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

In re:

Chapter 11

COBALT INTERNATIONAL ENERGY, INC., *et al.*,¹)

Reorganized Debtors.

Case 17-36709 Document 1306

(Jointly Administered)

Case No. 17-36709 (MI)

STIPULATION AND AGREED ORDER FURTHER EXTENDING CLAIM OBJECTION DEADLINE FOR PROOF OF CLAIM NO. 93 FILED BY RLI INSURANCE COMPANY

This stipulation and agreed order (the "<u>Stipulation and Agreed Order</u>") is made by and between Nader Tavakoli, solely in his capacity as the Lead Member and Chairman of the Plan Administrator Committee of Cobalt International, Inc., *et al.* (the "<u>Plan Administrator</u>"), on the one hand, and RLI Insurance Company ("<u>RLI</u>"), on the other hand (collectively, the "<u>Parties</u>").

WHEREAS, on March 15, 2018, RLI filed *Proof of Claim No. 93* against Debtor Cobalt International Energy, L.P. ("<u>Cobalt L.P.</u>"), asserting a general unsecured claim in an unliquidated amount (the "<u>Claim</u>");

WHEREAS, on November 6, 2018, the Parties entered into the *Stipulation and Agreed Order Regard Proof of Claim No. 93 Filed by RLI Insurance Company* (D.I. 1185), wherein (i) RLI amended the Claim to assert a liquidated, general unsecured claim against Cobalt L.P. in the amount of \$1,100,000, and (ii) the Plan Administrator expressly reserved all rights to object to



Page 1



11/12/2019

¹ The Reorganized Debtors in the Chapter 11 Cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Cobalt International Energy, Inc. (1169); Cobalt International Energy GP, LLC (7374); Cobalt International Energy, L.P. (2411); Cobalt GOM LLC (7188); Cobalt GOM # 1 LLC (7262); and Cobalt GOM # 2 LLC (7316). The Reorganized Debtors' service address is: 945 Bunker Hill Road, Suite 625, Houston, TX 77024.

Case 17-36709 Document 1306 Filed in TXSB on 11/14/19 Page 2 of 7

the Claim on any grounds whatsoever, including without limitation, to assert any substantive or procedural objections he may have with respect to the Claim;

WHEREAS, on April 5, 2018, the Court entered the Order (I) Confirming the Fourth Amended Joint Chapter 11 Plan of Cobalt International, Inc. and its Debtor Affiliates and (II) Approving the Sale Transactions (D.I. 784). The Plan was effective on April 10, 2018 (the "Effective Date");

WHEREAS, among other things, the Plan provides that "[a]ny objections to Claims or Interests shall be Filed on or before the Claims Objection Deadline, as such date may be extended pursuant to the Plan." Plan Art. VII.E. The Claims Objection Deadline is defined in the Plan as "the later of (a) 365 days after the Effective Date and (b) such other period as may be specifically fixed by an order of the Bankruptcy Court for objecting to such Claims, as the same may be modified or extended from time to time by the Bankruptcy Court or on motion of a party in interest approved by the Bankruptcy Court." *Id.* at Art. I.A;

WHEREAS, the Claims Objection Deadline was subsequently extended by Court order through and including June 10, 2019 (D.I. 1272);

WHEREAS, on June 7, 2019, the Parties entered into the *Stipulation and Agreed Order Extending Claim Objection Deadline for Proof of Claim No. 93 Filed by RLI Insurance Company* (D.I. 1287), wherein the Claims Objection Deadline was further extended through and including October 31, 2019; and

WHEREAS, as a result of discussions between the Parties concerning the Claim, and in an effort to avoid unnecessary time and expense associated with litigating the Claim when a potential resolution may be reached over the next few months, the Parties have reached an

Case 17-36709 Document 1306 Filed in TXSB on 11/14/19 Page 3 of 7

agreement, as set forth herein, on a further extension of the Claims Objection Deadline solely with respect to the Claim.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated into this Stipulation and Agreed Order, the Parties hereby stipulate and agree as follows:

1. The Claims Objection Deadline shall be further extended through and including

Thursday, April 30, 2020 solely with respect to the Claim (the "Extended Deadline").

2. The Plan Administrator's right to assert all substantive or procedural objections he may have to the Claim is hereby reserved and preserved through and including the Extended

Deadline.

3. This Stipulation and Agreed Order shall be without projudice to any further

IT IS SO ORDERED.

