

Elisha D. Graff
Jamie J. Fell
Dov Gottlieb
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017
(212) 455-2000 Telephone
(212) 455-2502 Facsimile

Tyler B. Robinson
Lauren W. Brazier (admitted *pro hac vice*)
SIMPSON THACHER & BARTLETT LLP
CityPoint
One Ropemaker Street
London EC2Y 9HU, England
+44-(0)20-7275-6500 Telephone
+44-(0)20-7275-6592 Facsimile

Counsel to the Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)
) Chapter 11
)
MatlinPatterson Global Opportunities Partners II L.P., *et al.*,) Case No. 21-11255 (DSJ)
)
Debtors.¹) (Jointly Administered)
)

AGENDA FOR HEARING ON AUGUST 17, 2023 at 10:00 A.M.

The hearing (“**Hearing**”) wherein the above-captioned debtors and debtors-in-possession (the “**Debtors**”) and certain counterparties will present certain pleadings (the “**Pleadings**”) will be held via Zoom on **August 17, 2023 at 10:00 a.m. (Prevailing Eastern Time)** before the Honorable David S. Jones, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Courtroom No. 701, New York, New York 10004 (the “**Court**”).

All parties should attend remotely via Zoom. All parties wishing to participate in the hearing, whether in person or via a “live” or “listen only” line on Zoom are required to register their appearance by no later than **4:00 p.m. (prevailing Eastern Time) on August 16, 2023** at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>.²

Copies of each of the Pleadings can be viewed and/or obtained by: (i) accessing the Court’s website at www.nysb.uscourts.gov, (ii) contacting the Office of the Clerk of the Court at One Bowling Green, New York, New York 10004, or (iii) from the Debtors’ claims and noticing agent,

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, if any, are: MatlinPatterson Global Opportunities Partners II L.P. (8284); MatlinPatterson Global Opportunities Partners (Cayman) II L.P. (8246); MatlinPatterson Global Partners II LLC (6962); MatlinPatterson Global Advisers LLC (2931); MatlinPatterson PE Holdings LLC (6900); Volo Logistics LLC (8287); MatlinPatterson Global Opportunities Partners (SUB) II L.P. (9209). The location of the Debtors’ address is: 300 East 95th Street, Suite 102, New York, New York 10128.

² Instructions on how to register for Zoom participation can be obtained by visiting <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>.



Kurtzman Carson Consultants LLC (“**KCC**”), by e-mail at MPIInfo@kccllc.com or by calling (888) 733-1416 (toll free) for U.S. or Canada-based parties, or (310) 751-2630 for international parties or via KCC’s website for the Chapter 11 Cases at: <http://www.kccllc.net/MPII>. Note that a PACER password is needed to access documents on the Court’s website.

UNCONTESTED MATTERS GOING FORWARD

I. Final Fee Applications

1. Final Fee Application of Simpson Thacher & Bartlett LLP for Compensation for Services and Reimbursement of Expenses as Counsel for the Debtors for the Period from July 6, 2021 Through and Including June 1, 2023 [Docket No. 970]
2. Monthly Fee Statement and Final Fee Application of LDCM Advogados for Compensation for Services as Special Brazilian Counsel to the Debtors for the Period from July 6, 2021 Through and Including June 1, 2023 [Docket No. 971]
3. Final Fee Application of Ernst & Young Ltd. for Compensation and Reimbursement of Expenses as Audit Services Provider for Debtors for the Period From July 6, 2021 Through and Including June 1, 2023 [Docket No. 972]
4. Third Interim and Final Fee Application of Ernst & Young LLP for Services Rendered and Reimbursement of Expenses as Tax Services Provider for Debtors for the Period From July 6, 2021 Through and Including June 1, 2023 [Docket No. 973]
5. Final Fee Application of Kurtzman Carson Consultants LLC as Administrative Advisor for the Debtors for Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from July 6, 2021 Through and Including June 1, 2023 [Docket No. 975]
6. Final Fee Application of FTS US, Inc. for Compensation for Services as Provider of Tax Consulting Services to the Debtors for the Period From July 6, 2021 Through and Including June 1, 2023 [Docket No. 976]
7. Amended Final Fee Application of Schulte Roth & Zabel LLP as Conflicts Counsel to the Debtors in Possession for Allowance of Compensation for Services Rendered and Reimbursement of Expenses for the Period from July 6, 2021 Through and Including July 17, 2023 [Docket No. 981]
8. Revised Final Fee Application of Vernon Flynn QC, Special Litigation Counsel to the Debtors, for Compensation and Reimbursement of Expenses Incurred in these Chapter 11 Cases for the Period from July 6, 2021 Through and Including June 1, 2023 [Docket No. 994]

