

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

U.S. BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
ENTERED
 TAWANA C. MARSHALL, CLERK
 THE DATE OF ENTRY IS
 ON THE COURT'S DOCKET

)	
In re)	Chapter 11 Case
)	
MIRANT CORPORATION, <u>et al.</u> ,)	Case No. 03-46590(DML)11
)	
Debtors.)	Jointly Administered
)	
)	

ORDER GRANTING DEBTORS' TIER I OBJECTION TO CERTAIN PROOFS OF CLAIM FILED AGAINST THE DEBTORS' ESTATES (GROUP I) PURSUANT TO 11 U.S.C. §§ 105(a), 502(b) AND FED. R. BANKR. P. 3007

On July 2, 2004, Mirant Corporation and its Chapter 11 Debtor Affiliates (the "Debtors") filed and served the "Debtors' Tier I Objection To Certain Proofs Of Claim Filed Against The Debtors' Estates (Group I) Pursuant To 11 U.S.C. §§ 105(a), 502(b) And Fed. R. Bankr. P. 3007" (the "Objection")¹ requesting entry of an Order disallowing the claims listed on Exhibit A hereto on the grounds that they are duplicates. The only response filed to the Objection was the "Nevada Department Of Taxation's Response To Debtors' Objection To Proof Of Claim (Tier I – Group I)" (docket no. 4840).

The Court having reviewed the Objection, the Declaration of Carrienne Basler, the Exhibit and any responses filed thereto; and it appearing that this Court has jurisdiction to consider this Objection and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b); and it appearing that venue of this proceeding and this Objection is proper in this district in accordance with 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been given as set forth on the certificate of service annexed to the Objection and the

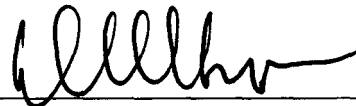
¹ Capitalized terms not otherwise defined herein have those meanings ascribed to such terms in the Objection.

affidavit filed by Bankruptcy Services LLC; and it appearing that no other or further notice is necessary; and it further appearing that the relief requested in the Objection is in the best interests of the Debtors, their estates and their creditors:

IT HEREBY IS ORDERED THAT:

1. The Objection is sustained.
2. The proofs of claim listed on Exhibit A under the heading "Claim to be Expunged" are duplicate claims and shall be expunged from the claims register. Each Claim to be Expunged is hereby disallowed.
3. The proofs of claim listed on Exhibit A under the heading "Remaining Claims" will remain on the claims registry. The Remaining Claims are neither allowed nor disallowed at this time and the Debtors reserve their right to object to the Remaining Claims on grounds other than duplication.
4. Nothing in the Objection, Exhibit A, or this Order constitutes a waiver of the Debtor's rights to assert any claims, counterclaims, rights of offset or recoupment, preference actions, fraudulent-transfer actions, or any other bankruptcy or nonbankruptcy claims against the Remaining Claims. This Order has no *res judicata* effect on the allowance or disallowance of the claims listed on Exhibit A other than duplication.

DATED: August 11, 2004



HONORABLE D. MICHAEL LYNN
UNITED STATES BANKRUPTCY JUDGE

**Exhibit A
Duplicate Claims - Tier I, Group I**

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total	
Claim To Be Expunged	5780	12/08/2003	Mirant Corporation	BASLER ELECTRIC CO INC	\$0.00	\$0.00	\$0.00	\$2,471.80	\$2,471.80
Remaining Claim	2682	9/22/2003	Mirant Corporation	BASLER ELECTRIC CO INC	\$0.00	\$0.00	\$0.00	\$2,471.80	\$2,471.80
Claim To Be Expunged	4255	10/14/2003	Mirant Corporation	BECKMANN APPRAISALS, INC	\$0.00	\$0.00	\$0.00	\$1,469.99	\$1,469.99
Remaining Claim	7739	9/29/2003	Mirant Corporation	BECKMANN APPRAISALS, INC	\$0.00	\$0.00	\$0.00	\$1,469.99	\$1,469.99
Claim To Be Expunged	2554	09/12/2003	Mirant Corporation	CENTER FOR OCCUPATIONAL HEALTH	\$0.00	\$0.00	\$0.00	\$210.00	\$210.00
Remaining Claim	567	9/12/2003	Mirant Corporation	CENTER FOR OCCUPATIONAL HEALTH	\$0.00	\$0.00	\$0.00	\$210.00	\$210.00
Claim To Be Expunged	4371	10/20/2003	Mirant Mid-Atlantic, LLC	CHARLES COUNTY, MARYLAND	\$5,704.78	\$0.00	\$0.00	\$0.00	\$5,704.78
Remaining Claim	4370	10/20/2003	Mirant Mid-Atlantic, LLC	CHARLES COUNTY, MARYLAND	\$5,704.78	\$0.00	\$0.00	\$0.00	\$5,704.78
Claim To Be Expunged	6175	12/09/2003	Mirant Mid-Atlantic Services, LLC	CLEAN HARBORS	\$0.00	\$0.00	\$0.00	\$1,100.38	\$1,100.38
Remaining Claim	5822	12/09/2003	Mirant Mid-Atlantic Services, LLC	CLEAN HARBORS	\$0.00	\$0.00	\$0.00	\$1,100.38	\$1,100.38

