

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re: PROMESA
Title III
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of No. 17 BK 3283-LTS
THE COMMONWEALTH OF PUERTO RICO, *et al.*, (Jointly Administered)
Debtors.¹
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**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR THE HEARING ON OCTOBER 25, 2017 AT 10:00 A.M.**

Time and Date of Hearing: **Wednesday, October 25, 2017,**
from 10:00 a.m. to 12:30 p.m. (Atlantic Standard Time)

Location of Hearing: Honorable Laura Taylor Swain, United States District Court Judge
Courtroom 17C
United States District Court for the Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, New York, NY 10007

The hearing will be broadcast by video **teleconference in Courtroom 5** of the United States District Court for the District of Puerto Rico, **Clemente Ruiz Nazario United States Courthouse**, 150 Carlos Chardón Street, Federal Building, San Juan, PR 00918-1767

The hearing will also be available by telephone through Court

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Solutions at www.court-solutions.com or at (800) 397-1898. Attorneys must register no later than October 23, 2017 at 3:00 p.m.

Copies of Documents:

Copies of all documents filed in these title III cases are available free of charge (a) for the actions jointly administered under The Commonwealth of Puerto Rico Title III Action No. 17 BK 3283-LTS by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

I. CONTESTED MATTERS

1. **FEMA Urgent Motion.** Urgent Joint Motion of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Puerto Rico Electric Power Authority, and the Puerto Rico Fiscal Agency and Financial Advisory Authority for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1444**].

Description: Motion of the FOMB and AAFAF to clarify that Federal Disaster Relief Funds being provided to Puerto Rico will be used solely for their intended and required purposes, will be deposited into segregated and non-commingled accounts, and will not be subject to any existing creditor or third-party claims.

Objection Deadline: Thursday, October 19, 2017 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. Statement of Official Committee of Unsecured Creditors in Support of Urgent Joint Motion of Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Puerto Rico Electric Power Authority, and Puerto Rico Fiscal Agency and Financial Advisory Authority for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1468**].
- B. Ambac Assurance Corporation's Limited Objection to Urgent Joint Motion of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Puerto Rico Electric Power Authority, and the Puerto Rico Fiscal Agency and Financial Advisory Authority for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1469**].
- C. Response and Reservation of Rights of National Public Finance Guarantee Corporation to Motion for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1470**].
- D. Limited Objection of the Ad Hoc Group of General Obligation Bondholders to Urgent Motion for Order Concerning Receipt and Use of Anticipated Federal

Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1472**].

- E. Statement of the Official Committee of Retired Employees of the Commonwealth of Puerto Rico in Support of Urgent Joint Motion of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Puerto Rico Electric Power Authority, and Financial Advisory Authority for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1480**].

Reply, Joinder & Statement Deadlines: Monday, October 23, 2017 at 4:00 p.m. (Atlantic Standard Time).

Reply:

- A. Omnibus Reply of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Puerto Rico Electric Power Authority, and the Puerto Rico Fiscal Agency and Financial Advisory Authority to Responses to Urgent Joint Motion for Order Concerning Receipt and Use of Anticipated Federal Disaster Relief Funds and Preserving Rights of Parties [**Case No. 17-3283, ECF No. 1503**].

Related Documents:

- A. Order Setting Briefing Deadlines and Scheduling Hearing on FEMA Urgent Motion [**Case No. 17-3283, ECF No. 1450**].
- B. Informative Motion of the United States of America Pursuant to Order Setting Briefing Deadlines and Scheduling Hearing on FEMA Urgent Motion [**Case No. 17-3283, ECF No. 1489**].

Status: This matter is going forward.

Estimated Time Required: 40 minutes.

2. **COFINA Agent's Clarifying Motion.** COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1121**].

Description: COFINA's agent's motion (i) to confirm that the protections provided to the Oversight Board pursuant to 48 U.S.C. § 2125 apply to COFINA Agent and her employees with respect to the execution of her duties under the Stipulation and Order; (ii) approving COFINA Agent's employment and retention of local counsel; and (iii) clarifying that professional/agent fees will be paid pursuant to the Interim Compensation Order or any other order of the Court.

