

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re: QUEBECOR WORLD (USA) INC., et al, | : | Chapter 11 |
| Debtors | : | Case No. 08-10152 (JMP) |
| | : | Jointly Administered |
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RESPONSE OF CLAIMANT LUCKY ADDEH TO REORGANIZED DEBTORS' THIRTY EIGHTH OMNIBUS OBJECTION TO CLAIMS (SEEKING TO EXPUNGE CERTAIN NO LIABILITY CLAIMS AND/OR INSUFFICIENT SUPPORT CLAIMS) FILED on November 19, 2010)-IN REFERENCE TO CLAIM NO. 5714

Now comes the above-captioned claimant, **Lucky Addeh** (the "claimant"), in response to the reorganized debtors' objection to his **Claim No. 5714**, arising out of a personal injury he suffered as a result of the reorganized debtors' negligence. Claimant was employed by a temporary employment agency to work in the reorganized debtors' printing plant in Taunton, Massachusetts. While working there the claimant suffered a laceration to his left hand when it was caught in a printing machine owned, maintained and operated by the reorganized debtors. As a result of his injuries, the claimant underwent medical treatment, and sustained permanent scarring on the third finger of his left hand.

The reorganized debtor was negligent, in that it continued to operate the printing machine that injured the claimant when it knew that the machine would persistently jam, and that workers, such as the claimant, who used the machine were required to clear the jams by reaching into the machine, thereby exposing themselves to potential serious injury. Knowing the propensity of the machine to jam and knowing that workers operating the machine were required to reach into the machine to clear jams, the

reorganized debtors' failed to institute safety measures, controls or other precautions to prevent injuries of the type suffered by the claimant. The reorganized debtors' failure to institute such measures or controls was a breach of its duty to the claimant to maintain a reasonably safe workplace, and the failure constituted negligence which was the proximate cause of the claimant's injuries.

The consolidated debtors filed petitions under Chapter 11 of the United States Bankruptcy Court on January 21, 2008, and so the claimant has since been prevented, by operation of the automatic stay provisions of 11 U.S.C. § 362(a), from pursuing his claim for negligence against the reorganized debtors in a state court action.

In Claim No. 5714, the claimant asserts an unliquidated claim for personal injury damages against the reorganized debtors. That claim ought to be allowed, or, in the alternative, action on the reorganized debtors' objection ought to be deferred until the claim can be liquidated in a state court action in the Commonwealth of Massachusetts. The claimant has filed with the court a Motion For Relief From Stay to allow him to commence a state court action to judicially establish the claim and to establish a liquidated value for the claim.

Medical records documenting claimant's injuries are attached hereto, marked as Exhibit A and his affidavit setting forth the factual elements outlined above is attached as Exhibit B.

LUCKY ADDEH

By his attorney,

/s/ Robert S. Ovoian

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