

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re:	:	Chapter 11
	:	
LIBBEY GLASS INC., <i>et al.</i> , ¹	:	Case No. 20-11439 (LSS)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JULY 2, 2020 AT 10:00 A.M. (ET)**

This hearing will be held telephonically and by video.
All parties wishing to appear must do so telephonically by contacting COURTCALL, LLC at 866-582-6878 no later than July 2 at 8:30 a.m. to sign up.
Additionally, anyone wishing to appear by Zoom is invited to use the link below.
All parties that will be arguing or testifying must appear by Zoom and CourtCall.
Participants on CourtCall should dial into the call no later than 10 minutes prior to the start of the scheduled hearing to insure a proper connection.

PLEASE NOTE THAT THE MICROPHONES ON THE ZOOM MEETING WILL BE MUTED AND THE ONLY AUDIO WILL BE THROUGH COURTCALL.

Topic: Libbey Glass Inc., 20-11439
Time: July 2, 2020 10:00 AM Eastern Time (US and Canada)

Join ZoomGov Meeting
<https://debuscourts.zoomgov.com/j/1606559297>

Meeting ID: 160 655 9297
Password: 437655

Join by SIP
1606559297@sip.zoomgov.com

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Libbey Glass Inc. (4107), Libbey Inc. (9357), Libbey.com LLC (6913), Syracuse China Company (1904), The Drummond Glass Company (0383), LGC Corp. (6034), LGAC LLC (0497), World Tableware Inc. (1231), LGFS Inc. (0975), LGAU Corp. (5531), LGA4 Corp. (5673), and LGA3 Corp. (1505). The Debtors’ address is P.O. Box 10060, Toledo, Ohio 43699-0060.

² **Amended items appear in bold.**

I. ADJOURNED MATTERS:

1. Debtors' Application to Employ and Retain Alvarez & Marshal North America, LLC as Financial Advisors to Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code [[Docket No. 109](#); filed June 11, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to July 2, 2020 at 5:00 p.m. (ET) for the Office of the United States Trustee for the District of Delaware (the "U.S. Trustee")

Responses/Objections Received:

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

Status: The hearing on this matter has been adjourned to a hearing scheduled for July 13, 2020 at 11:00 a.m. (ET).

II. MATTERS FILED, OR EXPECTED TO BE FILED, UNDER CERTIFICATION:

2. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 363(b), 507(a)(8), and 541 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Payment of Prepetition Taxes and Fees [[Docket No. 6](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26 at 5:00 P.M. (ET) for the Official Committee of Unsecured Creditors (the "Committee")

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 507(a)(8), and 541 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Payment of Prepetition Taxes and Fees [[Docket No. 63](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 507(a)(8), and 541 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Payment of Prepetition Taxes and Fees; and (B) Final Hearing Thereon [[Docket No. 82](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 363(b), 507(a)(8), and 541 and Fed. R. Bankr. P. 6003 and 6004**

Authorizing Payment of Prepetition Taxes and Fees [[Docket No. 212](#); filed July 1, 2020]

- iv. **Final Order Under 11 U.S.C. §§ 105(a), 363(b), 507(a)(8), and 541 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Payment of Prepetition Taxes and Fees [[Docket No. 224](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 3. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 363(b) and 363(c) and Fed. R. Bankr. P. 6003 and 6004 Authorizing the Debtors to Continue Their Customer Programs [[Docket No. 7](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26 at 5:00 P.M. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 363(b) and 363(c) and Fed. R. Bankr. P. 6003 and 6004 Authorizing the Debtors to Continue Their Customer Programs [[Docket No. 64](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 363(b) and 363(c) and Fed. R. Bankr. P. 6003 and 6004 Authorizing the Debtors to Continue Their Customer Programs; and (B) Final Hearing Thereon [[Docket No. 83](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 363(b) and 363(c) and Fed. R. Bankr. P. 6003 and 6004 Authorizing the Debtors to Continue Their Customer Programs [[Docket No. 219](#); filed July 1, 2020]**

Status: On July 1, 2020, the Debtors filed a proposed form of order regarding this matter under certification of counsel. Accordingly, a hearing on this matter is only necessary to the extent that the Court has any questions.

