

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

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

**NOTICE OF AMENDED² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON SEPTEMBER 7, 2023 AT 11:00 A.M. (ET)**

NO MATTERS ARE GOING FORWARD. THE HEARING IS CANCELLED WITH THE PERMISSION OF THE COURT.

ADJOURNED MATTERS

1. Motion of GS Operating, LLC d/b/a Gexpro Services for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(9) [D.I. 122, 8/24/23]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET)

Related Documents: None

Objections Filed:

- a. Debtors’ Omnibus (I) Objection to Gexpro’s Motion (A) for Allowance and Payment of Administrative Claim and (B) to Compel Assumption or Rejection of Executory Contract and (II) Reply to Gexpro’s Limited Objection to Debtors’ Bidding Procedures Motion [D.I. 161, 8/31/23]
- b. Joinder to Debtors’ Omnibus (I) Objection to Gexpro’s Motion (A) for Allowance and Payment of Administrative Claim and (B) to Compel Assumption or Rejection of Executory Contract and (II) Reply to Gexpro’s Limited Objection to Debtors’ Bidding Procedures Motion [D.I. 162, 9/1/23]

Status: This matter is adjourned by agreement of the parties to October 4, 2023 at 2:00 p.m. (ET).

¹ 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.

² **Amendments appear in bold.**



2. Motion of GS Operating, LLC d/b/a Gexpro Services to Compel Assumption or Rejection of Executory Contract [D.I. 123, 8/24/23]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET)

Related Documents: None

Objections Filed:

- a. Debtors' Omnibus (I) Objection to Gexpro's Motion (A) for Allowance and Payment of Administrative Claim and (B) to Compel Assumption or Rejection of Executory Contract and (II) Reply to Gexpro's Limited Objection to Debtors' Bidding Procedures Motion [D.I. 161, 8/31/23]
- b. Joinder to Debtors' Omnibus (I) Objection to Gexpro's Motion (A) for Allowance and Payment of Administrative Claim and (B) to Compel Assumption or Rejection of Executory Contract and (II) Reply to Gexpro's Limited Objection to Debtors' Bidding Procedures Motion [D.I. 162, 9/1/23]

Status: This matter is adjourned by agreement of the parties to October 4, 2023 at 2:00 p.m. (ET).

3. Debtors' Motion for an Order Authorizing and Approving Procedures for the Compromise, Settlement, and Payment of *De Minimis* Disputed Claims [D.I. 124, 8/24/23]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Office of the United States Trustee to September 1, 2023 at 4:00 p.m. (ET) and the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents: Re-Notice of Motion and Hearing [D.I. 185, 9/5/23]

Objections Filed:

- a. **United States Trustee's Objection to Debtors' Motion for an Order Authorizing and Approving Procedures for the Compromise, Settlement, and Payment of De Minimis Disputed Claims [D.I. 211, 9/6/23]**

Status: This matter is adjourned to **October 4, 2023 at 2:00 p.m. (ET)**.

RESOLVED MATTERS

4. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

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](#)]³
- b. Supplemental Declaration of Justin D. Pugh in Further Support of Debtors' Vendor Claimants Motion [[D.I. 55, 8/10/23](#)]
- c. Interim Order (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. 65, 8/10/23](#)]
- d. Certification of Counsel [[D.I. 167, 9/5/23](#)]
- e. Final Order (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. 173, 9/5/23](#)]

Objections Filed:

- a. Informal Comments:
 - i. Official Committee of Unsecured Creditors

Status: An order has been entered.

5. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Interim Order (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. 63, 8/10/23](#)]
- b. Certification of Counsel [[D.I. 168, 8/25/23](#)]
- c. Final Order (I) Prohibiting Utility Companies From Discontinuing, Altering, or Refusing Service, (II) Deeming Utility Companies to Have

³ The physical location of the declarant is Shorewood, Minnesota.

Adequate Assurance of Future Payment, (III) Establishing Procedures for Resolving Requests for Additional Assurance, and (IV) Granting Related Relief [[D.I. 175, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Official Committee of Unsecured Creditors
 - ii. Duke Energy Carolinas LLC
 - iii. Piedmont Natural Gas Company Inc.
 - iv. Waste Management

Status: An order has been entered.

6. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Reject the TPI Agreement, Effective as of the Petition Date, and (II) Granting Related Relief [[D.I. 8, 8/7/23](#)]

Objection Deadline: August 24, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Declaration of Justin D. Pugh in Support of Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Reject the TPI Agreement, Effective as of the Petition Date, and (II) Granting Related Relief [[D.I. 9, 8/7/23](#)]
- b. Notice of Hearing [[D.I. 58, 8/10/23](#)]
- c. Certificate of No Objection [[D.I. 170, 9/5/23](#)]
- d. Order (I) Authorizing the Debtors to Reject the TPI Agreement Effective as of the Petition Date and (II) Granting Related Relief [[D.I. 177, 9/5/23](#)]

Objections Filed: None

Status: An order has been entered.

7. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Interim Order (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief [[D.I. 64, 8/10/23](#)]
- b. Certification of Counsel [[D.I. 169, 8/25/23](#)]

- c. Final Order (I) Authorizing the Debtors to Pay Certain Taxes and Fees and (II) Granting Related Relief [[D.I. 176, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Official Committee of Unsecured Creditors

Status: An order has been entered.

- 8. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Young Conaway Stargatt & Taylor, LLP as Co-Counsel for the Debtors, Effective as of the Petition Date [[D.I. 95, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 165, 9/5/23](#)]
- b. Order Authorizing the Retention and Employment of Young Conaway Stargatt & Taylor, LLP as Co-Counsel for the Debtors, Effective as of the Petition Date [[D.I. 172, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee

Status: An order has been entered.

- 9. Debtors' Application for an Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Administrative Advisor to the Debtors and Debtors in Possession, Effective as of the Petition Date [[D.I. 96, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 166, 9/5/23](#)]
- b. Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Administrative Advisor to the Debtors and Debtors in Possession, Effective as of the Petition Date [[D.I. 174, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors

Status: An order has been entered.

UNCONTESTED MATTERS WITH CERTIFICATION OF COUNSEL/CERTIFICATE OF NO OBJECTION

10. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 5, 2023 at 11:00 a.m. (ET)

Related Documents:

- a. Interim Order (I) Authorizing Maintenance, Administration, and Continuation of Debtors' Customer Programs and (II) Granting Related Relief [[D.I. 67, 8/10/23](#)]
- b. Certification of Counsel [[D.I. 184, 9/5/23](#)]
- c. **Final Order (I) Authorizing Maintenance, Administration, and Continuation of Debtors' Customer Programs and (II) Granting Related Relief [[D.I. 194, 9/5/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Official Committee of Unsecured Creditors
- b. Ontario International Airport Authority's Limited Objection to Debtors' Motion for Entry of Final Order (I) Authorizing Maintenance, Administration and Continuation of Debtors' Customer Programs and (II) Granting Related Relief [[D.I. 160, 8/31/23](#)]

Status: **An order has been entered.**

11. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Interim Order (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. 66, 8/10/23](#)]
- b. Certification of Counsel [[D.I. 182, 9/5/23](#)]
- c. **Final Order (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. 192, 9/5/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors

Status: **An order has been entered.**

12. Debtors' Motion for Entry of an Order (I) Authorizing and Establishing Procedures for Interim Compensation and Reimbursement of Professionals, and (II) Granting Related Relief [[D.I. 101, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 179, 9/5/23](#)]
- b. **Order (I) Authorizing and Establishing Procedures for Interim Compensation and Reimbursement of Professionals, and (II) Granting Related Relief [[D.I. 188, 9/5/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors

Status: **An order has been entered.**

13. Debtors' Motion for Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs, and (II) Granting Related Relief [[D.I. 102, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certificate of No Objection [[D.I. 183, 9/5/23](#)]
- b. **Order (I) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs, and (II) Granting Related Relief** [[D.I. 193, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee

Status: **An order has been entered.**

14. Debtors' Motion for an Order Establishing Bar Dates for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof [[D.I. 105, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 178, 9/5/23](#)]
- b. **Order Establishing Bar Dates for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof** [[D.I. 187, 9/5/23](#)]

Objections Filed:

- c. Informal Comments
 - i. United States Trustee

Status: **An order has been entered.**

15. Debtors' Motion for an Order Authorizing and Approving Procedures for the Sale, Transfer, or Abandonment of De Minimis Assets [[D.I. 125, 8/24/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 180, 9/5/23](#)]
- b. Order Authorizing and Approving Procedures for the Sale, Transfer, or Abandonment of De Minimis Assets [[D.I. 189, 9/5/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors
 - iii. **Philadelphia Indemnity Insurance Company**

