

The Official Committee of Unsecured Creditors (the “Committee”) continues to work with the Debtors, the U.S. Trustee and the Official Committee of Equity Holders to resolve issues in order to maximize creditor recovery. Below is a summary of key topics that the Committee has been involved with to date.

Debtor in Possession Financing

On December 12, 2018, the Debtors filed a motion [Docket No. 15] seeking entry of interim and final orders authorizing, among other things, the Debtors’ to obtain postpetition financing and the use of cash collateral (the “DIP Financing Motion”). After a hearing on December 13, 2018, the Court entered an interim Order [Docket No. 50] on December 13, 2018 approving the use of cash collateral. On December 21, 2018, the Committee filed an objection [Docket No. 102] to the DIP Financing Motion. After a hearing on December 21, 2018, the Court entered a second interim order [Docket No. 113] on December 24 approving an interim amount of postpetition financing on revised terms agreed to by the Committee and the Debtors. The Committee and the Debtors agreed to delay the final hearing on the DIP Financing Motion to February 21, 2019, and the Court entered a third interim order [Docket No. 229] on January 22, 2019 to ensure the Debtors had sufficient liquidity to operate until the final hearing. The final hearing is scheduled for February 21, 2019 at 11:00 a.m. prevailing Eastern Time.

Bidding Procedures

On December 12, 2018, the Debtors filed a motion [Docket No. 17] seeking entry of an order approving, among other things, the bidding procedures in connection with the sale of substantially all of the Debtors’ assets (the “Bidding Procedures Motion”). On December 31, 2018, the Committee filed an Objection [Docket No. 140] to the Bidding Procedures Motion. The Committee and the Debtors settled this objection, and after a hearing on January 4, 2019, the Court entered an Order [Docket No. 181] approving the Bidding Procedures Motions on the revised terms agreed to by the Committee and the Debtors. An auction for the sale of substantially all of the Debtors’ assets is scheduled for February 26, 2019 at 10:00 a.m. prevailing Eastern Time, and a sale hearing is scheduled for March 1, 2019 at 11:00 a.m. prevailing Eastern Time.

Bar Date

The bar date for general claims is February 8, 2019 at 5:00 p.m. (prevailing Eastern Time). The bar date for governmental claims is June 10, 2019 at 5:00 p.m. (prevailing Eastern Time). For additional information on filing proofs of claim, please visit the <https://cases.primeclerk.com/Synergy>.