- 4. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 8](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Objection of Certain Utility Companies to the Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 125](#); filed June 18, 2020]
- B. Informal comments for the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 93](#); filed June 4, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment; and (B) Final Hearing Thereon [[Docket No. 94](#); filed June 5, 2020]
- iii. Notice of Withdrawal of Objection of Certain Utility Companies to the Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 147](#); filed June 25, 2020]
- iv. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 211](#); filed July 1, 2020]**

- v. **Final Order Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment [[Docket No. 223](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 5. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) Authorizing Debtors to (I) Pay their Prepetition Insurance Obligations, (II) Pay their Prepetition Bonding Obligations, (III) Maintain their Postpetition Insurance Coverage, and (IV) Maintain their Bonding Program [[Docket No. 9](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) Authorizing Debtors to (I) Pay their Prepetition Insurance Obligations, (II) Pay their Prepetition Bonding Obligations, (III) Maintain their Postpetition Insurance Coverage, and (IV) Maintain their Bonding Program [[Docket No. 65](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) Authorizing Debtors to (I) Pay their Prepetition Insurance Obligations, (II) Pay their Prepetition Bonding Obligations, (III) Maintain their Postpetition Insurance Coverage, and (IV) Maintain their Bonding Program; and (B) Final Hearing Thereon [[Docket No. 84](#); filed June 4, 2020]

- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) Authorizing Debtors to (I) Pay their Prepetition Insurance Obligations, (II) Pay their Prepetition Bonding Obligations, (III) Maintain their Postpetition Insurance Coverage, and (IV) Maintain their Bonding Program [[Docket No. 209](#); filed July 1, 2020]**
- iv. **Final Order Under 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) Authorizing Debtors to (I) Pay their Prepetition Insurance Obligations, (II) Pay their Prepetition Bonding Obligations, (III) Maintain their Postpetition Insurance Coverage, and (IV) Maintain their Bonding Program [[Docket No. 221](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 6. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 362(d), 363(b), 507(a), 541, 553, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing (A) Payment of Prepetition Workforce Obligations and (B) Continuation of Workforce Programs on Postpetition Basis, (II) Authorizing Payment of Payroll-Related Taxes, (III) Confirming the Debtors' Authority to Transmit Payroll Deductions, (IV) Authorizing Payment of Prepetition Claims Owing to Administrators, and (V) Directing Banks to Honor Prepetition Checks and Fund Transfers for Authorized Payments [[Docket No. 10](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 29 at 5:00 P.M. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order (I) Authorizing (A) Payment of Prepetition Workforce Obligations and (B) Continuation of Workforce Programs on Postpetition Basis, (II) Authorizing Payment of Payroll-Related Taxes, (III) Confirming the Debtors' Authority to Transmit Payroll Deductions, (IV) Authorizing Payment of Prepetition Claims Owing to Administrators, and (V) Directing Banks to Honor Prepetition Checks and Fund Transfers for Authorized Payments [[Docket No. 66](#); filed June 2, 2020]

- ii. Notice of (A) Entry of Interim Order (I) Authorizing (A) Payment of Prepetition Workforce Obligations and (B) Continuation of Workforce Programs on Postpetition Basis, (II) Authorizing Payment of Payroll-Related Taxes, (III) Confirming the Debtors' Authority to Transmit Payroll Deductions, (IV) Authorizing Payment of Prepetition Claims Owing to Administrators, and (V) Directing Banks to Honor Prepetition Checks and Fund Transfers for Authorized Payments; and (B) Final Hearing Thereon [[Docket No. 85](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order (I) Authorizing (A) Payment of Prepetition Workforce Obligations and (B) Continuation of Workforce Programs on Postpetition Basis, (II) Authorizing Payment of Payroll-Related Taxes, (III) Confirming the Debtors' Authority to Transmit Payroll Deductions, (IV) Authorizing Payment of Prepetition Claims Owing to Administrators, and (V) Directing Banks to Honor Prepetition Checks and Fund Transfers for Authorized Payments [[Docket No. 214](#); filed July 1, 2020]**
- iv. **Final Order (I) Authorizing (A) Payment of Prepetition Workforce Obligations and (B) Continuation of Workforce Programs on Postpetition Basis, (II) Authorizing Payment of Payroll-Related Taxes, (III) Confirming the Debtors' Authority to Transmit Payroll Deductions, (IV) Authorizing Payment of Prepetition Claims Owing to Administrators, and (V) Directing Banks to Honor Prepetition Checks and Fund Transfers for Authorized Payments [[Docket No. 226](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 7. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of the Critical Vendors, (II) Authorizing the Payment of Certain Prepetition Claims of 503(b)(9) Claimants, (III) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (IV) Granting Related Relief [[Docket No. 11](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of the Critical Vendors, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (III) Granting Related Relief [[Docket No. 67](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of the Critical Vendors, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 86](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of the Critical Vendors, (II) Authorizing the Payment of Certain Prepetition Claims of 503(b)(9) Claimants, (III) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (IV) Granting Related Relief [[Docket No. 216](#); filed July 1, 2020]**