Signed: November 09, 2019

Marvin Isgur United States Bankruptcy Judge

STIPULATED AND AGREED TO BY:

RLI INSURANCE COMPANY

By: <u>/s/ Geoffrey King</u> Geoffrey King Director of Underwriting 2925 Richmond Avenue, Suite 1600 Houston, Texas 77098 Telephone 713-874-8823 *Geoff.King@rlicorp.com*

Pro Se

By: <u>/s/ David R. Eastlake</u>

Shari L. Heyen Texas State Bar No. 09564750 *HeyenS@gtlaw.com* David R. Eastlake Texas State Bar No. 24074165 *EastlakeD@gtlaw.com* **GREENBERG TRAURIG, LLP** 1000 Louisiana, Suite 1700 Houston, Texas 77002 Telephone: 713-374-3500 Facsimile: 713-374-3505

Counsel for Nader Tavakoli, solely in his capacity as the Lead Member and Chairman of the Plan Administrator Committee of Cobalt International Energy, Inc., et al.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 30, 2019, a true and correct copy of the foregoing was electronically filed with the Clerk of the United States Bankruptcy Court for the Southern District of Texas, and was served upon the parties eligible to receive notice through the Court's ECF facilities by electronic mail.

/s/ David R. Eastlake David R. Eastlake Case 17-36709 Document 1306 Filed in TXSB on 11/14/19 Page 5 of 7

