

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Declaration of Marc D. Puntus in Support of the Debtors’ (A) Motion to Obtain Postpetition Debtor-in-Possession Financing and (B) Motion to Continue Selling Receivables Pursuant to Securitization Facility [Docket No. 32 – filed May 12, 2019]
- iii. Interim Order (I) Authorizing Certain Debtors to Continue Selling Receivables and Related Rights Pursuant to a Securitization Facility, (II) Modifying the Automatic Stay, (III) Scheduling a Final Hearing, and (IV) Granting Related Relief [Docket No. 96 – entered May 14, 2019]
- iv. Notice of (1) Entry of Interim Order (I) Authorizing Certain Debtors to Continue Selling Receivables and Related Rights Pursuant to a Securitization Facility, (II) Modifying the Automatic Stay, (III) Scheduling a Final Hearing, and (IV) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 116 – filed May 16, 2019]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for July 2, 2019 at 2:00 p.m. (ET).

2. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing Secured by Senior Priming Liens and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Status, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 31 – filed May 12, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 10, 2019 at 12:00 p.m. (ET) for the Department of Justice (the “**DOJ**”) and Zurich American Insurance Company (“**Zurich**”); extended to June 24, 2019 at 12:00 p.m. (ET) for the Committee and the Office of the United States Trustee for the District of Delaware (the “**U.S. Trustee**”)

Objections/Responses Received:

- A. Informal comments from Zurich
- B. Informal comments from the Ad Hoc Group
- C. Informal comments from the DOJ
- D. Informal comments from the Committee
- E. Informal comments from Comerica Leasing Corp.

F. Informal comments from Big Horn County³

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Declaration of Marc D. Puntus in Support of the Debtors’ (A) Motion to Obtain Postpetition Debtor-in-Possession Financing and (B) Motion to Continue Selling Receivables Pursuant to Securitization Facility [Docket No. 32 – filed May 12, 2019]
- iii. Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing Secured by Senior Priming Liens and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Status, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 106 – entered May 15, 2019]
- iv. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing Secured by Senior Priming Liens and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Status, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 117 – filed May 16, 2019]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for July 2, 2019 at 2:00 p.m. (ET).

II. UNCONTESTED MATTERS WITH CERTIFICATES OF NO OBJECTION:

3. Motion of Debtors for Entry of an Order Extending the Debtors’ Deadline to File (A) Schedules of Assets and Liabilities, (B) Schedules of Executory Contracts and Unexpired Leases, (C) Schedules of Income and Expenditures and (D) Statements of Financial Affairs [Docket No. 59 – filed May 13, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received: None

Related Documents:

- i. Notice of Motion and Hearing [Docket No. 156 – filed May 22, 2019]
- ii. Certificate of No Objection Regarding Motion of Debtors for Entry of an Order Extending the Debtors’ Deadline to File (A) Schedules of Assets and Liabilities, (B) Schedules of Executory Contracts and Unexpired Leases, (C)

³ The Debtors received Big Horn County's comments after June 5, 2019 at 5:00 p.m. (ET).

Schedules of Income and Expenditures and (D) Statements of Financial Affairs [Docket No. 207 – filed June 10, 2019]

Status: On June 10, 2019, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is not required.

4. Debtors' Application to Retain and Employ Richards, Layton & Finger, P.A. as Co-Counsel Pursuant to Section 327(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016 and Local Rule 2014-1, *Nunc Pro Tunc* to the Petition Date [Docket No. 151 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received: None

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Application to Retain and Employ Richards, Layton & Finger, P.A. as Co-Counsel Pursuant to Section 327(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016 and Local Rule 2014-1, *Nunc Pro Tunc* to the Petition Date [Docket No. 208 – filed June 10, 2019]

Status: On June 10, 2019, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is not required.

5. Debtors' Application for an Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [Docket No. 153 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received: None

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Application for an Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [Docket No. 209 – filed June 10, 2019]

Status: On June 10, 2019, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is not required.

