

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

In re:

SPEEDCAST INTERNATIONAL
LIMITED, et al.¹,

Debtors.

Black Diamond Commercial Finance, L.L.C.;
BDCM Opportunity Fund IV, L.P.; BDCM
Opportunity Fund V, L.P.; Black Diamond
CLO 2016-1 Ltd.; Black Diamond CLO 2017-1
Ltd.; and Black Diamond CLO 2019-2 Ltd.,

Plaintiffs,

vs.

Centerbridge Partners, L.P.; CCP III, Credit
Acquisition Holdings, LLC; CB Hermes
Holdings, L.P.; Centerbridge Capital Partners
III, L.P.; and Centerbridge Capital Partners SBS
III, L.P.,

Defendants.

Chapter 11

Case No. 20-32243 (MI)

(Jointly Administered)

Adversary No. 20-3496 (MI)

**AGREED EMERGENCY MOTION FOR EXTENSION OF TIME FOR
DEFENDANTS TO MOVE, ANSWER, OR OTHERWISE RESPOND**

[Related to Adv. Docket No. 3]

Emergency relief has been requested.

If you object to the requested relief or you believe that emergency consideration is not warranted, you must file a written response prior to the below date by which relief is requested. Otherwise, the Court may treat the request as unopposed and grant the relief requested.

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.



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Relief is requested not later than January 8, 2021

Centerbridge Partners, L.P., CCP III, Credit Acquisition Holdings, LLC; CB Hermes Holdings, L.P.; Centerbridge Capital Partners III, L.P.; and Centerbridge Capital Partners SBS III, L.P. (collectively, “Defendants” or “Centerbridge”) file this *Agreed Emergency Motion for Extension of Time for Defendants to Move, Answer, or Otherwise Respond* (the “Motion”) and would respectfully show the court as follows:

RELIEF REQUESTED

1. Plaintiffs Black Diamond Commercial Finance, L.L.C.; BDCM Opportunity Fund IV, L.P.; BDCM Opportunity Fund V, L.P.; Black Diamond CLO 2016-1 Ltd.; Black Diamond CLO 2017-1 Ltd.; and Black Diamond CLO 2019-2 Ltd. (collectively, “Plaintiffs”) filed their Adversary Complaint [SEALED] (Adv. Docket No. 3) on December 10, 2020. Defendants were thereafter served with the Adversary Complaint Summons (Adv. Docket No. 6).

2. Defendants and Plaintiffs are currently in the middle of the confirmation hearing in the jointly-administered Chapter 11 cases styled, *In re Speedcast International Limited, et al.*, Case No. 20-32243 (MI), pending in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (the “Main Case”). Defendants and Plaintiffs desire to have issues regarding the confirmation hearing resolved before the litigation of the Adversary Proceeding commences.

3. For this reason, counsel for Plaintiffs and counsel for Defendants have agreed to meet and confer to agree upon a deadline for Defendants to move, answer or otherwise respond to the adversary complaint upon the conclusion of the confirmation hearing or the entry of any order concerning the confirmation hearing (other than a discovery order).

4. This Motion is being filed to provide the Court with notice of the parties' agreement. The agreed upon extension is not sought for the purpose of delay.

5. Defendants, with the agreement of Plaintiffs, respectfully request that the Court grant this Motion and enter an order approving the above extension.

EMERGENCY CONSIDERATION

6. Centerbridge respectfully requests emergency consideration of the Motion. Emergency exists because the deadline to move, answer or otherwise respond to the adversary complaint is required no later than January 10, 2021.

Dated: Houston, Texas
January 6, 2021

/s/ Matthew W. Moran

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*Attorneys for Centerbridge Partners, L.P. and
certain of its affiliates*

CERTIFICATE OF CONFERENCE

Counsel for Defendants conferred with counsel for Plaintiffs regarding this Motion.

Counsel have reached an agreement regarding this proposed extension and will upload an agreed order in conjunction with this Motion.

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2021, a true and correct copy of the foregoing objection was served by e-mail on the parties who receive electronic notice in this case pursuant to the Court's ECF filing system.

/s/ Matthew W. Moran

One of Counsel

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III, L.P.; and Centerbridge Capital Partners SBS
III, L.P.,

Defendants.

Adversary No. 20-3496 (MI)

**AGREED ORDER EXTENDING TIME FOR DEFENDANTS
TO MOVE, ANSWER, OR OTHERWISE RESPOND**

Plaintiffs Black Diamond Commercial Finance, L.L.C.; BDCM Opportunity Fund IV,
L.P.; BDCM Opportunity Fund V, L.P.; Black Diamond CLO 2016-1 Ltd.; Black Diamond CLO
2017-1 Ltd.; and Black Diamond CLO 2019-2 Ltd. (collectively, "Plaintiffs") and Centerbridge

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Partners, L.P., CCP III, Credit Acquisition Holdings, LLC; CB Hermes Holdings, L.P.; Centerbridge Capital Partners III, L.P.; and Centerbridge Capital Partners SBS III, L.P. (collectively, “Defendants”) reached an agreement on the *Agreed Emergency Motion for Extension of Time for Defendants to Move, Answer, or Otherwise Respond* (the “Motion”) [Adv. Dkt. No. ____], under which the parties have agreed to confer about an appropriate deadline for Defendants to move, answer or otherwise respond to Plaintiffs’ complaint in this adversary proceeding upon the conclusion of the confirmation hearing or the entry of any order concerning the confirmation hearing (other than a discovery order).

Pursuant to the agreement reached, which the Court finds is reasonable and not for the purpose of delay, it is hereby:

ORDERED that the parties shall confer upon conclusion of the confirmation hearing in the Main Case or the entry of any order concerning the confirmation hearing in the Main Case (other than a discovery order) to agree upon a deadline for Defendants to move, answer or otherwise respond to the adversary complaint; and

ORDERED that the deadlines set in the Court's December 10, 2020 Order [Dkt. No. 5] are vacated. Once the parties have agreed on the date for Defendants to move, answer, or otherwise respond to the adversary complaint, the Court will enter a new order setting the Rule 7016 conference and requiring a Rule 7026 meeting.

SIGNED this, the ____ day of January, 2021.

THE HONORABLE MARVIN ISGUR
UNITED STATES BANKRUPTCY
JUDGE FOR THE SOUTHERN DISTRICT
OF TEXAS