Status: **An order has been entered.**

CONTESTED MATTERS GOING FORWARD

16. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 5, 2023 at 11:00 a.m. (ET)

Related Documents:

- a. Interim Order (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. 68, 8/10/23](#)]
- b. Certification of Counsel [[D.I. 205, 9/6/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Official Committee of Unsecured Creditors
 - ii. **CSI GPI, LLC, in its capacity as Second Lien Agent**

Status: A revised order reflecting resolution reached with the Official Committee of Unsecured Creditors and the Second Lien Agent has been submitted under certification of counsel. No hearing is necessary as the Court has advised the Debtors' undersigned counsel that it will enter the order submitted under certification of counsel.

17. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Document:

- a. Notice of Filing of Revised Proposed Interim Employee Wages Order [[D.I. 56, 8/10/23](#)]
- b. Interim Order (I) Authorizing Payment of Certain Prepetition Employee Wages and Benefits, and (II) Granting Related Relief [[D.I. 69, 8/10/23](#)]
- c. Declaration of Justin D. Pugh in Support of 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. 186, 9/5/23](#)]
- d. **Certification of Counsel** [[D.I. 199, 9/6/23](#)]
- e. **Final Order (I) Authorizing the Debtors to Pay Prepetition Employee Wages and Benefits, and (II) Granting Related Relief** [[D.I. 207, 9/6/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors
 - iii. **United Steelworkers**

Status: An order has been entered.

18. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Interim Order (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. 71, 8/10/23](#)]
- b. **Certification of Counsel** [[D.I. 195, 9/5/23](#)]
- c. **Final Order (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. 199, 9/6/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Official Committee of Unsecured Creditors
 - ii. Philadelphia Indemnity Insurance Company

Status: **An order has been entered.**

19. Debtors' Motion for Entry of: (I) an Order (A) Approving Bidding Procedures to Govern the Sale of All or Substantially All of the Debtors' Assets Pursuant to Section 363 of the Bankruptcy Code, (B) Approving Procedures Regarding Entry Into One or More Stalking Horse Agreements, (C) Establishing Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, (D) Approving the Form and Manner of the Notice of Assumption and Assignment of Executory Contracts and Unexpired Leases, (E) Scheduling Auctions for the Sales of the Company Assets and Hearings to Consider Approval of the Sales and Approving the Form and Manner of the Notice Thereof, (F) Approving Certain Wind- Down Procedures, and (G) Granting Related Relief; and (II) an Order (A) Authorizing and Approving the Debtors' Entry Into One or More Asset Purchase Agreements, (B) Authorizing the Sale of All or Substantially All of the Debtors' Assets Free and Clear of Liens, (C) Approving the Assumption and Assignment of the Assumed Executory Contracts and Unexpired Leases, and (D) Granting Related Relief [[D.I. 36, 8/8/23](#)]

Objection Deadline: August 24, 2023 at 4:00 p.m. (ET), extended for the U.S. Trustee to August 31, 2023 at 4:00 p.m. (ET), and Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Declaration of John Kimm in Support of the Debtors' Motion for Entry of: (I) an Order (A) Approving Bidding Procedures to Govern the Sale of All or Substantially All of the Debtors' Assets Pursuant to Section 363 of the Bankruptcy Code, (B) Approving Procedures Regarding Entry Into One or More Stalking Horse Agreements, (C) Establishing Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, (D) Approving the Form and Manner of the Notice of Assumption and Assignment of Executory Contracts and Unexpired Leases, (E) Scheduling

Auctions for the Sales of the Company Assets and Hearing to Consider Approval of the Sales and Approving the Form and Manner of the Notice Thereof, (F) Approving Certain Wind-Down Procedures, and (G) Granting Related Relief; and (II) an Order (A) Authorizing and Approving the Debtors' Entry Into One or More Asset Purchase Agreements, (B) Authorizing the Sale of All or Substantially All of the Debtors' Assets Free and Clear of Liens, (C) Approving the Assumption and Assignment of the Assumed Executory Contracts and Unexpired Leases, and (D) Granting Related Relief [[D.I. 37, 8/8/23](#)]⁴

- b. Notice of Hearing [[D.I. 70, 8/10/23](#)]
- c. **Certification of Counsel** [[D.I. 206, 9/6/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors
 - iii. CSI GP I LLC, in its capacity as Second Lien Agent
 - iv. Philadelphia Indemnity Insurance Company

Status: A revised order reflecting resolution reached with the Office of the United States Trustee, the Official Committee of Unsecured Creditors, the Second Lien Agent, and Philadelphia Indemnity Insurance Company has been submitted under certification of counsel. No hearing is necessary as the Court has advised the Debtors' undersigned counsel that it will enter the order submitted under certification of counsel.

