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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

_____ )	Chapter 11
In re: )	
)	Case No. 03-46590 (DML)
MIRANT CORPORATION, et al., )	Jointly Administered
)	
Debtors. )	
_____ )	

**MOTION FOR EXPEDITED HEARING AND SETTING**

**TO THE HONORABLE D. MICHAEL LYNN, UNITED STATES BANKRUPTCY JUDGE:**

1. On June 10, 2004, the (i) The Assessor of the Town of Forestburgh, NY, The Board of Assessment Review of the Town of Forestburgh, NY and The Town of Forestburgh, NY (“Forestburgh”), and (ii) The Assessor of the Town of Lumberland, NY, The Board of Assessment Review of the Town of Lumberland, NY and The Town of Lumberland, NY (“Lumberland”) filed their Objection to Debtors’ Notices of Depositions and Motion For Limited Protective Order (the “Objection and Motion”), contemporaneous with the filing of this motion.

2. On June 2, 2004, the Towns of Haverstraw, New York, Stony Point, New York, and the Haverstraw - Stony Point Central School District (the "Rockland County Towns") filed their

**MOTION FOR EXPEDITED HEARING AND SETTING**

Objection to Debtors' Notices of Depositions and Motion for Limited Protective Order (the "Rockland County Towns' Motion") [Docket No. 4108].

3. The Court has previously set a Status Conference in these Cases regarding the 505 Motion for Wednesday, June 16, 2004 at 10:30 a.m. (Central). The Rockland County Towns requested, and this Court granted the request that the Court set an expedited hearing on the Rockland County Towns' Motion for Wednesday, June 16, 2004 at 9:30 a.m.

4. Forestburgh and Lumberland hereby request that their Objection and Motion also be heard at the hearing beginning at 9:30 a.m. on Wednesday, June 16, 2004.

5. The Objection and Motion seek virtually the same relief as that requested by the Rockland County Towns' Motion and have adopted the legal arguments set forth in the Towns' Motion as it applies to the Deposition Notices served upon Forestburgh and Lumberland. Accordingly, there should be no undue prejudice or surprise to the Debtors concerning this request by Forestburgh and Lumberland.

6. Forestburgh and Lumberland submit that this request for expedited hearing and setting is necessary because the requested hearing date on the Objection and Motion will occur on a date earlier than the twenty days' notice usually given for such a hearing.

7. Notice of the proposed expedited hearing on the Objection and Motion will be provided via first class, United States Mail, postage prepaid upon the parties listed on the Official Master Service List, and via electronic mail upon counsel for the Debtors, the Committees, the Examiner, and the United States Trustee.

Dated: June 10, 2004

Respectfully,

/s/ Thomas M. Spitaletto  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2004, a true and correct copy of this Objection and Motion was served via electronic mail to counsel for the Debtors, the Committees, the Examiner, and the United States Trustee. On June 10, 2004, the Objection and Motion was served via first-class postage-prepaid, United States mail, upon those entities listed on the attached Master Service List.

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/s/ Thomas M. Spitaletto

Thomas Spitaletto