Response Deadline:

August 10, 2023 at 4:00 p.m. (ET)

Responses Received: Informal objections from the U.S. Trustee, which were resolved.

Related Documents:

A. Certificate of No Objection Regarding Final Fee Applications [Docket No. 998]

Status: This matter is going forward on an uncontested basis.

CONTESTED MATTERS GOING FORWARD

I. Debtors' Objection to the Claim Filed by Mr. Luiz Eduardo Gallo

1. Debtors' Objection to the Claim Filed by Mr. Luiz Eduardo Gallo [Docket No. 967]
 - a. Exhibit A – Proposed Order [Id. pp. 16–18]
 - b. Exhibit B – Declaration of Elisha D. Graff in Support of Debtors' Objection to the Claim Filed by Mr. Luiz Eduardo Gallo [Id. pp. 19–91]
 - A. Exhibit A – April 1, 2008 Brazilian Court Order [Id. pp. 22–69]
 - B. Exhibit B – December 9, 2008 Brazilian Court Order [Id. pp. 31–69]
 - C. Exhibit C – Gallo Letter dated March 17, 2022 [Id. pp. 70–77]
 - D. Exhibit D – KCC Emails dated February 6, 2023 [Id. pp. 78–81]
 - E. Exhibit E – Volo LLC Bank Statements [Id. pp. 82–91]

Response Deadline: August 10, 2023 at 4:00 p.m. (ET)

Responses Received:

- A. Response to Debtor's Objection [Docket No. 979]
- B. Response to Debtor's Objection N. 2 [Docket No. 980]

Related Documents:

- C. Proof of Claim Filed by Mr. Luiz Eduardo Gallo [KCC Claims Register Claim Nos. 48–54]
- D. Debtor's Reply in Support of the Objection Filed by Mr. Luiz Eduardo Gallo [Docket No. 995]
- E. Declaration of Elisha D. Graff in Further Support of Debtors' Objection to the Claim Filed by Mr. Luiz Eduardo Gallo [Docket No. 997]
 - a. Exhibit A – Indemnity Agreement, dated February 2, 2006 [Id. pp. 3–10]
 - b. Exhibit B – Put and Call Option Agreement, dated February 2, 2006 [Id. pp. 11–33]

- c. Exhibit C – Report for Leonardo de Campos Melo Advogados and Schulte Roth & Zabel LLP, dated August 10, 2020 [Id. pp. 34–59]
 - d. Exhibit D – Volo Logistics January–May 2009 Bank Statements [Id. pp. 60–110]
 - e. Exhibit E – Loan Agreement, dated January 28, 2009, between Volo Logistics LLC and Varig Logistica S.A. [Id. pp. 111–222]
- F. Letter to Judge Jones Filed by Luiz Eduardo Gallo [Docket No. 1000]

Status: This matter is going forward as a contested matter.

New York, New York
Dated: August 15, 2023

SIMPSON THACHER & BARTLETT LLP

By: /s/ Elisha D. Graff
Elisha D. Graff
Jamie J. Fell
Dov Gottlieb
425 Lexington Avenue
New York, NY 10017
Tel: (212) 455-2000
Fax: (212) 455-2502

-and-

Tyler B. Robinson
Lauren W. Brazier (admitted *pro hac vice*)
CityPoint
One Ropemaker Street
London EC2Y 9HU, England
+44-(0)20-7275-6500 Telephone
+44-(0)20-7275-6592 Facsimile

Counsel to the Debtors and Debtors-in-Possession