

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

_____)	
In re:)	Chapter 11
)	
KDC AGRIBUSINESS LLC, <i>et al.</i> ,)	Case No. 23-10786 (CTG)
)	
Debtors. ¹)	(Jointly Administered)
)	
_____)	

**NOTICE OF *SECOND AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JULY 20, 2023 AT 1:00 P.M. (ET), BEFORE THE HONORABLE
CRAIG T. GOLDBLATT, AT THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE, 3RD FLOOR, COURTROOM 7**

***AS NO MATTERS ARE SCHEDULED TO GO FORWARD, THE HEARING HAS BEEN
CANCELLED WITH PERMISSION FROM THE COURT***

I. RESOLVED MATTERS:

1. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue and Renew Their Insurance Programs and Premium Financing and to Pay All Obligations with Respect Thereto, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (III) Granting Related Relief [[Docket No. 6](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Interim Order (I) Authorizing the Debtors to Continue and Renew Their Insurance Programs and Premium Financing and to Pay All Obligations with Respect Thereto,

¹ The debtors and debtors in possession in these cases and the last four digits of their respective Employer Identification Numbers are: KDC Agribusiness LLC (2280), Do Good Chicken LLC (1523), Do Good Foods Facility Management LLC (3974), Do Good Foods Fort Wayne LLC (6909), Do Good Foods LLC (9976), Do Good Foods Managed Services LLC (4214), Do Good Foods Selma LLC (3776) and KDC Agribusiness Fairless Hills LLC (8680) ("**Fairless Hills**"). The debtors' mailing address, other than Fairless Hills, is 1545 US Highway 206, Suite 100, Bedminster, New Jersey 07921. The mailing address of Fairless Hills is 250 Canal Road, Fairless Hills, Pennsylvania 19030.

² Amended items appear in bold.



- (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers and (III) Granting Related Relief [[Docket No. 55](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing the Debtors to Continue and Renew Their Insurance Programs and Premium Financing and to Pay All Obligations with Respect Thereto, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 64](#) – filed June 22, 2023]
- iii. Certificate of No Objection Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue and Renew Their Insurance Programs and Premium Financing and to Pay All Obligations with Respect Thereto, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers, and (III) Granting Related Relief [[Docket No. 145](#) – filed July 17, 2023]
- iv. Final Order (I) Authorizing the Debtors to Continue and Renew Their Insurance Programs and Premium Financing and to Pay All Obligations with Respect Thereto, (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers and (III) Granting Related Relief [[Docket No. 160](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

2. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors and (B) Lienholders and (II) Granting Related Relief [[Docket No. 8](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors and (B) Lienholders and (II) Granting Related Relief [[Docket No. 57](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors and (B) Lienholders and (II) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 66](#) – filed June 22, 2023]
- iii. Certificate of No Objection Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors and (B) Lienholders and (II) Granting Related Relief [[Docket No. 147](#) – filed July 17, 2023]

- iv. Final Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors and (B) Lienholders and (II) Granting Related Relief [[Docket No. 163](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 3. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Continue Their Customer Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief [[Docket No. 10](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Interim Order (I) Authorizing Debtors to Continue Their Customer Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief [[Docket No. 59](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors to Continue Their Customer Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 68](#) – filed June 22, 2023]
- iii. Certificate of No Objection Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Continue Their Customer Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief [[Docket No. 146](#) – filed July 17, 2023]
- iv. Final Order (I) Authorizing Debtors to Continue Their Customer Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief [[Docket No. 162](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 4. Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Redact Certain Personal Identification Information and (II) Granting Related Relief [[Docket No. 74](#) – filed June 23, 2023]

Objection / Response Deadline: July 10, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Redact Certain Personal Identification Information and (II) Granting Related Relief [[Docket No. 122](#) – filed July 11, 2023]
- ii. Order (I) Authorizing the Debtors to Redact Certain Personal Identification Information and (II) Granting Related Relief [[Docket No. 125](#) – entered July 12, 2023]

