



**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON MARCH 23, 2017 AT 10:00 A.M.**

Location of Hearing: Before the Honorable Stuart M. Bernstein, Courtroom 723,  
Manhattan Courthouse, One Bowling Green, New York, NY  
10004-1408

**I. ADJOURNED/WITHDRAWN MATTERS**

1. Jinneng Clean Energy Technology Ltd.'s Motion For Allowance And Payment Of Administrative Claim (Dkt. 1297)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None to date.

Additional Documents:

- A. Notice Of Hearing On Jinneng Clean Energy Technology Ltd.'s Motion For Allowance And Payment Of Administrative Claim (Dkt. 1299)
- B. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd.'s Motion for Allowance and Payment of Administrative Claim (Dkt. 1381)
- C. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Allowance and Payment of Administrative Claim (Dkt. 1562)
- D. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Allowance and Payment of Administrative Claim (Dkt. 1800)
- E. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Allowance and Payment of Administrative Claim (Dkt. 2112)
- F. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Allowance and Payment of Administrative Claim (Dkt. 2428)
- G. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Allowance and Payment of Administrative Claim (Dkt. 2597)

Status: This matter is adjourned to April 20, 2017 at 10:00 a.m.

2. Jinneng Clean Energy Technology Ltd.'s Motion For Entry Of An Order Authorizing It To File Confidential Information In Redacted Form (Dkt. 1298)

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<sup>2</sup> Items that differ from the previous version of the Agenda appear in bold.

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None to date.

Additional Documents:

- A. Notice Of Rescheduling Of Jinneng Clean Energy Technology Ltd.'s Motion For Entry Of An Order Authorizing It To File Confidential Information In Redacted Form (Dkt. 1382)
- B. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Entry of an Order Authorizing it to File Confidential Information in Redacted Form (Dkt. 1561)
- C. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Entry of an Order Authorizing it to File Confidential Information in Redacted Form (Dkt. 1799)
- D. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Entry of an Order Authorizing it to File Confidential Information in Redacted Form (Dkt. 2111)
- E. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Entry of an Order Authorizing it to File Confidential Information in Redacted Form (Dkt. 2427)
- F. Notice of Rescheduling of Jinneng Clean Energy Technology Ltd's Motion for Entry of an Order Authorizing it to File Confidential Information in Redacted Form (Dkt. 2596)

Status: This matter is adjourned to April 20, 2017 at 10:00 a.m.

- 3. Motion For An Order For Relief From The Automatic Stay, Or, Alternatively, For Adequate Protection, by Ascentium Capital LLC (Dkt. 2383)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None to date.

Additional Documents:

- A. Notice of Rescheduling of Motion for Relief from the Automatic Stay with Regard to its Specific Collateral, or, Alternatively, for Adequate Protection (Dkt. 2598)

Status: This matter is adjourned to April 20, 2017 at 10:00 a.m.

4. Motion for Relief from Automatic Stay to Terminate Participation Agreement, by FrontierMEDEX, Inc. (Dkt. 2479)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice Of Withdrawal Of Motion For Relief From Automatic Stay To Terminate Participation Agreement (Dkt. 2549)

Status: This matter has been withdrawn at Dkt. 2549.

5. Motion to Allow to be a Claimant, by Kenneth R. Stewart (Dkt. 2490)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is adjourned to April 20, 2017 at 10:00 a.m.

## II. INTERIM FEE APPLICATIONS

6. Second Interim Fee Application of Prime Clerk LLC, as Administrative Agent to the Debtors, for Services Rendered and Reimbursement of Expenses for the Period from September 1, 2016 through December 31, 2016 (Dkt. 2453)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

7. Second Interim Application of Morrison & Foerster LLP as Special Renewable Energy Counsel to the Official Committee of Unsecured Creditors for Compensation and Reimbursement of Expenses Incurred for the Period September 1, 2016 through December 31, 2016 (Dkt. 2456)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Declaration of Jonathan I. Levine in Support of Second Interim Application of Morrison & Foerster LLP as Special Renewable Energy Counsel to the Official Committee of Unsecured Creditors for

Compensation and Reimbursement of Expenses Incurred for the Period  
September 1, 2016 through December 31, 2016 (Dkt. 2600)

Status: This matter is going forward.

8. Second Application of Cohen & Gresser LLP as Special Counsel to the Debtors for Interim Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through December 31, 2016 (Dkt. 2459)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Declaration of Stephen M. Sinaiko Correcting and Supplementing the Second Application of Cohen & Gresser LLP as Special Counsel to the Debtors for Interim Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 to December 31, 2016 (Dkt. 2611)

Status: This matter is going forward.

