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*Counsel to the Debtors and Debtors in Possession*

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

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

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**AGENDA FOR AUGUST 18, 2020 TELEPHONIC HEARING**

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Time and Date of Hearing: August 18, 2020, at 10:00 a.m. (prevailing Eastern Time)

Telephonic Only Hearing: In accordance with General Order M-543 (“General Order M-543”), dated March 20, 2020, the Hearing will only be conducted telephonically. Any parties wishing to participate in the Hearing must make arrangements through CourtSolutions LLC. Instructions to register for CourtSolutions LLC are attached to General Order M-54. Please register with Court Solutions at [www.court-solutions.com](http://www.court-solutions.com).

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 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.

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<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.kccllc.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.



**I. MATTERS GOING FORWARD:**

1. ***Motion for Reconsideration.*** Notice of Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2288].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Objection of UMB Bank, National Association, to the Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2405].
- B. Debtors' Objection to CQS (US) LLC's Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2412].
- C. Objection of the Official Committee of Unsecured Creditors to the Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2413].
- D. Elliott Investment Management L.P.'s Statement in Support of the Objection of the Debtors' and the Official Committee of Unsecured Creditors to CQS (US) LLC's Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2414].

Related Documents:

- E. Order Approving Stipulation of Settlement [Docket No. 2279].
- F. Notice of Rescheduled Hearing on Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2313].
- G. Omnibus Reply in Further Support of CQS' Motion for Reconsideration of Order Approving Stipulation of Settlement Pursuant to Bankruptcy Rule 9023 [Docket No. 2431].

Status: This matter is going forward.

2. ***Sixth Omnibus Claims Objection.*** Notice of Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [Docket No. 2317].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Informal Letter from Joel Langsfeld on behalf of Grace Enterprises.
- B. Informal Creditor's Response to Debtor's Sixth Omnibus Objection to Claim from Saylite LLC doing business as Mobern Lighting Company.
- C. Informal Letters from Melissa Shaw.
- D. Letter By Marco Moreira, Tocqueville Response to Row # 233 Claim # 6569 Objection [Docket No. 2418].
- E. Response of ESA Management LLC in Opposition to Windstream's Sixth Omnibus Claim Objection [Docket No. 2403].
- F. Response by the Commonwealth of Pennsylvania to the Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [Docket No. 2376].
- G. Response of CMN-RUS, Inc. to Debtors' Sixth Omnibus Objection to Claims [Docket No. 2379].
- H. Creditor Bobby Kendall's Response to Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [Docket No. 2407].
- I. Response of Christina Akinyemi to Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [Docket No. 2408].
- J. Creditor Bartley Sikes' Response to Debtors' Sixth Omnibus Objection to No Liability Claims [Docket No. 2428].
- K. Creditor The New York State Department of Taxation and Finance's Response to the Debtors' Sixth Omnibus Objection to No Liability Claims [Docket No. 2430].
- L. Informal Letter from State of Hawaii, Department of Taxation.
- M. Informal Response from Marianne Casey.
- N. Informal Response from Mississippi Department of Revenue.
- O. Informal Response from City of Albuquerque.

Related Documents:

- P. Debtors' Reply in Support of Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [To Be Filed].
- Q. *Revised Proposed Order* Regarding Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [To Be Filed].

Status: This matter is going forward with respect to the responses filed by Marco Moreira, Tocqueville and ESA Management LLC and informally provided by Grace Enterprises, Mobern Lighting Company, and Melissa Shaw. The remaining matters have been continued to a later date.

- 3. ***Seventh Omnibus Claims Objection.*** Notice of Debtors' Seventh Omnibus Objection to Insufficient Documentation Claims, Late-Filed Claims, Substantively Duplicate Claims, and Claims to Be Modified [Docket No. 2318].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Creditor, irth Solutions, LLC, Response in Opposition to Debtors' Objection to Late Filed Claim (#7002) and Motion for Leave to File Out of Time [Docket No. 2415].
- B. Response of Creditor Brown County CLEC, LLC to Debtors' Seventh Omnibus Objection to Insufficient Documentation Claims, Late-Filed Claims, Substantively Duplicate Claims, and Claims to Be Modified [Docket No. 2420].
- C. Response of Teresa Thomas to Debtors' Seventh Omnibus Objection to Insufficient Documentation Claims, Late-Filed Claims, Substantively Duplicate Claims, and Claims to Be Modified (Proof of Claim No. 7302) [Docket No. 2368].
- D. Response and Opposition of Max Auto Supply Co. to Debtors' Seventh Omnibus Objection [Docket No. 2411].
- E. Informal Letter from Carrie Stinson.

Related Documents:

- F. Debtors' Reply in Support of Debtors' Seventh Omnibus Objection to Insufficient Documentation Claims, Late-Filed Claims, Substantively Duplicate Claims, and Claims to Be Modified [To Be Filed].
- G. *Revised Proposed Order* Regarding Debtors' Seventh Omnibus Objection to Insufficient Documentation Claims, Late-Filed Claims, Substantively Duplicate Claims, and Claims to Be Modified [To Be Filed].