Status: On July 12, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

II. MATTERS WITH CERTIFICATIONS:

5. Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 7](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Objection of PECO Energy Company to Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities From Altering, Refusing, Or Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 111](#) – filed July 3, 2023]

Related Documents:

- i. Interim Order (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 56](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 65](#) – filed June 22, 2023]
- iii. Notice of Withdrawal of Objection of PECO Energy Company to Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities From Altering, Refusing, Or

Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 133](#) – filed July 13, 2023]

- iv. Certification of Counsel Regarding Final Order (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 158](#) – filed July 17, 2023]
- v. Final Order (I) Establishing Procedures for Determining Adequate Assurance of Payment, (II) Finding Utilities Adequately Assured of Payment, (III) Prohibiting Utilities from Altering, Refusing, or Discontinuing Utility Services, and (IV) Granting Related Relief [[Docket No. 176](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 6. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Compensation, Reimbursable Expenses, and Other Obligations on Account of Compensation and Benefits Programs and (B) Continue Compensation and Benefits Programs, (II) Modifying the Automatic Stay With Respect to the Workers' Compensation Program and (III) Granting Related Relief [[Docket No. 9](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Interim Order (I) Authorizing the Debtors to (I) (A) Pay Prepetition Wages, Salaries, Compensation, Reimbursable Expenses, and Other Obligations on Account of Compensation and Benefits Programs and (B) Continue Compensation and Benefits Programs, (II) Modifying the Automatic Stay with Respect to the Workers' Compensation Program and (III) Granting Related Relief [[Docket No. 58](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing the Debtors to (I) (A) Pay Prepetition Wages, Salaries, Compensation, Reimbursable Expenses, and Other Obligations on Account of Compensation and Benefits Programs and (B) Continue Compensation and Benefits Programs, (II) Modifying the Automatic Stay with Respect to the Workers' Compensation Program and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 67](#) – filed June 22, 2023]
- iii. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (I) (A) Pay Prepetition Wages, Salaries, Compensation, Reimbursable Expenses, and Other Obligations on Account of Compensation and Benefits Programs and

(B) Continue Compensation and Benefits Programs, (II) Modifying the Automatic Stay With Respect to the Workers' Compensation Program and (III) Granting Related Relief [[Docket No. 152](#) – filed July 17, 2023]

- iv. Final Order (I) Authorizing the Debtors to (I) (A) Pay Prepetition Wages, Salaries, Compensation, Reimbursable Expenses, and Other Obligations on Account of Compensation and Benefits Programs and (B) Continue Compensation and Benefits Programs, (II) Modifying the Automatic Stay with Respect to the Workers' Compensation Program and (III) Granting Related Relief [[Docket No. 168](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

7. Motion of Debtors for Interim and Final Orders (I) Authorizing Continued Use of the Debtors' Existing Cash Management System and Bank Accounts; (II) Authorizing Continued Performance of Intercompany Transactions; (III) Waiving Certain United States Trustee Guidelines; and (IV) Granting Related Relief [[Docket No. 11](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Interim Order (I) Authorizing Continued Use of the Debtors' Existing Cash Management System and Bank Accounts; (II) Authorizing Continued Performance of Intercompany Transactions; (III) Waiving Certain United States Trustee Guidelines; and (IV) Granting Related Relief [[Docket No. 60](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Continued Use of the Debtors' Existing Cash Management System and Bank Accounts; (II) Authorizing Continued Performance of Intercompany Transactions; (III) Waiving Certain United States Trustee Guidelines; and (IV) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 69](#) – filed June 22, 2023]
- iii. Certification of Counsel Regarding Final Order (I) Authorizing Continued Use of the Debtors' Existing Cash Management System and Bank Accounts; (II) Authorizing Continued Performance of Intercompany Transactions, (III) Waiving Certain United States Trustee Guidelines; and (IV) Granting Related Relief [[Docket No. 165](#) – filed July 18, 2023]
- iv. Final Order (I) Authorizing Continued Use of the Debtors' Existing Cash Management System and Bank Accounts; (II) Authorizing Continued Performance of Intercompany Transactions, (III) Waiving Certain United States Trustee

