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

In re:	)	Chapter 11
	)	
WINDSTREAM HOLDINGS, INC., <i>et al.</i> , <sup>1</sup>	)	Case No. 19-22312 (RDD)
	)	
Debtors.	)	(Jointly Administered)
	)	
WINDSTREAM HOLDINGS, INC. <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Adv. Pro. No. 19-08247
vs.	)	
	)	
YADEGARIAN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**AGENDA FOR JULY 26, 2019 HEARING**

Time and Date of Hearing: July 26, 2019, at 10:00 a.m. (prevailing Eastern Time)

Location of Hearing: The Honorable Judge Robert D. Drain  
 United States Bankruptcy Court for the Southern District of New York  
 300 Quarropas Street  
 White Plains, New York 10601

Copies of Motions: A copy of each pleading can be viewed on the Court’s website at <http://www.nysb.uscourts.gov> and the website of the Debtors’ proposed

<sup>1</sup> The last four digits of Debtor Windstream Holdings, Inc.’s tax identification number are 7717. Due to the large number of Debtors in these chapter 11 cases, for which joint administration has been granted, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <http://www.kcellc.net/windstream>. The location of the Debtors’ service address for purposes of these chapter 11 cases is: 4001 North Rodney Parham Road, Little Rock, Arkansas 72212.



notice and claims agent, Kurtzman Carson Consultants LLC, at <http://www.kccllc.net/windstream>. Further information may be obtained via email at [WindstreamInfo@kccllc.com](mailto:WindstreamInfo@kccllc.com), or by calling toll free at 877-759-8815, or internationally at 424-236-7262.

**I. UNCONTESTED MATTERS GOING FORWARD**

1. ***Mediation Motion.*** Debtors' Motion for Entry of an Order Appointing a Mediator [Docket No. 803].

Objection Deadline: July 23, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- A. Letter to Court [Docket No. 820].
- B. Statement of Uniti in Response to Debtors' Motion for Entry of an Order Appointing a Mediator [Docket No. 833].
- C. Omnibus Joinder of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees to (I) the Debtors' Motion to Appoint Mediator and (II) the UCC's Motion for Standing [Docket No. 834].
- D. Statement of the Official Committee of Unsecured Creditors Regarding Debtors' Motion for Entry of an Order Appointing a Mediator [Docket No. 842].
- E. First Lien Ad Hoc Group's Statement in Support of Debtors' Motion for Entry of an Order Appointing a Mediator [Docket No. 850].
- F. Notice of Filing of Revised Proposed Order Appointing a Mediator [Docket No. 854].

Status: This matter is going forward.

2. ***Dell's Admin Expense Motion.*** Motion of Dell Marketing, L.P. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) [Docket No. 703].

Objection Deadline: July 19, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- A. Notice of Filing of Revised Proposed Order Granting the Motion of Dell Marketing, L.P. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) [Docket No. 765].
- B. Certificate of No Objection to Dell Marketing, L.P.'s Motion for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) [Docket No. 831].
- C. Order Granting the Motion of Dell Marketing, L.P. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) [Docket No. 851].

Status: This matter has been entered on presentment.

- 3. ***800 Phone Numbers Stay Motion.*** 800 Phone Numbers, LLC's Motion for Entry of an Order Pursuant to 11 U.S.C. § 362(D) Authorizing Relief from the Automatic Stay to Continue Pending Arbitration Against Debtor, Broadview Networks, Inc. [Docket No. N/A].

Objection Deadline: N/A

Responses Received: None.

Related Documents:

- A. Notice of Presentment of Stipulation, Agreement, and Proposed Order Authorizing Limited Relief from the Automatic Stay [Docket No. 819].

Status: This matter is going forward.

- 4. ***SolomonEdwardsGroup Retention Application.*** Debtors' Application Authorizing and Approving the Employment and Retention of SolomonEdwardsGroup, LLC as Bankruptcy Accounting Consultant Effective *Nunc Pro Tunc* to June 1, 2019 [Docket No. 806].

Objection Deadline: July 23, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents: None.

Status: This matter is going forward.

## II. CONTESTED MATTERS GOING FORWARD

5. ***AV&Co.'s Retention Application.*** Debtors' Application Authorizing and Approving the Employment and Retention of Altman Vilandrie & Company as Telecom Services Consultants Effective *Nunc Pro Tunc* to the Petition Date and Motion to File Under Seal Certain Confidential Client Information [Docket No. 807].

Objection Deadline: July 23, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Objection of the United States Trustee to Application Authorizing and Approving the Employment and Retention of Altman Vilandrie & Company as Telecom Services Consultants Effective *Nunc Pro Tunc* to the Petition Date and Motion to File Under Seal Certain Confidential Client Information [Docket No. 832].

Related Documents: None.

Status: This matter is going forward.

6. ***Jicarilla Apache Nation's Stay Motion.*** Amended Motion for Relief from Automatic Stay [Docket No. 686].

