

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
RED REEF ALTERNATIVE INVESTMENTS, LLC and EMERGENT CAPITAL, INC., ¹)	Case No. 20-12602 (BLS)
Debtors.)	Jointly Administered
In re:)	Chapter 11
IMPERIAL PREMIUM FINANCE, LLC, ²)	Case No. 20-12694 (BLS)
Debtor.)	

**AMENDED³ NOTICE OF AGENDA OF MATTERS SCHEDULED FOR TELEPHONIC
HEARING ON NOVEMBER 16, 2020 AT 1:30 P.M. (PREVAILING EASTERN TIME)
BEFORE THE HONORABLE BRENDAN L. SHANNON**

Please note that you must appear through both Courtcall and Zoom.
To appear via video conference via Zoom, parties should use the following
instructions:

Topic: Emergent - Case No. 20-12602
Time: Nov 16, 2020 01:30 PM Eastern Time (US and Canada)

Join ZoomGov Meeting
<https://debuscourts.zoomgov.com/j/1617935725>

Meeting ID: 161 793 5725
Passcode: 844503

To appear telephonically via Courtcall, Parties must make prior
arrangements through Courtcall by telephone: (866) 582-6878.

¹ The last four digits of each Debtor’s taxpayer identification number are: Red Reef Alternative Investments, LLC (0302) and Emergent Capital, Inc. (3473). The location of the Debtors’ service address for purposes of these cases is 1200 North Federal Highway, Suite 200, Boca Raton, FL 33432.

² The last four digits of the Debtor’s taxpayer identification number are: Imperial Premium Finance, LLC (4007). The location of the Debtors’ service address for purposes of these cases is 1200 North Federal Highway, Suite 200, Boca Raton, FL 33432.

³ Amended items noted in bold.



UNCONTESTED MATTERS WITH COC:

1. Debtor Emergent Capital, Inc.'s Motion for Order Authorizing the Debtor to (I) Assume the Restructuring Support Agreements with Supporting Senior Secured Noteholders and Convertible Unsecured Noteholders; (II) Pay and Reimburse Related Fees and Expenses; and (III) Indemnify the Parties Thereto [Filed 10/15/20] ([Docket No. 8](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Notice of Hearing on Debtor Emergent Capital, Inc.'s Motion for Order Authorizing the Debtor to (I) Assume the Restructuring Support Agreements with Supporting Senior Secured Noteholders and Convertible Unsecured Noteholders; (II) Pay and Reimburse Related Fees and Expenses; and (III) Indemnify the Parties Thereto [Filed 10/16/20] ([Docket No. 42](#))
- B. Certification of Counsel Regarding Debtor Emergent Capital, Inc.'s Motion for Order Authorizing the Debtor to (I) Assume the Restructuring Support Agreements with Supporting Senior Secured Noteholders and Convertible Unsecured Noteholders; (II) Pay and Reimburse Related Fees and Expenses; and (III) Indemnify the Parties Thereto [Filed 11/11/20] ([Docket No. 86](#))
- C. **[Signed] Order Authorizing the Debtor to (I) Assume the Restructuring Support Agreements with Supporting Senior Secured Noteholders and Convertible Unsecured Noteholders; (II) Pay and Reimburse Related Fees and Expenses; and (III) Indemnify the Parties Thereto [Filed 11/12/20] (Docket No. 99)**

Status: **The Court has entered the order on this matter and it is now resolved.**

2. Debtors' Motion for an Order (I) Establishing Bar Dates for Filing of Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof [Filed 10/15/20] ([Docket No. 9](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Notice of Hearing on Debtors' Motion for an Order (I) Establishing Bar Dates for Filing of Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof [Filed 10/16/20] ([Docket No. 43](#))

- B. Certification of Counsel Regarding Debtors' Motion for an Order (I) Establishing Bar Dates for Filing of Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof [Filed 11/12/20] ([Docket No. 92](#))
- C. **[Signed] Order Approving Motion To Set Last Day To File Proofs of Claim [Filed 11/12/20] (Docket No. 104)**

Status: The Court has entered the order on this matter and it is now resolved.