**Exhibit A
Duplicate Claims - Tier I, Group I**

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total
Claim To Be Expunged	6177	12/09/2003	Mirant Potomac River, LLC	CLEAN HARBORS ENVIRONMENTAL SERVICES	\$0.00	\$0.00	\$5,776.90	\$5,776.90
Remaining Claim	5820	12/9/2003	Mirant Potomac River, LLC	CLEAN HARBORS ENVIRONMENTAL SERVICES	\$0.00	\$0.00	\$5,776.90	\$5,776.90
Claim To Be Expunged	6176	12/09/2003	Mirant Kendall, LLC	CLEAN HARBORS ENVIRONMENTAL SERVICES	\$0.00	\$0.00	\$675.00	\$675.00
Remaining Claim	5821	12/9/2003	Mirant Kendall, LLC	CLEAN HARBORS ENVIRONMENTAL SERVICES	\$0.00	\$0.00	\$675.00	\$675.00
Claim To Be Expunged	4500	08/15/2003	Mirant Corporation	COMMODITY FUTURES TRADING COMMISSION	\$0.00	\$0.00	\$0.00	\$0.00
Remaining Claim	2958	9/22/2003	Mirant Corporation	COMMODITY FUTURES TRADING COMMISSION	\$0.00	\$0.00	\$0.00	\$0.00
Claim To Be Expunged	5226	11/14/2003	Mirant Corporation	CONNOLLY, THOMAS C	\$1,661.25	\$0.00	\$0.00	\$1,661.25
Remaining Claim	4290	10/20/2003	Mirant Corporation	THOMAS CONNOLLY	\$1,661.25	\$0.00	\$0.00	\$1,661.25
Claim To Be Expunged	1733	09/15/2003	Mirant Corporation	CONSOLIDATED PIPE AND SUPPLY CO INC	\$0.00	\$0.00	\$7,204.23	\$7,204.23
Remaining Claim	1727	9/15/2003	Mirant Corporation	CONSOLIDATED CONTROLS COMPANY	\$0.00	\$0.00	\$7,204.23	\$7,204.23

Exhibit A

Duplicate Claims - Tier I, Group I

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total
Claim To Be Expunged	5506	12/01/2003	Mirant Corporation	CONTROLLED FLUIDS INC	\$0.00	\$0.00	\$4,966.10	\$4,966.10
Remaining Claim	5505	12/1/2003	Mirant Corporation	CONTROLLED FLUIDS, INC	\$0.00	\$0.00	\$4,966.10	\$4,966.10
Claim To Be Expunged	4467	10/24/2003	Mirant Corporation	DELL, INC	\$0.00	\$0.00	\$12,173.62	\$12,173.62
Remaining Claim	3827	10/7/2003	Mirant Corporation	DELL, INC	\$0.00	\$0.00	\$12,173.62	\$12,173.62
Claim To Be Expunged	1225	09/12/2003	Mirant Delta, LLC	DELTA STEEL ERECTORS	\$0.00	\$0.00	\$57,562.16	\$57,562.16
Remaining Claim	682	9/12/2003	Mirant Delta, LLC	DELTA STEEL ERECTORS	\$0.00	\$0.00	\$57,562.16	\$57,562.16
Claim To Be Expunged	4168	10/09/2003	Mirant Corporation	DEPT OF LABOR & INDUSTRY	\$0.00	\$598.26	\$0.00	\$598.26
Remaining Claim	3862	10/9/2003	Mirant Corporation	DEPT OF LABOR & INDUSTRY	\$0.00	\$598.26	\$0.00	\$598.26
Claim To Be Expunged	5980	12/11/2003	Mirant Corporation	HARLOW, WILLIAM C	\$0.00	\$0.00	\$695.00	\$695.00
Remaining Claim	5859	12/11/2003	Mirant Corporation	HARLOW, WILLIAM C	\$0.00	\$0.00	\$695.00	\$695.00
Claim To Be Expunged	6600	12/15/2003	Mirant Kendall, LLC	LLOYDS SYNDICATE 1003 SJC	\$0.00	\$0.00	\$1,326.36	\$1,326.36

