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

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

In re:

ENVIVA INC., *et al.*,Debtors.¹

Chapter 11

Case No. 24 – 10453 (BFK)

(Jointly Administered)

DEBTORS' WITNESS AND EXHIBIT LIST FOR MAY 9, 2024 HEARING

The above-captioned debtors and debtors in possession (collectively, the “***Debtors***”) respectfully submit the following witness and exhibit list for the hearing to be held on May 9, 2024, at 2:00 p.m. (prevailing Eastern Time) (the “***Hearing***):

¹ Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.



DEBTORS' WITNESS LIST

1. The Debtors intend to call the following witnesses at the Hearing:
 - a. David Meyer;
 - b. Glenn Nunziata; and
 - c. Jason Paral.
2. The Debtors reserve the right to cross-examine any witness called by any other party.
3. The Debtors are prepared to seek the admission of the witnesses' declarations into evidence, conduct direct examination, reserve the right for redirect, and make such witnesses available for questioning by the Court and any other parties in interest. The Debtors also reserve the right to call any witness, including a corporate representative, to authenticate or establish the foundation for any exhibit on the Debtors' list. The Debtors also reserve the right to call rebuttal witnesses.

DEBTORS' EXHIBIT LIST

4. The Debtors identify the documents on the Exhibit List attached hereto as **Exhibit A** as those they may offer at the Hearing.²
5. The Debtors reserve the right to supplement or amend their Exhibit List to (a) address documents produced by other parties recently or in the future; (b) use and/or admit into evidence any exhibit identified on the exhibit list of any other party; and/or (c) use and/or admit into evidence any exhibit for impeachment purposes.
6. In addition to the documents and exhibits identified on Exhibit A, the Debtors reserve the right to offer or otherwise use at the Hearing: (a) documents or exhibits identified on

² The United States Trustee has stipulated to the admission of the exhibits listed on Exhibit A into evidence per electronic correspondence dated May 8, 2024, at 6:35 p.m. ET.

the exhibit list of any other party or party-in-interest; (b) pleadings filed by the parties in this matter; (c) additional exhibits reasonably necessary to respond to issues presented during the Hearing; and (d) charts, graphs, timelines, enlargements, models, or other demonstrative exhibits.

7. By listing an exhibit on this list, the Debtors do not concede that any particular exhibit is admissible or that it is admissible for all purposes. The Debtors reserve the right to object to admission of any document. The Debtors reserve the right to amend or supplement their exhibit list, or to add or subtract exhibits, prior to the conclusion of the Hearing. The Debtors also reserve the right to request the Court to take judicial notice of any exhibits as necessary.

Richmond, Virginia
Dated: May 8, 2024

/s/ Jeremy S. Williams

KUTAK ROCK LLP

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Counsel and Proposed Co-Counsel for the Debtors and Debtors in Possession

EXHIBIT A

DEBTORS' EXHIBIT LIST FOR MAY 9, 2024 HEARING

| EXHIBIT NO. | DATE | DOCUMENT DESCRIPTION | IDENTIFIED | ADMITTED |
|-----------------------|-------------|---|-------------------|-----------------|
| Debtors' Ex. 1 | 3/13/2024 | <i>Declaration of Glenn Nunziata in Support of Chapter 11 Petitions</i> [Docket No. 27] | | |
| Debtors' Ex. 2 | 3/27/2024 | <i>Declaration of Christian Tempke in Support of Application for Entry of an Order Authorizing the Retention and Employment of Lazard Frères & Co. LLC as Investment Banker for the Debtors and Debtors in Possession Effective as of the Petition Date</i> [Docket No. 184, Ex. B] | | |
| Debtors' Ex. 3 | 2/27/2024 | Engagement Letter by and between Lazard, Vinson & Elkins LLP, and the Debtors amended and restated as of February 27, 2024 [Docket No. 184, Ex. C] | | |
| Debtors' Ex. 4 | 10/1/2023 | Indemnification Letter dated October 1, 2023 [Docket No. 184, Ex. D] | | |
| Debtors' Ex. 5 | 4/18/2024 | <i>Supplemental Declaration of Christian Tempke in Support of Application for Entry of an Order Authorizing the Retention and Employment of Lazard Frères & Co. LLC as Investment Banker for the Debtors and Debtors in Possession Effective as of the Petition Date</i> [Docket No. 351] | | |