III. UNCONTESTED MATTERS ANTICIPATED TO BE FILED UNDER CERTIFICATION OF COUNSEL GOING FORWARD:

6. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable

Expenses and (B) Continue Employee Benefit Programs, and (II) Granting Related Relief [Docket No. 7 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee; extended to June 10, 2019 at 12:00 p.m. (ET) for Zurich

Objections/Responses Received:

- A. Informal comments from Zurich
- B. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefit Programs, and (II) Granting Related Relief [Docket No. 91 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefit Programs, and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 107 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from Zurich and the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

- 7. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Checks and Business Forms, and (C) Continue Intercompany Arrangements, (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief [Docket No. 8 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the Committee

B. Informal comments from the U.S. Trustee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Checks and Business Forms, and (C) Continue Intercompany Arrangements, (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief [Docket No. 102 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Checks and Business Forms, and (C) Continue Intercompany Arrangements, (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 108 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the U.S. Trustee and the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

8. Motion of Debtors for Entry of Interim and Final Orders (I) Approving Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services and (III) Approving Debtors' Proposed Procedures Resolving Additional Assurance Requests [Docket No. 9 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Approving Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services, and (III) Approving Debtors' Proposed Procedures Resolving Additional Assurance Requests [Docket No. 100 – entered May 14, 2019]

- iii. Notice of (1) Entry of Interim Order (I) Approving Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services, and (III) Approving Debtors' Proposed Procedures Resolving Additional Assurance Requests and (2) Final Hearing Thereon [Docket No. 109 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

- 9. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 10 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 99 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 110 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

- 10. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Honor Certain Prepetition Obligations to Customers and (II) Granting Related Relief [Docket No. 11 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. for the Committee

Objections/Responses Received:

A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Debtors to Honor Certain Prepetition Obligations to Customers and (II) Granting Related Relief [Docket No. 95 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to Honor Certain Prepetition Obligations to Customers and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 111 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

11. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Enter Into and Perform Under Coal Contracts in the Ordinary Course of Business and (II) Granting Related Relief [Docket No. 12 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. for the Committee

Objections/Responses Received:

A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Debtors to Enter Into and Perform Under Coal Contracts in the Ordinary Course of Business and (II) Granting Related Relief [Docket No. 98 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to Enter Into and Perform Under Coal Contracts in the Ordinary Course of Business and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 112 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

12. Motion of Debtors for Entry of Interim and Final Orders Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates [Docket No. 13 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates [Docket No. 101 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors' Estates and (2) Final Hearing Thereon [Docket No. 113 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

13. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors and (II) Granting Related Relief [Docket No. 14 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Declaration of Alan Boyko of FTI Consulting, Inc. in Support of Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors and (II) Granting Related Relief [Docket No. 15 – filed May 10, 2019]

- iii. Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors and (II) Granting Related Relief [Docket No. 103 – entered May 14, 2019]
- iv. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 114 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

14. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay (A) Certain Prepetition Claims of Shippers, Warehousemen, and Service Providers, (B) Claims Arising Under Section 503(b)(9) of the Bankruptcy Code, and (C) Certain Royalty and Lease Obligations and (II) Granting Related Relief [Docket No. 16 – filed May 10, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the Committee

Related Documents:

- i. Declaration of Heath Hill in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 21 – filed May 10, 2019]
- ii. Interim Order (I) Authorizing the Debtors to Pay (A) Certain Prepetition Claims of Shippers, Warehousemen, and Service Providers, (B) Claims Arising Under Section 503(b)(9) of the Bankruptcy Code, and (C) Certain Royalty and Lease Obligations and (II) Granting Related Relief [Docket No. 94 – entered May 14, 2019]
- iii. Notice of (1) Entry of Interim Order (I) Authorizing the Debtors to Pay (A) Certain Prepetition Claims of Shippers, Warehousemen, and Service Providers, (B) Claims Arising Under Section 503(b)(9) of the Bankruptcy Code, and (C) Certain Royalty and Lease Obligations and (II) Granting Related Relief and (2) Final Hearing Thereon [Docket No. 115 – filed May 16, 2019]

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

15. Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business and (II) Granting Related Relief [Docket No. 56 – filed May 13, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. for the Committee