9. Second Interim Fee Application of Togut Segal & Segal LLP Togut, Segal As Togut, Segal & Segal LLP As Co-Counsel For The Debtors For Interim Allowance Of Compensation For Professional Services Rendered And For Reimbursement Of Actual And Necessary Expenses Incurred From September 1, 2016 Through December 31, 2016 (Dkt. 2460)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

10. Second Interim Application of Ernst & Young LLP for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Tax Services Provider for the Debtors and Debtors in Possession for the Period from September 1, 2016 through December 31, 2016 (Dkt. 2461)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

11. Second Interim Fee Application of PricewaterhouseCoopers Financial Advisors to the Debtors, for Compensation for Services Rendered and Reimbursement of

Expenses Incurred During the Period from September 1, 2016 Through December 31, 2016 (Dkt. 2462)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

12. Second Application of Eversheds Sutherland (International) LLP as Special Counsel to the Debtors for Interim Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through December 31, 2016 (Dkt. 2463)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

13. Second Interim Application of McKinsey Recovery & Transformation Services U.S., LLC, Other Professional, for Allowance and Compensation of Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 Through December 31, 2016 (Dkt. 2464)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

14. Second Application of KPMG LLP as Auditor and Tax Consultant to the Debtors for Interim Allowance and Compensation of Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 Through December 31, 2016 (Dkt. 2465)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

15. Second Application of Joseph Hage Aaronson LLC as Special Litigation Counsel to the Debtors for Interim Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through December 31, 2016 (Dkt. 2466)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

16. Second Interim Application of Rothschild Inc. as Financial Advisor and Investment Banker for the Debtors and the Debtors in Possession, for Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through December 31, 2016 (Dkt. 2467)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

17. Second Application for Interim Professional Compensation Of Skadden, Arps, Slate, Meagher & Flom LLP For Compensation For Services Rendered And Reimbursement Of Expenses As Counsel To The Debtors For The Period From September 1, 2016 Through And Including December 31, 2016 (Dkt. 2468)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

18. Second Application for Interim Professional Compensation : Second Application of Weil, Gotshal & Manges LLP, Counsel to Official Committee of Unsecured Creditors, for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through and Including December 31, 2016 (Dkt. 2469)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

19. Second Application for Interim Professional Compensation : Second Application of Alvarez & Marsal North America, LLC as Financial Advisor to the Official Committee of Unsecured Creditors for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from September 1, 2016 through and Including December 31, 2016 (Dkt. 2470)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

20. Second Interim Fee Application of Lazard Freres and Co. LLC as Investment Banker to the Official Committee of Unsecured Creditors for Allowance of Compensation and Reimbursement of Expenses for the Period of September 1, 2016 through and Including December 31, 2016 (Dkt. 2471)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is going forward.

21. First Interim Application of Brown Rudnick LLP, as Special Litigation Counsel to the Debtors for Services and Disbursements for the Period of December 1, 2016 through December 31, 2016 (Dkt. 2472)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

**Additional Documents:**

- A. **Supplement to First Interim Fee Application of Brown Rudnick LLP, as Special Litigation Counsel to the Debtors for Services and Disbursements for the Period of December 1, 2016 through December 31, 2016 (Dkt. 2619)**

Status: No Status at this time.

22. First Application for Interim Professional Compensation for Kobre & Kim LLP, Special Counsel to Official Committee of Unsecured Creditors for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from September 15, 2016 through December 31, 2016 (Dkt. 2474)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

**Additional Documents:**

- A. **Supplemental Certification of Jeremy C. Hollembeak In Support of First Application of Kobre & Kim LLP (Dkt. 2556)**

Status: This matter is going forward.

**III. UNCONTESTED MATTERS**

23. Debtors' Motion For Entry Of An Order (I) Establishing Deadlines For (A) Submitting Proofs Of Claim And (B) Requests For Payment Under Bankruptcy Code Section 503(b)(9), (II) Approving The Form And Manner For Submitting Such Proofs Of Claim And Requests For Payment, And (III) Approving Notice Thereof Solely With Respect To The Second Bar Date Debtors (Dkt. 2528)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Certificate of No Objection Regarding Debtors' Motion For Entry Of An Order (I) Establishing Deadlines For (A) Submitting Proofs Of Claim And (B) Requests For Payment Under Bankruptcy Code Section 503(b)(9), (II) Approving The Form And Manner For Submitting Such Proofs Of Claim And Requests For Payment, And (III) Approving Notice Thereof Solely With Respect To The Second Bar Date Debtors (Dkt. 2613)

