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*Counsel to the Reorganized Debtors*

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

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In re: )  
 ) Chapter 11  
 )  
WINDSTREAM FINANCE, CORP., *et al.*,<sup>1</sup> ) Case No. 19-22397 (RDD)  
 )  
 ) Reorganized Debtors. ) (Jointly Administered)  
 ) (Formerly Jointly Administered under  
 ) Lead Case: Windstream Holdings, Inc.,  
 ) 19-22312)

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**AGENDA FOR NOVEMBER 19, 2020 TELEPHONIC HEARING**

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Time and Date of Hearing: November 19, 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-543. 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 Reorganized Debtors’ notice and claims agent, Kurtzman Carson Consultants LLC, at <http://www.kccllc.net/windstream>. Further information may be

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<sup>1</sup> The last four digits of the Reorganized Debtor Windstream Finance, Corp.’s tax identification number are 5713. Due to the large number of Reorganized Debtors in these chapter 11 cases, for which joint administration has been granted, a complete list of the reorganized 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 Reorganized Debtors’ claims and noticing agent at <http://www.kccllc.net/windstream>. The location of the Reorganized Debtors’ service address for purposes of these chapter 11 cases is 4001 North Rodney Parham Road, Little Rock, Arkansas 72212.



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obtained via email at WindstreamInfo@kccllc.com or by calling toll free 877-759-8815 (U.S. and Canada) or 424-236-7262 (international).

**I. MATTERS GOING FORWARD:**

1. ***Ninth Omnibus Claims Objection.*** Debtors' Ninth Omnibus Objection to Equity Interest Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, Claims to be Modified, and Wrong Debtor Claim [Docket No. 2528].

Objection Deadline: October 15, 2020, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Maricopa County Treasurer's Response in Opposition to Debtors' Ninth Omnibus Objection to Equity Interest Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, Claims to be Modified, and Wrong Debtor Claim [Docket No. 2564].
- B. Saetec, Inc.'s: (A) Response to Debtors' Ninth Omnibus Claim Objection; and (B) Cross-Motion for Permissive Abstention [Docket No. 2571].
- C. Informal Response of Mississippi Department of Revenue (Claim No. 8481).
- D. Informal Response of Niagara Mohawk Power Corporation (Claim Nos. 5197, 5664, 5815).

Related Documents:

- E. Order Regarding Debtors' Ninth Omnibus Objection to Equity Interest Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, Claims to be Modified, and Wrong Debtor Claim [Docket No. 2622].
- F. Reorganized Debtors' Response to Saetec, Inc.'s Cross-Motion for Permissive Abstention [Docket No. 2678].

Status: This matter going forward solely with respect to Saetec, Inc.'s cross-motion for permissive abstention and the Reorganized Debtors' response thereto. The responses from Maricopa County Treasurer and Mississippi Department of Revenue have been continued to the December omnibus hearing. Saetec, Inc.'s and Niagara Mohawk's responses to the Ninth Omnibus Objection have been continued to a date to be determined.

2. ***Tenth Omnibus Claims Objection.*** Reorganized Debtors' Tenth Omnibus Objection to Amended Claims, Equity Interest Claims, Insufficient Documentation

Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified [Docket No. 2589].

Objection Deadline: November 12, 2020, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Creditor's Response to Debtor's Objection on the Basis of Section 4, No Liability Claim (Filed by Jason Darnall on Behalf of Marshall County Fiscal Court) [Docket No. 2650].
- B. Universal Service Administrative Company's Opposition to Reorganized Debtors' Tenth Omnibus Claim Objection to Amended Claims, Equity Interest Claims, Insufficient Documentation Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified [Docket No. 2671].
- C. Response of Ricky Shelton and Billie Shelton to Reorganized Debtors' Tenth Omnibus Objection to Amended Claims, Equity Interest Claims, Insufficient Documentations Claims, No Liability Claims, Substantively Duplicate Claims and Claims to be Modified (Filed by Thomas E Carroll on Behalf of Billie Shelton, Ricky Shelton) [Docket No. 2672].
- D. VonWin Capital Management, L.P.'s Response to Reorganized Debtors' Tenth Omnibus Objection to Amended Claims, Equity Interest Claims, Insufficient Documentation Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified [Docket No. 2679].
- E. Informal Response of Ester Louise Osborne.
- F. Informal Response of CSX Transportation, Inc.