Status: On July 1, 2020, the Debtors filed a proposed form of order regarding this matter under certification of counsel. Accordingly, a hearing on this matter is only necessary to the extent that the Court has any questions.

8. Motion of Debtors for Entry of Orders Under 11 U.S.C. §§ 105(a), 363(b), 506(b), 541, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Debtors to Pay Certain Prepetition Claims of Shippers and Lien Claimants, (II) Confirming Administrative Expense Priority of Undisputed and Outstanding Prepetition Orders, and (III) Granting Related Relief [[Docket No. 12](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 506(b), 541, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Debtors to Pay Certain Prepetition Claims of Shippers and Lien Claimants, (II) Confirming Administrative Expense Priority of Undisputed and Outstanding Prepetition Orders, and (III) Granting Related Relief [[Docket No. 68](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 506(b), 541, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Debtors to Pay Certain Prepetition Claims of Shippers and Lien Claimants, (II) Confirming Administrative Expense Priority of Undisputed and Outstanding Prepetition Orders, and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 87](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 363(b), 506(b), 541, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Debtors to Pay Certain Prepetition Claims of Shippers and Lien Claimants, (II) Confirming Administrative Expense Priority of Undisputed and Outstanding Prepetition Orders, and (III) Granting Related Relief [[Docket No. 213](#); filed July 1, 2020]**
- iv. **Final Order Under 11 U.S.C. §§ 105(a), 363(b), 506(b), 541, 1107(a), and 1108 and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Debtors to Pay Certain Prepetition Claims of Shippers and Lien Claimants, (II) Confirming Administrative Expense Priority of Undisputed and Outstanding Prepetition Orders, and (III) Granting Related Relief [[Docket No. 225](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

9. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 541 and 1107(a), and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of Foreign Vendors, and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers [[Docket No. 13](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 541 and 1107(a), and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of Foreign Vendors, and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers [[Docket No. 69](#); filed June 2, 2020]
- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 541 and 1107(a), and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of Foreign Vendors, and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (B) Final Hearing Thereon [[Docket No. 88](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 363(b), 503(b)(9), 541 and 1107(a), and Fed. R. Bankr. P. 6003 and 6004 (I) Authorizing Payment of Prepetition Claims of Foreign Vendors, and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers [[Docket No. 215](#); filed July 1, 2020]**

Status: On July 1, 2020, the Debtors filed a proposed form of order regarding this matter under certification of counsel. Accordingly, a hearing on this matter is only necessary to the extent that the Court has any questions.

10. Motion of Debtors for Order Under 11 U.S.C. §§ 105(a), 362(a)(3), and 541 Establishing Certain Notice and Hearing Procedures for Transfers of, or Worthlessness Deductions with Respect to, Certain Equity Interests of Libbey Inc. [[Docket No. 14](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Establishing Certain Notice and Hearing Procedures for Transfers of, or Worthlessness Deductions with Respect to, Certain Equity Interests of Libbey Inc. [[Docket No. 91](#); filed June 4, 2020]

- ii. Notice of (A) (I) Notification Procedures Applicable to Substantial Shareholders and 50-Percent Shareholders of Libbey Inc. Common Stock, (II) Notification and Hearing Procedures for Transferring Libbey Inc. Equity Interests, and (III) Notification and Hearing Procedures for Taking a Worthlessness Deduction with Respect to Libbey Inc. Common Stock; (B) Entry of Interim Order Establishing Certain Notice and Hearing Procedures for Transfers of, or Worthlessness Deductions with Respect to, Certain Equity Interests of Libbey Inc.; and (C) Final Hearing Thereon [[Docket No. 95](#); filed June 5, 2020]
- iii. **Certification of Counsel Regarding Final Order Establishing Certain Notice and Hearing Procedures for Transfers of, or Worthlessness Deductions with Respect to, Certain Equity Interests of Libbey Inc.** [[Docket No. 218](#); filed July 1, 2020]

Status: On July 1, 2020, the Debtors filed a proposed form of order regarding this matter under certification of counsel. Accordingly, a hearing on this matter is only necessary to the extent that the Court has any questions.