Status: **An order has been entered at Docket No. 2627.**

24. Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105 And 363(b) And Bankruptcy Rules 6004 And 9019 Authorizing And Approving The Release Of Certain Claims In Connection With Certain UK Sales (Dkt. 2512)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Certificate of No Objection Regarding Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105 And 363(b) And Bankruptcy Rules 6004 And 9019 Authorizing And Approving The Release Of Certain Claims In Connection With Certain UK Sales (Dkt. 2612)

Status: **An order has been entered at Docket No. 2623.**

25. Debtors' Supplemental Motion for Order Pursuant to Bankruptcy Code Sections 105 and 362, Bankruptcy Rule 4001, and Local Bankruptcy Rule 4001-1 Authorizing Modification of the Automatic Stay, to the Extent Applicable, to Allow for Reimbursement and/or Payment of Defense Costs Under Employee Benefit Plan Fiduciary Liability Insurance Policy (Dkt. 2525)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Status: This matter is resolved and a consent order will be submitted.

26. Debtors' Motion for Entry of an order Pursuant to Bankruptcy Code Sections 105 and 365 and Bankruptcy Rule 9019 Approving Settlement By and Among the Debtors, Direct Energy Business, LLC and Direct Energy Business Marketing, LLC (Dkt. 2526)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Certificate of No Objection Regarding Debtors' Motion for Entry of an order Pursuant to Bankruptcy Code Sections 105 and 365 and Bankruptcy Rule 9019 Approving Settlement By and Among the Debtors, Direct Energy Business, LLC and Direct Energy Business Marketing, LLC (Dkt. 2610)

Status: The Debtors filed a Certificate of No Objection [Docket No. 2610] and respectfully request that the Court enter the proposed order attached thereto.

27. Debtors' Motion for Entry of an Order Pursuant to Bankruptcy Code Sections 105 and 365 and Bankruptcy Rule 9019 Approving Settlement By and Between the Debtors and Suniva, Inc. (Dkt. 2527)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order Pursuant to Bankruptcy Code Sections 105 and 365 and Bankruptcy Rule 9019 Approving Settlement By and Between the Debtors and Suniva, Inc. (Dkt. 2609)

Status: **An order has been entered at Docket No. 2625.**

**IV. CONTESTED MATTERS**

28. Notice Of Entry Into Transaction With Enterprise And Sale Of De Minimis Assets To Employees In Accordance With The De Minimis Asset Sale Procedures Order (Dkt. 2206)

Objection Deadline: March 16, 2017 at 4:00 p.m.

Responses Filed:

- A. Objection To The Order Authorizing And Entry In To Transaction With Enterprise And Sale Of De Minimis Asset To Employees & Request For An Official Equity Committee (Dkt. 2272)
- B. Debtors' Response to the Objection of William R. Baenziger to the Proposed Transaction with Enterprise and Certain of the Debtors' Employees (Dkt. 2435)
- C. Answer To Debtors Response To The Objection Of William R. Baenziger To Proposed Transaction With Enterprise And Certain Of The Debtors Employees (Dkt. 2448)

Additional Documents:

- D. Notice of Hearing on Approval of Transaction with Enterprise and Sale of De Minimis Assets to Employees in Accordance with the De Minimis Asset Sale Procedures Orders (Dkt. 2288)
- E. Notice of Rescheduling of Hearing on Approval of Transaction with Enterprise and Sale of De Minimis Assets to Employees in Accordance with the De Minimis Asset Sale Procedures Order (Dkt. 2481)

Status: This matter is going forward.

- 29. Tenth Omnibus Notice Of Rejection Of Executory Contracts (Docket No. 1654)

Objection Deadline: December 7, 2016

Responses Filed:

- A. Objection to Contract of a Leased Photovoltaic System, by Steven Moore and Wendy Jensen (Dkt. 1803)
- B. Response Of Robert Fleming
- C. **Response to Lease Contract, by Steven Moore and Wendy Jensen (Dkt. 2616)**

Additional Documents:

- D. Notice Of Hearing On Tenth Notice Of Rejection Of Executory Contracts (Dkt. 2574)

Status: **The objection and responses to this matter have been withdrawn.** This matter is going forward.

