

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) |
| | § | |
| Reorganized Debtors. ¹ | § | (Jointly Administered) |
| | § | |

**REORGANIZED DEBTORS' WITNESS AND EXHIBIT LIST FOR
SEPTEMBER 13, 2021 VIDEO/TELEPHONIC HEARING ON MOTION OF
REORGANIZED DEBTORS FOR ENTRY OF AN ORDER (I) APPROVING OMNIBUS
CLAIMS OBJECTIONS PROCEDURES AND FILING OF SUBSTANTIVE
OMNIBUS CLAIMS OBJECTIONS, (II) WAIVING THE REQUIREMENT
OF BANKRUPTCY RULE 3007(E)(6) AND (III) GRANTING RELATED RELIEF**

SpeedCast International Limited and its reorganized debtor affiliates in the above-captioned chapter 11 cases (the “**Reorganized Debtors**”) file this witness and exhibit list (the “**Witness and Exhibit List**”) for the video/telephonic hearing (the “**Hearing**”) on the *Motion of Reorganized Debtors for Entry of an Order (I) Approving Omnibus Claims Objections Procedures and Filing of Substantive Omnibus Claims Objections, (II) Waiving the Requirement of Bankruptcy Rule 3007(e)(6) and (III) Granting Related Relief* (ECF No. 1701) (the “**Motion**”), beginning on September 13, 2021 at 9:00 a.m. (CST) before the Honorable Marvin Isgur.

WITNESSES

The Reorganized Debtors may call any of the following witnesses at the Hearing:

1. Michael Healy, Chief Restructuring Officer for the Reorganized Debtors;
2. Any witness called or listed by any other party; and
3. Any rebuttal witnesses.

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



EXHIBITS

The Reorganized Debtors may offer into evidence any one or more of the following exhibits:

| DEBTORS EXHIBIT NO | DESCRIPTION | OFFERED | OBJECTION | ADMITTED | DATE |
|-----------------------------------|--|----------------|------------------|-----------------|-------------|
| 1. | Proposed Objection Procedures (ECF No. 1707-A-1) | | | | |
| 2. | Proposed Objection Notice (ECF No. 1707-A-2) | | | | |
| 3. | Any exhibit designated by any other party | | | | |
| 4. | Any pleading or other document filed with the Court on the docket of the above-captioned chapter 11 cases | | | | |
| 5. | Any exhibit necessary to rebut the evidence or testimony of any witness offered or designated by any other party | | | | |

The Reorganized Debtors reserve the right to amend or supplement the Witness and Exhibit List at any time prior to the Hearing.

Dated: September 9, 2021
Houston, Texas

Respectfully submitted,

/s/ Alfredo R. Pérez

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Attorneys for Reorganized Debtors

Certificate of Service

I hereby certify that on September 9, 2021, 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 and served by email on counsel for Inmarsat.

/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., Reorganized Debtors.¹ | § § § § § § § § § | Chapter 11 Case No. 20-32243 (MI) (Jointly Administered) |
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PROCEDURES FOR FILING OMNIBUS CLAIMS OBJECTIONS

1. Grounds for Omnibus Objections. In addition to those grounds expressly set forth in Bankruptcy Rule 3007(d), the Reorganized Debtors² may file omnibus objections (each, an “**Omnibus Objection**”) to claims on the grounds that such claims, in part or in whole:

- (a) such claims are inconsistent with the Reorganized Debtors’ books and records;
- (b) fail to specify the asserted claim amount (or only list the claim amount as “unliquidated”);
- (c) were, in whole or in part paid prepetition or paid post-petition pursuant to an order entered by the Court or are satisfied by payment in full on account of such Claim from a party that is not a Reorganized Debtor;
- (d) seek recovery of amounts for which the Reorganized Debtors are not liable, including but not limited to rejection damages claims that exceed the maximum allowable amount of such claims under 11 U.S.C. § 502(b)(6);
- (e) assert a priority in an amount that exceeds the maximum amount under § 507 of the Bankruptcy Code;
- (f) are incorrectly or improperly classified under the Bankruptcy Code or the Plan;
- (g) have been formally withdrawn by the claimant through the filing of a

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² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

pleading or through the entry of a Court order indicating withdrawal of the Claim;

- (h) are filed against non-Reorganized Debtors or are filed against multiple Reorganized Debtors;
- (i) fail to specify a Reorganized Debtor against whom the Claim is asserted;
- (j) are disallowed pursuant to, or asserted in an amount, priority, or on terms that are otherwise inconsistent with the Plan;
- (k) are disallowed pursuant to §502 of the Bankruptcy Code; or
- (l) fail to sufficiently specify the basis for the Claim or provide sufficient supporting documentation therefor.

