

**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)
	:	
	X	

**NOTICE OF *SECOND AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON SEPTEMBER 21, 2020 AT 10:00 A.M. (ET)**

**AS NO MATTERS ARE GOING FORWARD, THE HEARING HAS
BEEN CANCELLED WITH THE PERMISSION OF THE COURT.**

I. CONTESTED MATTER:

1. Debtors’ Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors’ Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 353](#); filed August 17, 2020]

Response/Objection Deadline: September 14, 2020 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Objection of the Official Committee of Unsecured Creditors to Debtors’ Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors’ Fourth Proposals Under Sections 1113 and 1114,

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 agenda items appear in bold.**

and (II) Granting Related Relief [[Docket No. 448](#); filed September 14, 2020]

- B. Objection of the United Steelworkers and International Association of Machinists and IAM Local Lodge 105 to Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 449](#); filed September 14, 2020]

Related Documents:

- i. Declaration of James C. Burmeister in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 354](#); filed August 17, 2020]
- ii. Declaration of Brian Whittman in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief (SEALED) [Docket No. 355; filed August 17, 2020]
- iii. Declaration of Brian Whittman in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief (REDACTED) [[Docket No. 356](#); filed August 17, 2020]
- iv. Declaration of Erik Hult in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief (SEALED) [Docket No. 357; filed August 17, 2020]
- v. Declaration of Erik Hult in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors'

Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief (REDACTED) [[Docket No. 358](#); filed August 17, 2020]

- vi. Declaration of Jason A. Cohen in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 359](#); filed August 17, 2020]
- vii. Notice of Filing of Proposed Redacted Version of the Whittman Declaration [[Docket No. 366](#); filed August 17, 2020]
- viii. Notice of Filing of Proposed Redacted Version of the Hult Declaration [[Docket No. 367](#); filed August 17, 2020]
- ix. Notice of Motion and Hearing [[Docket No. 404](#); filed August 27, 2020]
- x. Statement of the Lender Group in Support of the Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 431](#); filed September 9, 2020]
- xi. Declaration of Jeremiah Espy in Support of the Objection of United Steelworkers and International Association of Machinists and IAM Local Lodge 105 to Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' Fourth Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 450](#); filed September 14, 2020]
- xii. Debtors' Omnibus Reply in Support of Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' [Fifth] Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 463](#); filed September 17, 2020]

- xiii. Statement of the Lender Group in Response to Objections to the Debtors' Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 1113 and 1114 (I) Authorizing the Debtors to (A) Reject Certain Collective Bargaining Agreements, (B) Modify Certain Retiree Benefits, and (C) Implement the Terms of the Debtors' [Fifth] Proposals Under Sections 1113 and 1114, and (II) Granting Related Relief [[Docket No. 465](#); filed September 17, 2020]

Witness Information:

Debtors' Witnesses:

- a. James C. Burmeister, Chief Operating Officer at Libbey Inc., Toledo, OH
- b. Erik Hult, Shareholder at Littler Mendelson, P.C., Columbus, OH
- c. Brian Whittman, Managing Director at Alvarez & Marsal North America, LLC, Highland Park, IL
- d. Jason A. Cohen, Managing Director in the Restructuring Group at Lazard Frères & Co. LLC, Rye Brook, NY

Testimony: The Debtors will move into evidence the declarations filed by each of the above-referenced witnesses. The Debtors will additionally introduce live testimony from each of the witnesses regarding certain portions of their declarations. At this time, the Debtors anticipate that certain objecting parties will cross examine each of the witnesses.

United Steelworks' Witness:

- a. Rob Witherell, employee of the United Steelworkers, McCandless, PA
- b. Tody Kreidler, Principal at Calibre Group, Pittsburgh or the Pittsburgh vicinity
- c. Don Dudley, Warehouser for Libbey, Toledo, OH

Testimony: The Debtors anticipate that the United Steel Workers will introduce live testimony from each of the above-referenced witnesses. At this time, the Debtors anticipate that parties will cross examine each of the witnesses.

IAM's Witness:

- a. Jeremiah Espy, International Association of Machinists business agent, Ashland OH

Testimony: The Debtors anticipate that the IAM will move into evidence the declaration filed by the above-referenced witness. At this time, the Debtors anticipate that parties may cross examine the witness.

Status: **The hearing on this matter has been adjourned by the agreement of the parties and with the permission of the Court. Accordingly, the hearing will not go forward at this time. The Court will hold a status conference on this matter on a date and time that will be separately noticed.**

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Dated: September 20, 2020
Wilmington, Delaware

/s/ David T. Queroli

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- and -

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