

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:	Chapter 7
NEW WEI, INC., <i>et al.</i> ,	Case No. 15-02741-TOM7
Debtors	Jointly Administered
HILLSBOROUGH HOLDINGS CORP.,	
Plaintiff,	
v.	Adversary Proceeding No. 15-00127-TOM
THE UNITED STATES OF AMERICA,	
Defendant	

ORDER APPROVING NOTICE

This matter came before the Court for a status conference held on October 30, 2019, regarding the above-referenced adversary proceeding. Appearances were noted on the record. The Court having been provided a proposed notice for review, and finding that the notice is sufficient, hereby ORDERS that the proposed notice attached hereto as **Exhibit A** is approved, and further ORDERS and DIRECTS that counsel for Andre M. Toffel, Trustee of the above-referenced Chapter 7 estates to serve the notice attached hereto upon all parties entitled to notice pursuant to this Court's prior "Order Continuing and Amending Unlimited Notice of Service Requirements Established in the Chapter 11 Cases" entered on June 9, 2017.



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DONE and ORDERED THIS 31st day of October 2019

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL,
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

**NOTICE OF MOTION AND HEARING REGARDING
PROPOSED SETTLEMENT OF FEDERAL INCOME TAX CLAIMS**

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re: NEW WEI, INC., <i>et al.</i> , Debtors	Chapter 7 Case No. 15-02741-TOM7 Jointly Administered
HILLSBOROUGH HOLDINGS CORP., Plaintiff, v. THE UNITED STATES OF AMERICA, Defendant	Adversary Proceeding No. 15-00127-TOM

**NOTICE OF MOTION AND HEARING REGARDING
PROPOSED SETTLEMENT OF FEDERAL INCOME TAX CLAIMS**

Please take notice that Andre M. Toffel, the Chapter 7 Trustee (the “Trustee”) for the above-captioned debtors (the “Debtors”), has filed his *Motion for Approval of Settlement Agreement Between the Chapter 7 Trustee, the United States Department of Justice, the Internal Revenue Service, Mueller Water Products, Inc., and Ditech Holding Corporation and Its Affiliated Entities Pursuant to Federal Rule of Bankruptcy Procedure 9019* (the “Motion”).

The Motion seeks approval of a Settlement Agreement¹ that will resolve litigation over a federal income tax dispute that has been ongoing since 1991. The United States of America has filed proofs of claim alleging the Debtors may have more than \$860 million in federal income tax liabilities, including hundreds of millions of dollars in alleged priority tax claims. The Settlement

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the 9019 Motion.

Agreement will resolve those alleged tax liabilities, and all of those proofs of claim – *all at no cost to the Debtors' estates*. The amounts due under the Settlement Agreement will be paid in full by non-debtor third-parties. Accordingly, the Trustee believes that no creditor or party in interest in these chapter 7 cases will be adversely impacted as a result of the proposed settlement. A copy of the Motion and its Exhibits, including the Settlement Agreement, may be obtained from the KCC website at www.kccllc.net/walterenergy and click on the tab entitled Settlement Documents, by going to the Sirote & Permutt website at www.sirote.com/notices, or by requesting a copy from the undersigned counsel.

Please take further notice that a hearing will be held on the Motion on November 18, 2019, at 10:30 a.m. prevailing Central Time, in Courtroom 3 located at the United States Bankruptcy Court for the Northern District of Alabama, Robert S. Vance Federal Building, 1800 Fifth Avenue North Birmingham, Alabama 35203. Any party wishing to object to or otherwise be heard in connection with the Motion should attend the hearing.

Dated: _____
Birmingham, Alabama

/s/ Stephen B. Porterfield
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Notice Recipients

District/Off: 1126-2
Case: 15-00127-TOM

User: admin
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