United States Bankruptcy Court Southern District of Texas

Case No. 17-36709-mi Chapter 11

Cobalt International Energy, Inc. Official Commitee of Unsecured Creditors Debtors **CERTIFICATE OF NOTICE** District/off: 0541-4 User: TylerLaws Page 1 of 3 Date Rcvd: Nov 12, 2019 Total Noticed: 72 Form ID: pdf002 Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 14, 2019. +Cobalt GOM #1 LLC, 920 Memorial City Way, Suite 100, Houston, TX 77024-2649 +Cobalt GOM #2 LLC, 920 Memorial City Way, Suite 100, Houston, TX 77024-2649 +Cobalt GOM LLC, 920 Memorial City Way, Suite 100, Houston, TX 77024-2649 +Cobalt International Energy GP, LLC, 920 Memorial City Way, Suite 100, db db db #+Cobalt International Energy GP, LLC, db Houston, TX 77024-2649 db #+Cobalt International Energy, Inc., 920 Memorial City Way, Suite 100, Houston, TX 77024-2649 #+Cobalt International Energy, L.P., 920 Memorial City Way, Suite 100, db Houston, TX 77024-2649 +Alan J. Kornfeld, Pachulski Stang et al., 10100 Santa Monica Blvd., 13th Floor, aty Los Angeles, CA 90067-4003 +Andrew Behlmann, Lowenstein Sandler LLP, One Lowenstein Drive, R +Beth E. Levine, Pachulski Stang et al, 780 Third Ave., 34th Fl., Roseland, TX 07068-1791 aty aty New York, NY 10017-2024 +Brad Weiland, Kirkland & Ellis LLP, 300 North LaSalle, Chicago, IL 60654-5412 +Brett P. Lowe, Milbank Tweed et al, 1850 K St., NW, Ste. 1100, aty aty Washington, DC 20006-2236 +Carrie M. Reilly, Wachtell Lipton et al, 51 W. 52nd St., N. +Charles C Platt, Wilmer Cutler et al, 7 World Trade Center, atv New York, NY 10019-6150 +Charles C Platt, 250 Greenwich St., atv New York, NY 10007-2140 +Christopher R Harris, 1805 Mercury Way, Sacramento, CA 95864-1707 atv +David S Cohen, Milbank Tweed Hadley And McCloy LLP, 1850 K Street NW, Ste 1100, aty Washington, DC 20006-2236 +Delos E. Flint, Jr., Lugenbuhl, Wheaton, Peck, Rankin, Hubbar, 601 Poydras Street, aty Suite 2775, New Orleans, LA 70130-6041 Suite 2775, New Orleans, hA 70150-0011 +Emil A. Kleinhaus, Wachtell Lipton et al, 51 W. 52nd St., New York, NY 10019-6150 +Eric K. Stodola, Milbank Tweed et al, 28 Liberty St., New York, NY 10005-1413 +George T. Conway, III, Wachtell Lipton et al, 51 West 52nd St., New York, NY 10019-6150 Gerard Uzzi, Milbank Tweed Hadley & McCloy LLP, 26 Liberty St, New York, NY 10005 aty atv aty atv Hugh Keenan Murtagh, Latham & Watkins LLP, 885 Third Ave., Ne +IRA Kharasch, Pachulski Stang et al, 10100 Santa Monica Blvd., Los Angeles, CA 90067-4003 New York, NY 10022-4874 atv 13th Fl., aty Kirkland & Ellis LLP, 300 North LaSalle, aty +James H.M. Sprayregen, P.C., Chicago, IL 60654-5412 2001 K St, NW, Washington, DC 20006-1037 aty +James Savin, Akin Gump et al, +Jeffrey N Pomerantz, Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Boulevard, aty 13th Floor, Los Angeles, CA 90067-4003 +Joseph C. Celentino, Wechtell Lipton et al, 51 W. 52nd St., New York, NY 10019-6150 atv +Joshua K. Porter, Entwistle & Cappucci LLP, 299 Park Ave., 20th Fl, aty New York, NY 10171-2301 +Katherine Doorley, Akin Gump et al, 1333 New Hampshire Ave., N.W., aty Washington, DC 20036-1511 aty +Kevin D. Finger, Greenberg Traurig LLP, 77 West Wacker Dr., Ste. 3100, Chicago, IL 60601-4904 +Kirkland & Ellis LLP and Kirkland & Ellis Internat, 300 North LaSalle, aty Chicago, IL 60654-3427 +Laura E. Krucks, Kirkland & Ellis LP, 300 North LaSalle, Chicago, IL 60654-5412 +Lauren Lifland, Wilmer Cutler et al, 7 World Trade Center, 250 Greenwich St., aty aty New York, NY 10007-2140 +Lynch Lynch, Wachtell Lipton et al, 51 W. 52nd St., New York, NY 10019-6150 +Marc Kieselstein, Kirkland & Ellis, 300 North LaSalle, Chicago, IL 60654-5412 +Matthew S. Barr, Weil Goshal et al, 767 Fifth Avenue, New York, NY 10153-0119 +Matthew Ziegler Morgan Lewis & Bockius LLP, 101 Park Avenue, New York, NY 107 atv atv aty +Matthew Ziegler, Morgan Lewis & Bockius LLP, 101 Park Avenue, New York, NY 10178-0060 +Nicholas J. Brannick, Cole Shotz PC, 500 Delaware Avenue, Wilmington, DE 19801-1490 +Paul Vizcarrondo, Wachtell, Lipton, Rosen & Katz, 51 W 52nd St, New York, NY 10019-6150 +Robert J. Feinstein, Pachulski Stang et al, 780 Third Ave., 34th Fl., aty aty aty aty New York, NY 10017-2024 New Nork, NY 1001/-2024 +Stacy Pepper, Kirkland & Ellis LLP, 300 North LaSalle, Chicago, IL 60654-5412 +Steven Cox, Burns Charest LLP, 900 Jackson St., Ste. 500, Dallas, TX 75202-4406 +Weatherford International, LLC, Hughes Watters Askanase, Total Plaza, 1201 Louisiana Street, 28th Floor, Houston, TX 77002-5607 +Zack A. Clement PLLC, 3753 Drummond, Houston, TX 77025-2417 +A2D Technologies Inc. d/b/a 7GS Geological Product & Broup Swite 4800 aty aty atv atv +A2D Technologies, Inc., d/b/a TGS Geological Produ, c/o Andrew A Braun, Suite 4800, 701 Poydras Street, 701 Poydras Street, New Orleans, LA 70139-7756 +Ad Hoc First Lien Group, Weil, Gotshal & Manges LLP, 700 Louisiana, Suite 1700, cr intp Houston, TX 77002-2784 #+Ad Hoc Group of Second Lien Noteholders, intp c/o Marty L. Brimmage Jr., Akin Gump Strauss Hauer & Feld LLP, 1700 Pacific Avenue, Suite 4100, Dallas, TX 75201-4624 +Angela Dodd United States Securities & Exchange Co, intp 175 W. Jackson Blvd., Suite 1450. sp

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In re:

Case 17-36709 Document 1306 Filed in TXSB on 11/14/19 Page 6 of 7

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Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 14, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 12, 2019 at the address(es) listed below: NONE. TOTAL: 0