Status: This matter is going forward with respect to the responses filed by irth Solutions, LLC and Brown County CLEC, LLC. The remaining matters have been continued to a later date.

- 4. ***Fourth Notice of Satisfaction.*** Fourth Notice of Satisfaction of Claims [Docket No. 2314].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Response of the State of Michigan, Department of Treasury to Debtors' Notice of Satisfaction of Claims [Docket No. 2363].
  - i. Withdrawal of the State of Michigan, Department of Treasury's Response [Docket No. 2427].
- B. Informal Response from Carl Reeder.

Related Documents:

- C. *Certificate of No Objection* and *Proposed Order* Approving Fourth Notice of Satisfaction of Claims [To Be Filed].

Status: This matter is going forward. The responses have been withdrawn.

- 5. ***Fifth Notice of Satisfaction.*** Fifth Notice of Satisfaction of Claims [Docket No. 2315].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Response of Fairview Health Services to Debtors' Fifth Notice of Satisfaction of Claims [Docket No. 2389].
- B. Response to Fifth Notice of Satisfaction of Claims by the School Board of Hamilton County, Florida [Docket No. 2425].

- C. Informal Response of Illinois Railway, LLC to Fifth Notice of Satisfaction of Claims.

Related Documents:

- D. *Revised Proposed Order Approving Fifth Notice of Satisfaction of Claims* [To Be Filed].

Status: This matter is going forward with respect to the responses filed by Fairview Health Services, the School Board of Hamilton County, Florida, and Illinois Railway, LLC. The remaining matter has been continued to a later date.

- 6. ***Sixth Notice of Satisfaction.*** Sixth Notice of Satisfaction of Claims [Docket No. 2316].

Objection Deadline: August 11, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received: None.

Related Documents:

- A. Certificate of No Objection Regarding Sixth Notice of Satisfaction of Claims [To Be Filed].

Status: This matter is going forward.

**II. CONTINUED MATTERS:**

7. ***Plan Supplement/Cure Objections:***

- A. Objection of American Electric Power Companies to Notice of Filing of Plan Supplement [Docket No. 2045].
- B. Objection of CenturyLink, Inc. to the Debtors' First Amended Joint Chapter 11 Plan of Reorganization of Windstream Holdings, Inc. *et al.*, Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 2055].
- C. Limited Objection of GTT Americas LLC and GC Pivotal LLC to Confirmation of Plan and Cure of Executory Contracts [Docket No. 2057].
- D. DataBank Objection and Reservation of Rights to Notice of Filing Plan Supplement and Proposed Cure Amount [Docket No. 2058].
- E. Objection and Reservation of Rights of Niagara Mohawk Power Corporation dba National Grid, National Grid USA Service Company, Inc., and Other National Grid Companies to Notice of Filing of Plan Supplement [Docket No. 2079].

- F. Objections of the Ad Hoc EMC Group to the Debtors' Notice of Filing of Plan Supplement [Docket No. 2094].
- G. Limited Objection and Reservation of Rights of NG-KIH Design Build LLC, as Agent, to Debtors' Assumed Executory Contract and Unexpired Lease List Filed as Exhibit A to the Plan Supplement [Docket No. 2099].
- H. Omnibus Limited Objection with Respect to the Notice of Filing of Plan Supplement [Docket No. 2101].
- I. Limited Objection of TierPoint LLC, et al. to Debtors First Amended Joint Chapter 11 Plan and Notice of Filing of Plan Supplement [Docket No. 2106].
- J. Objection of Johnson Controls, Inc. to Notice of Filing of Plan Supplement, Assumed Executory Contract and Unexpired Lease List [Docket No. 2109].
- K. Limited Objection and Reservation of Rights to First Amended Joint Chapter 11 Plan of Reorganization of Windstream Holdings, Inc., et al., Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 2112].
- L. Limited Objection and Reservation of Rights of Berkley Insurance Company and Berkley Regional Insurance Company to Debtors' Proposed Assumption of Certain Executory Contracts Under the Plan [Docket No. 2115].
- M. Limited Objection and Reservation of Rights of Aspen American Insurance Co., Aspen Insurance UK Limited, Aspen Specialty Insurance Co. to Debtors' Proposed Assumption of Certain Executory Contracts Under the Plan [Docket No. 2116].
- N. United Electric Cooperative Services, Inc.'s Objection to Debtors Plan and Reservation of Rights Regarding Cure Amounts [Docket No. 2153].
- O. Objection of Duke Energy to Plan Supplement and Debtors' Notice of (A) Executory Contracts and Unexpired Leases to Be Assumed by the Debtors Pursuant to the Plan, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 2256].
- P. United Call Center Solutions LLC's Limited Objection to Confirmation of the First Amended Joint Chapter 11 Plan of Reorganization of Windstream Holdings, Inc. et al., Pursuant to Chapter 11 of the Bankruptcy Code and to the Assumption of, and Cure Amount Pertaining to, a Certain Executory Contract [Docket No. 2046].
- Q. Objection and Reservation of Rights of Florida Power & Light Company to Notice of Filing of Plan Supplement [Docket No. 2023].