- 3. Debtors' Application Pursuant to Section 327(A) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for Authorization to Employ and Retain Pachulski Stang Ziehl & Jones LLP as Counsel for the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 10/26/20] ([Docket No. 64](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Supplemental Declaration of Richard M. Pachulski in Support of the Debtors' Application Pursuant to Section 327(a) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for Authorization to Employ and Retain Pachulski Stang Ziehl & Jones LLP as Counsel for the Debtors and Debtors in Possession Effective as of the Petition Date [Filed 11/12/20] ([Docket No. 88](#))
- B. Certification of Counsel Regarding Debtors' Application Pursuant to Section 327(a) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for Authorization to Employ and Retain Pachulski Stang Ziehl & Jones LLP as Counsel for the Debtors and Debtors in Possession Effective as of the Petition Date [Filed 11/12/20] ([Docket No. 89](#))
- C. **[Signed] Order Approving Application Pursuant to Employ and Retain Pachulski Stang Ziehl & Jones LLP as Counsel for the Debtors [Filed 11/12/20] (Docket No. 100)**

Status: The Court has entered the order on this matter and it is now resolved.

- 4. Application for Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date [Filed 10/26/20] ([Docket No. 65](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Certification of Counsel Regarding Application for Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date **[Filed 11/13/20] (Docket No. 111)**
- B. **[Signed] Order Approving Application to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Advisor [Filed 11/13/20] (Docket No. 113)**

Status: **The Court has entered the order on this matter and it is now resolved.**

- 5. Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Special Litigation Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 10/26/20] ([Docket No. 66](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Declaration of Miriam Martinez in Support of Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Special Litigation Counsel to the Debtors and Debtors in Possession Effective as of the Petition Date [Filed 11/12/20] ([Docket No. 93](#))
- B. Supplemental Declaration of Gabriel Hertzberg in Support of Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Special Litigation Counsel to the Debtors and Debtors in Possession Effective as of the Petition Date [Filed 11/12/20] ([Docket No. 94](#))
- C. Certification of Counsel Regarding Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Special Litigation Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 11/12/20] ([Docket No. 95](#))
- D. **[Signed] Order Approving Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention**

and Employment of Curtis, Mallet-Prevost, Colt & Mosle LLP, as Special Litigation Counsel to the Debtors [Filed 11/12/20] (Docket No. 103)

Status: The Court has entered the order on this matter and it is now resolved.

6. Motion of Debtor Emergent Capital, Inc. to (A) Approve Settlement Agreement with FFI Holdings Limited, FFI Holdings, PLC, Film Finances, Inc., David Sasso, David Haring, and Antony Mitchell Pursuant to Fed. R. Bankr. P. 9019 and (B) Grant Related Relief [Filed 10/26/20] ([Docket No. 67](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Certification of Counsel Regarding Motion of Debtor Emergent Capital, Inc. to (A) Approve Settlement Agreement with FFI Holdings Limited, FFI Holdings, PLC, Film Finances, Inc., David Sasso, David Haring, and Antony Mitchell Pursuant to Fed. R. Bankr. P. 9019 and (B) Grant Related Relief [Filed 11/11/20] ([Docket No. 87](#))
- B. **[Signed] Order (A) Approving Settlement Agreement with FFI Holdings Limited, FFI Holdings, PLC, Film Finances, Inc., David Sasso, David Haring, and Antony Mitchell and (B) Grant Related Relief [Filed 11/12/20] (Docket No. 98)**

Status: The Court has entered the order on this matter and it is now resolved.

7. Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Kelley Drye & Warren LLP as General Non-Bankruptcy Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 10/26/20] ([Docket No. 68](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Certification of Counsel Regarding Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Kelley Drye & Warren LLP as General Non-Bankruptcy Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [**Filed 11/12/20] (Docket No. 106)**

- B. Supplemental Declaration of James Carr in Support of Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Kelley Drye & Warren LLP as General Non-Bankruptcy Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 11/12/20] (Docket No. 105)**
- C. [Signed] Order Authorizing the Retention and Employment of Kelley Drye & Warren LLP as General Non-Bankruptcy Counsel to the Debtors and Debtors In Possession Effective as of the Petition Date [Filed 11/12/20] (Docket No. 107)**

Status: **The Court has entered the order on this matter and it is now resolved.**

