in the Plan), Class 6.
3.	WADLER, ABRAHAM WADLER, THELMA W. 144-28 JEWEL AVE FLUSHING, NY 11367	307	Blank	Unsecured	Existing TER Interests (Class 6)	Asserts a stockholder interest which under the Plan must be classified as Existing TER Interests (as such term is defined in the Plan), Class 6.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

TRUMP ENTERTAINMENT RESORTS,
INC., *ET AL.*¹,

Reorganized Debtors.

Case No. 14-12103 (KG)

Chapter 11

(Jointly Administered)

**DECLARATION OF NATHAN A. SCHULTZ IN SUPPORT OF THE SIXTEENTH
OMNIBUS (SUBSTANTIVE) OBJECTION TO CERTAIN
(A) NO LIABILITY CLAIMS AND (B) RECLASSIFIED CLAIMS**

I, Nathan A. Schultz, hereby declare pursuant to 28 U.S.C. § 1746, under penalty of perjury as follows:

1. I am the duly appointed Distribution Trustee (the “Trustee”) for the TER Trust pursuant to the *Debtors’ Third Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code as Modified* (the “Plan”), which was confirmed by order entered on March 12, 2015 [Docket No. 1123] (the “Confirmation Order”)². The Plan became effective on February 26, 2016 (the “Plan Effective Date”).

2. The Plan provides that, following the Plan Effective Date, the Trustee shall have the exclusive authority to object to, prosecute any objection to, request estimation of, compromise or settle General Unsecured Claims. *See* Plan at § 9.1.

¹ The “Debtors” in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Trump Entertainment Resorts, Inc. (8402), Trump Entertainment Resorts Holdings, L.P. (8407), Trump Plaza Associates, LLC (1643), Trump Marina Associates, LLC (8426), Trump Taj Mahal Associates, LLC (6368), Trump Entertainment Resorts Development Company, LLC (2230), TER Development Co., LLC (0425) and TERH LP Inc. (1184).

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Plan.

3. I make this declaration in support of the *Sixteenth Omnibus (Non-Substantive) Objection to Certain (A) No Liability Claims and (B) Reclassified Claims* (the “Sixteenth Omnibus Objection”).

4. Both in my current capacity as Trustee and in the prior context of my responsibilities as counsel to the Official Committee of Unsecured Creditors in these chapter 11 cases, I coordinated and supervised the claims reconciliation process. Accordingly, I have reviewed the Sixteenth Omnibus Objection, and am directly or by and through my professionals, and Prime Clerk LLC, the Debtors’ claims and noticing agent, reasonably familiar with the information contained therein, the proposed order annexed as Exhibit A to the Sixteenth Omnibus Objection (the “Sixteenth Omnibus Order”) and the exhibits annexed to the Sixteenth Omnibus Order.

5. Considerable time and resources were spent reviewing and analyzing each of the Proofs of Claim listed in Exhibit 1 and Exhibit 2 (collectively, the “Disputed Claims”) to the Sixteenth Omnibus Order. Based on these efforts, I have determined that:

(a) **No Liability Claims**

6. The Disputed Claims listed under the heading No Liability Claim on Exhibit 1 to the Sixteenth Omnibus Order are Proofs of Claim that, among other things: (i) assert claims that are not reflected in the Debtors’ books and records, which I understand were maintained in the ordinary course of the Debtors’ businesses; and (ii) asserts claims that were discharged in the Debtors’ prior bankruptcy case, In re: TCI 2 Holdings, LLC, et al., Chapter 11, Case No. 09-13654 (JHW), U.S. Bankruptcy Court, District of New Jersey.

(b) **Reclassified Claims**

7. The Disputed Claims listed under the heading Reclassified Claim on Exhibit 2 to the Sixteenth Omnibus Order are stockholder interests, and under the Plan, such claims must be reclassified as Existing TER Interests³ (Class 6).

Dated: March 14, 2016

/s/ Nathan A. Schultz
Nathan A. Schultz

³ As defined in the Plan.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE

TRUMP ENTERTAINMENT RESORTS, INC.,
*et al.*¹,

Reorganized Debtors.

Case No. 14-12103 (KG)
(Jointly Administered)

Chapter 11

Response Deadline: April 4, 2016 at 4:00 p.m. (ET)
Hearing Date: April 13, 2016 at 10:00 a.m. (ET)

NOTICE OF SIXTEENTH OMNIBUS (SUBSTANTIVE) OBJECTION
TO CERTAIN (A) NO LIABILITY CLAIMS, AND (B) RECLASSIFIED CLAIMS
PURSUANT TO SECTION 502 OF THE BANKRUPTCY CODE,
BANKRUPTCY RULE 3007, AND LOCAL RULE 3007-1

TO: (I) THE OFFICE OF THE UNITED STATES TRUSTEE FOR REGION THREE; (II) COUNSEL FOR THE REORGANIZED DEBTORS; AND (III) ALL PARTIES ENTITLED TO NOTICE UNDER DEL. BANKR. L.R. 2002-1(b) WHO HAVE ELECTRONICALLY FILED A NOTICE OF APPEARANCE THROUGH THE COURT'S CM/ECF SYSTEM; AND (IV) ALL CLAIM HOLDERS AND/OR THEIR COUNSEL LISTED ON EXHIBITS 1 AND 2 TO THE PROPOSED FORM OF ORDER AND AS ATTACHED HERETO:

PLEASE TAKE NOTICE that on March 14, 2016, Nathan A. Schultz, in his capacity as Distribution Trustee (the "Trustee") of the TER Trust, through his undersigned counsel, filed the *Sixteenth Omnibus (Non-Substantive) Objection to Certain (A) No Liability Claims, and (B) Reclassified Claims* (the "Sixteenth Omnibus Objection") with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801 (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE you are required to file any response ("Response") to the Sixteenth Omnibus Objection in writing, filed with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801 on or before **April 4, 2016 at 4:00 p.m. (Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that any Response must also be served upon all of the following parties so as to actually be received on or before **April 4, 2016 at 4:00 p.m. (Eastern Time)**:

i. *Counsel for the Trustee:* Natasha M. Songonuga, Esq., GIBBONS P.C., 1000 N. West Street, Suite 1200 Wilmington, DE 19801-1058; Karen A. Giannelli, Esq., GIBBONS

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Trump Entertainment Resorts, Inc. (8402), Trump Entertainment Resorts Holdings, L.P. (8407), Trump Plaza Associates, LLC (1643), Trump Marina Associates, LLC (8426), Trump Taj Mahal Associates, LLC (6368), Trump Entertainment Resorts Development Company, LLC (2230), TER Development Co., LLC (0425) and TERH LP Inc. (1184).

P.C., One Gateway Center, Newark, New Jersey 07102-5310; nsongonuga@gibbonslaw.com, kgiannelli@gibbonslaw.com;

ii. *The Office of the United States Trustee for Region Three*: Jane M. Leamy, OFFICE OF THE U.S. TRUSTEE, 844 King St., Suite 2207, Wilmington, DE 19801; jane.m.leamy@usdoj.gov; and

iii. *Counsel for the Reorganized Debtors*: Kristopher M. Hansen; Erez E. Gilad; and Gabriel E. Sasson, STROOCK & STROOCK & LAVAN LLP, 180 Maiden Lane, New York, NY 10038; khansen@stroock.com, egilad@stroock.com, gsasson@stroock.com; and Matthew B. Lunn; Robert F. Poppiti, Jr.; Ian J. Bambrick; and Ashley E. Markow, YOUNG CONAWAY STARGATT & TAYLOR, LLP, 1000 North King St., Rodney Square, Wilmington, DE 19801; bankfilings@ycst.com, ibambrick@ycst.com.

PLEASE TAKE FURTHER NOTICE THAT IF ANY RESPONSE IS FILED, A HEARING ON THE SIXTEENTH OMNIBUS OBJECTION WILL BE HELD BEFORE THE HONORABLE KEVIN GROSS IN THE UNITED STATES BANKRUPTCY COURT, 824 MARKET STREET, 6TH FLOOR, COURTROOM #3, WILMINGTON, DELAWARE 19801, ON April 13, 2016 AT 10:00 A.M. (EASTERN TIME).

PLEASE TAKE FURTHER NOTICE THAT IF YOU ARE A CLAIMANT AND FAIL TO TIMELY FILE A RESPONSE TO THE SIXTEENTH OMNIBUS OBJECTION IN ACCORDANCE WITH THE PROCEDURES ENUMERATED ABOVE, THE COURT MAY ENTER AN ORDER APPROVING THE SIXTEENTH OMNIBUS OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: March 14, 2016
Wilmington, Delaware

GIBBONS P.C.

By: /s/ Natasha M. Songonuga
Natasha M. Songonuga, Esq. (No. 5391)
300 Delaware Avenue, Suite 1015
Wilmington, DE 19801-1671
Tel: (302) 518-6324
Fax: (302) 429-6294
nsongonuga@gibbonslaw.com

-and-

Karen A. Giannelli, Esq. (admitted *pro hac vice*)
One Gateway Center
Newark, New Jersey 07102-5310
Telephone: (973) 596-4523
Facsimile: (973) 639-6244
E-mail: kgiannelli@gibbonslaw.com
Counsel for the Distribution Trustee

ALL PARTIES LISTED ON EXHIBITS 1 AND 2 TO THE PROPOSED FORM OF ORDER

MICHAEL ATANASIO
SAMUEL DI MEGLIO, JR., ESQ.
141 EAST MAIN STREET
HUNTINGTON, NY 11743

SINPHONY INVESTMENTS LTD.
AVE COLUMBIA 1-A-30 OESTE
EDIFICIO PUBERZA APTO 701
CALI COLUMBIA

CARVETTE, III, CHARLES
10203 ROCKY TREE ST
LAS VEGAS, NV 89183

STATE OF NEW JERSEY,
DEPARTMENT OF TREASURY
TIMOTHY COLE, DIVISION OF
TAXATION

SAYLOR, RANDALL
1908 WINDSOR DR
SIERRA VISTA, AZ 85635-4876

BANKRUPTCY SECTION
50 BARRACK ST, P O BOX 245
TRENTON, NJ 08695-0245

SAYLOR, RANDALL
BENEFICIARY IRA THELMA SAYLOR,
DEC'D
1908 WINDSOR DR
SIERRA VISTA, AZ 85635-4876

STOKES, ELEANOR
JEFFREY S. POSTA, ESQ.
STARK & STARK
P O BOX 5315
PRINCETON, NJ 08543

JUNEWICZ, JAMES J.
306 KENILWORTH AVE
KENILWORTH, IL 60043

WADLER, ABRAHAM
WADLER, THELMA W.
144-28 JEWEL AVE
FLUSHING, NY 11367

SABATINI, JONANN
LEE D. ROSENFELD, ESQUIRE
2091 SPRINGDALE ROAD, SUITE TWO
CHERRY HILL, NJ 08003

WOODWARD, JOHN
NICHOLAS RADANO
RADANO & LIDE
78 WEST PARK AVE, SUITE 2
VINELAND, NJ 08360