

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
TGHI, INC., et al., :
Debtors.¹ : Case No. 16-10300(MEW)
: Jointly Administered
: Related to: Docket No. 8
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**ORDER WAIVING (A) THE REQUIREMENT FOR A MEETING OF CREDITORS OR
EQUITY SECURITY HOLDERS, (B) THE APPOINTMENT OF A STATUTORY
COMMITTEE, AND (C) THE FILING OF MONTHLY OPERATING REPORTS**

Upon the motion (the “**Motion**”)² of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) seeking, among other things, entry of an waiving the requirement for meetings of creditors or equity security holders, the appointment of a statutory committee, and the filing of monthly operating reports, all as more fully described in the Motion; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated January 31, 2012 (Preska, Acting C.J.); that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; the Court having reviewed the Motion, the First Day Declaration, and having heard the statements in support of the relief requested therein at a hearing before the Court (the “**Hearing**”); and after due

¹ The Debtors, and, if applicable, the last four digits of their taxpayer identification numbers are as follows: Parent THI, Inc. (5521) and TGHI, Inc. (3814).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion or the Prepack Plan, respectively.



deliberation and sufficient cause appearing therefor, and for the reasons stated on the record at the Hearing; it is hereby ORDERED:

1. The Motion is granted in part as set forth herein.
2. Pursuant to section 341(e) of the Bankruptcy Code, the U.S. Trustee is hereby directed not to convene a 341 Meeting, provided, however, that the U.S. Trustee may schedule a 341 Meeting if the Prepack Plan is not confirmed within ninety (90) days after the Petition Date.
3. The portion of the Motion that seeks a determination that no Committee of Unsecured Creditors should be formed is deferred. The U.S. Trustee may solicit the Debtors' unsecured creditors for participation in a statutory committee in the Chapter 11 Cases but shall refrain from appointing a statutory committee unless and until (i) sufficient interest in participation is established, and (ii) the Court rules on the Motion. Both the Debtors and the U.S. Trustee reserve their rights to seek a determination of the Court with respect to the need of a statutory committee in the Chapter 11 Cases.
4. The Debtors may file a sworn declaration setting forth each Debtor's monthly disbursements fifteen (15) days following, or as soon as reasonably practicable thereafter, the conclusion of the calendar month to which such declaration corresponds, in lieu of any periodic operating reports pursuant to the Bankruptcy Code, the Bankruptcy Rules, or the Local Rules (except as may be specifically provided in the Prepack Plan or such order confirming the Prepack Plan).
5. Notwithstanding any Bankruptcy Rule to the contrary, this Order shall be immediately effective and enforceable upon its entry.

6. This Court retains jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this Order.

Dated: New York, New York
February 16, 2016

/s/ Michael E. Wiles
United States Bankruptcy Judge