

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

In re:

ABEINSA HOLDING INC., *et al.*,

Reorganized and Liquidating Debtors.¹

Chapter 11

Case No. 16-10790 (KJC)

(Jointly Administered)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON DECEMBER 5, 2017 AT 2:00 P.M. (ET)³**

MATTERS NOT GOING FORWARD:

1. Solar Reorganizing Debtor's Motion for Entry of a Final Decree Closing the Chapter 11 Case and Terminating the Services of Prime Clerk LLC as Claims and Noticing Agent in the Debtor's Chapter 11 Case [D.I. 1603, Filed 11/14/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time); extended to November 30, 2017 for Zurich American Insurance Company, United States Department of Justice, Arizona Solar and Mojave.

Related Pleadings:

- (a) Notice of Withdrawal [D.I. 1612, Filed 11/29/17].

Response Received: None.

Status: This matter has been withdrawn without prejudice.

ADJOURNED MATTERS:

2. Reorganized Debtors' Objections to (I) Claim of Synflex Insulations, LLC (Claim Number 302) and/or (II) Claim Of Orbital Insulation Corp. (Claim Number 301) [D.I. 1464, Filed 8/17/17].

¹ The Reorganized Debtors in these chapter 11 cases, together with the last four digits of each Reorganized Debtor's federal tax identification number, are as follows: Abeinsa Holding Inc. (9489); and Abengoa Solar, LLC (6696). The Liquidating Debtors in these chapter 11 cases, together with the last four digits of each Liquidating Debtor's federal tax identification number, are as follows: Inabensa USA, LLC (2747); and Abengoa Bioenergy Holdco, Inc. (8864).

² Amended items appear in **BOLD**.

³ Parties who are unable to attend the hearing may participate by telephone by contacting CourtCall, an independent conference call company, at 866-582-6878. Please refer to the Court's website at deb.uscourts.gov (in the "General Information under the Judges' Info" section) for complete information and instructions.

Response Deadline: September 13, 2017 at 4:00 p.m. (Eastern Time); extended to counsel for Synflex Insulations, LLC and Orbital Insulation Corp. until October 4, 2017 at 4:00 p.m. (ET).

Related Pleadings:

- (a) Certificate of No Objection Regarding Order Sustaining Reorganized Debtors' Objections to (I) Claim of Synflex Insulations, LLC (Claim Number 302), and/or (II) Claim of Orbital Insulation Corp. (Claim Number 301) [D.I. 1489, Filed 9/15/17].
- (b) Order Sustaining Reorganized Debtors' Objections to (I) Claim of Synflex Insulations, LLC (Claim Number 302) and/or (II) Claim Of Orbital Insulation Corp. (Claim Number 301) [D.I. 1493, Entered 9/15/17].
- (c) Certification of Counsel Regarding Order (A) Vacating First Order Sustaining Reorganized Debtors' Objection to (I) Claim Of Synflex Insulations, LLC (Claim Number 302), and/or (II) Claim of Orbital Insulation Corp. (Claim Number 301) and (B) Setting Response Deadline and Hearing Date [D.I. 1500, filed 9/19/17].
- (d) Order (A) Vacating First Order Sustaining Reorganized Debtors' Objection to (I) Claim of Synflex Insulations, LLC (Claim Number 302), and (II) Claim of Orbital Insulation Corp. (Claim Number 301); and (B) Setting Response Deadline and Hearing Date [D.I. 1504, filed 9/20/17].

Response Received:

- (a) Claimant Orbital Insulation Corp.'s Response in Opposition to Reorganized Debtor's Objection to Claim of Orbital Insulation Corp. (Claim Number 301) [D.I. 1540, filed 10/3/17].
- (b) Claimant Synflex Insulation LLC's Response in Opposition to Reorganized Debtor's Objection to Claim of Synflex Insulation LLC (Claim Number 302) [D.I. 1541, filed 10/3/17].

