

**IT IS ORDERED** as set forth below:



**Date: May 2, 2018**

Susan D. Barrett  
United States Bankruptcy Judge

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION**

**In re:** ) **Chapter 11**  
 )  
**FIBRANT, LLC, et al.,<sup>1</sup>** ) **Case No. 18-10274**  
 )  
 )  
**Debtors.** ) **Jointly Administered**  
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**ORDER AUTHORIZING AND DIRECTING ESCROW AGENT  
TO DISBURSE ESCROWED FUNDS**

This matter is before the Court on the *Motion of Fibrant, LLC for Entry of an Order Authorizing and Directing Escrow Agent to Disburse Escrowed Funds* (the “Motion”) of Fibrant, LLC (“Fibrant”). All capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

The Court has considered the Motion, the *Declaration of David Leach in Support of First-Day Motions and Applications*, and the matters reflected in the record of the hearing held

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant Center South, LLC (8270); and Georgia Monomers Company, LLC (0042).



on the Motion on April 24, 2018. It appears that the Court has jurisdiction over this proceeding; that this is a core proceeding; that notice of this Motion has been provided to the Escrow Agent and the parties on the Master Service List established in these cases (including DSM); that no further notice is necessary; that the relief sought in the Motion is in the best interests of the Debtors, their estates, and their creditors; and that good and sufficient cause exists for such relief.

Accordingly, it is hereby ORDERED as follows:

1. The Motion (Docket No. 86) is GRANTED.
2. Wells Fargo Bank, National Association, as escrow agent under the Escrow Agreement (the “Escrow Agent”), is authorized and directed to disburse the Escrowed Funds in an amount equal to \$1,772,621 to Fibrant.
3. As provided in the Escrow Agreement, DSM shall have no cause of action against the Escrow Agent with respect to the disbursement of the Escrowed Funds or with respect to any other disbursement of funds made by the Escrow Agent pursuant to Section 1.3 of the Escrow Agreement.
4. The Escrow Agent is authorized and directed to honor, and disburse funds in connection with, any future draw requests under the Escrow Agreement.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.
6. Counsel for the Debtors are directed to serve a copy of this Order on the Escrow Agent and the parties on the Master Service List, within three days of the entry of this Order and to file a certificate of service with the Clerk of the Court.

END OF DOCUMENT

Prepared and presented by:

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