

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

In re
PARAGON OFFSHORE PLC, et al.,
Debtors.

PARAGON LITIGATION TRUST,
Plaintiff,

v.

NOBLE CORPORATION PLC, NOBLE CORPORATION HOLDINGS LTD, NOBLE CORPORATION, NOBLE HOLDING INTERNATIONAL (LUXEMBOURG) S.à.r.l., NOBLE HOLDING INTERNATIONAL (LUXEMBOURG NHIL) S.à.r.l., NOBLE FDR HOLDINGS LIMITED, NOBLE HOLDING INTERNATIONAL LIMITED, NOBLE HOLDING (U.S.) LLC, NOBLE INTERNATIONAL FINANCE COMPANY, MICHAEL A. CAWLEY, JULIE H. EDWARDS, GORDON T. HALL, JON A. MARSHALL, JAMES A. MACLENNAN, MARY P. RICCIARDELLO, JULIE J. ROBERTSON, AND DAVID W. WILLIAMS,
Defendants.

Chapter 11
Case No. 16-10386 (CSS)
Ref. Docket No. 2231, 2241, 2242

Adv. Proc. No. 17-51882 (CSS)

Hearing Date: June 10, 2021 at 11:00 a.m. (ET)

**PARAGON LITIGATION TRUST’S MOTION FOR LEAVE TO FILE
A REPLY TO PARAGON’S RESPONSE TO U.S. TRUSTEE’S
MOTION TO COMPEL FILING OF POST-CONFIRMATION
QUARTERLY REPORTS AND PAYMENT OF STATUTORY FEES**

The Paragon Litigation Trust (the “Trust”) hereby submits this motion to the Court (the “Motion”) for entry of an order, substantially in the form attached hereto as Exhibit A (the “Proposed Order”), granting the Trust leave to file a short reply (the “Reply”) to the response brief (D.I. 2241) filed by Paragon Offshore plc (in liquidation) (“Paragon”) to the *Motion of the U.S. Trustee to Compel Filing of Post-Confirmation Quarterly Reports and Payment of Statutory*



Fees (D.I. 2231) (the “Fee Motion”). The Reply has been filed at Docket No. 2242. In support of this Motion, the Trust respectfully represent as follows:

Jurisdiction and Venue

1. The United States Bankruptcy Court for the District of Delaware (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. The Trust confirms its consent, pursuant to rule 7008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, to the entry of a final order by the Court in connection with this motion if it is later determined that the Court, absent consent of the parties, cannot enter the requested final order consistent with Article III of the United States Constitution.

2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The bases for the relief requested herein is section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Local Rule 9006-1(d).

Background

4. On May 12, 2021, the United States Trustee filed the Fee Motion, seeking to compel payment of statutory fees pursuant to 28 U.S.C. § 1930(a)(6) against the Trust and Paragon. Per the United States Trustee’s Notice of Motion (D.I. 2233), the hearing on the Fee Motion was set for June 3, 2021 at 2:00 p.m. (ET) and responses to the Fee Motion were due on or before May 27, 2021 at 5:00 p.m. (ET).

5. On May 27, 2021, the Trust timely filed its response to the Fee Motion. (D.I. 2239).

6. On June 1, 2021, the parties agreed to reschedule the hearing on the Fee Motion to June 10, 2021 at 11:00 a.m. (ET) to allow Paragon time to file its response brief. (D.I. 2241 at 2.) On June 3, 2021, Paragon filed its response brief (D.I. 2241), which although “generally aligned with the Trust in its response” to the Fee Motion, disagreed with the Trust over who must pay statutory fees in the event the Court found that fees are due under section 1930(a). (*Id.* ¶ 15.)

Relief Requested

7. The Trust respectfully requests entry of the Proposed Order granting the Trust leave to file a Reply to respond to Paragon’s response brief.

Basis for Relief

8. The Court may grant leave to file a reply brief, and the Trust respectfully requests permission to file a short reply here. Because Local Rule 9006-1(d) only expressly discusses replies from a “movant” or a “party that has joined the movant,” the Trust seeks the Court’s leave to file a reply in an abundance of caution. Del. Bankr. L.R. 9006-1(d).

9. The parties originally contemplated filing any response briefs simultaneously. (D.I. 2233.) By agreement of the parties, Paragon was allowed to file a response brief six days after the original deadline met by the Trust. As a result, Paragon was able to respond to the Trust’s brief and raise new arguments beyond those in the United States Trustee’s Fee Motion. Because the Trust had no opportunity to address those arguments in its original response, the Trust requests the chance to file a brief reply. Doing so will not disrupt the briefing schedule, since the United States Trustee’s reply brief is due on June 7, 2021. The Trust submits that no party will be prejudiced by the filing of this Reply, and the Reply will assist the Court in considering the issues raised by the Fee Motion.

WHEREFORE, the Trust respectfully requests entry of the Proposed Order, granting the relief requested herein and such other relief as the Court deems appropriate under the circumstances.

Dated: June 4, 2021

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Timothy P. Cairns

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EXHIBIT A

Proposed Order

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

In re PARAGON OFFSHORE PLC, et al., Debtors.	Chapter 11 Case No. 16-10386 (CSS) Ref. Docket No. 2231, 2241, 2242
PARAGON LITIGATION TRUST, Plaintiff, v. NOBLE CORPORATION PLC, NOBLE CORPORATION HOLDINGS LTD, NOBLE CORPORATION, NOBLE HOLDING INTERNATIONAL (LUXEMBOURG) S.à.r.l., NOBLE HOLDING INTERNATIONAL (LUXEMBOURG NHIL) S.à.r.l., NOBLE FDR HOLDINGS LIMITED, NOBLE HOLDING INTERNATIONAL LIMITED, NOBLE HOLDING (U.S.) LLC, NOBLE INTERNATIONAL FINANCE COMPANY, MICHAEL A. CAWLEY, JULIE H. EDWARDS, GORDON T. HALL, JON A. MARSHALL, JAMES A. MACLENNAN, MARY P. RICCIARDELLO, JULIE J. ROBERTSON, AND DAVID W. WILLIAMS, Defendants.	Adv. Proc. No. 17-51882 (CSS)

**ORDER GRANTING PARAGON LITIGATION TRUST'S MOTION FOR LEAVE TO
FILE A REPLY TO PARAGON'S RESPONSE TO U.S. TRUSTEE'S
MOTION TO COMPEL FILING OF POST-CONFIRMATION
QUARTERLY REPORTS AND PAYMENT OF STATUTORY FEES**

Upon consideration of the *Paragon Litigation Trust's Motion for Leave to File A Reply to Paragon's Response to U.S. Trustee's Motion to Compel Filing of Post-Confirmation Quarterly Reports and Payment of Statutory Fees* (the "Motion"), it is HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Trust is permitted to file a Reply.

CERTIFICATE OF SERVICE

I, Timothy P. Cairns hereby certify that on June 4, 2021, I caused the foregoing PARAGON LITIGATION TRUST'S MOTION FOR LEAVE TO FILE A REPLY TO PARAGON'S RESPONSE TO U.S. TRUSTEE'S MOTION TO COMPEL FILING OF POST-CONFIRMATION QUARTERLY REPORTS AND PAYMENT OF STATUTORY FEES to be served on the following parties by electronic mail:

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/s/ Timothy P. Cairns
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