2. Form of Omnibus Objection. Each Omnibus Objection will be numbered consecutively, regardless of basis.

3. Supporting Documentation. To the extent appropriate, Omnibus Objections shall include an affidavit or declaration that provides a factual basis for the Reorganized Debtors' objection to the claims in accordance with Local Rule 3007-1(a).

4. Claims Exhibits. An exhibit listing the Claims that are subject to the particular Omnibus Objection will be attached thereto. Each exhibit will include only the Claims to which there is a common basis for the objection. Claims for which there is more than one basis for the objection will be referenced on each exhibit applicable thereto. Including an Omnibus Objection on one exhibit will not constitute a waiver of the Reorganized Debtors' right to object to the Claim on an additional basis or bases. The exhibits will include, without limitation, the following information alphabetized by claimant:

- (a) the Claims that are the subject of the Omnibus Objection and, if applicable, the proof of claim number or schedule number related thereto from the claims register;
- (b) the asserted amount of the claim;
- (c) the grounds for the objection;

- (d) a cross-reference to the section of the Omnibus Objection discussing such claim; and
- (e) other information, as applicable, including: (i) the proposed classification of Claims the Reorganized Debtors seek to reclassify; (ii) the claim amounts of Claims the Reorganized Debtors seek to reduce; or (iii) the surviving claim amount, if any, of claimants affected by the Omnibus Objection.

5. Objection Notice. Each Omnibus Objection will be accompanied by an objection notice, substantially in the form annexed to the Order as Exhibit 2 (the “**Objection Notice**”), which will:

- (a) adequately describe the nature of the objection;
- (b) inform creditors that their rights may be affected by the objection;
- (c) describe the procedures for filing a written response (each, a “**Response**”); to the objection, including all relevant dates and deadlines related thereto;
- (d) identify the hearing date, if applicable, and related information;
- (e) include an exhibit listing the names of all creditors that are subject to the Omnibus Objection, along with reference to the particular exhibits of the Omnibus Objection on which their Claims are listed; and
- (f) describe how copies of proofs of claim, the Omnibus Objection, and other pleadings filed in the chapter 11 cases may be obtained.

6. Notice and Service. Each Omnibus Objection will be filed with the Court and served electronically using the Court’s electronic filing system. Each Omnibus Objection (along with a copy of the Objection Notice) will be mailed to each claimholder that is subject to such objection.

7. Omnibus Claims Objection Hearings. Each Omnibus Objection may be set for a hearing no less than 30 days after service of the Omnibus Objection (each, a “**Hearing**”), unless the Court orders otherwise. In the applicable Reorganized Debtor's discretion, each Omnibus Objection may be filed either (i) with a Hearing date already scheduled in coordination with the Court; or (ii) filed without a Hearing date with the intent of scheduling a Hearing date in

the event one or more Responses is filed. Hearings will be conducted according to Local Rule 3007-1(d) such that, unless otherwise ordered by the Court or by consent of the parties, the initial Hearing will be non-evidentiary and used as a scheduling conference. In the applicable Reorganized Debtor's sole discretion, after notice to the affected claimant, the Reorganized Debtor may (without further order of the Court) adjourn a Hearing on an Omnibus Objection to a subsequent hearing date by filing a notice or statement on the docket.