Objection Deadline: July 23, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Reservation of Rights and Response to Amended Motion of Jicarilla Apache Nation for Relief from Automatic Stay [Docket No. 823].
- B. Debtors' Objection to Motion to Lift Stay of Pending Litigation Against Valor Telecommunications of Texas, LLC, CSL New Mexico System, LLC, Windstream Holdings, Inc., and Certain Non-Debtor Affiliates [Docket No. 835].
- C. Jicarilla Apache Nation's Reply in Support of Amended Motion for Relief from Automatic Stay [Docket No. 849].

Related Documents: None.

Status: This matter is going forward.

## III. UNCONTESTED MATTER TO BE HEARD IN ADVERSARY CASE NO. 19-08247

7. ***Automatic Stay Stipulation.*** Debtors' Motion for Entry of an Order Approving the Debtors' and Carlos Yadegarian's Stipulation and Agreed Order to Partially Lift the Automatic Stay [Adv. Docket No. 10].

Objection Deadline: July 19, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents: None.

Status: This matter is going forward.

#### IV. **CONTINUED MATTERS**

8. ***Indenture Trustees' Motion.*** Motion of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees, (I) to Strike the Uniti Master Lease from the Debtors' Schedule G and (II) to Modify the Cash Management Order [Docket No. 728].

Objection Deadline: July 19, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Debtors' Preliminary Objection to the Motion of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees, (I) to Strike the Uniti Master Lease from the Debtors' Schedule G and (II) to Modify the Cash Management Order [Docket No. 746].
- B. Statement of the Ad Hoc Committee of Second Lien Noteholders in Response to the Motion of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees, (I) to Strike the Uniti Master Lease from the Debtors' Schedule G and (II) to Modify the Cash Management Order [Docket No. 758].
- C. First Lien Ad Hoc Group's Statement in Support of Debtors' Preliminary Objection to the Motion of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees, (I) to Strike the Uniti Master Lease from the Debtors' Schedule G and (II) to Modify the Case Management Order [Docket No. 761].
- D. Objection of Uniti to Motion of UMB Bank, National Association and U.S. Bank National Association [Docket No. 824].
- E. Declaration of Eli J. Vonnegut in Support of Uniti's Objection to the Motion of UMB Bank, National Association and U.S. Bank National Association [Docket No. 825].

Related Documents:

- F. Memorandum of Law in Support of the Motion to Strike Master Lease from Schedules and Modify Cash Management Order [Docket No. 729].
- G. Declaration of Julia M. Winters in Support of Motion to Strike Master Lease from Schedules and Modify Cash Management Order [Docket No. 730].
- H. Letter to Hon. Robert D. Drain from J. Christopher Shore Letter Requesting Telephonic Conference [Docket No. 775].
- I. Letter to Court [Docket No. 820].
- J. Notice of Adjournment of Hearing on Motion of UMB Bank, National Association and U.S. Bank National Association, as Indenture Trustees, (I) to Strike the Uniti Master Lease from the Debtors' Schedule G and (II) to Modify the Cash Management Order [Docket No. 840].

Status: This matter is adjourned to the August 20, 2019 hearing.

9. ***Motion to Enforce Automatic Stay.*** Debtors' Motion to (I) Enforce the Automatic Stay and (II) Impose Costs and Damages [Docket No. 748].

Objection Deadline: July 19, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- A. Notice of Rescheduled Hearing [Docket No. 826].

Status: This matter is continued to the August 20, 2019 hearing.

10. ***Florida AG's Stay Motion.*** The State of Florida's Motion for Entry of an Order Finding That: (1) the State's Request to Intervene in the State Court Litigation Does Not Violate the Automatic Stay; and, (2) the Automatic Stay Will Not Apply to the State Court Litigation Once the State Court Allows Such Intervention [Docket No. 760].

Objection Deadline: July 23, 2019, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None.

Related Documents:

- A. Notice of Rescheduled Hearing [Docket No. 826].

Status: This matter is continued to the August 20, 2019 hearing.

11. ***UCC's Standing Motion.*** Motion of the Official Committee of Unsecured Creditors for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of Debtors' Estates and (II) Consent Rights to Settlement [Docket No. 786].

Objection Deadline: August 13, 2019, at 4:00 p.m. (prevailing Eastern Time);

Responses Received: None.

Related Documents:

- A. Declaration of Lorenzo Marinuzzi in Support of Motion of the Official Committee of Unsecured Creditors for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of Debtors' Estates and (II) Consent Rights to Settlement [Docket No. 787].
- B. Notice of Adjournment of Hearing on Motion of the Official Committee of Unsecured Creditors for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of Debtors' Estates and (II) Consent Rights to Settlement [Docket No. 821].

Status: This matter is continued to the August 20, 2019 hearing.

Dated: July 25, 2019  
New York, New York

*/s/ Stephen E. Hessler*

Stephen E. Hessler, P.C.

Marc Kieselstein, P.C.

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