- R. Limited Objection and Reservation of Rights of Kentucky Utilities Company to Debtors' Assumed Executory Contract and Unexpired Lease List Filed as Exhibit A to the Plan Supplement [Docket No. 2091].
- S. Limited Objection and Reservation of Rights of Louisville Gas and Electric Company to Debtors' Assumed Executory Contract and Unexpired Lease List Filed as Exhibit A to the Plan Supplement [Doc. No. 1973] [Docket No. 2097].
- T. Objection to Notice of Filing of Plan Supplement [Docket No. 2166].

Related Documents:

- U. Notice of Filing of Plan Supplement [Docket No. 1973].
- V. Notice of Filing of First Amended Plan Supplement [Docket No. 2010].
- W. Notice of Filing of Second Amended Plan Supplement [Docket No. 2039].
- X. Notice of Filing of Third Amended Plan Supplement [Docket No. 2199].
- Y. Notice of Filing of Fourth Amended Plan Supplement [Docket No. 2303].
- Z. Notice of Filing of Fifth Amended Plan Supplement [Docket No. 2354].
- AA. Notice of Filing of Sixth Amended Plan Supplement [Docket No. 2422].

Status: This matter is continued to a date to be determined.

- 8. ***First Omnibus Claims Objection.*** Debtors' First Omnibus Objection to (A) Amended Claims, (B) Exact Duplicate Claims, (C) Substantively Duplicate Claims, and (D) Insufficient Documentation Claims [Docket No. 1224].

Responses Received:

- A. Response of Wireless Services Center (d/b/a Mach Networks) to Debtors' First Omnibus Objection to (A) Amended Claims, (B) Exact Duplicate Claims, (C) Substantively Duplicate Claims, and (D) Insufficient Documentation Claims [Docket No. 1282].
- B. Response to Debtors' Objection to Claimant's Insufficient Documentation Claims [Docket No. 1300].

Related Documents:

- C. Order Granting Debtors' First Omnibus Objection to (A) Amended Claims, (B) Exact Duplicate Claims, and (C) Substantively Duplicate Claims [Docket No. 1439].



Status: This matter is continued to a date to be determined with respect to the claims listed on Schedule 4 to the Objection.

9. ***Fourth Omnibus Claims Objection.*** Debtors' Fourth Omnibus Objection to Insufficient Documentation Claims, No Liability Claims, and Substantively Duplicate Claim [Docket No. 1508].

Responses Received:

- A. Response of Joink LLC to Debtor's Objection to Claim 5322 [Docket No. 1546].
- B. Response of American Arbitration Association to Debtor's Objection to Claim 1208 [Docket No. 1562].

Related Documents:

- C. Certificate of No Objection Regarding Debtors' Fourth Omnibus Objection to Insufficient Documentation Claims, No Liability Claims, and Substantively Duplicate Claim [Docket No. 1580].
- D. Order Granting Debtors' Fourth Omnibus Objection to Insufficient Documentation Claims, No Liability Claims, and Substantively Duplicate Claim [Docket No. 1606].

Status: This matter is continued to a date to be determined with respect to Joink LLC and the American Arbitration Association. The Debtors and American Arbitration Association are in discussions and may request a hearing date, subject to availability of the Court, should it become necessary to conduct an evidentiary hearing on the matter.

10. ***IRU Assumption and Assignment.*** Notice of (A) Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1821].

Objection Deadline: May 29, 2020, at 4:00 p.m. (prevailing Eastern Time),

Responses Received:

- A. Objection to the Assumption and Assignment of the City of White Plains License Agreement to Uniti [Docket No. 1917].
- B. Objection of Niagara Mohawk Power Corporation and National Grid USA Service Company, Inc. to Notice of (A) the Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1937].

- C. Objection to the Debtors' Notice of (A) Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1940].
- D. Limited Objection by NSERNET.org, Inc. to Notice of (A) the Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1943].
- E. Limited Objection and Reservation of Rights of CSX Transportation, Inc. to Debtors' Notice of Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1946].
- F. Limited Objection and Reservation of Rights of Network USA LLC to Debtors' Notice of Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith [Docket No. 1947].
- G. Walmart's Response and Reservation of Rights to Adequate Assurance of Future Performance as to Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti and Cure Amounts [Docket No. 1949].
- H. Objection of CenturyLink, Inc. to the Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure Amounts, if any, and (C) Related Procedures [Docket No. 1974].

Related Documents:

- I. Supplemental Notice of (A) the Debtors' Assumption and Assignment of Certain Executory Contracts to Uniti, (B) Cure

Amounts, if any, and (C) Related Procedures in Connection  
Therewith [Docket No. 1823].

Status: This matter is continued to a date to be determined.

Dated: August 14, 2020  
New York, New York

/s/ Stephen E. Hessler

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