Related Documents:

- G. Certificate of No Objection Regarding Reorganized Debtors' Tenth Omnibus Objection to Amended Claims, Equity Interest Claims, Insufficient Documentation Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified [Docket No. 2683].

Status: This matter is going forward solely with respect to the Certificate of No Objection. Responses from Marshall County Fiscal Court, Universal Service Administrative Company, VonWin Capital Management, L.P., and CSX Transportation, Inc. (solely with respect to Claim No. 5009) have been continued to the December omnibus hearing. Ester Louise Osborne's and Ricky Shelton and Billie Shelton's responses have been continued to a date to be determined. The Tenth Omnibus Objection has been withdrawn with respect to Dominion Energy North Carolina (with respect to Claim No. 5389), MidAmerican Energy (with respect to Claim No. 5430), Fine,

Farkash and Parlapiano, P.A. (with respect to Claim No. 1675), and Jacobs Petroleum Products (with respect to Claim No. 1307).

3. ***Seventh Notice of Satisfaction of Claims.*** Seventh Notice of Satisfaction of Claim [Docket No. 2591].

Objection Deadline: November 12, 2020, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Informal Response of Showtime Networks, Inc.

Related Documents:

- B. Certificate of No Objection to the Seventh Notice of Satisfaction of Claims [Docket No. 2684]. The informal response from Showtime Networks, Inc. has been continued to the December omnibus hearing.

Status: This matter is going forward solely with respect to the Certificate of No Objection. The response from Showtime Networks, Inc. has been continued to the December omnibus hearing.

## **II. CONTINUED MATTERS:**

4. Motions or Notices for an Administrative Expense by Certain Creditors.

- A. ***McLeod Creditors Motion for Administrative Expense.*** Request of Firooz Soulati and Mahin Amidzadeh for Allowance and Payment of Administrative Expense Claim [Docket Nos. 2345, 2623].
- B. ***Tenants Motion for Administrative Expense.*** Motion for Payment of an Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(A) [Docket Nos. 2577, 2579].
- C. ***Unico Motion for Administrative Expense.*** Request of Unico BOP Rivertec, LLC for Allowance of Administrative Expense Claim [Docket No. 2580].
- D. ***Saetec Motion for Administrative Expense.*** Motion of Saetec, Inc. for Allowance and Payment of an Administrative Expense Claim [Docket No. 2581].
- E. ***Cigna Life Insurance Company of New York and Life Insurance Company of North America Motion for Administrative Expense.*** Notice of Filing of Requests for Payment of Unpaid Administrative Claims [Docket No. 2581].

- F. ***CMN Motion for Administrative Expense.*** CMN-RUS, Inc.’s Motion for Allowance of Administrative Claim for Post-Petition Services and Immediate Payment Thereof [Docket No. 2584].
- G. ***Meredith Corporation Motion for Administrative Expense.*** Meredith Corporation’s Request for Allowance and Payment of Its Administrative Expense Claims [Docket No. 2587].
- H. ***Salesforce Motion for Administrative Expense.*** Request for Allowance and Payment of Administrative Expense Claim of Salesforce.com, Inc. [Docket No. 2596].
- I. ***Cincinnati Bell Motion for Administrative Expense.*** Request of Cincinnati Bell, Inc. and Certain of Its Subsidiaries and Affiliates for Allowance and Payment of Administrative Expense Claim [Docket No. 2609].
- J. ***Kentucky Energy Motion for Administrative Expense.*** Kentucky Energy Cooperatives’ Motion for Allowance and Payment of Administrative Expense Claims [Docket No. 2612].
- K. ***Tech Mahindra Motion for Administrative Expense.*** Tech Mahindra Ltd.’s Request for Allowance and Payment of Its Administrative Expense Claim [Docket Nos. 2614-15].
- L. ***United States Motion for Administrative Expense.*** Motion by the United States of America on behalf of the Federal Communications Commission for Allowance of Unliquidated Administrative Claim [Docket No. 2618]
- M. ***Nitel, Inc. Motion for Administrative Expense.*** Application for Allowance and Payment of Nitel, Inc.’s Administrative Expense Claims Against Various Debtors [Docket Nos. 2629-30].
- N. ***Broadsoft, Inc. Motion for Administrative Expense.*** Request for Allowance and Payment of Administrative Expense Claim of Broadsoft, Inc. [Docket No. 2601].
- O. ***Administrative Expense Motion.*** Motion of Saetec, Inc. for Allowance and Payment of an Administrative Expense Claim [Docket No. 2581].