- 8. Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Winston & Strawn LLP, as Tax Counsel to the Debtors and Debtors In Possession Effective as of October 15, 2020 [Filed 10/26/20] ([Docket No. 69](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Exhibit C to Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Winston & Strawn LLP, as Tax Counsel to the Debtors and Debtors In Possession Effective as of October 15, 2020 [Filed 10/26/20] ([Docket No. 71](#))
- B. Supplemental Declaration of Carrie V. Hardman in Support of Debtors' Application Pursuant to Section 327(c) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Local Rule 2014-1 for an Order Authorizing the Employment and Retention of Winston & Strawn LLP, as the Tax Counsel to the Debtors and Debtors in Possession Effective as of October 15, 2020 [Filed 11/16/20] ([Docket No. 118](#))**
- C. Certification of Counsel Regarding Debtors' Application Pursuant to Section 327(e) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 for an Order Authorizing the Retention and Employment of Winston & Strawn LLP, as Tax Counsel to the Debtors and Debtors In Possession Effective as of October 15, 2020 [Filed 11/16/20] ([Docket No. 119](#))**

Status: The Debtors have resolved the informal comments of the U.S. Trustee and have submitted a revised proposed order under certification of counsel. No hearing is necessary unless the Court has any questions.

9. Application for Order Authorizing Debtor Emergent Capital, Inc. to Employ and Retain RSM US, LLP as Valuation Advisor Effective as of the Petition Date [Filed 10/26/20] ([Docket No. 72](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee.

Related Documents:

- A. Certification of Counsel Regarding Application for Order Authorizing Debtor Emergent Capital, Inc. to Employ and Retain RSM US, LLP as Valuation Advisor Effective as of the Petition Date [To Be Filed]

Status: The Debtors and the U.S. Trustee remain in discussions to resolve the U.S. Trustee's informal comments. The Debtors believe they will resolve the U.S. Trustee's informal comments and will submit a certification of counsel for the Court's consideration **following the hearing. **To the extent a hearing is necessary this matter is adjourned to December 2, 2020 at 2:00 p.m. (ET).****

MATTERS GOING FORWARD:

10. Debtor Emergent Capital, Inc.'s Motion for Entry of an Order (I) Approving Adequacy of Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan of Reorganization and the Assumption of Executory Contracts and Cure Amounts; (III) Fixing the Deadlines to Object to Plan and Proposed Assumption or Rejection of Executory Contracts and Cure Amounts; (IV) Approving Solicitation Procedures and Form and Manner of Notice Related Thereto; and (V) Granting Related Relief [Filed 10/15/20] ([Docket No. 7](#))

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: Informal comments from the U.S. Trustee and Securities and Exchange Commission.

Related Documents:

- A. Debtor Emergent Capital, Inc.'s Plan of Reorganization [Filed 10/15/20] ([Docket No. 5](#))
- B. Disclosure Statement for Debtor Emergent Capital, Inc.'s Plan of Reorganization [Filed 10/15/20] ([Docket No. 6](#))

- C. Notice of Hearing to Consider Approval of Disclosure Statement for Debtor Emergent Capital, Inc.'s Plan of Reorganization [Filed 10/16/20] ([Docket No. 38](#))
- D. Notice of Hearing on Debtor Emergent Capital, Inc.'s Motion for Entry of an Order (I) Approving Adequacy of Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan of Reorganization and the Assumption of Executory Contracts and Cure Amounts; (III) Fixing the Deadlines to Object to Plan and Proposed Assumption or Rejection of Executory Contracts and Cure Amounts; (IV) Approving Solicitation Procedures and Form and Manner of Notice Related Thereto; and (V) Granting Related Relief [Filed 10/16/20] ([Docket No. 41](#))
- E. Notice of Filing of Exhibit "2" to Proposed Order Regarding Debtor Emergent Capital, Inc.'s Motion for Entry of an Order (I) Approving Adequacy of Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan of Reorganization and the Assumption of Executory Contracts and Cure Amounts; (III) Fixing the Deadlines to Object to Plan and Proposed Assumption or Rejection of Executory Contracts and Cure Amounts; (IV) Approving Solicitation Procedures and Form and Manner of Notice Related Thereto; and (V) Granting Related Relief [Filed 10/21/20] ([Docket No. 55](#))
- F. Notice of Filing of Exhibits to the Disclosure Statement for Debtor Emergent Capital, Inc.'s Plan of Reorganization [Filed 11/4/20] ([Docket No. 77](#))
- G. Certification of Counsel Regarding Debtor Emergent Capital, Inc.'s Motion for Entry of an Order (I) Approving Adequacy of Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan of Reorganization and the Assumption of Executory Contracts and Cure Amounts; (III) Fixing the Deadlines to Object to Plan and Proposed Assumption or Rejection of Executory Contracts and Cure Amounts; (IV) Approving Solicitation Procedures and Form and Manner of Notice Related Thereto; and (V) Granting Related Relief [Filed 11/13/20] (Docket No. 108)**
- H. [Signed] Order (I) Approving Adequacy of Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan of Reorganization and the Assumption of Executory Contracts and Cure Amounts; (III) Fixing the Deadlines to Object to Plan and Proposed Assumption or Rejection of Executory Contracts and Cure Amounts; (IV) Approving Solicitation Procedures and Form and Manner of Notice Related Thereto; and (V) Granting Related Relief [Filed 11/13/20] (Docket No. 109)**