Objections/Responses Received:

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

Related Documents:

- i. Notice of Motion and Hearing [Docket No. 155 – filed May 22, 2019]

Status: The Debtors are working to resolve certain comments from the U.S. Trustee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

16. Debtors' Application for Entry of an Order (I) Authorizing the Retention and Employment of FTI Consulting, Inc. as Financial Advisor for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2(h) and (III) Granting Related Relief [Docket No. 150 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received:

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

Related Documents: None

Status: The Debtors are working to resolve certain comments from the U.S. Trustee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

17. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Vinson & Elkins L.L.P. as Attorneys for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 152 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received:

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

Related Documents: None

Status: The Debtors are working to resolve certain comments from the U.S. Trustee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

18. Motion of Debtors for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Docket No. 154 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received:

- A. Informal comments from the Committee

Related Documents: None

Status: The Debtors are working to resolve certain comments from the Committee. The Debtors anticipate that they will be able to consensually resolve the comments and submit an order under certification of counsel in advance of the hearing. However, at this time, the hearing on this matter will go forward.

III. UNCONTESTED MATTER GOING FORWARD:

19. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Centerview Partners LLC as Investment Banker for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 146 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET); extended to June 7, 2019 at 5:00 p.m. (ET) for the Committee

Objections/Responses Received:

- A. Informal comments from the U.S. Trustee
B. Informal comments from the Committee

Related Documents:

- i. Declaration of Marc D. Puntus in Support of Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Centerview Partners LLC as Investment Banker for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 147 – filed May 22, 2019] [REDACTED]

- ii. Declaration of Marc D. Puntus in Support of Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Centerview Partners LLC as Investment Banker for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 148 – filed May 22, 2019] [FILED UNDER SEAL]

Status: The Debtors are working to resolve certain comments from the U.S. Trustee and the Committee. The Debtors anticipate that they will be able to consensually resolve the comments in advance of the hearing. However, given the pending objection to the application's related motion to seal, at this time, the hearing on this matter will go forward.

IV. CONTESTED MATTERS GOING FORWARD:

20. Motion of Debtors for Entry of Orders (A)(I) Approving Bidding Procedures, (II) Scheduling the Bid Deadlines and the Auction, (III) Scheduling Hearings and Objection Deadlines with Respect to the Sale, (IV) Approving the Form and Manner of Notice Thereof, (V) Approving Contract Assumption and Assignment Procedures, and (VI) Granting Related Relief and (B)(I) Approving the Sale of the Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances, (II) Approving Assumption and Assignment of Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [Docket No. 52 – filed May 13, 2019]

Bidding Procedures Objection/Response Deadline: May 28, 2019 at 4:00 p.m. (ET),
extended to June 7, 2019 at 5:00 p.m.
(ET) for the Official Committee of
Unsecured Creditors

Bidding Procedures Objections/Responses Received:

- A. Informal comments from the Committee
- B. Objection of Arch Insurance Company, Argonaut Insurance Company, Aspen American Insurance Company, Aspen Specialty Insurance Company, Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company, American Guarantee and Liability Insurance Company, and North American Specialty Insurance Company to Motion of Debtors for Entry of Orders (A)(1) Approving Bidding Procedures, (II) Scheduling the Bid Deadlines and Auction, (III) Scheduling Hearings and Objection Deadlines with Respect to the Sale, (IV) Approving the Form and Manner of Notice Thereof, (V) Approving the Contract Assumption and Assignment Procedures, and (VI) Granting Related Relief and (B)(I) Approving the Sale of the Assets Free and Clear of all Liens, Claims, Interests, and Encumbrances, (II) Approving Assumption and Assignment of Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [Docket No. 165 – filed May 28, 2019]

