

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

----- X
In re: : Chapter 11
: :
PROTEUS DIGITAL HEALTH, INC., : Case No. 20-11580 (BLS)
: :
Debtor.¹ : :
: :
----- X

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JULY 14, 2020 AT 11:30 A.M. (ET)³**

**AS THERE ARE NO MATTERS GOING FORWARD, THE HEARING HAS BEEN
CANCELLED WITH PERMISSION FROM THE COURT.**

**ANY PARTY WISHING TO PARTICIPATE IN THE HEARING
MUST APPEAR THROUGH BOTH COURTCALL AND ZOOM.**

**TO APPEAR BY VIDEO CONFERENCE, PARTIES SHOULD USE THE
FOLLOWING INFORMATION:**

**JOIN ZOOMGOV MEETING: <https://debuscourts.zoomgov.com/j/1610982142>
MEETING ID: 161 098 2142 PASSWORD: 233216**

**PLEASE NOTE: AUDIO MUST BE MUTED IN ZOOM ONCE CONNECTED.
COURTCALL, LLC WILL PROVIDE THE AUDIO FOR THE HEARING.**

**TO APPEAR TELEPHONICALLY,
PARTIES SHOULD CONTACT COURTCALL, LLC
AT (866) 582-6878 TO REGISTER THEIR APPEARANCE.**

¹ The last four digits of the Debtor's taxpayer identification number are 2680. The Debtor's corporate headquarters is located at 2600 Bridge Parkway, Redwood City, California 94065

² **Amended items appear in bold.**

³ The hearing will be held before The Honorable Brendan L. Shannon at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6th Floor, Courtroom 1, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the **June 30, 2020** hearing must contact COURTCALL, LLC at 866-582-6878 prior to the hearing to register his/her telephonic appearance in accordance with *The Instructions for Telephonic Appearances Effective January 5, 2005, Revised May 11, 2018*. All motions and other pleadings referenced herein are available online free of charge at the following address: www.kccllc.net/proteus.



I. RESOLVED MATTERS:

1. Debtor's Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105(a), 363, 507(a), 541, 1107(a) and 1108, and Fed. R. Bankr. P. 6003 and 6004, to *Inter Alia*, (I) Authorize, But Not Direct, the Debtor to Pay Prepetition Wages, Compensation and Employee Benefits; (II) Authorize, But Not Direct, the Debtor to Continue Certain Employee Benefit Programs in the Ordinary Course; (III) Authorize All Banks to Honor Prepetition Checks for Payment of Prepetition Employee Obligations; and (IV) Grant Other Related Relief [[Docket No. 3](#)- filed June 16, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors (the "Committee")

Responses/Objections Received: None.

Related Documents:

- i. Interim Order Pursuant 11 U.S.C. §§ 105(a), 363, 507(a), 541, 1107(a) and 1108, and Fed. R. Bankr. P. 6003 and 6004, to *Inter Alia*, (I) Authorize, But Not Direct, the Debtor to Pay Prepetition Wages, Compensation and Employee Benefits; (II) Authorize, But Not Direct, the Debtor to Continue Certain Employee Benefit Programs in the Ordinary Course; (III) Authorize All Banks to Honor Prepetition Checks for Payment of Prepetition Employee Obligations; and (IV) Grant Other Related Relief [[Docket No. 40](#) – entered June 18, 2020]
- ii. Omnibus Notice of Second Day Hearing to be Held on July 14, 2020 at 11:30 a.m. (ET) [[Docket No. 48](#) – filed June 19, 2020]
- iii. Certification of Counsel Regarding Debtor's Motion for Entry of Final Order Pursuant to 11 U.S.C. §§ 105(a), 363, 507(a), 541, 1107(a) and 1108, and Fed. R. Bankr. P. 6003 and 6004, to *Inter Alia*, (I) Authorize, But Not Direct, the Debtor to Pay Prepetition Wages, Compensation and Employee Benefits; (II) Authorize, But Not Direct, the Debtor to Continue Certain Employee Benefit Programs in the Ordinary Course; (III) Authorize All Banks to Honor Prepetition Checks for Payment of Prepetition Employee Obligations; and (IV) Grant Other Related Relief [[Docket No. 102](#) – filed July 10, 2020]
- iv. Final Order Pursuant to 11 U.S.C. §§ 105(a), 363, 507(a), 541, 1107(a) and 1108, and Fed. R. Bankr. P. 6003 and 6004, to *Inter Alia*, (I) Authorize, But Not Direct, the Debtor to Pay Prepetition Wages, Compensation and Employee Benefits; (II) Authorize, But Not Direct, the Debtor to Continue