**Exhibit A
Duplicate Claims - Tier I, Group I**

In re: Mirant Corporation et al.
Case No. 03-46590 (DMI)

Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total
Remaining Claim	6596	12/15/2003	Mirant Kendall, LLC	LLOYD'S SYNDICATE 1003 SJC	\$0.00	\$0.00	\$1,326.36	\$1,326.36
Claim To Be Expunged	6601	12/15/2003	Mirant Zeeland, LLC	LLOYD'S SYNDICATE 1003 SJC	\$0.00	\$0.00	\$311.37	\$311.37
Remaining Claim	6597	12/15/2003	Mirant Zeeland, LLC	LLOYD'S SYNDICATE 1003 SJC	\$0.00	\$0.00	\$311.37	\$311.37
Claim To Be Expunged	5001	11/10/2003	Wrightsville Power Facility, LLC	MIC SALES INC	\$0.00	\$0.00	\$673.01	\$673.01
Remaining Claim	4641	10/29/2003	Wrightsville Power Facility, LLC	MIC SALES INC	\$0.00	\$0.00	\$673.01	\$673.01
Claim To Be Expunged	2747	09/22/2003	Mirant Corporation	MRS GERALDINE P MCLAMB	\$0.00	\$0.00	\$500.00	\$500.00
Remaining Claim	1961	9/15/2003	Mirant Corporation	MRS GERALDINE P MCLAMB	\$0.00	\$0.00	\$500.00	\$500.00
Claim To Be Expunged	3816	09/29/2003	Mirant Americas Energy Marketing Investments, Inc.	OREGON DEPARTMENT OF REVENUE- BANKRUPTCY	\$0.00	\$159.90	\$0.00	\$159.90
Remaining Claim	3397	9/30/2003	Mirant Americas Energy Marketing Investments, Inc.	DEPARTMENT OF REVENUE, STATE OF OREGON	\$0.00	\$159.90	\$0.00	\$159.90
Claim To Be Expunged	4166	10/07/2003	Mirant Services, LLC	OREGON DEPARTMENT OF REVENUE- BANKRUPTCY	\$0.00	\$3,026.04	\$0.00	\$3,026.04

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Duplicate Claims - Tier I, Group I

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

	Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total
Remaining Claim	3798	10/7/2003	Mirant Services, LLC	STATE OF OREGON	\$0.00	\$0.00	\$3,026.04	\$0.00	\$3,026.04
Claim To Be Expunged	4130	10/14/2003	Mirant Corporation	PAYNE, RONNIE E	\$0.00	\$0.00	\$23,869.77	\$0.00	\$23,869.77
Remaining Claim	3850	10/9/2003	Mirant Corporation	PAYNE, RONNIE E	\$0.00	\$0.00	\$23,869.77	\$0.00	\$23,869.77
Claim To Be Expunged	1133	09/12/2003	Mirant Corporation	PENETONE CORPORATION	\$0.00	\$0.00	\$1,320.00	\$0.00	\$1,320.00
Remaining Claim	354	9/12/2003	Mirant Corporation	PENETONE CORPORATION	\$0.00	\$0.00	\$1,320.00	\$0.00	\$1,320.00
Claim To Be Expunged	3289	09/29/2003	Mirant Corporation	PINE ENVIRONMENTAL SERVICES INC	\$0.00	\$0.00	\$0.00	\$1,995.99	\$1,995.99
Remaining Claim	519	9/12/2003	Mirant Corporation	PINE ENVIRONMENTAL SERVICES INC	\$0.00	\$0.00	\$0.00	\$1,995.99	\$1,995.99
Claim To Be Expunged	2990	09/22/2003	Mirant Corporation	RICHARDS EQUIPMENT CO	\$0.00	\$0.00	\$0.00	\$1,892.88	\$1,892.88
Remaining Claim	2989	9/22/2003	Mirant Corporation	RICHARDS EQUIPMENT CO	\$0.00	\$0.00	\$0.00	\$1,892.88	\$1,892.88
Claim To Be Expunged	2159	09/12/2003	Mirant Corporation	SEQUOIA BRASS AND COPPER	\$0.00	\$0.00	\$0.00	\$76.69	\$76.69