Objection Deadline: Friday, October 6, 2017 at 12:00 p.m. (Atlantic Standard Time).

Responses:

- A. Statement in Support of COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and her Professionals [**Case No. 17-3283, ECF No. 1272**].
- B. Response of Commonwealth Agent to Motion of COFINA Agent for Order Confirming That 48 U.S.C. § 2125 Applies to COFINA Agent [**Case No. 17-3283, ECF No. 1279**].
- C. Limited Objection of the Bank of New York Mellon, as Trustee, to the COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1336**].
- D. Objection of Debtors to COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1348**].
- E. The Puerto Rico Fiscal Agency and Financial Advisory Authority's Omnibus Objection and Response to: (1) COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [ECF No. 1121]; (2) Response of Commonwealth Agent to Motion of COFINA Agent for Order Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent [ECF No. 1279]; and (3) Limited Objection of Bank of New York [sic] Mellon, as Trustee, to the COFINA Agent's Motion [ECF No. 1336] [**Case No. 17-3283, ECF No. 1407**].

Reply, Joinder & Statement Deadlines: Tuesday, October 10, 2017 at 12:00 p.m.

Replies:

- A. Reply of the Bank of New York Mellon, as Trustee, to the Puerto Rico Fiscal Agency and Financial Advisory Authority's Omnibus Objection and Response to: (1) COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [ECF No. 1121]; (2) Response of Commonwealth Agent to Motion of COFINA Agent for Order Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent [ECF No. 1279];

and (3) Limited Objection of Bank of New York Mellon, as Trustee, to the COFINA Agent's Motion [ECF No. 1336] [**Case No. 17-3283, ECF No. 1421**].

- B. Reply in Support of COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1422**].
- C. Reply of Commonwealth Agent in Support of Its Response to Motion of COFINA Agent for Order Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent [**Case No. 17-3283, ECF No. 1424**].
- D. AAFAF'S (1) Sur-Reply to Bank of New York Mellon's Reply to AAFAF'S Omnibus Objection [ECF No. 1421]; and (2) Response to the COFINA Senior Bondholders' Coalition's Informative Motion Seeking to Confirm that 48 U.S.C. § 2125 Applies to COFINA Agent [ECF No. 1430] [**Case No. 17-3283, ECF No. 1499-1**].

Related Documents:

- A. Order Regarding Matters Originally Noticed for October 4, 2017 Omnibus Hearing [**Case No. 17-3283, ECF No. 1381**].
- B. Informative Motion of COFINA Senior Bondholders' Coalition with Respect to Motion of COFINA Agent for Order Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent [**Case No. 17-3283, ECF No. 1430**].
- C. Joinder of National Public Finance Guarantee Corporation to Informative Motion of COFINA Senior Bondholders' Coalition with Respect to Motion of COFINA Agent for Order Confirming That 48 U.S.C. § 2125 Applies to COFINA Agent [**Case No. 17-3283, ECF No. 1433**].
- D. Order Scheduling Hearing on COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming that 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1452**].
- E. Informative Motion of Commonwealth Agent Regarding October 25, 2017 Hearing on COFINA Agent's Motion Pursuant to 48 U.S.C. § 2161 and 11 U.S.C. § 105(a) for Order: (I) Confirming That 48 U.S.C. § 2125 Applies to COFINA Agent; (II) Confirming Retention of Local Counsel; and (III) Clarifying Payment of Fees and Expenses of COFINA Agent and Her Professionals [**Case No. 17-3283, ECF No. 1474**].
- F. Unopposed Motion of the Puerto Rico Fiscal Agency and Financial Advisory Authority for Leave to File Sur-Reply to Bank of New York Mellon's Reply to AAFAF'S Omnibus Objection [ECF No. 1421] [**Case No. 17-3283, ECF No. 1499**].

G. AAFAF'S Response to the COFINA Senior Bondholders' Coalition's Informative Motion Seeking to Confirm that 48 U.S.C. § 2125 Applies to COFINA Agent [ECF No. 1430] [Case No. 17-3283, ECF No. 1504].

Status: This matter is going forward.

Estimated Time Required: 90 minutes.

Dated: October 23, 2017
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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