Responses Received:

- P. Reorganized Debtors’: (A) Response and Objection to Saetec, Inc.’s Motion for Allowance and Payment of an Administrative Expense Claim; and (B) Cross-Motion to Consolidate [Docket No. 2677].

Related Documents:

- Q. [●] [Docket No. [●]].

Status: All matters that have been noticed for a hearing have been continued to the December omnibus hearing except for Meredith Corporation's, Saetec Inc.'s, and Cincinnati Bell's motions, which have been continued to a date to be determined.

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

- A. Objection of Joink LLC to Assumption of Executory Contract [Contract No. 3,782] [Docket No. 2042].
- B. Objection of American Electric Power Companies to Notice of Filing of Plan Supplement [Docket No. 2045].
- C. 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].
- D. Objections of the Ad Hoc EMC Group to the Debtors' Notice of Filing of Plan Supplement [Docket No. 2094].
- E. 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].
- F. Omnibus Limited Objection with Respect to the Notice of Filing of Plan Supplement (Kentucky Energy Cooperatives) [Docket Nos. 2100, 2101]
- G. 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].
- H. 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].
- I. 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].
- J. 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].
- K. United Electric Cooperative Services, Inc.'s Objection to Debtors Plan and Reservation of Rights Regarding Cure Amounts [Docket No. 2153].

- L. Objection of MP Nexlevel, LLC, to the Debtors' Notice of (A) Executory Contracts and Unexpired Leases to be Assumed by the Related Procedures in Connection Therewith [Docket No. 2230].
- M. 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].
- N. 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].
- O. Objection and Reservation of Rights of FirstEnergy Companies to Notice of Filing of Plan Supplement [Docket No. 2022].
- P. [Limited Objection of Salesforce.com, Inc. to the Proposed Assumption of Certain Executory Contracts and Cure Costs in Connection with the Debtors Joint Chapter 11 Plan of Reorganization, and Reservation of Rights [Docket No. 2558].]
- Q. Objection of Niagara Mohawk Power Corporation to Notice of Filing of Tenth Amended Plan Supplement [Docket No. 2661].

Related Documents:

- R. Notice of Filing of Plan Supplement [Docket No. 1973].
- S. Notice of Filing of First Amended Plan Supplement [Docket No. 2010].
- T. Notice of Filing of Second Amended Plan Supplement [Docket No. 2039].
- U. Notice of Filing of Third Amended Plan Supplement [Docket No. 2199].
- V. Notice of Filing of Fourth Amended Plan Supplement [Docket No. 2303].
- W. Notice of Filing of Fifth Amended Plan Supplement [Docket No. 2354].
- X. Notice of Filing of Sixth Amended Plan Supplement [Docket No. 2422].
- Y. Notice of Filing of Seventh Amended Plan Supplement [Docket No. 2480].
- Z. Notice of Filing of Eighth Amended Plan Supplement [Docket No. 2522].
- AA. Notice of Filing of Ninth Amended Plan Supplement [Docket No. 2654].
- BB. Notice of Filing of Tenth Amended Plan Supplement [Docket No. 2661].

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

6. ***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 to Debtors' Objection to Claimant's Insufficient Documentation Claims [Docket No. 1300].

