

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

In re:

STAGE STORES, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 20-32564 (DRJ)

(Jointly Administered)

STEVEN BALASIANO, AS PLAN
ADMINISTRATOR OF STAGE STORES,
INC., *et al.*,

Plaintiff,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
LONDON – BRIT SYNDICATE 2987 AND
BRIT SYNDICATE 2988, EVEREST
INDEMNITY INSURANCE COMPANY,
and QBE SPECIALTY INSURANCE
COMPANY,

Defendants.

Adv. Pro. No. 22-03142 (DRJ)

JOINT MEDIATION MEMORANDUM

Pursuant to the *Order Granting Joint Motion for Mediation and to Stay Action Pending Mediation* [Adv. Pro. Docket No. 12] and the United States District Court for the Southern District of Texas Local Rule 16.4.K, Plaintiff Steven Balasiano (the “Plaintiff”), in his capacity as the Plan Administrator of Stage Stores, Inc. and Specialty Retailers, Inc. (together, the “Debtors”), and Defendants and Counter-claimants: (i) Those Certain Underwriters at Lloyd’s, London subscribing to Policy Number PD-10921-00 – Brit Syndicate 2987 and Brit Syndicate 2988; (ii) Everest Indemnity Insurance Company; and (ii) QBE Specialty Insurance Company (collectively, the

¹ The Debtors, along with the last four digits of each Debtor’s federal tax identification number, are: Stage Stores, Inc. (6900) and Specialty Retailers, Inc. (1900).



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“Defendants” and together with Plaintiff, the “Parties”), hereby jointly submit this mediation memorandum and state as follows:

1. On September 6, 2022, the Parties conducted a mediation with John DeGroote of DeGroote Partners, LLC as mediator (the “Mediator”) in an effort to resolve this adversary proceeding.

2. The Parties’ representatives who participated in the mediation were:

a. As representatives of the Plaintiff:

Anthony Saccullo
Saccullo Business Consulting
27 Crimson King Dr.
Bear, DE 19701
Tel: (302) 836-8877

b. As counsel for the Plaintiff:

James W. Walker, Esq.
(TX Bar No. 20709600)
Cole Schotz P.C.
901 Main Street, Suite 4120
Dallas, TX 75202
Tel: (469) 557-9390

Sarah A. Carnes, Esq.
Shira A. Baratz, Esq.
Cole Schotz P.C.
1325 Avenue of the Americas,
19th Floor
New York, NY 10019
Tel: (212) 752-8000

c. As representative(s) for the Defendants:

William “Mike” Mooney
Ambridge Partners, LLC on behalf of
Those Certain Underwriters at Lloyd’s, London
subscribing to Policy No. PD-10921-00 –
Brit Syndicate 2987 and Brit Syndicate 2988
161 N. Clark Street
Chicago, Illinois 60601

David Steiner
Senior Vice President & Associate General Counsel
Everest Global Services, Inc. on behalf of
Everest Indemnity Insurance Company
Warren Corporate Center
100 Everest Way, Warren, New Jersey 07059

Ira Dobbins
QBE Specialty Insurance Company
55 Water Street
New York, New York 10041

d. As counsel for the Defendants:

Jerrold L. Rinehart (TX Bar No. 24060494)
Carter L. Ferguson (TX Bar No. 06909500)
BRACKETT & ELLIS, P.C.
100 Main Street
Fort Worth, TX 76102
Telephone: (817) 338-1700
Facsimile: (817) 870-2265
Email: jrinehart@belaw.com
cferguson@belaw.com

3. The mediation was successful, and the Parties agreed to settle the dispute on mutually agreeable terms. The Parties are currently working to document the terms of settlement in a formal written agreement.

4. The Mediator's fee was \$7,600, which was split equally by the Parties and has been paid.

Dated: September 14, 2022.

Respectfully submitted,

/s/ James W. Walker
James W. Walker (TX Bar No. 20709600)
COLE SCHOTZ P.C.
901 Main Street, Suite 4120
Dallas, TX 75202
Telephone: (469) 557-9390
Facsimile: (469) 533-1587
Email: jwalker@coleschotz.com

- and -

/s/ Jerrod L. Rinehart
Jerrold L. Rinehart (TX Bar No. 24060494)
Carter L. Ferguson (TX Bar No. 06909500)
BRACKETT & ELLIS, P.C.
100 Main Street
Fort Worth, TX 76102
Telephone: (817) 338-1700
Facsimile: (817) 870-2265
Email: jrinehart@belaw.com
cferguson@belaw.com

Seth Van Aalten, Esq. (Admitted *Pro Hac Vice*)
Sarah A. Carnes, Esq. (Admitted *Pro Hac Vice*)
Shira A. Baratz, Esq.

*Counsel to Those Certain Underwriters at
Lloyd's, London subscribing to Policy
Number PD-10921-00 – Brit Syndicate 2987*

COLE SCHOTZ P.C.

1325 Avenue of the Americas, 19th Floor
New York, NY 10019

Telephone: (212) 752-8000

Facsimile: (212) 752-8393

Email: svanaalten@coleschotz.com

scarnes@coleschotz.com

sbaratz@coleschotz.com

*and Brit Syndicate 2988, Everest Indemnity
Insurance Company, and QBE Specialty
Insurance Company*

*Counsel to Steven Balasiano as Plan
Administrator of Stage Stores, Inc., et al.*

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