30. Debtors' Opening Brief In Further Support Of Solar Materials Sale Motion [Docket No. 1072] And In Response To SMP, Ltd.'s Reservation Of Rights In Connection Therewith [Docket No. 1405] (Dkt. 2541)

Objection Deadline: March 13, 2017

Additional Documents

- A. Declaration Of David Ranhoff In Support Of Debtors' Opening Brief In Further Support Of Solar Materials Sale Motion And In Response To SMP, Ltd.'s Reservation Of Rights In Connection Therewith (Dkt. 2539)
- B. Transmittal Declaration Of Robert A. Weber In Support Of Debtors' Opening Brief In Further Support Of Solar Materials Sale Motion And In Response To SMP, Ltd.'s Reservation Of Rights In Connection Therewith (Dkt. 2540)
- C. Debtors Proposed Statement Of Material Undisputed Facts Relating To Solar Materials Sale Motion And SMP, Ltd.'s Reservation Of Rights In Connection Therewith Pursuant To Local Bankruptcy Rule 7056-1 (Dkt. 2542)
- D. Debtors' Reply Brief In Further Support Of Solar Materials Sale Motion [Docket No. 1072] And In Response To SMP, Ltd.'s Reservation Of Rights In Connection Therewith [Docket No. 1405] (Dkt. 2617)**
- E. Notice Of Presentment Of Stipulated Order Approving Settlement Agreement (Dkt. 2622)**

Responses Filed:

- F. SMP Ltd.'s Response to Debtors' Proposed Statement of Material Undisputed Facts Relating to Solar Materials Sale Motion and in Response to SMP Ltd.'s Reservation of Rights in Connection Therewith (Dkt. 2594)
- G. Declaration of Kyung-Joon Choi in Support of SMP Ltd.'s Response and Opposition to Debtors' Opening Brief in Further Support of Solar Materials Sale Motion and in Response to SMP Ltd.'s Reservation of Rights in Connection Therewith (Dkt. 2591)
- H. Declaration of Inhee Lee in Support of SMP Ltd.'s Response and Opposition to Debtors' Opening Brief in Further Support of Solar Materials Sale Motion and in Response to SMP Ltd.'s Reservation of Rights in Connection Therewith (Dkt. 2592)

- I. Transmittal Declaration of Justin R. Bernbrock in Support of SMP Ltd.'s Response and Opposition to Debtors' Opening Brief in Further Support of Solar Materials Sale Motion and in Response to SMP Ltd.'s Reservation of Rights in Connection Therewith (Dkt. 2593)

Underlying Sale Motion Documents:

- J. Debtors' Motion For (I) An Order (A) Approving The Bidding Procedures For The Sale Of The Solar Materials Business, (B) Establishing The Notice Procedures And Approving The Form And Manner Of Notice Thereof, (C) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases, (D) Scheduling A Sale Hearing, And (E) Granting Related Relief And (II) An Order (A) Approving The Sale Of The Solar Materials Business Free And Clear Of All Liens, Claims, Encumbrances, And Other Interests, (B) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases Related Thereto, And (C) Granting Related Relief (Dkt. 1072)
- K. SMP Ltd.'s Objection To Debtors' Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases And Cure Costs Related Thereto (Dkt. 1351)
- L. SMP Ltd.'s Reservation Of Rights In Connection With Debtors' Sale Of The Solar Materials Business Free And Clear Of All Liens, Claims, Encumbrances, And Other Interests (Dkt. 1405)
- M. Order (I) Authorizing The Sale Of The Solar Materials Business Free And Clear Of All Liens, Claims, Encumbrances, And Interests; (II) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases; And (III) Granting Related Relief (Dkt. 1466)
- N. Second Amended Order Assigning Matter To Mediation (Dkt. 2495)
- O. Memorandum Endorsed Order Granting Request For Extension (Dkt. 2550)

**Status:** **This matter is resolved. The Debtors and SMP Ltd. have agreed to a proposed form of order that will be presented for the Court's consideration, filed at Docket No. 2622.**

**V. ADDITIONAL MATTERS**

31. **Motion to Allow Hearing Dates, by Stephen Miller (Dkt. 2323)**

**Objection Deadline:** **None.**

**Responses Filed:** **None.**

**Additional Documents:**

**A. Letter Re: Hearing For Expert Testimony Revised (Dkt. 2419)**

**Status: This matter is going forward.**

Dated: March 22, 2017  
New York, New York

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ J. Eric Ivester

Jay M. Goffman

J. Eric Ivester

Four Times Square

New York, New York 10036-6522

Telephone: (212) 735-3000

Fax: (212) 735-2000

-and-

James J. Mazza, Jr. (admitted *pro hac vice*)

Louis S. Chiappetta (admitted *pro hac vice*)

155 N. Wacker Dr.

Chicago, Illinois 60606-1720

Telephone: (312) 407-0700

Fax: (312) 407-0411

*Counsel for Debtors and Debtors in Possession*