Certain Employee Benefit Programs in the Ordinary Course; (III) Authorize All Banks to Honor Prepetition Checks for Payment of Prepetition Employee Obligations; and (IV) Grant Other Related Relief [[Docket No. 113](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

2. Debtor's Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105(a) and 366 (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections by Utility Companies, and (III) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Service [[Docket No. 4](#) - filed June 16, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received: None.

Related Documents:

- i. Interim Order Pursuant to 11 U.S.C. §§ 105(a) and 366 (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections by Utility Companies, and (III) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Service [[Docket No. 41](#) – entered June 18, 2020]
- ii. Omnibus Notice of Second Day Hearing to be Held on July 14, 2020 at 11:30 a.m. (ET) [[Docket No. 48](#) – filed June 19, 2020]
- iii. Certification of No Objection Regarding Debtor's Motion for Entry of Final Order Pursuant to 11 U.S.C. §§ 105(a) and 366 (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections by Utility Companies, and (III) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Service [[Docket No. 93](#) – filed July 9, 2020]
- iv. Order Pursuant to 11 U.S.C. §§ 105(a) and 366 (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections by Utility Companies, and (III) Prohibiting Utility Companies from Alerting, Refusing or Discontinuing Service [[Docket No. 104](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

3. Debtor's Motion for Interim and Final Orders Authorizing Debtor to (I) Maintain Existing Insurance Policies and Pay All Obligations Arising Thereunder; and (II) Renew, Revise, Extend, Supplement or Enter into New Insurance Policies Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 1107 and 1108, and Fed. R. Bankr. P. 6003 and 6004 [[Docket No. 5](#) - filed June 16, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received: None.

Related Documents:

- i. Interim Order Authorizing Debtor to (I) Maintain Existing Insurance Policies and Pay All Obligations Arising Thereunder; and (II) Renew, Revise, Extend, Supplement or Enter into New Insurance Policies Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 1107 and 1108, and Fed. R. Bankr. P. 6003 and 6004 [[Docket No. 42](#) – entered July 18, 2020]
- ii. Omnibus Notice of Second Day Hearing to be Held on July 14, 2020 at 11:30 a.m. (ET) [[Docket No. 48](#) – filed June 19, 2020]
- iii. Certificate of No Objection Regarding Debtor's Motion for Entry of Final Order Authorizing Debtor to (I) Maintain Existing Insurance Policies and Pay All Obligations Arising Thereunder; and (II) Renew, Revise, Extend, Supplement or Enter into New Insurance Policies Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 1107 and 1108, and Fed. R. Bankr. P. 6003 and 6004 [[Docket No. 94](#) – filed July 9, 2020]
- iv. Final Order Authorizing Debtor to (I) Maintain Existing Insurance Policies and Pay All Obligations Arising Thereunder; and (II) Renew, Revise, Extend, Supplement or Enter into New Insurance Policies Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 1107 and 1108, and Fed. R. Bankr. P. 6003 and 6004 [[Docket No. 105](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

4. Debtor's Motion for Interim and Final Orders (A) Authorizing the Debtor to (I) Continue to Operate Its Cash Management System, (II) Honor Certain Prepetition Obligations Related Thereto and (III) Maintain Existing Business Forms; (B) Authorizing the Debtor's Banks to Honor All Related Payment Requests and (C) Granting Related Relief [[Docket No. 7](#) - filed June 16, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”)

Related Documents:

- i. Interim Order Granting the Motion of the Debtor for Entry of Order (A) Authorizing the Debtor to (I) Continue to Operate Its Cash Management System, (II) Honor Certain Prepetition Obligations Related Thereto and (III) Maintain Existing Business Forms; (B) Authorizing the Debtor’s Banks to Honor All Related Payment Requests and (C) Granting Related Relief [[Docket No. 44](#) – entered June 18, 2020]
- ii. Omnibus Notice of Second Day Hearing to be Held on July 14, 2020 at 11:30 a.m. (ET) [[Docket No. 48](#) – filed June 19, 2020]
- iii. Certification of Counsel Regarding Debtor’s Motion for Entry of Final Order (A) Authorizing the Debtor to (I) Continue to Operate Its Cash Management System, (II) Honor Certain Prepetition Obligations Related Thereto and (III) Maintain Existing Business Forms; (B) Authorizing the Debtor’s Banks to Honor All Related Payment Requests and (C) Granting Related Relief [[Docket No. 103](#) – filed July 10, 2020]
- iv. Final Order (A) Authorizing the Debtor to (I) Continue to Operate Its Cash Management System, (II) Honor Certain Prepetition Obligations Related Thereto and (III) Maintain Existing Business Forms; (B) Authorizing the Debtor's Banks to Honor All Related Payment Requests and (C) Granting Related Relief [[Docket No. 114](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

5. Debtor’s Motion for Order Extending Time for Debtor to File Its Schedules and Statements [[Docket No. 56](#) – filed June 23, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Debtor's Motion for Order Extending Time for Debtor to File Its Schedules and Statements [[Docket No. 95](#) – filed July 9, 2020]
- ii. Order Extending Time for Debtor to File Its Schedules and Statements [[Docket No. 106](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

6. Motion for an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses [[Docket No. 57](#) – filed June 23, 2020]

Response/Objection Deadline July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Debtor's Motion for an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [[Docket No. 96](#) – filed July 10, 2020]
- ii. Order Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [[Docket No. 107](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

7. Debtor's Motion for Entry of an Order Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code Authorizing the Debtor to Retain and Compensate Professionals Employed in the Ordinary Course of Business Effective as of the Petition Date [[Docket No. 58](#) – filed June 23, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Debtor's Motion for Entry of an Order Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code Authorizing the Debtor to Retain and Compensate Professionals Employed in the Ordinary Course of Business Effective as of the Petition Date [[Docket No. 97](#) – filed July 10, 2020]
- ii. Order Pursuant to Sections 105(a), 327, 238 and 330 of the Bankruptcy Code Authorizing the Debtor to Retain and Compensate Professionals Employed in the Ordinary Course of Business Effective as of the Petition Date [[Docket No. 112](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

8. Debtor's Application Pursuant to 11 U.S.C. Sections 105(a) and 363(b) to (I) Employ and Retain SierraConstellation Partners, LLC and (II) Designate Lawrence R. Perkins as Interim Chief Executive Officer, Effective as of the Petition Date [[Docket No. 59](#) – filed June 23, 2020]

Response/Objection Deadline July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objection Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Debtor's Application Pursuant to 11 U.S.C. Sections 105(a) and 363(b) to (I) Employ and Retain SierraConstellation Partners, LLC and (II) Designate Lawrence R. Perkins as Interim Chief Executive Officer, Effective as of the Petition Date [[Docket No. 98](#) – filed July 10, 2020]
- ii. Order Authorizing the Employment and Retention of SierraConstellation Partners, LLC and Designation of Lawrence R. Perkins as Interim Chief Executive Officer of Debtor Effective as of the Petition Date [[Docket No. 108](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

9. Debtor's Application for Entry of an Order Authorizing the Retention and Employment of Potter Anderson & Corroon LLP as Delaware Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 61](#) – filed June 23, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certificate of No Objection Regarding Debtor's Application for Entry of an Order Authorizing the Retention and Employment of Potter Anderson & Corroon LLP as Delaware Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 99](#) – filed July 10, 2020]
- ii. Order Granting Debtor's Application for Entry of an Order Authorizing the Retention and Employment of Potter Anderson & Corroon LLP as Delaware Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 109](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

