

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:	§	
	§	Chapter 11
	§	
SPEEDCAST INTERNATIONAL	§	
LIMITED, <i>et al.</i> ,	§	Case No. 20-32243 (MI)
	§	
Debtors. ¹	§	(Jointly Administered)
	§	

CERTIFICATION OF COUNSEL
REGARDING AGREED MEDIATION ORDER APPOINTING
JUDGE DAVID R. JONES AS MEDIATOR

Pursuant to paragraphs 41 and 42 of the *Procedures for Complex Chapter 11 Cases in the Southern District of Texas*, the undersigned hereby certifies as follows:

1. On April 23, 2020, SpeedCast International Limited and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”) each commenced with this Court a voluntary case under chapter 11 of the Bankruptcy Code.

2. On September 7, 2020, Black Diamond Capital Management, L.L.C. filed the *Emergency Motion for Mediation or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c)* (Docket No. 666) (the “**Motion**”).

3. The following responses were filed to the Motion (collectively, the “**Responses**”):
- Statement of the Ad Hoc Group of Secured Lenders in Support of Black Diamond Capital Management, L.L.C.’s Emergency Motion for Mediation or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c) (Docket No. 685).

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <http://www.kccllc.net/speedcast>. The Debtors’ service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.



- Response to the Emergency Motion of Black Diamond Capital Management, L.L.C. for Mediation, or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c) and Request for Status Conference (Docket No. 689).
- Response of Centerbridge Partners, L.P. to Black Diamond Capital Management, L.L.C.'s Emergency Motion for Mediation or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c) (Docket No. 693).
- Omnibus Statement and Limited Objection of The Official Committee of Unsecured Creditors in Response to (I) Black Diamond Capital Management, L.L.C.'s Emergency Motion for Mediation or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. 1104(c) and (II) the Motion of Debtors Pursuant to 11 U.S.C. 1121(d) to Extend Exclusive Periods (Docket No. 691).

4. The undersigned counsel has reviewed the Court's docket and no other objection or responsive pleading to the Motion appears thereon.

5. The Debtors, Black Diamond Capital Management, L.L.C., the Ad Hoc Group of Secured Lenders, Centerbridge Partners, L.P., and the Official Committee of Unsecured Creditors have agreed to resolve all Responses to the Motion by the agreed form of order attached hereto as **Exhibit A** (the "Proposed Order").

6. Accordingly, the Debtors respectfully request that the Court enter the Proposed Order at the Court's earliest convenience.

Dated: September 18, 2020
Houston, Texas

Respectfully submitted,

/s/ Alfredo R. Pérez

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Attorneys for Debtors

and Debtors in Possession

Certificate of Service

I hereby certify that on September 18, 2020, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Alfredo R. Pérez
Alfredo R. Pérez

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: SPEEDCAST INTERNATIONAL LIMITED, et al., Debtors.¹	§ § § § § § § § §	Chapter 11 Case No. 20-32243 (MI) (Jointly Administered)
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AGREED MEDIATION ORDER
APPOINTING JUDGE DAVID R. JONES AS MEDIATOR

UPON CONSIDERATION of the *Emergency Motion of Black Diamond Capital Management, L.L.C. for Mediation or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c)* (the “**Motion**”) [ECF No. 666], the *Response to the Emergency Motion of Black Diamond Capital Management, L.L.C. for Mediation, or, in the Alternative, Appointment of an Examiner Pursuant to 11 U.S.C. § 1104(c) and Request for Status Conference* (the “**Response**”) [ECF No. 689], and the agreement of the parties, it is HEREBY ORDERED that:

1. The Motion is GRANTED IN PART as set forth below.
2. Lead counsel and a client representative with full authority for the following relevant and necessary parties shall participate in non-binding mediation via video or teleconference on Tuesday, September 22, 2020, beginning at 9:00 a.m. CT:

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <http://www.kccllc.net/speedcast>. The Debtors’ service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.

- a. SpeedCast International Limited and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, “**Debtors**”);
 - b. Black Diamond Capital Management, L.L.C. and its affiliates (“**Black Diamond**”);
 - c. Black Diamond Capital Management, LLC and MJX Asset Management LLC (collectively with any other Prepetition Lender that may join such group from time to time, the “**Ad Hoc Group of Secured Lenders**”); *provided* that the Ad Hoc Group of Secured Lenders shall be permitted to participate in live mediation sessions solely through counsel;
 - d. Centerbridge Partners, L.P. and its affiliates (collectively, “**Centerbridge**”); and
 - e. the Official Committee of Unsecured Creditors (the “**Creditors’ Committee**”); *provided, however*, that the client representative of the Creditors’ Committee shall not be required to attend the entirety of the mediation but shall be reasonably available should he or she need to be consulted by counsel to the Creditors’ Committee or Chief Judge David R. Jones.
3. Co-counsel and financial advisors may participate in the mediation, as necessary, at the direction of each of the parties to the mediation. Other parties-in-interest, including UltiSat, Inc., may participate in relevant portions of the mediation at the discretion of Chief Judge David R. Jones to the extent issues arise in the mediation that requires their input.

4. Chief Judge David R. Jones of the United States Bankruptcy Court for the Southern District of Texas is authorized to mediate such issues between the mediation parties as he determines appropriate in this case.
5. Judge Jones has absolute discretion as to the timing and means and methods of any mediation; *provided, however*, that the mediation shall be non-binding and that the mediation will be conducted via video or teleconference.
6. Judge Jones will mediate this case in his capacity as a United States Bankruptcy Judge. He will have full, unqualified judicial immunity in his role as a mediator.
7. Judge Jones may not be called as a witness in this or any other proceeding concerning his role as a mediator in this case, or concerning this case.
8. The remainder of the Motion, including any request for alternative relief, is withdrawn without prejudice.

SIGNED: _____

Marvin Isgur
UNITED STATES BANKRUPTCY JUDGE