- 11. Motion of Debtors for Entry of Interim and Final Orders Under 11 U.S.C. §§ 105(a), 345, 363, 503(b), and 507(a), Fed. R. Bankr. P. 6003 and 6004, and Del. Bankr. L.R. 2015-2 (I) Authorizing Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, (II) Authorizing Continuation of Existing Deposit Practices, (III) Approving the Continuation of Intercompany Transactions, and (IV) Granting Administrative Expense Status to Certain Postpetition Intercompany Claims [[Docket No. 15](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 29, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105(a), 345, 363, 503(b), and 507(a), Fed. R. Bankr. P. 6003 and 6004, and Del. Bankr. L.R. 2015-2 (I) Authorizing Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, (II) Authorizing Continuation of Existing Deposit Practices, (III) Approving the Continuation of Intercompany Transactions; and (IV) Granting Administrative Expense Status to Certain Postpetition Intercompany Claims [[Docket No. 70](#); filed June 2, 2020]

- ii. Notice of (A) Entry of Interim Order Under 11 U.S.C. §§ 105(a), 345, 363, 503(b), and 507(a), Fed. R. Bankr. P. 6003 and 6004, and Del. Bankr. L.R. 2015-2 (I) Authorizing Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, (II) Authorizing Continuation of Existing Deposit Practices, (III) Approving the Continuation of Intercompany Transactions; and (IV) Granting Administrative Expense Status to Certain Postpetition Intercompany Claims; and (B) Final Hearing Thereon [[Docket No. 89](#); filed June 4, 2020]
- iii. **Certification of Counsel Regarding Final Order Under 11 U.S.C. §§ 105(a), 345, 363, 503(b), and 507(a), Fed. R. Bankr. P. 6003 and 6004, and Del. Bankr. L.R. 2015-2 (I) Authorizing Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, (II) Authorizing Continuation of Existing Deposit Practices, (III) Approving the Continuation of Intercompany Transactions; and (IV) Granting Administrative Expense Status to Certain Postpetition Intercompany Claims [[Docket No. 208](#); filed July 1, 2020]**
- iv. **Final Order Under 11 U.S.C. §§ 105(a), 345, 363, 503(b), and 507(a), Fed. R. Bankr. P. 6003 and 6004, and Del. Bankr. L.R. 2015-2 (I) Authorizing Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, (II) Authorizing Continuation of Existing Deposit Practices, (III) Approving the Continuation of Intercompany Transactions; and (IV) Granting Administrative Expense Status to Certain Postpetition Intercompany Claims [[Docket No. 220](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 12. Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Latham & Watkins LLP as Bankruptcy Co-Counsel *Nunc Pro Tunc* to the Petition Date [[Docket No. 103](#); filed June 11, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET)

Responses/Objections Received:

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

Related Documents

- i. Certification of Counsel Regarding Order Authorizing the Employment and Retention of Latham & Watkins LLP as Bankruptcy Co-Counsel *Nunc Pro Tunc* to the Petition Date [[Docket No. 160](#); filed June 29, 2020]
- ii. **Order Authorizing the Employment and Retention of Latham and Watkins LLP as Bankruptcy Co-Council *Nunc Pro Tunc* to the Petition Date [[Docket No. 203](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

13. Debtors' Application for the Entry of an Order Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code (A) Authorizing the Employment and Retention of Lazard Frères & Co. LLC as Investment Banker to the Debtors, *Nunc Pro Tunc* to the Petition Date, (B) Waiving Certain Time-Keeping Requirements Pursuant to Local Rules 2016-2(h) and (C) Granting Related Relief [[Docket No. 106](#); filed June 11, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 26, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from the Committee
- C. Informal comments from the DIP Term Lenders