8. Entry of an Order Without a Hearing. For Claims subject to an Omnibus Objection for which no Response is filed and no appearance is made at a scheduled Hearing (if any), or a Response is filed in accordance with the proposed response procedures but such Response is resolved prior to the scheduled Hearing (if any), the applicable Reorganized Debtor may request at the scheduled Hearing, if any, that the Court enter an order granting the Omnibus Objection with respect to such claim. Furthermore, if no Hearing has been scheduled, the Reorganized Debtor may seek entry of an order granting the Omnibus Objection without further notice to the claimant or a Hearing with respect to any claim for which a Response was not filed in accordance with these procedures or for which a Response was consensually resolved with the claimant. Contested Claims for which a Response is filed but not resolved before the Hearing may be heard at the Hearing or adjourned to a subsequent hearing date in the Reorganized Debtor's sole discretion. If a subsequent Hearing is necessary, the Reorganized Debtor shall file with the Court and serve on the affected claimant(s) a notice of the subsequent Hearing (the date of which shall be determined in consultation with the affected claimant(s) or announced on the record). Notwithstanding the foregoing, nothing in these procedures shall prejudice the Reorganized Debtors' right to seek entry of an order sustaining the Omnibus Objection as to any or all Claims contained therein pursuant to Section "Q" the Complex Case Rules.

9. Contested Matter. Each claim subject to an Omnibus Objection and the Response thereto shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, and any order entered by the Court will be deemed a separate order with respect to such claim. The Reorganized Debtors may, in their discretion and in accordance with other orders of this Court, the Plan, and the provisions of the Bankruptcy Code and Bankruptcy Rules, settle the amount and validity of such contested Claims without any further notice to, or action, order, or approval of, the Court.

Responses to Omnibus Objections

10. Parties Required to File a Response. Any party who disagrees with an objection is required to file a Response in accordance with the procedures set forth herein and to appear at the Hearing. If a claimant whose claim is subject to an Omnibus Objection does not file and serve a Response in compliance with the procedures below or fails to appear at the Hearing, the Court may grant the objection with respect to such claim without further notice to the claimant.

11. Response Contents. Each Response must contain the following (at a minimum):

- (a) a caption stating the name of the Court, the names of the Reorganized Debtors, the case number, and the Omnibus Objection to which the Response is directed, and, if applicable, the Proof of Claim number(s) related thereto from the Claims Register;
- (b) a concise statement setting forth the reasons why the Court should not grant the objection with respect to such claim, including the factual and legal bases upon which the claimant will rely in opposing the Omnibus Objection;
- (c) a copy of any other documentation or other evidence of the claim, to the extent not already included with the claim, upon which the claimant will rely in opposing the objection; *provided* that the claimant need not disclose confidential, proprietary, or otherwise protected information in the Response; and, *provided, further*, that the claimant shall disclose to counsel for the Reorganized Debtors all information and provide copies of all documents that the claimant believes to be confidential,

proprietary, or otherwise protected and upon which the claimant intends to rely in support of its claim, subject to appropriate confidentiality constraints;

- (d) a declaration or other statement of a person with personal knowledge of the relevant facts that support the Response; and
- (e) the following contact information for the responding party:
 - (i) the name, address, telephone number, and email address of the responding claimant or the name, address, telephone number, and email address of the claimant's attorney or designated representative to whom the attorneys for the Reorganized Debtors should serve a reply to the Response, if any; or
 - (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the objection on the claimant's behalf.

12. Filing of the Response. A Response will be deemed timely only if it is filed with the Court not later than the day that is thirty (30) calendar days from the date the Omnibus Objection is served.

13. Discovery. If the Reorganized Debtors determine that discovery is necessary in advance of a Hearing on an Omnibus Objection, the Reorganized Debtor will serve a notice on the affected claimant and its counsel of record (if any) that a scheduling order with respect to the Omnibus Objection will be requested at the Hearing. Such notice may be incorporated into the agenda for the Hearing, or may be provided by separate notice.

14. Failure to Respond. **Failure to timely file a Response as set forth herein or to appear at the Hearing, if one is scheduled, may result in the Court granting the Omnibus Objection without further notice or Hearing.** Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order.

15. Reply to a Response. The Reorganized Debtors shall be permitted to file a

reply to any Response no later than two (2) business days before the Hearing with respect to the relevant Omnibus Objection.