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Duplicate Claims - Tier I, Group I

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

	Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total
Remaining Claim	1490	9/12/2003	Mirant Corporation	SEQUOIA BRASS AND COPPER	\$0.00	\$0.00	\$0.00	\$76.69	\$76.69
Claim To Be Expunged	4167	10/20/2003	Mirant Services, LLC	STATE OF OREGON	\$0.00	\$0.00	\$3,026.04	\$0.00	\$3,026.04
Remaining Claim	3798	10/7/2003	Mirant Services, LLC	STATE OF OREGON	\$0.00	\$0.00	\$3,026.04	\$0.00	\$3,026.04
Claim To Be Expunged	5182	11/17/2003	Mirant Corporation	TENCARVA MACHINERY COMPANY	\$0.00	\$0.00	\$0.00	\$21,696.48	\$21,696.48
Remaining Claim	5181	11/17/2003	Mirant Corporation	TENCARVA MACHINERY COMPANY	\$0.00	\$0.00	\$0.00	\$21,696.48	\$21,696.48
Claim To Be Expunged	7831	12/16/2003	Mirant Corporation	TILLEY CHEMICAL COMPANY, INC	\$0.00	\$0.00	\$0.00	\$26,515.66	\$26,515.66
Remaining Claim	7800	12/16/2003	Mirant Corporation	TILLEY CHEMICAL COMPANY, INC	\$0.00	\$0.00	\$0.00	\$26,515.66	\$26,515.66
Claim To Be Expunged	3715	10/06/2003	Mirant Corporation	TRANSPORT INTERNATIONAL POOL, INC	\$0.00	\$0.00	\$0.00	\$12,455.56	\$12,455.56
Remaining Claim	2448	9/15/2003	Mirant Corporation	TRANSPORT INTERNATIONAL POOL, INC.	\$0.00	\$0.00	\$0.00	\$12,455.56	\$12,455.56
Claim To Be Expunged	4605	10/20/2003	Mirant Corporation	TUMULTY, JOHN F.	\$0.00	\$0.00	\$0.00	\$36,264.88	\$36,264.88

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Duplicate Claims - Tier I, Group I**

In re: Mirant Corporation et al.
Case No. 03-46590 (DML)

	Claim #	Date Filed	Debtor	Name and Address of Claimant	Secured	Administrative	Priority	Unsecured	Total	
Remaining Claim	4380	10/20/2003	Mirant Corporation	TUMULTY, JOHN F	\$0.00	\$0.00	\$0.00	\$36,264.88	\$36,264.88	
Claim To Be Expunged	3551	09/30/2003	Mirant Corporation	VWR INTERNATIONAL INC	\$0.00	\$0.00	\$0.00	\$9,126.16	\$9,126.16	
Remaining Claim	3550	9/30/2003	Mirant Corporation	VWR INTERNATIONAL INC	\$0.00	\$0.00	\$0.00	\$9,126.16	\$9,126.16	
Claim To Be Expunged	1136	09/12/2003	Mirant Corporation	WEST PENETONE	\$0.00	\$0.00	\$1,320.00	\$0.00	\$1,320.00	
Remaining Claim	354	9/12/2003	Mirant Corporation	PENETONE CORPORATION	\$0.00	\$0.00	\$1,320.00	\$0.00	\$1,320.00	
Claims To Be Expunged Totals					33	\$7,366.03	\$0.00	\$33,320.01	\$207,140.22	\$247,826.26