- C. United States Trustee's Objection to Motion of Debtors for Entry of Order (A)(I) Approving Bidding Procedures, (II) Scheduling the Bid Deadline and the Auction, (III) Scheduling Hearings and Objection Deadlines with Respect to the Sale, (IV) Approving the Form and Manner of Notice Thereof, (V) Approving Contract Assumption and Assignment Procedures, and (VI) Granting Related Relief; and (B)(I) Approving the Sale of the Assets Free and Clear of Liens, Claims, Interests, and Encumbrances, (II) Approving Assumption and Assignment of Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [Docket No. 166 – filed May 28, 2019]
- D. Limited Objection of Paul David Pollard to the Motion of Debtors for Entry of Orders (A)(I) Approving Bidding Procedures, (II) Scheduling the Bid Deadlines and the Auction, (III) Scheduling Hearings and Objection Deadlines with Respect to the Sale, (IV) Approving the Form and Manner of Notice Thereof, (V) Approving Contract Assumption and Assignment Procedures, and (VI) Granting Related Relief and (B)(I) Approving the Sale of the Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances, (II) Approving Assumption and Assignment of Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [Docket No. 171 – filed May 29, 2019]
- E. Statement and Reservation of Rights of the Official Committee of Unsecured Creditors in Connection with the Motion of Debtors for Entry of Orders (A)(I) Approving Bidding Procedures, (II) Scheduling the Bid Deadlines and the Auction, (III) Scheduling Hearings and Objection Deadlines with Respect to the Sale, (IV) Approving the Form and Manner of Notice Thereof, (V) Approving Contract Assumption and Assignment Procedures, and (VI) Granting Related Relief and (B)(I) Approving the Sale of the Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (II) Approving Assumption and Assignment of Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [Docket No. 198 – filed June 7, 2019]
- F. Protective Objection and Reservation of Rights of BOKF, National Association, in its Capacity as Indenture Trustee, to the Debtors' Bid Procedures Motion [Docket No. 199 – filed June 7, 2019]

Related Documents:

- i. Notice of Motion and Hearing [Docket No. 104 – filed May 14, 2019]
- ii. Debtors' Omnibus Response to Objections to Debtors' Bidding Procedures and Sales Motion [Docket No. 196 – filed June 7, 2019]
- iii. Declaration of Marc D. Puntus in Support of the Debtors' Bidding Procedures and Sale Motion [Docket No. 197 – filed June 7, 2019]

- iv. Notice of Filing of Revised Proposed Bidding Procedures Order [Docket No. 200 – filed June 7, 2019]

Status: The hearing regarding the Debtors’ proposed bidding procedures will go forward.

- 21. Debtors’ Motion for Entry of an Order Authorizing Certain Confidential Information Related to Centerview Partners LLC’s Retention Application to be Filed Under Seal [Docket No. 149 – filed May 22, 2019]

Objection/Response Deadline: June 5, 2019 at 5:00 p.m. (ET)

Objections/Responses Received:

- A. United States Trustee’s Objection to Debtors’ Motion for Entry of an Order Authorizing Certain Confidential Information Related to Centerview Partners LLC’s Retention Application to be Filed Under Seal [Docket No. 184 – filed June 5, 2019]

Related Documents: None

Status: The hearing regarding this matter will go forward.

Dated: June 10, 2019
Wilmington, Delaware

/s/ David T. Queroli

RICHARDS, LAYTON & FINGER, P.A.

Daniel J. DeFranceschi (No. 2732)

John H. Knight (No. 3848)

David T. Queroli (No. 6318)

One Rodney Square

920 North King Street

Wilmington, DE 19801

Tel: 302.651.7700

Fax: 302.651.7701

defranceschi@rlf.com; knight@rlf.com;

queroli@rlf.com

- and -

VINSON & ELKINS LLP

David S. Meyer (admitted *pro hac vice*)

Jessica C. Peet (admitted *pro hac vice*)

Lauren R. Kanzer (admitted *pro hac vice*)

666 Fifth Avenue, 26th Floor

New York, NY 10103-0040

Tel: 212.237.0000

Fax: 212.237.0100

dmeyer@velaw.com; jpeet@velaw.com;

lkanzer@velaw.com

- and -

Paul E. Heath (admitted *pro hac vice*)

2001 Ross Avenue, Suite 3900

Dallas, TX 75201

Tel: 214.220.7700

Fax: 214.220.7716

pheath@velaw.com

Proposed Attorneys for the Debtors and Debtors in Possession