Related Documents

- i. Supplemental Declaration of Jason A. Cohen in Support of Debtors' Application for the Entry of an Order Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code (A) Authorizing the Employment and Retention of Lazard Frères & Co. LLC as Investment Banker to the Debtors, *Nunc Pro Tunc* to the Petition Date, (B) Waiving Certain Time-Keeping Requirements Pursuant to Local Rule 2016-2(h) and (C) Granting Related Relief [[Docket No. 158](#); filed June 29, 2020]
- ii. Certification of Counsel Regarding Order Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code (A) Authorizing the Employment and Retention of Lazard Frères & Co. LLC as Investment Banker to the Debtors, *Nunc Pro Tunc* to the Petition Date, (B) Waiving Certain Time-Keeping Requirements Pursuant to Local Rule 2016-2(h) and (C) Granting Related Relief [[Docket No. 161](#); filed June 29, 2020]

- iii. **Order Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code (A) Authorizing the Employment and Retention of Lazard Frères & Co. LLC as Investment Banker to the Debtors, *Nunc Pro Tunc* to the Petition Date, (B) Waiving Certain Time-Keeping Requirements Pursuant to Local Rule 2016-2(h) and (C) Granting Related Relief [[Docket No. 205](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 14. 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. 107](#); filed June 11, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET)

Responses/Objections 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. 165](#); filed June 29, 2020]
- ii. **Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [[Docket No. 206](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 15. Application of Debtors to Employ and Retain Richards, Layton & Finger, P.A. as Co-Counsel to the Debtors 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. 108](#); filed June 11, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents

- i. Certificate of No Objection Regarding Application of Debtors to Employ and Retain Richards, Layton & Finger, P.A. as Co-Counsel to the Debtors Pursuant to Section 327(a) of the Bankruptcy Code, Bankruptcy 2014(a) and 2016 and Local Rule 2014-1, *Nunc Pro Tunc* to the Petition Date [[Docket No. 172](#); filed June 29, 2020]
- ii. **Order Authorizing the Debtors Employ and Retain Richards, Layton & Finger, P.A. as Co-Counsel to the Debtors 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. 207](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

16. Motion of Debtors' for Entry of an Order Under 11 U.S.C. §§ 105(a) and 331, Fed. R. Bankr. P. 2016(a) and Del. Bankr. L.R. 2016-2 Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 126](#); filed June 18, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents

- i. Certificate of No Objection Regarding Motion of Debtors for Entry of an Order Under 11 U.S.C. §§ 105(a) and 331, Fed. R. Bankr. P. 2016(a) and Del. Bankr. L.R. 2016-2 Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 173](#); filed June 29, 2020]
- ii. **Order Under 11 U.S.C. §§ 105(a) and 331, Fed. R. Bankr. P. 2016(a) and Del. Bankr. L.R. 2016-2 Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 204](#); entered July 1, 2020]**

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

17. Motion of Debtors' for Entry of an Order Authorizing the Employment and Payment of Professionals Utilized in Ordinary Course of Business [[Docket No. 127](#); filed June 18, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 29, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

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

Related Documents

- i. **Certification of Counsel Regarding Final Order Authorizing the Employment and Payment of Professionals Utilized in Ordinary Course of Business** [[Docket No. 210](#); filed July 1, 2020]
- ii. **Order Authorizing the Employment and Payment of Professionals Utilized in Ordinary Course of Business** [[Docket No. 222](#); entered July 1, 2020]

Status: On July 1, 2020, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 18. Motion of Debtors for Entry of an Order Pursuant to Bankruptcy Rule 3003(c)(3) and Local Rule 2002-1(e) Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (Including for Administrative Expense Claims Arising Under Section 503(b)(9) of the Bankruptcy Code) and Approving the Form and Manner of Notice Thereof [[Docket No. 128](#); filed June 18, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 29, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from the Committee
- C. Informal comments from the Pension Benefit Guaranty Corporation

Related Documents

- i. **Certification of Counsel Regarding Order Pursuant to Bankruptcy Rule 3003(c)(3) and Local Rule 2002-1(e) Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (Including for Administrative Expense Claims Arising Under Section 503(b)(9) of the Bankruptcy Code) and Approving the Form and Manner of Notice Thereof** [[Docket No. 217](#); filed July 1, 2020]

Status: On July 1, 2020, the Debtors filed a proposed form of order regarding this matter under certification of counsel. Accordingly, a hearing on this matter is only necessary to the extent that the Court has any questions.

