

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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: In re: :
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: THE FINANCIAL OVERSIGHT AND : PROMESA
MANAGEMENT BOARD FOR PUERTO RICO, : Title III
: :
as representative of : Case No. 17-BK-3283 (LTS)
: :
THE COMMONWEALTH OF PUERTO RICO, *et al.*, : (Jointly Administered)
: :
Debtors.¹ :
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: In re: :
: Adv. Proc. No. 17-BK-4780
THE FINANCIAL OVERSIGHT AND MANAGEMENT : (LTS)
BOARD FOR PUERTO RICO, :
: :
as representative of :
: :
PUERTO RICO ELECTRIC POWER AUTHORITY, : **Court Filing Relates Only to**
: **PREPA and Shall Only be Filed**
Debtor. : **in Case No. 17-BK-4780 (LTS)**
: **and Main Case 17-BK-3283**
: **(LTS)**
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**THIRD INFORMATIVE MOTION REGARDING CREDITORS’ COMMITTEE’S
WHITEFISH BANKRUPTCY RULE 2004 MOTION**

¹ The Debtors in these title III cases, along with each Debtor’s respective title III case number listed as a bankruptcy case number due to software limitations 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) 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), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747)

To the Honorable United States Magistrate Judge Judith G. Dein:

1. The Official Committee of Unsecured Creditors of all title III debtors (other than COFINA) (the “Committee”) respectfully files this informative motion notifying the court of the consensual resolution of the *Amended² Urgent Motion of Official Committee of Unsecured Creditors for Order, Under 11 U.S.C. § 1103 and Bankruptcy Rule 2004, Authorizing Discovery With Respect to PREPA Engagement of Whitefish Energy Holdings, LLC and Urgent Request for Hearing* [Docket No. 409 in PREPA Docket] (the “Motion”).

2. On November 7, 2017, the Committee and the Puerto Rico Electric Power Authority (“PREPA”) filed a *Notice of Consent of Puerto Rico Electric Power Authority to Creditors’ Committee’s Bankruptcy Rule 2004 Motion* [PREPA Docket No. 404] (the “PREPA Consent”) in which PREPA acknowledged the Committee’s authority to conduct discovery and agreed to produce materials to the Committee.

3. Subsequently, on November 10, 2017, the Committee and Whitefish Energy Holdings, LLC (“Whitefish”) filed a *Stipulation and Consent Order Between Whitefish Energy Holdings, LLC and Official Committee of Unsecured Creditors Regarding Amended Urgent Motion of Official Committee of Unsecured Creditors for Order, Under 11 U.S.C. § 1103 and Bankruptcy Rule 2004, Authorizing Discovery With Respect to PREPA Engagement of Whitefish Energy Holdings, LLC Dated November 7, 2017* [PREPA Docket No. 441] (the “Whitefish Consent Order”) in which Whitefish likewise acknowledged the Committee’s authority to conduct discovery and agreed to produce materials to the Committee.

4. The Committee has reached a fully consensual global stipulation between (1) the Committee; (2) PREPA; (3) Whitefish; and (4) the parties who have recently filed joinders to the

² As mentioned in the Motion, the amendment incorporated the denial by Mr. Elias Sánchez Sifonte of certain allegations contained in paragraph 20 of the original filing. [See Docket No. 364 in Case No. 17-BK-4780-LTS and Docket No. 1567 in Case No. 17-BK-3283 (LTS)].

Committee's Motion (the "Joinder Parties").³ See *Stipulation and Consent Order Regarding Amended Urgent Motion of Official Committee of Unsecured Creditors for Order, Under 11 U.S.C. § 1103 and Bankruptcy Rule 2004, Authorizing Discovery With Respect to PREPA Engagement of Whitefish Energy Holdings, LLC Dated November 7, 2017* [PREPA Docket No. 465] (the "Global Stipulation"). The Global Stipulation addresses the production of materials to the Committee, the processes for sharing those materials with the Joinder Parties, and the procedures for conducting any live examinations of relevant individuals.

5. Accordingly, the Committee requests that the court sign (1) the Whitefish Consent Order [PREPA Docket No. 441] and (2) the Global Stipulation [PREPA Docket No. 465]. Together, these two pleadings govern the discovery conducted pursuant to the Motion. The Committee will be providing the court with Microsoft word versions of both of these documents contemporaneously with the filing of this informative motion.

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³ Joinders have been filed by Ambac Assurance Corporation ("Ambac"), the Ad Hoc Group of PREPA Bondholders (the "Ad Hoc Group"), National Public Finance Guarantee Corporation ("National"), Assured Guaranty Corp. and Assured Guaranty Municipal Corp. (f/k/a Financial Security Assurance Inc.) (together, "Assured"), and U.S. Bank National Association, solely in its capacity as successor trustee (the "PREPA Bond Trustee") under the Trust Agreement dated as of January 1, 1974, between it and PREPA (collectively, the "Joinder Parties").

Dated: November 14, 2017
San Juan, Puerto Rico

Respectfully submitted,

/s/ Luc. A. Despins

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