10. Debtor's Application for Order Pursuant to 11 U.S.C. §§ 327(a) and 329, Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr P. L.R. 2014-1 and 2016-1 Authorizing Employment and Retention of Goodwin Proctor LLP as Restructuring Counsel Effective as of the Petition Date [[Docket No. 62](#) – filed June 23, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certificate of No Objection Regarding Debtor's Application for Order Pursuant to 11 U.S.C. §§ 327(a) and 329, Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr P. L.R. 2014-1 and 2016-1 Authorizing Employment and Retention of Goodwin Proctor LLP as Restructuring Counsel Effective as of the Petition Date [[Docket No. 100](#) – filed July 10, 2020]

- ii. Order Under 11 U.S.C. §§ 327(a) and 329, Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr P. L.R. 2014-1 and 2016-1 Authorizing Employment and Retention of Goodwin Proctor LLP as Restructuring Counsel Effective as of the Petition Date [[Docket No. 110](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

- 11. Motion for Entry of an Order Authorizing the Debtor to Seal Certain Information Relating to the Debtor’s Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 66](#) – filed June 25, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 9, 2020 at 5:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Debtor’s Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 60](#) – filed June 23, 2020]
- ii. Notice of Filing of Sealed Version of the Raymond James & Associates, Inc. Engagement Letter [[Docket No. 65](#) – filed June 25, 2020]
- iii. Certificate of No Objection Regarding Motion for Entry of an Order Authorizing the Debtor to Seal Certain Information Relating to the Debtor's Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 101](#) – filed July 10, 2020]
- iv. Order Granting Motion for Entry of an Order Authorizing the Debtor to Seal Certain Information Relating to the Debtor's Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to

Local Rule 2016-2, and (III) Granting Related [[Docket No. 111](#) – entered July 10, 2020]

Status: On July 10, 2020, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer required.

II. UNCONTESTED MATTERS GOING FORWARD:

12. Debtor’s Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to Use Cash Collateral, (II) Granting Adequate Protection to Secured Lender, (III) Scheduling Final Hearing, and (IV) Granting Related Relief [[Docket No. 8](#) - filed June 16, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 8, 2020 for Westport Office Park, LLC (“Westport”); extended until July 10, 2020 at 12:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from Westport
- C. Informal comments from the Committee

Related Documents:

- i. Interim Order Under 11 U.S.C. §§ 105, 361, 362, 363, and 507, and Bankruptcy Rules 2002, 4001, and 9014 (I) Authorizing Debtor to Use Cash Collateral, (II) Granting Adequate Protection to Secured Lender, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 40001(b) [[Docket No. 45](#) – entered June 18, 2020]
- ii. Omnibus Notice of Second Day Hearing to be Held on July 14, 2020 at 11:30 a.m. (ET) [[Docket No. 48](#) – filed June 19, 2020]
- iii. **Certification of Counsel Regarding Debtor’s Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to Use Cash Collateral, (II) Granting Adequate Protection to Secured Lender, (III) Scheduling Final Hearing, and (IV) Granting Related Relief [[Docket No. 120](#) - filed July 13, 2020]**

Status: **On July 13, 2020, the Debtor filed a certification of counsel with regard to this matter. The Court has advised an order will be entered resolving this matter and a hearing is no longer necessary.**

13. Debtor's Motion for Entry of (A) an Order (I) Approving Bidding Procedures in Connection with the Sale of Substantially All of the Debtor's Assets, (II) Approving Bid Protections, (III) Scheduling an Auction for and Hearing to Approve the Sale, (IV) Approving Form and Manner of Notice of Auction, Sale and Sale Hearing, (V) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (VI) Approving Form and Manner of Notice Thereof, and (VII) Granting Related Relief; and (B) an Order Authorizing and Approving (I) the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Rights, Encumbrances and Other Interests, (II) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (III) Granting Related Relief [[Docket No. 53](#) – filed June 23, 2020]

Response/Objection Deadline: July 7, 2020 at 4:00 p.m. (ET); extended until July 8, 2020 for Westport; extended until July 9, 2020 at 5:00 p.m. (ET) for OrbiMed Royalty Opportunities II, LP ("[OrbiMed](#)"); extended until July 10, 2020 at 2:00 p.m. (ET) for the Committee and the U.S. Trustee.

