

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

In re

VIOLIN MEMORY, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No.: 16-12782 (LSS)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JANUARY 30, 2017 AT 10:00 A.M. (EASTERN TIME)**<sup>2</sup>

**I. MATTERS GOING FORWARD**

1. Application for an Order Authorizing the Employment and Retention of Elliott Greenleaf as Delaware Counsel to the Committee of Unsecured Creditors *Nunc Pro Tunc* to December 27, 2016 [Filing Date: 01/11/17; D.I. 101]

Related Document:

- a. Certification of Counsel Regarding Application for an Order Authorizing the Employment and Retention of Elliott Greenleaf as Delaware Counsel to the Committee of Unsecured Creditors *Nunc Pro Tunc* to December 27, 2016 [Filing Date: 101/25/17; D.I. 162]

Response Deadline: January 23, 2017 at 4:00 p.m.

Responses Received:

- a. Informal comments from the U.S. Trustee

Status: The Committee has resolved the issues of the U.S. Trustee and filed a revised form of order under Certification of Counsel.

2. Application of Official Committee of Unsecured Creditors of Violin Memory, Inc. for Entry of an Order Authorizing the Employment and Retention of Cooley LLP as Lead Counsel *Nunc Pro Tunc* to December 27, 2016 [Filing Date: 01/11/17; D.I. 108]

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<sup>1</sup> The Debtor's tax identification number is 20-3940944 and its business address is 4555 Great America Parkway, Suite #150, Santa Clara, CA 95054.

<sup>2</sup> Please note that the hearing is before the Honorable Laurie Selber Silverstein in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6th Floor, Courtroom No. 2, Wilmington, Delaware 19801. Any person who wishes to appear must contact COURTCALL, LLC at 866-582-6878 no later than 12:00 p.m. (ET) one day prior to the hearing. Chambers must be contacted regarding any late requests for telephonic appearances.

Related Document:

- a. Certificate of No Objection Regarding Application of Official Committee of Unsecured Creditors of Violin Memory, Inc. for Entry of an Order Authorizing the Employment and Retention of Cooley LLP as Lead Counsel *Nunc Pro Tunc* to December 27, 2016 [Filing Date: 01/25/17; D.I. 163]

Response Deadline: January 23, 2017 at 4:00 p.m.

Responses Received:

- a. Informal comments from the U.S. Trustee

Status: The Committee has resolved the issues of the U.S. Trustee and filed a revised form of order under Certification of Counsel.

**II. CONTESTED MATTER GOING FORWARD**

3. Motion of the Debtor for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtor's Assets, (B) Approving Procedures for the Assumption and Assignment of Executory Contracts or Unexpired Leases in Connection with the Sale, (C) Scheduling a Sale Hearing, and (D) Granting Certain Related Relief; and (II) an Order (A) Approving the Sale of the Debtor's Assets, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Certain Related Relief [Filing Date: 12/14/16; D.I. 9]

Related Documents:

- a. Declaration of Cory J. Sindelar in Support of Motion of the Debtor for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtor's Assets, (B) Approving Procedures for the Assumption and Assignment of Executory Contracts or Unexpired Leases in Connection with the Sale, (C) Scheduling a Sale Hearing, and (D) Granting Certain Related Relief; and (II) an Order (A) Approving the Sale of the Debtor's Assets, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Certain Related Relief [Filing Date: 01/04/17; D.I. 82]
- b. Declaration of Ryan Sandahl in Support of the Motion of the Debtor for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtor's Assets, (B) Approving Procedures for the Assumption and Assignment of Executory

Contracts or Unexpired Leases in Connection with the Sale, (C) Scheduling a Sale Hearing, and (D) Granting Certain Related Relief; and (II) an Order (A) Approving the Sale of the Debtor's Assets, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Certain Related Relief [Filing Date: 01/04/17; D.I. 84]

- c. Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtor's Assets, (B) Approving Procedures for the Assumption and Assignment of Executory Contracts or Unexpired Leases in Connection with the Sale, (C) Scheduling a Sale Hearing, and (D) Granting Certain Related Relief [Date Entered: 01/06/17; D.I. 93]
- d. Notice of Auction and Sale [Filing Date: 01/09/17; D.I. 94]
- e. Notice of Assumption and Assignment [Filing Date: 01/09/17; D.I. 95]
- f. Notice of Change of Location of Auction [Filing Date: 01/18/17; D.I. 142]
- g. Notice of Assumption and Assignment [Filing Date: 01/25/17; D.I. 164]

Response Deadline: January 26, 2017 at 5:00 p.m.; Extended to January 27, 2017 at 4:00 p.m. for PGIM Real Estate.

Responses Received:

- a. Oracle's Limited Objection to, and Reservation of Rights Regarding, (1) Motion of the Debtor for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of Substantially All of the Debtor's Assets, (B) Approving Procedures for the Assumption and Assignment of Executory Contracts or Unexpired Leases in Connection with the Sale, (C) Scheduling a Sale Hearing, and (D) Granting Certain Related Relief; and (II) an Order (A) Approving the Sale of the Debtor's Assets, (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Certain Related Relief ("Sale Motion"); and (2) Notice of Assumption and Assignment ("Assumption Notice") [Filing date 01/16/17; D.I. 128]
- b. Reservation of Rights and Limited Objection of GlobalLogic, Inc. to the Cure Notice [Filing Date: 01/16/17; D.I. 130]
- c. Limited Objection to Proposed Cure and Assumption Terms filed by Ericsson Inc. [Filing Date: 01/24/17; D.I. 155]

Status: The Debtors received multiple qualified bids before the bid deadline and the auction has not concluded as of the time of filing of this agenda. The Debtors are working with all remaining bidders as well as the objecting parties and will update the Court when the auction has concluded and a winning bidder is announced. This matter is going forward.

Dated: January 26, 2017  
Wilmington, Delaware

BAYARD, P.A.

/s/ Justin R. Alberto

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