

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

In re:)	Chapter 11
)	
WAYPOINT LEASING HOLDINGS LTD., <i>et</i>)	Case No. 18-13648 (SMB)
<i>al.</i> ,)	
)	(Jointly Administered)
Debtors.)	
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WILLIAM TRANSIER, as Plan Administrator)	
for Waypoint Leasing Holdings Ltd. and its)	
Affiliated Debtors,)	
)	
Plaintiff,)	Adv. Pro. No. 19-01448 (SMB)
v.)	
)	
SUNTRUST BANK, MUFG UNION BANK,)	
N.A., DEUTSCHE BANK AG, NEW YORK)	
BRANCH, BARCLAYS BANK PLC, and)	
GOLDMAN SACHS BANK USA,)	
)	
Defendants.)	
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**ORDER GRANTING APPLICATION OF TRUIST BANK PURSUANT TO 11 U.S.C. §
107(b) AND RULE 9018 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE TO FILE TRUIST BANK'S MOTION FOR SUMMARY JUDGMENT
AND CERTAIN DOCUMENTS IN SUPPORT THEREOF UNDER SEAL**

Upon the application dated March 13, 2020 (the “**Application**”) of Truist Bank, successor by merger to SunTrust Bank, as administrative agent for the WAC7 Lenders¹ (acting in such capacity, “**WAC7 Agent**”), hereby, on behalf of all Defendants, pursuant to section 107(b) of title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 9018 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) authorizing the WAC 7 Agent to file under seal (1) an unredacted version of the WAC7 Agent’s Motion for Summary Judgment (the “**Motion for Summary Judgment**”) and (2) certain confidential distribution

¹ Any capitalized term not otherwise defined herein, shall have the meaning ascribed to such term in the Complaint.



models distributed by the Debtors and their financial advisors (collectively, the “**Documents**”) in connection with the *WAC7 Agent’s Motion for Summary Judgment* (ECF No. ____); and the Court having jurisdiction to consider the Application and grant the requested relief in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Application being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the WAC7 Agent has provided notice of the Application as set forth therein is sufficient, and that no other or further notice need be provided; and the legal and factual bases set forth in the Application establishing just cause to grant the relief granted herein; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The Application is granted as provided herein.
2. Pursuant to section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, the WAC7 Agent is authorized to file the unredacted Documents under seal.
3. The full contents of the Documents shall not be disclosed to any parties in these cases other than those parties authorized to receive confidential information.
4. The rights of the WAC7 Agent to challenge a confidential designation for any Document filed are hereby preserved.
5. Parties receiving a sealed copy of the unredacted Documents shall treat it as “Confidential” so long as the Documents, or any portion thereof, remains under seal by Order of this Court.
6. At the conclusion of these cases, all copies of the Documents shall be returned to the WAC7 Agent for disposal

7. This Order is without prejudice to the rights of any party in interest, or the United States Trustee, to seek to unseal the Documents or any portion thereof.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: ~~New York, New York~~
_____, 2020

~~THE HONORABLE STUART BERNSTEIN~~
~~UNITED STATES BANKRUPTCY JUDGE~~

MEMORANDUM ENDORSEMENT AND ORDER

The application to file under seal is denied. The movant has not explained why the redacted information is confidential within the meaning of Bankruptcy Code section 107(b). In addition, the Complaint already reveals detailed calculations of the WAC7 lender allocations and the calculation that gave rise to the alleged mistake so any such calculations are not confidential. Thus, the movant has failed to carry its burden of proof.

So ordered.

Dated: New York, NY
May 1, 2020

/s/ *Stuart M. Bernstein*
STUART M. BERNSTEIN
United States Bankruptcy Judge