

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	
)	Chapter 11
AVAYA INC., <i>et al.</i> , ¹)	Case No. 23-90088 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	

**AGENDA FOR FIRST DAY HEARING
ON FEBRUARY 15, 2023 AT 9:00 A.M. (PREVAILING CENTRAL TIME)**

I. Evidentiary Support for First Day Pleadings.

- A. ***First Day Declaration.*** Declaration of Eric Koza, Chief Restructuring Officer of Avaya Holdings Corp. and Certain of its Affiliates and Subsidiaries, in Support of the Debtors’ Chapter 11 Petitions and First Day Motions [Docket No. 4].
- B. ***Koza DIP Motion Declaration.*** Declaration of Eric Koza, Chief Restructuring Officer of Avaya Holdings Corp. and Certain of its Affiliates and Subsidiaries, in Support of the Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 48].
- C. ***Shah DIP Motion Declaration.*** Declaration of Roopesh Shah in Support of the Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 49].

II. First Day Pleadings

- A. ***Cash Management.*** Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue Using the Cash Management System, (B) Maintain Existing Bank Accounts and Business Forms and Books and Records, and (C) Continue Using Certain Investment Accounts, (II) Authorizing

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <http://www.kccllc.net/avaya>. The location of Debtor Avaya Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 350 Mount Kemble Avenue, Morristown, New Jersey 07960.



Continued Intercompany Transactions, (III) Granting Administrative Expense Status to Postpetition Intercompany Payments, and (IV) Granting Related Relief [Docket No. 46].

Status: This matter is going forward.

- B. ***Claims and Noticing Agent Retention Application.*** Debtors' Emergency Ex Parte Application for Entry of an Order Authorizing the Employment and Retention of Kurtzman Carson Consultants LLC as Claims, Noticing, and Solicitation Agent [Docket No. 5].

Status: This matter is going forward.

- C. ***Customer Programs Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer and Partner Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief [Docket No. 17].

Status: This matter is going forward.

- D. ***Wages Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Docket No. 18].

Status: This matter is going forward.

- E. ***NOL Motion.*** Debtors' Emergency Motion for Entry of an Order Approving Notification and Hearing Procedures for Certain Transfers of and Declaration of Worthlessness with Respect to Common Stock and Preferred Stock [Docket No. 10].

Status: This matter is going forward.

- F. ***Utilities Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discounting Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (IV) Granting Related Relief [Docket No. 13].

Status: This matter is going forward.

- G. ***Creditor Matrix Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Waiving the Requirement to File a List of Equity Security Holders, (II) Authorizing the Debtors to Redact Certain Personally Identifiable Information, (III) Approving the Form and Manner of the Notice of Commencement, and (IV) Granting Related Relief [Docket No. 14].

Status: This matter is going forward.

- H. ***Insurance Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Continue to pay Brokerage Fees, and (D) Maintain the Surety Bond Program, and (II) Granting Related Relief [Docket No. 16].

Status: This matter is going forward.

- I. ***Taxes Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Payment of Certain Taxes and Fees, and (II) Granting Related Relief [Docket No. 7].

Status: This matter is going forward.

- J. ***Trade Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Continue Their Prepetition Business Operations, Policies, and Practices and Pay Related Claims in the Ordinary Course of Business on a Postpetition Basis, (II) Granting Administrative Expense Priority to all Outstanding Orders and Authorizing the Debtors to Satisfy Such Obligations in the Ordinary Course, and (III) Granting Related Relief [Docket No. 6].

Status: This matter is going forward.

- K. ***DIP Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 47].

- Debtors' Emergency Motion Seeking Entry of an Order Authorizing the Debtors to File the Fee Letters Under Seal [Docket No. 53].

Status: This matter is going forward.

- L. ***DS Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing, (II) Conditionally Approving the Disclosure Statement, (III) Establishing a Plan and Disclosure Statement Objection Procedures, (V) Approving the Combined Notice, (VI) Extending the Time by which the U.S. Trustee Convenes a Meeting of Creditors and the Debtors File (A) Schedules and SOFAS and (B) Rule 2105.3 Financial Reports, and (VII) Granting Related Relief [Docket No. 52].

Status: This matter is going forward.

Houston, Texas
Dated: February 14, 2023

/s/ Matthew D. Cavanaugh

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*Proposed Co-Counsel to the Debtors
and Debtors in Possession*

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Certificate of Service

I certify that on February 14, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Matthew D. Cavanaugh

Matthew D. Cavanaugh