Miscellaneous

16. Additional Information. Copies of these procedures, the Motion, the Proposed Order or any other pleadings filed in these chapter 11 cases are available at no cost at <http://www.kcellc.net/speedcast>

17. Reservation of Rights. Nothing in any Omnibus Objection or Objection Notice shall be deemed: (a) an admission as to the amount of, basis for, or validity of any claim against the Reorganized Debtors under the Bankruptcy Code or other applicable nonbankruptcy law; (b) an impairment or waiver of the Reorganized Debtors' or any other party in interest's right to dispute any claim against, or interest in, the Reorganized Debtors, their property or estates; (c) a waiver of the Reorganized Debtors' or any other party in interest's rights under the Bankruptcy Code or any other applicable law; or (d) prejudicial to the rights of the Reorganized Debtors to assert or bring individualized objections to claims on any basis.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
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| | | |
|---|---|-------------------------------|
| In re: | § | |
| | § | Chapter 11 |
| | § | |
| SPEEDCAST INTERNATIONAL | § | |
| LIMITED, <i>et al.</i>, | § | Case No. 20-32243 (MI) |
| | § | |
| Reorganized Debtors.¹ | § | (Jointly Administered) |
| | § | |

**NOTICE OF THE REORGANIZED DEBTORS' [NUMBER] OMNIBUS CLAIMS
OBJECTION**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW OR MODIFY THE CLAIM THAT YOU FILED IN THESE BANKRUPTCY CASES. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED OR MODIFIED WITHOUT A HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

[A HEARING HAS BEEN SET ON THIS OBJECTION ON [DATE] AT [TIME] IN COURTROOM 404, 515 RUSK, HOUSTON, TEXAS 77002. YOU MAY PARTICIPATE IN THE HEARING EITHER IN PERSON OR BY AUDIO/VIDEO CONNECTION. AUDIO COMMUNICATION WILL BE THROUGH THE COURT'S DIAL-IN FACILITY. YOU MAY ACCESS THE FACILITY AT (832) 917-1510. YOU WILL BE RESPONSIBLE FOR YOUR OWN LONG DISTANCE CHARGES. ONCE CONNECTED, YOU WILL BE ASKED TO ENTER THE CONFERENCE ROOM NUMBER. JUDGE ISGUR'S CONFERENCE ROOM NUMBER IS 954554.]

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YOU MAY VIEW VIDEO VIA GOTOMEETING. TO USE GOTOMEETING, THE COURT RECOMMENDS THAT YOU DOWNLOAD THE FREE GOTOMEETING. APPLICATION. TO CONNECT, YOU SHOULD ENTER THE MEETING CODE “JUDGEISGUR” IN THE GOTOMEETING APP OR CLICK THE LINK ON JUDGE ISGUR’S HOME PAGE ON THE SOUTHERN DISTRICT OF TEXAS WEBSITE. ONCE CONNECTED, CLICK THE SETTINGS ICON IN THE UPPER RIGHT CORNER AND ENTER YOUR NAME UNDER THE PERSONAL INFORMATION SETTING. HEARING APPEARANCES MUST BE MADE ELECTRONICALLY IN ADVANCE OF THE HEARING. TO MAKE YOUR ELECTRONIC APPEARANCE, GO TO THE SOUTHERN DISTRICT OF TEXAS WEBSITE AND SELECT “BANKRUPTCY COURT” FROM THE TOP MENU. SELECT “JUDGES’ PROCEDURES,” THEN “VIEW HOME PAGE” FOR JUDGE ISGUR. UNDER “ELECTRONIC APPEARANCE” SELECT “CLICK HERE TO SUBMIT ELECTRONIC APPEARANCE”. SELECT THE CASE NAME, COMPLETE THE REQUIRED FIELDS AND CLICK “SUBMIT” TO COMPLETE YOUR APPEARANCE.]²

THIS OBJECTION SEEKS TO DISALLOW OR MODIFY CERTAIN CLAIMS. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ON EXHIBIT [●] THROUGH EXHIBIT [●] TO THE ORDER FILED WITH THIS OBJECTION.

Important Information Regarding the Objection

Grounds for the Objection. By the Objection, the Reorganized Debtors are seeking to [disallow/reclassify/reduce/subordinate] your claim(s) listed in the schedule attached hereto on the grounds that your claim(s) [is/are] [●]. The claim(s) subject to the [●] Objection may also be found on the schedules attached to the Objection, a copy of which has been provided with this notice.

Objection Procedures. On [Date], the United States Bankruptcy Court for the Southern District of Texas (the “Court”) entered an order [ECF No. ●] approving procedures for filing and resolving objections to Claims asserted against the Reorganized Debtors in these chapter

² Information regarding appearance at a hearing will only be included to the extent the applicable omnibus objection filed with a hearing date is already scheduled.