Guidelines; and (IV) Granting Related Relief [[Docket No. 177](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

8. Application of Debtors for Entry of an Order (I) Authorizing the Retention and Employment of Richards, Layton & Finger, P.A. as Bankruptcy Counsel Effective as of the Petition Date and (II) Granting Related Relief [[Docket No. 97](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Informal comments from the Office of the United States Trustee (the "U.S. Trustee")

Related Documents:

- i. Notice of Errata Regarding the Application of Debtors for Entry of an Order (I) Authorizing the Retention and Employment of Richards, Layton & Finger, P.A. as Bankruptcy Counsel Effective as of the Petition Date and (II) Granting Related Relief [[Docket No. 123](#) – filed July 11, 2023]
- ii. Certification of Counsel Regarding Order (I) Authorizing the Retention and Employment of Richards, Layton & Finger, P.A. as Bankruptcy Counsel Effective as of the Petition Date and (II) Granting Related Relief [[Docket No. 153](#) – filed July 17, 2023]
- iii. Order (I) Authorizing the Retention and Employment of Richards, Layton & Finger, P.A. as Bankruptcy Counsel Effective as of the Petition Date and (II) Granting Related Relief [Docket No. 167 – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

9. Application of Debtors for Entry of an Order (I) Authorizing the Employment and Retention of AlixPartners, LLP as Financial Advisor for the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 99](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET); extended for the U.S. Trustee

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of David Orlofsky in Further Support of Application of Debtors Entry of an Order (I) Authorizing the Employment and Retention of AlixPartners, LLP as Financial Advisor for the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 143](#) – filed July 17, 2023]
- ii. Certification of Counsel Regarding Order (I) Authorizing the Employment and Retention of AlixPartners, LLP as Financial Advisor for the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 151](#) – filed July 17, 2023]
- iii. Order (I) Authorizing the Employment and Retention of AlixPartners, LLP as Financial Advisor for the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 172](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

10. Application of Debtors for Appointment of Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date [[Docket No. 100](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Application of Debtors for Appointment of Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date [[Docket No. 148](#) – filed July 17, 2023]
- ii. Order Authorizing the Appointment of Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date [[Docket No. 175](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

11. Application of Debtors for Entry of an Order (I) Authorizing the Employment and Retention of Okin Hollander LLC as Special Corporate Counsel to the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 101](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET); extended for the U.S. Trustee

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Paul Hollander in Further Support of Application of Debtors for Entry of an Order (I) Authorizing the Employment and Retention of Okin Hollander LLC as Special Corporate Counsel to the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 142](#) – filed July 17, 2023]
- ii. Certification of Counsel Regarding Order (I) Authorizing the Employment and Retention of Okin Hollander LLC as Special Corporate Counsel to the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 156](#) – filed July 17, 2023]
- iii. Order (I) Authorizing the Employment and Retention of Okin Hollander LLC as Special Corporate Counsel to the Debtors Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 174](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

12. Application of Debtors for Entry of an Order (I) Authorizing the Employment and Retention of Jefferies LLC as Investment Banker for the Debtors Effective as of the Petition Date, (II) Waiving Certain Time-Keeping Requirements, and (III) Granting Related Relief [[Docket No. 102](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Michael O’Hara in Support of Application of Debtors for Entry of an Order (I) Authorizing the Employment and Retention of Jefferies LLC as Investment Banker for the Debtors Effective as of the Petition Date, (II) Waiving Certain Time-Keeping Requirements, and (III) Granting Related Relief [[Docket No. 144](#) – filed July 17, 2023]
- ii. Certification of Counsel Regarding Order (I) Authorizing the Employment and Retention of Jefferies LLC as Investment Banker for the Debtors Effective as of the

Petition Date, (II) Waiving Certain Time-Keeping Requirements, and (III) Granting Related Relief [[Docket No. 150](#) – filed July 17, 2023]