Status: This matter has been continued by agreement of the parties until the hearing on January 24, 2018 at 10:00 a.m. (ET).

- 3. Reorganized Debtors' and Liquidating Debtors' Objection to Claims of Nationwide Mutual Insurance Company (Proofs of Claim Nos. 416, 494, 569, 570, 573, 574, 575, 576, 580, 597, 598, 601, 602, 603, 604, 606, 608, 609, 612, 682, 708, 713 & 741) [D.I. 1466, Filed 8/18/17].

Response Deadline: September 13, 2017 at 4:00 p.m. (ET), extended for Nationwide Mutual Insurance Company until September 18, 2017 at 11:00 a.m. (ET), supplemental response due October 25, 2017 at 4:00 p.m. (ET).

Related Pleadings:

- (a) Certification of Counsel Regarding Order Approving Stipulation By and Between Abengoa Solar, LLC, the EPC Reorganizing Debtors, and Nationwide Mutual Insurance Company Regarding Proofs of Claim Nos. 416, 494, 569, 570, 573, 574, 575, 576, 580, 597, 598, 601, 602, 603, 604, 606, 608, 609, 612, 682, 708, 713 & 741) [D.I. 1514, Filed 9/22/17].
- (b) Order Approving Stipulation By and Between Abengoa Solar, LLC, the EPC Reorganizing Debtors, and Nationwide Mutual Insurance Company Regarding Proofs of Claim Nos. 416, 494, 569, 570, 573, 574, 575, 576, 580, 597, 598, 601, 602, 603, 604, 606, 608, 609, 612, 682, 708, 713 & 741) [D.I. 1518, Filed 9/25/17].

Responses Received:

- (a) Response of Nationwide Mutual Insurance Company to Reorganized Debtors' Objections to Claims [D.I. 1494, Filed 9/18/17].
- (b) Supplemental Response of Nationwide Mutual Insurance Company to Reorganized Debtors' and Liquidating Debtors' Objection to Claims [D.I. 1569, Filed 10/25/17].

Status: This matter has been continued by agreement of the parties until the hearing on January 24, 2018 at 10:00 a.m. (ET).

- 4. EPC Reorganized Debtors' Seventh Omnibus (Non-Substantive) Objection to Claims [D.I. 1529, Filed 9/28/17].

Response Deadline: October 26, 2017 at 4:00 p.m. (Eastern Time); extended to October 30, 2017 for counsel to SPX.

Related Pleadings:

- (a) Certification of Counsel Regarding Order Approving EPC Reorganized Debtors' Seventh Omnibus (Non-Substantive) Objection to Claims [D.I. 1576, Filed 10/30/17].
- (b) Order Approving EPC Reorganized Debtors' Seventh Omnibus (Non-Substantive) Objection to Claims [D.I. 1581, Filed 10/31/17].

Response Received:

- (a) Informal comments received from SPX. These comments are in the process of being resolved through a separation stipulation and the applicable claims have been removed from the Objection.

Status: A hearing on the Objection with respect to claims of SPX has been continued by agreement of the parties until the hearing on January 24, 2018 at 10:00 a.m. (ET).

5. EPC Reorganized Debtors' Eighth Omnibus (Non-Substantive) Objection to Claims [D.I. 1531, Filed 9/28/17].

Response Deadline: October 26, 2017 at 4:00 p.m. (Eastern Time); extended to October 30, 2017 at 12:00 p.m. for the Department of Energy and counsel to SPX.

Related Pleadings:

- (a) Certification of Counsel Regarding Order Approving EPC Reorganized Debtors' Eighth Omnibus (Non-Substantive) Objection to Claims [D.I. 1577, Filed 10/30/17].
- (b) Order Approving EPC Reorganized Debtors' Eighth Omnibus (Non-Substantive) Objection to Claims [D.I. 1582, Filed 10/31/17].

