

WILLKIE FARR & GALLAGHER LLP  
James C. Dugan  
787 Seventh Avenue  
New York, New York 10019  
Telephone: (212) 728-8000  
Facsimile: (212) 728-8111

-and-

Jennifer J. Hardy  
600 Travis Street, Suite 2310  
Houston, Texas 77002  
Telephone: (713) 510-1700  
Facsimile: (713) 510-1799

*Counsel for the Debtors and  
Debtors in Possession*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x	
In re	: Chapter 11
	: :
DACCO Transmission Parts (NY), Inc., <u>et al.</u> , <sup>1</sup>	: Case No. 16-13245 (MKV)
	: :
Debtors.	: (Jointly Administered)
-----x	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JANUARY 24, 2017 AT 10:00 A.M. (EASTERN TIME)**

Location of Hearing: United States Bankruptcy Court  
Southern District of New York  
One Bowling Green, Room 501  
New York, New York 10004

**I. STATEMENT OF DEBTORS' COUNSEL**

On January 23, 2017, Willkie Farr & Gallagher LLP (“Willkie”) filed its Motion to

Withdraw as Counsel for the Debtors in these cases (the “Motion”). As set forth in the Motion,

<sup>1</sup> The Debtors in these chapter 11 cases include, among others, Transtar Holding Company. A full list of the Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number is attached as Schedule I to the Declaration of Joseph Santangelo in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 3] and at <http://cases.primeclerk.com/transtar>. The Debtors’ executive headquarters are located at 7350 Young Drive, Walton Hills, OH 44146.

counsel's withdrawal is predicated on questions that have been raised by the U.S. Trustee and the Examiner regarding potential conflicts of interest on the part of counsel for the Debtors. Willkie understands that the Debtors have taken steps to retain Scott Greenberg and Carl Black of Jones Day to represent them in these cases but, as of the filing of this Agenda, Jones Day had not yet been formally retained as counsel for the Debtors.

In light of the issues raised by the Motion, Willkie has consulted with the Debtors' new counsel, Jones Day, concerning the matters on the Agenda. As a result of those discussions, it is the position of counsel for the Debtors that matter 1, the Debtors' Motion Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code and Bankruptcy Rule 6004 for an Order Authorizing Implementation of Key Employee Retention Plan, which is uncontested, be kept on the Agenda for hearing tomorrow, but that all other matters listed on the Agenda (except for Willkie Farr & Gallagher LLP's Ex Parte Motion for Entry of an Order Shortening Time) be adjourned for a short period of time in order to permit Debtors' new counsel to be formally retained, familiarize itself with the issues, and advise the Debtors on those issues going forward.

## **II. UNCONTESTED MATTERS GOING FORWARD:**

1. Debtors' Motion Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code and Bankruptcy Rule 6004 for an Order Authorizing Implementation of Key Employee Retention Plan [Docket No. 127].

### Related Documents:

Declaration of Benjamin A. DePompei in Support of Debtors' Motion Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code and Bankruptcy Rule 6004 for an Order Authorizing Implementation of Key Employee Retention Plan [Docket No. 203].

Supplemental Declaration of Benjamin A. DePompei in Support of Debtors' Motion Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code and Bankruptcy Rule 6004 for an Order Authorizing Implementation of Key Employee Retention Plan [Docket No. 217].

**Status:** The above matter will be going forward at the Hearing.

**III. UNCONTESTED MATTERS FOR WHICH SHORT ADJOURNMENT IS REQUESTED:**

2. Notice of Examiner's Motion for an Order Authorizing the Examiner to Conduct 2004 Examinations [Docket No. 188].

**Status:** A short adjournment is requested.

3. Motion to Approve Examiner's Revised Work Plan [Docket No. 215].

**Related Document:**

Notice of Motion to Approve Examiner's Work Plan [Docket No. 189].

**Status:** A short adjournment is requested.

**IV. CONTESTED MATTER FOR WHICH SHORT ADJOURNMENT IS REQUESTED:**

4. Examiner's Motion to Approve Protective Order [Docket No. 195].

**Related Documents:**

Examiner's Motion to Shorten the Time for Notice of and to Schedule a Hearing to Consider the Examiner's Motion to Approve Protective Order [Docket No. 196].

Order Scheduling Hearing on Shortened Notice Pursuant to Fed. R. Bankr. P. 9006 and Local Bankruptcy Rules 9006-1 and 9077-1, on Examiner's Motion to Approve Protective Order [Docket No. 199].

Limited Objection of Friedman Fleisher & Lowe, LLC to Protective Order for Examiner Discovery [Docket No. 218].

Debtors' Interim Objection to Examiner's Proposed Protective Order [Docket No. 221].

Examiner's Reply to Limited Objections to Motion to Approve Protective Order for Examiner Discovery [Docket No. 224].

**Status:** A short adjournment is requested.

V. **NEW MATTER GOING FORWARD:**

5. Willkie Farr & Gallagher LLP's *Ex Parte* Motion for Entry of an Order Shortening Time of Notice With Respect to its Motion to Withdraw as Counsel [Docket No. 234].

**Status:** The above matter will be going forward at the Hearing.

**Related Documents:**

Motion of Willkie Farr & Gallagher LLP to Withdraw as Counsel [Docket No. 231].

Memorandum of Law in Support of Motion of Willkie Farr & Gallagher LLP to Withdraw as Counsel [Docket No. 232].

Declaration of Joseph T. Baio in Support of Motion of Willkie Farr & Gallagher LLP to Withdraw as Counsel [Docket No. 233].

Dated: January 23, 2017  
New York, New York

WILLKIE FARR & GALLAGHER LLP  
*Counsel for the Debtors and  
Debtors in Possession*

By: /s/ James C. Dugan  
James C. Dugan  
787 Seventh Avenue  
New York, New York 10019  
Telephone: (212) 728-8000  
Facsimile: (212) 728-8111

-and-

Jennifer J. Hardy  
600 Travis Street, Suite 2310  
Houston, Texas 77002  
Telephone: (713) 510-1700  
Facsimile: (713) 510-1799