

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	
	)	Chapter 11
PROTERRA INC, <i>et al.</i> , <sup>1</sup>	)	Case No. 23-11120 (BLS)
	)	
Debtors.	)	(Joint Administration Requested)
	)	

**AMENDED<sup>2</sup> NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND RELATED DOCUMENTS AND (II) AGENDA FOR HYBRID HEARING ON FIRST DAY MOTIONS SCHEDULED FOR AUGUST 10, 2023 AT 9:30 A.M. (ET) BEFORE THE HONORABLE BRENDAN LINEHAN SHANNON OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE<sup>3</sup>**

**HEARING INSTRUCTIONS:**

**THE HEARING WILL CONDUCTED IN-PERSON AND BY ZOOM. PARTICIPANTS APPEARING BY ZOOM ARE REQUIRED TO REGISTER IN ADVANCE OF THE HEARING.**

**All individuals participating by video must register at least 2 hours prior to the hearing.**

**COURTCALL WILL NOT BE USED FOR THIS HEARING.**

**Please use the following link to register for this hearing:**

<https://protect-us.mimecast.com/s/3SJACzpnDPIwvK9Ef48m-p?domain=debuscourts.zoomgov.com>

**After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing. You must use your full name when logging into Zoom or you will not be allowed into the meeting.**

**PLEASE TAKE NOTICE** that, on August 7, 2023, the debtors and debtors in possession in the above-captioned cases (together, the “Debtors”) filed the following voluntary petitions (collectively, the “Petitions”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), and related pleadings with the Clerk of the United States Bankruptcy Court for the District of Delaware. The Debtors continue to operate

<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 as follows: Protterra Inc (1379); and Protterra Operating Company, Inc. (8459). The location of the Debtors’ service address is: 1815 Rollins Road, Burlingame, California 94010.

<sup>2</sup> **Amended items in this agenda appear in bold.**

<sup>2</sup> All motions and other pleadings referenced herein are available online at [www.kccllc.net/proterra](http://www.kccllc.net/proterra) or by request to the Debtors’ proposed counsel, Young Conaway Stargatt & Taylor, LLP, Attn: Debbie Laskin, paralegal, 302- 571-6710, or [dlaskin@ycst.com](mailto:dlaskin@ycst.com).



their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

**PETITIONS AND RELATED PLEADINGS**

1. Voluntary Petitions
  - A. Proterra Inc, Case No. 23- 11120
  - B. Proterra Operating Company, Inc., Case No. 23-11121
2. Declaration of Gareth T. Joyce in Support of Chapter 11 Petitions and First Day Pleadings [[D.I. 16, 8/8/23](#)]<sup>4</sup>

**PLEASE TAKE FURTHER NOTICE** that a hybrid hearing with respect to the following first day motions (collectively, the “First Day Motions”) is scheduled for **August 10, 2023 at 9:30 a.m. (ET)** (the “First Day Hearing”) before The Honorable Brendan Linehan Shannon, United States Bankruptcy Judge for the District of Delaware.

**FIRST DAY MOTIONS GOING FORWARD**

3. Debtors’ Motion for Entry of an Order, Pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1, Authorizing the Joint Administration of the Debtors’ Chapter 11 Cases [[D.I. 2, 8/7/23](#)]

Status: This matter will be going forward.

4. Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing Maintenance, Administration, and Continuation of Debtors’ Customer Programs and (II) Granting Related Relief [[D.I. 3, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

5. Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Claims of (A) Lien Claimants, (B) 503(b)(9) Claimants, and (C) Critical Vendors, (II) Authorizing the Debtors to Pay Claims of Outstanding Orders, and (III) Granting Related Relief [[D.I. 4, 8/7/23](#)]

Related Documents:

- a. Declaration of Justin D. Pugh in Support of Debtors’ (I) Cash Collateral Motion and (II) Vendor Claimants Motion [[D.I. 45, 8/9/23](#)]<sup>5</sup>
- b. **Supplemental Declaration of Justin D. Pugh in Further Support of Debtors’ Vendor Claimants Motion [[D.I. 55, 8/10/23](#)]**

Status: This matter will be going forward on an interim basis.