Response Received:

- (a) Informal comments received from Jeffrey Vetter, Chapter 7 Trustee of the estate of RLS Industries.
- (b) Informal comments received from the Department of Energy.
- (c) Informal comments received from SPX. These comments are in the process of being resolved through a separation stipulation and the applicable claims have been removed from the Objection.
- (d) Informal comments received from Engineering Design and Testing Corp.
- (e) Informal comments received from William and Kelly Kiser.
- (f) Informal comments received from Howard-Young International of Nevada, Inc.
- (g) FHI Plant Services, Inc. Limited Response and Reservation of Rights to Debtors' Sixth, Eighth and Ninth Omnibus Objection to Claims [D.I. 1570, Filed 10/26/17].

Status: A hearing on the Objection with respect to claims of SPX has been continued by agreement of the parties until the hearing on January 24, 2018 at 10:00 a.m. (ET).

MATTERS WITH CERTIFICATION OF COUNSEL/NO OBJECTION (COC/CNO):

6. Liquidating Trustee's First Omnibus (Non-Substantive) Objection to Intercompany Claims [D.I. 1593, Filed 11/3/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time).

Related Pleadings:

- (a) Certificate of No Objection Regarding Liquidating Trustee's First Omnibus (Non-Substantive) Objection to Intercompany Claims [D.I. 1617, Filed 12/1/17].
- (b) **Order Granting Liquidating Trustee's First Omnibus (Non-Substantive) Objection To Intercompany Claims [D.I. 1628, Filed 12/4/17].**

Response Received: None.

Status: An Order has been entered, therefore a hearing is no longer necessary.

7. Liquidating Trustee's First Omnibus (Non-Substantive) Objection to Intercompany Claim [D.I. 1594, Filed 11/3/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time).

Related Pleadings:

- (a) Certificate of No Objection Regarding Liquidating Trustee's First Omnibus (Non-Substantive) Objection to Intercompany Claim [D.I. 1618, Filed 12/1/17].
- (b) **Order Granting Liquidating Trustee's First Omnibus (Non-Substantive) Objection To Intercompany [D.I. 1629, Filed 12/4/17].**

Response Received: None.

Status: An Order has been entered, therefore a hearing is no longer necessary.

8. EPC Reorganizing Debtors' Twelfth Omnibus (Substantive) Objection to Claims [D.I. 1597, Filed 11/6/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time); extended to November 30, 2017 for W.W. Grainger.

Related Pleadings:

- (a) Certification of Counsel Regarding Reorganizing Debtors' Twelfth Omnibus (Substantive) Objection to Claims [D.I. 1620, Filed 12/1/17].

(b) Order Approving EPC Reorganizing Debtors' Twelfth Omnibus (Substantive) Objection to Claims [D.I. 1626, Filed 12/4/17].

Response Received:

- (a) Informal comments received from W.W. Grainger.

Status: An Order has been entered, therefore a hearing is no longer necessary.

9. EPC Reorganizing Debtors' Thirteenth Omnibus (Non-Substantive) Objection to Claims [D.I. 1598, Filed 11/6/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time); extended to November 30, 2017 for Matrix Service Inc. and The Calvert Company, Inc.

Related Pleadings:

- (a) Certification of Counsel Regarding Order Approving EPC Reorganizing Debtors' Thirteenth Omnibus (Non-Substantive) Objection to Claims [D.I. 1621, Filed 12/1/17].

(b) Order Approving EPC Reorganizing Debtors' Thirteenth Omnibus (Non-Substantive) Objection to Claims [D.I. 1627, Filed 12/4/17].

Response Received:

- (a) Informal comments received from Matrix Service Inc.
(b) Informal comments received from The Calvert Company, Inc.
(c) Informal comments received from Amec Foster Wheeler Constructors, Inc.