III. MATTERS GOING FORWARD:

19. Debtors' Motion (I) Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 Authorizing the Debtors to (A) Obtain Senior Secured Priming Superpriority Postpetition Financing, (B) Grant Liens and Superpriority Administrative Expenses Status, (C) Use Cash Collateral of Prepetition Secured Parties and (D) Grant Adequate Protection to Prepetition Secured Parties; (II) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and 4001(c); and (III) Granting Related Relief [[Docket No. 16](#); filed June 1, 2020]

Response/Objection Deadline: June 25, 2020 at 4:00 p.m. (ET); extended to June 29, 2020 at 5:00 p.m. for the U.S. Trustee and the Committee

Responses/Objections Received:

- A. Objection of the United States Trustee to Debtors' Motion to Approve Debtor in Possession Financing [[Docket No. 148](#); filed June 26, 2020]
- B. Response and Reservation of Rights of United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial and Service Workers International Union to Debtors' Motion (I) Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 Authorizing the Debtors to (A) Obtain Senior Secured Priming Superpriority Postpetition Financing, (B) Grant Liens and Superpriority Administrative Expense Status, (C) Use Cash Collateral of Prepetition Secured Parties and (D) Grant Adequate Protection to Prepetition Secured Parties; (II) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and 4001(c); and (III) Granting Related Relief [[Docket No. 152](#); filed June 26, 2020]
- C. Informal comments from the Committee
- D. Informal comments from STAG Industrial Holdings, LLC

Related Documents:

- i. Declaration of Brian Whittman in Support of Debtors' Motion (I) Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 Authorizing the Debtors to (A) Obtain Senior Secured Priming Superpriority Postpetition Financing, (B) Grant Liens and Superpriority Administrative Expenses Status, (C) Use Cash Collateral of Prepetition Secured Parties and (D) Grant Adequate Protection to Prepetition Secured Parties; (II) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and 4001(c); and (III) Granting Related Relief [[Docket No. 38](#); filed June 1, 2020]
- ii. Declaration of Jason A. Cohen in Support of Debtors' Motion (I) Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 Authorizing the Debtors to (A) Obtain Senior Secured Priming Superpriority Postpetition Financing, (B) Grant Liens and Superpriority Administrative Expenses Status, (C) Use Cash Collateral of Prepetition Secured Parties and (D) Grant Adequate Protection to Prepetition Secured Parties; (II) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and 4001(c); and (III) Granting Related Relief [[Docket No. 39](#); filed June 1, 2020]
- iii. Notice of Filing Revised Proposed Interim DIP Order [[Docket No. 55](#); filed June 2, 2020]
- iv. Interim Order Pursuant to Sections 105, 361, 362, 363, 364, 503 and 507 of the Bankruptcy Code (I) Authorizing the Debtors to Obtain Senior Secured Superpriority Postpetition Financing, (II) Granting (A) Liens and Superpriority Administrative Expense Claims, and (B) Adequate Protection to Certain Prepetition Lenders; (III) Authorizing the Use of Cash Collateral; (IV) Modifying the Automatic Stay; (V) Scheduling a Final Hearing; and (VI) Granting Related Relief [[Docket No. 72](#); filed June 3, 2020]
- v. Notice of (A) Entry of Interim Order Pursuant to Sections 105, 361, 362, 363, 364, 503 and 507 of the Bankruptcy Code (I) Authorizing the Debtors to Obtain Senior Secured Superpriority Postpetition Financing, (II) Granting (A) Liens and Superpriority Administrative Expense Claims, and (B) Adequate Protection to Certain Prepetition Lenders; (III) Authorizing the Use of Cash Collateral; (IV) Modifying the Automatic Stay; (V) Scheduling a Final Hearing; and (VI) Granting Related Relief; and (B) Final Hearing Theron [[Docket No. 90](#); filed June 4, 2020]
- vi. Notice of First Amendment to Senior Secured Superpriority Postpetition Financing Arrangements [[Docket No. 146](#); filed June 25, 2020]

Witness Information:

- a. The Debtors anticipate moving the declarations of Brian Whittman [D.I. 38] and Jason A. Cohen [D.I. 39] into evidence. The Debtors understand that the U.S. Trustee may wish to cross-examine one or more of the declarants at the hearing. If necessary, Mr. Whittman will testify from St. Germain, WI and Mr. Cohen will testify from Rye Brook, NY.

Status: The Debtors have reached agreement in principal with the Committee regarding the final relief requested in the motion. The hearing on this matter will go forward.

Dated: July 1, 2020
Wilmington, Delaware

/s/ David T. Queroli

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