

RESOLVED MATTERS

1. Debtors' Application for Entry of an Order Authorizing the Debtors to Employ and Retain Moelis & Company LLC as Capital Markets Advisor and Investment Banker Effective as of the Petition Date [D.I. 137, 8/25/23]

Objection Deadline: September 8, 2023 at 4:00 p.m. (ET), extended for the Committee to September 21, 2023 at 4:00 p.m. (ET) and the U.S. Trustee to September 19, 2023 at 4:00 p.m. (ET).

Related Documents:

- a. Certificate of Counsel [D.I. 266, 9/20/23]
- b. Order Authorizing the Debtors to Employ and Retain Moelis & Company LLC as Capital Markets Advisor and Investment Banker Effective as of the Petition Date [D.I. 267, 9/21/23]

Objections Filed:

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

Status: An order has been entered.

2. Debtors' Motion for Entry of an Order Authorizing Debtors to File Under Seal Certain Information Contained in the Debtors' Motion for an Order Approving Their Key Employee Incentive Plan [D.I. 229, 9/13/23]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certificate of No Objection [D.I. 288, 9/28/23]
- b. Order Authorizing Debtors to File Under Seal Certain Information Contained in the Debtors' Motion for an Order Approving Their Key Employee Incentive Plan and Declarations Filed in Connection Therewith [D.I. 293, 9/29/23]

Objections Filed: None.

Status: An order has been entered.

ADJOURNED MATTERS

3. 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:

- a. Notice of Lien Perfection [D.I. 120, 8/24/23]
- b. Notice of Demand for Reclamation by GS Operating, LLC d/b/a Gexpro Services [D.I. 240, 9/15/23]

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 to November 1, 2023 at 10:00 a.m. (ET).

4. 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 to November 1, 2023 at 10:00 a.m. (ET).

5. 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 extended for the Committee to September 4, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. 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 November 1, 2023 at 10:00 a.m. (ET).

6. Motion of NSK Industries, Inc. for an Order Allowing Section 503(b)(9) Administrative Expenses Claim and Requiring Immediate Payment Thereof [D.I. 238, 9/14/23]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents: None

Objections Filed:

- a. Debtors' Objection to NSK Industries, Inc.'s Motion for an Order Allowing Section 503(b)(9) Administrative Expenses Claim and Requiring Immediate Payment Thereof [D.I. 285, 9/27/23]

Status: This matter is adjourned to November 1, 2023 at 10:00 a.m. (ET).

UNCONTESTED MATTERS WITH CERTIFICATES OF NO OBJECTION AND/OR CERTIFICATIONS OF COUNSEL

7. Application of Official Committee of Unsecured Creditors for an Order Authorizing and Approving the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of August 26, 2023 [[D.I. 233, 9/13/23](#)]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certification of Counsel [[D.I. 301, 9/29/23](#)]
- b. Order Authorizing and Approving the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of the August 26, 2023 [D.I. 317, 10/3/23]**

Objections Filed:

- a. Informal Response from the Office of the United States Trustee

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

8. Application for Entry of an Order Authorizing the Retention and Employment of Morris James LLP as Delaware Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to August 26, 2023 [[D.I. 234, 9/13/23](#)]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Certificate of No Objection [[D.I. 302, 9/29/23](#)]
- b. Order Authorizing the Retention and Employment of Morris James LLP as Delaware Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to August 26, 2023 [[D.I. 318, 10/3/23](#)]**

Objections Filed: None

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

UNCONTESTED MATTER GOING FORWARD

9. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to File Under Seal Certain Information Addressed in the Declaration of Justin D. Pugh in Support of the Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief; (II) Authorizing the Debtors to File Under Seal the Reply in Support of the Debtors' Motion for Entry of an Order Approving the Debtors' Key Employee Retention Plan; and (III) Directing Parties to Redact Confidential Information in All Related Pleadings [[D.I. 306, 9/29/23](#)]

Objection Deadline: At the hearing

Status: This matter will be going forward.