Status: A hearing on the Objection to claim of Matrix Service Inc. has been continued to January 24, 2018 at 10:00 a.m. (ET). **An Order has been entered, therefore a hearing is no longer necessary.**

MATTERS GOING FORWARD:

10. EPC Reorganized Debtors' Ninth Omnibus (Non-Substantive) Objection to Claims [D.I. 1533, Filed 9/28/17].

Response Deadline: October 26, 2017 at 4:00 p.m. (Eastern Time); extended to October 30, 2017 at 12:00 p.m. for the Department of Energy and counsel to SPX.

Related Pleadings:

- (a) Certification of Counsel Regarding Order Approving EPC Reorganized Debtors' Ninth Omnibus (Non-Substantive) Objection to Claims [D.I. 1578, Filed 10/30/17].
- (b) Order Approving EPC Reorganized Debtors' Ninth Omnibus (Non-Substantive) Objection to Claims [D.I. 1583, Filed 10/31/17].
- (c) **Certification of Counsel Regarding the Second Order Approving EPC Reorganized Debtors' Ninth Omnibus (Non-Substantive) Objection to Claims [D.I. 1631, Filed 12/4/17].**

Response Received:

- (a) Informal comments received from the Department of Energy.
- (b) Informal comments received from SPX.
- (c) Informal comments received from Leser LLC.
- (d) FHI Plant Services, Inc. Limited Response and Reservation of Rights to Debtors' Sixth, Eighth and Ninth Omnibus Objection to Claims [D.I. 1570, Filed 10/26/17].

Status: A Certification of Counsel has been filed. A hearing is no longer necessary, unless the Court has questions.

- 11. Motion to Allow Motion to Turn Over Asset 1.5 Billion and or the Interest up to Date and Motion to Dismiss 1144 of Bankruptcy Code Due to Fraud [D.I. 1566, Filed 10/25/17].

Response Deadline: November 28, 2017.

Related Pleadings:

- (a) Notice of Hearing [D.I. 1567, Filed 10/25/17].
- (b) Affidavit of Service [D.I. 1615, Filed 11/30/17].

Response Received:

- (a) Response to Motion Filed By Kenneth R. Stewart [D.I. 1611, Filed 11/28/17].
- (b) Joinder of Litigation Trustee to Debtors' Response to Motion Filed By Kenneth R. Stewart [D.I. 1619, Filed 12/1/17].

Status: This matter is going forward.

12. EPC Reorganizing Debtors' Eleventh Omnibus (Non-Substantive) Objection to Claims [D.I. 1596, Filed 11/6/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time); extended to November 30, 2017 for AETHER DBS.

Related Pleadings: None.

Response Received:

- (a) Response of AETHER DBS to EPC Reorganizing Debtors' Eleventh Omnibus (Non-Substantive) Objection to Claims [D.I. 1614, Filed 11/30/17].

Status: This matter is going forward.

13. Motion to Quash Depositions of Synflex and Orbital [D.I. 1600, Filed 11/7/17].

Response Deadline: November 27, 2017 at 4:00 p.m. (Eastern Time).

Related Pleadings: None.

Response Received:

- (a) [Litigation Trustee's] Opposition to the Motions to Quash By Distribution International, Inc. and Crown Financial, LLC [D.I. 1610, Filed 11/27/17].

Status: The parties have agreed upon a deposition date. As such, the parties acknowledge that this matter is resolved and the moving parties will withdraw their motion.

14. Motion of Distribution International, Inc. for Order Quashing Depositions of Synflex and Orbital [D.I. 1601, Filed 11/7/17].

Response Deadline: November 28, 2017 at 4:00 p.m. (Eastern Time).

Related Pleadings: None.

Response Received:

- (a) [Litigation Trustee's] Opposition to the Motions to Quash By Distribution International, Inc. and Crown Financial, LLC [D.I. 1610, Filed 11/27/17].

Status: The parties have agreed upon a deposition date. As such, the parties acknowledge that this matter is resolved and the moving parties will withdraw their motion.

Dated: December 4, 2017
Wilmington, Delaware

DLA PIPER LLP (US)

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