11 cases (the “**Objection Procedures**”). A copy of the Objection Procedures is included with this notice. Please review the Objection Procedures to ensure your response to the Objection, if any, is timely and correctly filed and served.

Resolving the Objection

Parties Required to File a Response. If you disagree with the Omnibus Objection filed with respect to your claim, you must file a response (each, a “**Response**”) with the Court by 4:00 p.m. (prevailing Central Time) on [●] 2021. Please review the Objection Procedures to ensure your response to the Omnibus Objection, if any, is timely and correctly filed.

Response Contents. Each Response must contain the following (at a minimum):

- (a) caption stating the name of the Court, the names of the Reorganized Debtors, the case number, and the Omnibus Objection to which the Response is directed, and, if applicable, the Proof of Claim number(s) related thereto from the Claims Register;
- (b) a concise statement setting forth the reasons why the Court should not grant the objection with respect to such claim, including the factual and legal bases upon which the claimant will rely in opposing the Omnibus Objection;
- (c) a copy of any other documentation or other evidence of the claim, to the extent not already included with the claim, upon which the claimant will rely in opposing the objection; *provided* that the claimant need not disclose confidential, proprietary, or otherwise protected information in the Response; and, *provided, further*, that the claimant shall disclose to counsel for the Reorganized Debtors all information and provide copies of all documents that the claimant believes to be confidential, proprietary, or otherwise protected and upon which the claimant intends to rely in support of its claim, subject to appropriate confidentiality constraints;
- (d) a declaration or other statement of a person with personal knowledge of the relevant facts that support the Response; and
- (e) the following contact information for the responding party:
 - (i) the name, address, telephone number, and email address of the

responding claimant or the name, address, telephone number, and email address of the claimant's attorney or designated representative to whom the attorneys for the Reorganized Debtors should serve a reply to the Response, if any; or

- (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the objection on the claimant's behalf.

Failure to Respond. Failure to timely file a Response as set forth herein may result in the Court granting the Omnibus Objection without further notice or hearing. Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order

Hearing.³ If a Response is timely filed, the Court will hold an initial hearing. The initial hearing will be non-evidentiary and used as a scheduling conference. Failure to appear at the initial hearing may result in the summary disposition of the objection.

[OR]

A hearing (the "**Hearing**") on the Omnibus Objection will be held on [Date], at [Time] prevailing Central Time, before the Honorable Marvin Isgur, United States Bankruptcy Judge, in Courtroom 404, 515 Rusk, Houston, Texas 77002. You may participate in the Hearing via audio/video connection with the instructions included at the top of this Notice. The Hearing may be adjourned to a later date in the Reorganized Debtor's sole discretion. Unless you have resolved your claim with the Reorganized Debtor, you must attend the Hearing if you disagree

³ This section will be altered to reflect whether a Hearing has been scheduled in advance of the filing of the applicable Omnibus Objection.

with the Omnibus Objection and have filed a Response.

Discovery. If the Reorganized Debtors determine that discovery is necessary in advance of a Hearing on an Omnibus Objection, the Reorganized Debtors may serve notice on the claimant and its counsel of record. Failure to comply with this paragraph will not preclude a party from later seeking discovery.

Additional Information

Questions or Information. Copies of these procedures, the Motion, the Proposed Order or any other pleadings filed in these chapter 11 cases are available at no cost at <http://www.kccllc.net/speedcast>. You may also obtain copies of any pleadings filed in these chapter 11 cases for a fee via PACER at: <http://www.txs.uscourts.gov/bankruptcy>. Please do not contact the Court to discuss the merits of any Claim or any Omnibus Objection filed with respect thereto.

Reservation of Rights

Nothing in any Omnibus Objection or Objection Notice shall be deemed:

- (a) an admission as to the amount of, basis for, or validity of any claim against the Reorganized Debtors under the Bankruptcy Code or other applicable nonbankruptcy law;**
- (b) an impairment or waiver of the Reorganized Debtors' or any other party in interest's right to dispute any claim against, or interest in, the Reorganized Debtors, their property or estates;**
- (c) a waiver of the Reorganized Debtors' or any other party in interest's rights under the Bankruptcy Code or any other applicable law; or**
- (d) prejudicial to the rights of the Reorganized Debtors to assert or bring individualized objections to claims on any basis.**

Dated: [●], 2021
Houston, Texas

Respectfully submitted,

/s/ DRAFT

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