CONTESTED MATTERS GOING FORWARD

10. 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](#)]

- 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](#)]
- h. Third Notice of Extension of Debtors' Authority to Use Cash Collateral and Re-Scheduling the Final Hearing Thereon [[D.I. 242, 9/15/23](#)]

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.**

- 11. Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 163, 9/4/23](#)]

Objection Deadline: September 19, 2023 at 4:00 p.m. (ET), extended to September 22, 2023 at 4:00 p.m. (ET) for the United States Trustee

Related Documents:

- a. Declaration of Martin Kuehne in Support of Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 295, 9/29/23](#)]
- b. [SEALED] Declaration of Justin D. Pugh in Support of Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [D.I. 296, 9/29/23]
- c. Redacted Version of Declaration of Justin D. Pugh in Support of Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 297, 9/29/23](#)]
- d. [SEALED] Reply in Support of Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [D.I. 298, 9/29/23]
- e. Redacted Version of Reply in Support of Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 299, 9/29/23](#)]
- f. Notice of Filing of Revised Proposed Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 303, 9/29/23](#)]

Objections Filed:

- a. The United States Trustee's Objection to Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Retention Plan and Granting Related Relief [[D.I. 275, 9/22/23](#)]

Status: This matter is going forward.

12. [SEALED] Debtors' Motion for an Order Approving Their Key Employee Incentive Plan [D.I. 228, 9/13/23]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. Redacted Version of Debtors' Motion for an Order Approving Their Key Employee Incentive Plan [[D.I. 230, 9/13/23](#)]
- b. [SEALED] Declaration of Mary Louise Krakauer in Support of Debtors' Motion for Entry of an Order Approving Their Key Employee Incentive Plan [D.I. 289, 9/29/23]
- c. Notice of Filing of Redacted Version of Declaration of Mary Louise Krakauer in Support of Debtors' Motion for Entry of an Order Approving Their Key Employee Incentive Plan [[D.I. 290, 9/29/23](#)]

- d. [SEALED] Declaration of Martin Kuehne in Support of Debtors' Motion for Entry of an Order Approving Their Key Employee Incentive Plan [D.I. 291, 9/29/23]
- e. Notice of Filing of Redacted Version of Declaration of Martin Kuehne in Support of Debtors' Motion for Entry of an Order Approving Their Key Employee Incentive Plan [[D.I. 292, 9/29/23](#)]
- f. Debtors' Reply in Support of Debtors' Motion for Entry of an Order Approving Their Key Employee Incentive Plan [[D.I. 300, 9/29/23](#)]
- g. [SEALED] Term Sheet Annexed to Proposed Order Approving Debtors' Key Employee Incentive Plan [D.I. 304, 9/29/23]
- h. Notice of Filing of Revised Redacted Term Sheet Annexed to Proposed Order Approving Debtors' Key Employee Incentive Plan [[D.I. 305, 9/29/23](#)]

Objections Filed:

- a. The United States Trustee's Objection to Debtors' Motion for Entry of an Order Approving Debtors' Key Employee Incentive Plan [[D.I. 284, 9/27/23](#)]

Status: This matter is going forward.

- 13. Application for Entry of an Order Authorizing and Approving the Retention and Employment of Berkeley Research Group, LLC as Financial Advisor to the Official Committee of Unsecured Creditors Effective as of August 29, 2023 [[D.I. 235, 9/13/23](#)]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. **Certification of Counsel** [[D.I. 321, 10/3/23](#)]

Objections Filed:

- a. Informal Response from the Office of the United States Trustee

Status: **A revised order has been submitted under certification of counsel.**

- 14. Application of Official Committee of Unsecured Creditors for an Order Authorizing and Approving the Employment and Retention of Miller Buckfire as Investment Banker to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to August 29, 2023 [[D.I. 236, 9/13/23](#)]

Objection Deadline: September 27, 2023 at 4:00 p.m. (ET)

Related Documents:

- a. **Certification of Counsel** [[D.I. 320, 10/3/23](#)]

Objections Filed:

- a. Informal Response from the Office of the United States Trustee

Status: **A revised order has been submitted under certification of counsel.**

Dated: October 4, 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*