Related Documents:

- B. 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 response from Phone Recovery Services, LLC on behalf of the State of Rhode Island (Claim No. 6098) and Pocahontas County Joint E911 Service Board on behalf of Pocahontas County and all other similarly situated Iowa Counties (Claim Nos. 6056, 6092, 6093, 6211, 6216, 6219, 6224, and 6229).

7. ***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].

Related Documents:

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

- C. 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.



8. ***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. Response of ESA Management LLC in Opposition to Windstream's Sixth Omnibus Claim Objection [Docket No. 2403].
- B. 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].
- C. Response of CMN-RUS, Inc. to Debtors' Sixth Omnibus Objection to Claims [Docket No. 2379].
- D. 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].
- E. Letter by Marco Moreira, Tocqueville Response to Row # 233 Claim # 6569 Objection [Docket No. 2418].
- F. Creditor Bartley Sikes' Response to Debtors' Sixth Omnibus Objection to No Liability Claims [Docket No. 2428].
- G. 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].
- H. Informal Response of Christina Akinyemi (Claim Nos. 6336, 6344).

Related Documents:

- I. Order Regarding Debtors' Sixth Omnibus Objection to Amended Claims, Cross-Debtor Duplicate Claims, Equity Interest Claims, and No Liability Claims [Docket No. 2468].

Status: This matter is continued to a date to be determined with respect to the responses from ESA Management LLC, Commonwealth of Pennsylvania (with respect to Claim No. 1424), CMN-RUS, Inc., Bartley Sikes, Marco Moreira, and Christina Akinyemi (with respect to Claim Nos. 6336, 6344). The responses from Bobby Kendall, New York State Department of Taxation and Finance, Commonwealth of Pennsylvania (with respect to Claim Nos. 1414, 1427, and 1540) have been resolved consensually.

9. ***Eighth Omnibus Claims Objection.*** Debtors' Eighth Omnibus Objection to Amended Claims, No Liability Claims, and Claims to be Modified [Docket No. 2453].

Objection Deadline: September 18, 2020, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Response of Ricky Shelton and Billie Shelton to the Eighth Omnibus Objection [Docket No. 2481].
- B. Response of Jim Rodgers to Notice of Debtors' Eighth Omnibus Objection to Amended Claims, No Liability Claims and Claims to be Modified [Docket No. 2492].
- C. Response of Fairview Health Services to Debtors' Notice of Eight Omnibus Objection to Amended Claims, No Liability Claims, and Claims to be Modified [Docket No. 2493].

Related Documents:

- D. Notice of Rescheduled Hearing [Docket No. 2496].
- E. Order Regarding Debtors' Eighth Omnibus Objection to Amended Claims, No Liability Claims, and Claims to be Modified [Docket No. 2542].

Status: This matter is continued to a date to be determined with respect to response received from Ricky Shelton and Billie Shelton. The response from Fairview Health Services has been continued to the December omnibus hearing. The Eighth Omnibus Objection has been resolved with respect to Jim Rodgers.

10. ***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 to Fifth Notice of Satisfaction of Claims by Automation Innovations LLC [Docket No. 2385].
- B. Response of Fairview Health Services to Debtors' Fifth Notice of Satisfaction of Claims [Docket No. 2389].
- C. Response to Fifth Notice of Satisfaction of Claims by the School Board of Hamilton County, Florida [Docket No. 2425].
- D. Informal Response of Holiday Inn AP Town Center.

E. Informal Response of Illinois Railway, LLC (Claim No. 8025).

Related Documents:

F. Revised Proposed Order Approving the Fifth Notice of Satisfaction of Claims [Docket No. 2450].

Status: This matter is continued to a date to be determined with respect to the responses from Fairview Health Services and the School Board of Hamilton County, Florida. The matter has been withdrawn with respect to Automation Innovations and Holiday Inn AP Town Center. The matter has been resolved as to Illinois Railway, LLC (Claim No. 8025).

Dated: November 17, 2020  
New York, New York

/s/ Stephen E. Hessler, P.C.

Stephen E. Hessler, P.C.

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