- iii. Order (I) Authorizing the Employment and Retention of Jefferies LLC as Investment Banker for the Debtors Effective as of the Petition Date, (II) Waiving Certain Time-Keeping Requirements, and (III) Granting Related Relief [[Docket No. 171](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 13. Motion of Debtors for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 103](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 155](#) – filed July 17, 2023]
- ii. Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 169](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 14. Debtors' Motion for Entry of an Order (I) Authorizing Employment and Payment of Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 104](#) – filed June 29, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Order (I) Authorizing Employment and Payment of Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 154](#) – filed July 17, 2023]

- ii. Order (I) Authorizing Employment and Payment of Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 170](#) – entered July 18, 2023]

Status: On July 18, 2023, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

III. CONTESTED MATTERS GOING FORWARD:

15. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors and Debtors in Possession to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Super-Priority Claims; and (D) Grant Adequate Protection; (II) Modifying the Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [[Docket No. 23](#) – filed June 20, 2023]

Objection / Response Deadline: July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Limited Objection and Reservation of Rights of California Safe Soil, LLC to (I) DIP Motion and (II) Bid/Sale Motion [[Docket No. 120](#) – filed July 10, 2023]

Related Documents:

- i. Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Super-Priority Claims, and (D) Grant Adequate Protection; (II) Modifying the Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [[Docket No. 61](#) – entered June 21, 2023]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors and Debtors in Possession to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Super-Priority Claims, and (D) Grant Adequate Protection; (II) Modifying the Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 70](#) – filed June 22, 2023]
- iii. Notice of Filing of Proposed Form of Final Order (I) Authorizing Debtors and Debtors in Possession to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Super-Priority Claims, and (D) Grant Adequate Protection; (II) Modifying the Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [[Docket No. 161](#) – filed July 18, 2023]
- iv. Notice of Filing of Revised DIP Budget [[Docket No. 164](#) – filed July 18, 2023]
- v. **Certification of Counsel Regarding Final Order (I) Authorizing Debtors and Debtors in Possession to (A) Obtain Postpetition Financing, (B) Use Cash**

Collateral, (C) Grant Liens and Super-Priority Claims, and (D) Grant Adequate Protection; (II) Modifying the Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [[Docket No. 206](#) – filed July 20, 2023]

Status: On July 20, 2023, the Debtors submitted a revised form of order under certification of counsel. The Court has informed counsel for the Debtors that a hearing on this matter is no longer necessary.

16. Motion of the Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Designate a Stalking Horse Bidder and to Provide Bidding Protections, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases and (C) Granting Related Relief [[Docket No. 71](#) – filed June 22, 2023]

Objection / Response Deadline: July 10, 2023 at 4:00 p.m. (ET); extended for the U.S. Trustee to July 13, 2023 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Limited Objection and Reservation of Rights of California Safe Soil, LLC to (I) DIP Motion and (II) Bid/Sale Motion [[Docket No. 120](#) – filed July 10, 2023]
- B. Informal comments from the U.S. Trustee

Related Documents:

- i. Notice of Filing of Revised Proposed Order (I) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (II) Authorizing the Debtors to Designate a Stalking Horse Bidder and to Provide Bidding Protections, (III) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (IV) Approving Assumption and Assignment Procedures, (V) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (VI) Granting Related Relief [[Docket No. 159](#) – filed July 18, 2023]
- ii. **Certification of Counsel Regarding Order (I) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (II) Authorizing the Debtors to Designate a Stalking Horse Bidder and to Provide Bidding Protections, (III) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (IV) Approving Assumption and Assignment Procedures, (V) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof, and (VI) Granting Related Relief [[Docket No. 205](#) – filed July 20, 2023]**

Status: On July 20, 2023, the Debtors submitted a revised form of order under certification of counsel. The Court has informed counsel for the Debtors that a hearing on this matter is no longer necessary.

Dated: July 20, 2023
Wilmington, Delaware

/s/ David T. Queroli

John H. Knight (No. 3848)

Paul N. Heath (No. 3704)

Brendan J. Schlauch (No. 6115)

David T. Queroli (No. 6318)

Huiqi Liu (No. 6850)

Zachary J. Javorsky (No. 7069)

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