- 20. 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](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 5, 2023 at 11:00 a.m. (ET)

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](#)]
- c. Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [[D.I. 72, 8/10/23](#)]

⁴ The physical location of the declarant is New York, New York.

- d. Notice of Extension of Debtors' Authority to Use Cash Collateral [[D.I. 118, 8/23/23](#)]
- e. Certification of Counsel Regarding Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [[D.I. 141, 8/25/23](#)]
- f. Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [[D.I. 142, 8/25/23](#)]
- g. **Second Notice of Extension of Debtors' Authority to Use Cash Collateral and Scheduling a Final Hearing Thereon** [[D.I. 209, 9/6/23](#)]

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Bank of America, N.A., in its capacity as First Lien Agent
 - iii. CSI GP I LLC, in its capacity as Second Lien Agent
- b. 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](#)]
- c. Objection, Request for Continuance, and Reservation of Rights of the Official Committee of Unsecured Creditors to Final Approval of 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. 171, 9/5/23](#)]

Status: **This matter is adjourned to September 21, 2023 at 9:00 a.m. (ET).**

- 21. Debtors' Application for an Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Co-Counsel for the Debtors and Debtors in Possession as of the Petition Date [[D.I. 98, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. **Supplemental Declaration of Robert A. Britton in Support of Debtors' Application for an Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Co-Counsel for**

the Debtors and Debtors in Possession as of the Petition Date [[D.I. 203, 9/6/23](#)]

- b. **Certification of Counsel [[D.I. 204, 9/6/23](#)]**
- c. **Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Co-Counsel for the Debtors and Debtors in Possession as of the Petition Date [[D.I. 208, 9/6/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee

Status: **An order has been entered.**

- 22. Debtors' Motion for Entry of an Order Authorizing the Debtors to (I) Employ and Retain FTI Consulting, Inc. to Provided the Debtors a Chief Transformation Officer and Certain Additional Personnel and (II) Designate Justin D. Pugh as Chief Transformation Officer for the Debtors, Effective as of the Petition Date [[D.I. 99, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the United States Trustee to September 1, 2023 at 4:00 p.m. (ET), and the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Supplemental Declaration of Justin D. Pugh in Support of Debtors' Motion for Entry of an Order Authorizing the Debtors to (I) Employ and Retain FTI Consulting, Inc. to Provide the Debtors a Chief Transformation Officer and Certain Additional Personnel and (II) Designate Justin D. Pugh as Chief Transformation Officer for the Debtors, Effective as of the Petition Date [[D.I. 154, 8/30/23](#)]
- b. **Certification of Counsel [[D.I. 196, 9/5/23](#)]**
- c. **Order Authorizing the Debtors to (I) Employ and Retain FTI Consulting, Inc. to Provide the Debtors a Chief Transformation Officer and Certain Additional Personnel and (II) Designate Justin D. Pugh as Chief Transformation Officer for the Debtors, Effective as of the Petition Date [[D.I. 197, 9/6/23](#)]**

Objections Filed:

- a. Informal Comments
 - i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors

Status: **An order has been entered.**

23. Debtors' Motion for Entry of an Order (I) Authorizing Implementation of Certain Procedures to Retain, Compensate, and Reimburse Professionals Utilized in the Ordinary Course of Business, Effective as of the Petition Date (II) Waiving Certain Information Requirements of Local Rule 2016-2, and (III) Granting Related Relief [[D.I. 104, 8/17/23](#)]

Objection Deadline: August 31, 2023 at 4:00 p.m. (ET), extended for the United States Trustee to September 1, 2023 at 4:00 p.m. (ET), and the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 212, 9/5/23](#)]

Objections Filed:

- a. Informal Comments
- i. Office of the United States Trustee
 - ii. Official Committee of Unsecured Creditors

Status: A revised order reflecting resolution reached with the Office of the United States Trustee and the Official Committee of Unsecured Creditors has been submitted under certification of counsel. No hearing is necessary as the Court has advised the Debtors' undersigned counsel that it will enter the order submitted under certification of counsel.

Dated: September 6, 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

*Counsel to the Debtors and
Debtors in Possession*