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<sup>4</sup> The physical location of the declarant is **Greer, South Carolina.**

<sup>5</sup> **The physical location of the declarant is New York, New York.**

6. Debtors' Motion for Entry of Interim and Final Orders (I) Establishing Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness With Respect to Common Stock of Proterra Inc and Claims Against Debtors and (II) Granting Related Relief [[D.I. 5, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

7. Debtors' Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Companies From Discontinuing, Altering, or Refusing Service, (II) Deeming Utility Companies to Have Adequate Assurance of Future Payment, (III) Establishing Procedures for Resolving Requests for Additional Assurance, and (IV) Granting Related Relief [[D.I. 6, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

8. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Payment of Certain Prepetition Employee Wages and Benefits, and (II) Granting Related Relief [[D.I. 7, 8/7/23](#)]

**Related Document:**

- a. **Notice of Filing Revised Proposed Interim Employee Wages Order** [[D.I. 56, 8/10/23](#)]

Status: This matter will be going forward on an interim basis.

9. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to File a Consolidated (A) Creditor Matrix and (B) List of the 30 Largest Unsecured Creditors; (II) Authorizing Redaction of Certain Personal Identification Information; and (III) Granting Related Relief [[D.I. 10, 8/7/23](#)]

Status: This matter will be going forward.

10. Debtors' Application for Entry of an Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of the Petition Date [[D.I. 11, 8/7/23](#)]

Status: This matter will be going forward.

11. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue and Pay All Prepetition Obligations Relating to Their (A) Prepetition Insurance Policies and Insurance Premium Finance Agreement and (B) Surety Bond Program; and (II) Granting Related Relief [[D.I. 12, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

12. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief [[D.I. 13, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

13. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing (A) Continued Use of Cash Management System, (B) Maintenance of Bank Accounts and Business Forms,

(C) Continuance of Corporate Credit Card Programs, and (D) Honoring Certain Prepetition Obligations; (II) Waiving Strict Compliance with 11 U.S.C. § 345(b) and Certain Operating Guidelines, as Applicable, and (III) Granting Related Relief [[D.I. 14, 8/7/23](#)]

Status: This matter will be going forward on an interim basis.

14. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [[D.I. 44, 8/9/23](#)]

Related Documents:

- a. Declaration of Justin D. Pugh in Support of Debtors' (I) Cash Collateral Motion and (II) Vendor Claimants Motion [[D.I. 45, 8/9/23](#)]
- b. **Notice of Filing of Intercreditor Agreement** [[D.I. 52, 8/9/23](#)]

Objections Filed:

- a. **Reservations of Rights and Limited Objection of the CSI Parties to the Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief** [[D.I. 51, 8/9/23](#)]

Status: This matter will be going forward on an interim basis.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the First Day Motions may be made at the First Day Hearing.

Dated: August 10, 2023  
Wilmington, Delaware

Respectfully submitted,

**YOUNG CONAWAY STARGATT &  
TAYLOR, LLP**

/s/ Shella Borovinskaya

Pauline K. Morgan (No. 3650)  
Andrew L. Magaziner (No. 5426)  
Shella Borovinskaya (No. 6758)  
Rodney Square  
1000 North King Street  
Wilmington, Delaware 19801  
Telephone: (302) 571-6600  
Facsimile: (302) 571-1253  
Email: pmorgan@ycst.com  
amagaziner@ycst.com  
sborovinskaya@ycst.com

- and -

**PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON LLP**

Paul M. Basta (admitted *pro hac vice*)  
Robert A. Britton (admitted *pro hac vice*)  
Michael J. Colarossi (admitted *pro hac vice*)  
1285 Avenue of the Americas  
New York, New York 10019  
Tel: (212) 373-3000  
Fax: (212) 757-3990  
Email: pbasta@paulweiss.com  
rbritton@paulweiss.com  
mcolarossi@paulweiss.com

*Proposed Counsel to the Debtors and  
Debtors in Possession*