Status: **The Court has entered the order on this matter and it is now resolved.**

- 11. Motion of Debtors Emergent Capital, Inc. and Imperial Premium Finance, LLC Pursuant to 11 U.S.C. Section 502(c) and 105(a) to Estimate Pohl Litigation Claims for Distribution Purposes [Filed 10/26/20] (Case No. 20-12602, [Docket No. 70](#); Case No. 20-12694, Docket No. 2)

Response Deadline: November 9, 2020 at 4:00 p.m. (ET).

Responses Received: None at this time.

Related Documents:

- A. Motion to Extend Objection Deadline and Continue Hearing on: Debtors' Motion to Estimate Pohl Litigation Claims for Distribution Purposes Filed by Kimberly Seris, Allan J. Pohl, individually, as Representative of Phyllis Pohl, and as Trustee of the Phyllis Pohl Irrevocable Trust [Filed 11/9/20] (Case No. 20-12602, [Docket No. 80](#); Case No. 20-12694, Docket No. 10)
- i. Motion to Shorten Notice with Respect to Motion to Extend Objection Deadline and Continue Hearing on: Debtors' Motion to Estimate Pohl Litigation Claims for Distribution Purposes Filed by Kimberly Seris, Allan J. Pohl, individually, as Representative of Phyllis Pohl, and as Trustee of the Phyllis Pohl Irrevocable Trust [Filed 11/10/20] (Case No. 20-12602, [Docket No. 81](#); Case No. 20-12694, Docket No. 11)
- ii. Debtors' Response to Motion to Extend Objection Deadline and Continue Hearing on: Debtors' Motion to Estimate Pohl Litigation Claims for Distribution Purposes [Filed 11/12/20] (Case No. 20-12602, [Docket No. 91](#); Case No. 20-12694, Docket No. 12)
- iii. **[Signed] Order Approving Motion to Shorten with Respect to Motion to Extend Objection Deadline and Continue Hearing on: Debtors' Motion to Estimate Pohl Litigation Claims for Distribution Purposes [Filed 11/12/20] (Docket No. 102)**

Status: This matter is going forward with respect to the motion to extend and as a status conference on the motion to estimate. The Debtors have filed a response to the motion to extend.

Dated: November 16, 2020

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Colin R. Robinson

Richard M. Pachulski (CA Bar No. 62337)

Maxim B. Litvak (CA Bar No. 215852)

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Counsel for the Debtors and Debtors in Possession

CERTIFICATE OF SERVICE

I, Colin R. Robinson, hereby certify that on the 16th day of November, 2020, I caused a copy of the documents listed below to be served on the individuals on the attached service list in the manner indicated:

AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR TELEPHONIC HEARING ON NOVEMBER 16, 2020 AT 1:30 P.M. (PREVAILING EASTERN TIME) BEFORE THE HONORABLE BRENDAN L. SHANNON

Dated: November 16, 2020

/s/ Colin R. Robinson
Colin R. Robinson (DE Bar No. 5524)

Emergent Case No. 20-12602 (BLS)
Supplemental Service List
Document No. 231683
03-Electronic Mail

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Emergent 2002 Service List EXPEDITED
Case No. 20-12602 (BLS)
Document No. 231086V2
22– Electronic Mail (Email)

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