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from Westport
- C. Informal comments from OrbiMed

Related Documents:

- i. Declaration of Lawrence R. Perkins in Support of Debtor's Motion for Entry of (A) an Order (I) Approving Bidding Procedures in Connection with the Sale of Substantially All of the Debtor's Assets, (II) Approving Bid Protections, (III) Scheduling an Auction for and Hearing to Approve the Sale, (IV) Approving Form and Manner of Notice of Auction, Sale and Sale Hearing, (V) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (VI) Approving Form and Manner of Notice Thereof, and (VII) Granting Related Relief; and (B) an Order Authorizing and Approving (I) the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Rights, Encumbrances and Other Interests, (II) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (III) Granting Related Relief [[Docket No. 54](#) – filed June 23, 2020]
- ii. Declaration of Geoffrey Richards in Support of Debtor's Motion for Entry of (A) an Order (I) Approving Bidding Procedures in Connection with the Sale of Substantially All of the Debtor's Assets, (II) Approving Bid

Protections, (III) Scheduling an Auction for and Hearing to Approve the Sale, (IV) Approving Form and Manner of Notice of Auction, Sale and Sale Hearing, (V) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (VI) Approving Form and Manner of Notice Thereof, and (VII) Granting Related Relief; and (B) an Order Authorizing and Approving (I) the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Rights, Encumbrances and Other Interests, (II) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (III) Granting Related Relief [[Docket No. 55](#) – filed June 23, 2020]

- iii. **Certification of Counsel Regarding Debtor's Motion for Entry of (A) an Order (I) Approving Bidding Procedures in Connection with the Sale of Substantially All of the Debtor's Assets, (II) Approving Bid Protections, (III) Scheduling an Auction for and Hearing to Approve the Sale, (IV) Approving Form and Manner of Notice of Auction, Sale and Sale Hearing, (V) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (VI) Approving Form and Manner of Notice Thereof, and (VII) Granting Related Relief; and (B) an Order Authorizing and Approving (I) the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Rights, Encumbrances and Other Interests, (II) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (III) Granting Related Relief [[Docket No. 121](#) - filed July 13, 2020]**

Status: On July 13, 2020, the Debtor filed a certification of counsel with regard to this matter. The Court has advised an order will be entered resolving this matter and a hearing is no longer necessary.

- 14. Debtor's Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 60](#) – filed June 23, 2020]

Response/Objection Deadline July 7, 2020 at 4:00 p.m. (ET); extended until July 10, 2020 at 12:00 p.m. (ET) for the Committee

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from the Committee

Related Documents:

- i. [SEALED] Notice of Filing of Sealed Version of the Raymond James & Associates, Inc. Engagement Letter [[Docket No. 65](#) – filed June 25, 2020]
- ii. Debtor’s Motion for Entry of an Order Authorizing the Debtor to Seal Certain Information Relating to the Debtor’s Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 66](#) – filed June 25, 2020]
- iii. Notice of Filing of Revised Schedule 2 of Exhibit B to the Declaration of Geoffrey Richards in Support of the Debtor’s Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 67](#) – filed June 25, 2020]
- iv. **Certification of Counsel Regarding Debtor’s Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtor, Effective as of the Petition Date, (II) Waiving Certain Reporting Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 119](#) – filed July 13, 2020]**

Status: **On July 13, 2020, the Debtor filed a certification of counsel with regard to this matter. The Court has advised an order will be entered resolving this matter and a hearing is no longer necessary.**

Dated: July 13, 2020
Wilmington, Delaware

POTTER ANDERSON & CORROON LLP

/s/ Aaron H. Stulman

L. Katherine Good (No. 5101)
Aaron H. Stulman (No. 5807)
1313 North Market Street, 6th Floor
Wilmington, Delaware 19801
Telephone: (302) 984-6000
Facsimile: (302) 658-1192
Email: kgood@potteranderson.com
astulman@potteranderson.com

- and -

GOODWIN PROCTER LLP

Nathan A. Schultz (admitted *pro hac vice*)
Three Embarcadero Center, 28th Floor
San Francisco, CA 94111
Tel: (415) 733-6000
Facsimile: (415) 677-9041
Email: nschultz@goodwinlaw.com

-and-

Barry Z. Bazian (admitted *pro hac vice*)
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
Tel: (212) 833-8800
Facsimile: (212) 355-3333
Email: bbazian@goodwinlaw.com

Counsel for Debtor and Debtor in Possession