| EXHIBIT NO. | DATE | DOCUMENT DESCRIPTION | IDENTIFIED | ADMITTED |
|-----------------------|-----------|---|------------|----------|
| Debtors' Ex. 6 | 3/13/24 | <i>Declaration of Christian Tempke in Support of the Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 29]</i> | | |
| Debtors' Ex. 7 | 3/27/2024 | <i>Declaration of David S. Meyer in Support of Application for Entry of an Order Authorizing the Retention and Employment of Vinson & Elkins LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date [Docket No. 183, Ex. B-1]</i> | | |
| Debtors' Ex. 8 | 3/27/2024 | <i>Declaration of Jason E. Paral in Support of Application for Entry of an Order Authorizing the Retention and Employment of Vinson & Elkins LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date [Docket No. 183, Ex. B-2]</i> | | |

| EXHIBIT NO. | DATE | DOCUMENT DESCRIPTION | IDENTIFIED | ADMITTED |
|------------------------|-----------|--|------------|----------|
| Debtors' Ex. 9 | 5/2/2024 | <i>Supplemental Declaration of David S. Meyer in Support of Application for Entry of an Order Authorizing the Retention and Employment of Vinson & Elkins LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date [Docket No. 442]</i> | | |
| Debtors' Ex. 10 | 5/8/2024 | <i>Second Supplemental Declaration of David S. Meyer in Support of Application for Entry of an Order Authorizing the Retention and Employment of Vinson & Elkins LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date [Docket No. 481]</i> | | |
| Debtors' Ex. 11 | 3/20/2024 | <i>Order (D. Md. No. 8:22-CV-02844, Docket No. 78) (Closing Fagen Securities Case as to Enviva Inc.)</i> | | |
| Debtors' Ex. 12 | 4/9/2024 | <i>Amended Stipulation and Order Regarding Scheduling for Amended Complaint and Defendants' Response (D. Md. No. 8:23-CV-02474, Docket No. 40) (Davis Securities Case)</i> | | |
| Debtors' Ex. 13 | 4/15/2024 | <i>Order Staying Case (D. Md. No. 8:23-CV-03923, Docket No. 24) (Derivative Case)</i> | | |
| Debtors' Ex. 14 | 4/4/2024 | <i>Debtors' Application to Employ and Retain Baker Botts L.L.P. as Counsel to the Special Committee of the Board of Directors of the Debtors Effective as of the Petition Date [Docket No. 229]</i> | | |

| EXHIBIT NO. | DATE | DOCUMENT DESCRIPTION | IDENTIFIED | ADMITTED |
|------------------------|-----------|--|------------|----------|
| Debtors' Ex. 15 | 5/3/2024 | <i>First Supplemental Declaration of Bridget Moore in Support of Debtors' Application to Employ and Retain Baker Botts L.L.P. as Counsel to the Special Committee of the Board of Directors of the Debtors Effective as of the Petition Date [Docket No. 449]</i> | | |
| Debtors' Ex. 16 | 5/3/2024 | <i>Certification of No Objection and Notice of Filing of Revised Proposed Order Regarding Debtors' Application to Employ and Retain Baker Botts L.L.P. as Counsel to the Special Committee of the Board of Directors of the Debtors Effective as of the Petition Date [Docket No. 459]</i> | | |
| Debtors' Ex. 17 | 3/27/2024 | <i>Application of Debtors for Entry of an Order Authorizing the Debtors to Employ and Retain Kutak Rock LLP as Co-Counsel Effective as of the Petition Date [Docket No. 187]</i> | | |
| Debtors' Ex. 18 | 4/9/2024 | <i>Supplemental Declaration of Peter J. Barrett in Support of the Application of Debtors for Entry of an Order Authorizing the Debtors to Employ and Retain Kutak Rock LLP as Co-Counsel Effective as of the Petition Date [Docket No. 259]</i> | | |
| Debtors' Ex. 19 | 4/12/2024 | <i>Order Authorizing the Debtors to Employ and Retain Kutak Rock LLP as Co-Counsel Effective as of the Petition Date [Docket No. 319]</i> | | |

| EXHIBIT NO. | DATE | DOCUMENT DESCRIPTION | IDENTIFIED | ADMITTED |
|------------------------|----------|--|------------|----------|
| Debtors' Ex. 20 | 5/8/2024 | <i>Order Granting Debtors' Application to Employ and Retain Baker Botts L.L.P. as Counsel to the Special Committee of the Board of Directors of the Debtors Effective as of the Petition Date [Docket No. 474]</i> | | |
| | | Any written direct testimony filed by witnesses the Debtors will call at the Hearing. | | |
| | | Any documents necessary for rebuttal. | | |
| | | Any exhibit designated by any other party. | | |