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Counsel to the Reorganized Debtors

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

In re:)	
)	Chapter 11
WINDSTREAM FINANCE, CORP., ¹)	
)	Case No. 19-22397 (RDD)
Reorganized Debtors.)	
)	(Jointly Administered)
)	(Formerly Jointly Administered under
)	Lead Case: Windstream Holdings, Inc.,
)	Case No. 19-22312)
WINDSTREAM HOLDINGS, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	Adv. Pro. No. 19-08279
v.)	
UNITI GROUP INC., <i>et al.</i> ,)	
)	
Defendants.)	

AGENDA FOR JANUARY 26, 2021 TELEPHONIC HEARING

Time and Date of Hearing: January 26, 2021, at 10:00 a.m. (prevailing Eastern Time)

¹ The last four digits of the Reorganized Debtor Windstream Finance, Corp.'s tax identification number are 5713. Due to the large number of the 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.



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.

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 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 TO BE HEARD IN CASE NO. 19-22397:

1. *Twelfth Omnibus Claims Objection.* Reorganized Debtors’ Twelfth Omnibus Objection to Amended Claims, a Cross-Debtor Duplicate Claim, Equity Interest Claims, Insufficient Documentation Claims, No Liability Claims, a Substantively Duplicate Claim, and Claims to be Modified [Docket No. 17].

Objection Deadline: January 19, 2021, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Informal Response of Northside Center for Child Development, Inc. (Claim No. 8664).
- B. Informal Response of Map Ground Lease Owner, LLC (Claim No. 7700).
- C. Objection to Reorganized Debtors’ Objection Filed for Equity Interest Claim to Be Expunged Claim #8767 and Claim #8776, Payment of \$443,352.99 to be Refunded to Me for Stock Purchased [Docket No. 23] (Claim Nos. 8767, 8776).

Related Documents:

- D. [Reply in Support of Reorganized Debtors’ Twelfth Omnibus Objection to Amended Claims, a Cross-Debtor Duplicate Claim, Equity Interest Claims, Insufficient Documentation Claims, No Liability Claims, a Substantively Duplicate Claim, and Claims to be Modified [Docket No. [●]].

Status: This matter is going forward. The matter has been continued to the February omnibus hearing date solely with respect to Northside Center for Child Development, Inc. The response of Map Ground Owner, LLC has been consensually resolved. The unresolved matter with respect to Claim Nos. 8767 and 8776 is a moving forward.

2. *Ninth Notice of Satisfaction.* Ninth Notice of Satisfaction of Claims [Docket No. 2688].

Objection Deadline: January 19, 2021, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Informal Response of Georgia Power Company (Claim Nos. 3185094, 3174605, 3185307, 3179466, 3184150, 3171853, 3186345, 3191155, 3191946, 3189836, 3187770, 3188298, 3185095, 5892, 5894-95, 5897-98, 6046, 7798-7800).
- B. Informal Response of the Ad Hoc EMC Group (Claim Nos. 5917, 5932, 5945, 5929, 5973, 5926, 7288, 5882).
- C. Informal Response of Drum Capital (Claim No. 3180588).
- D. Informal Response of Murray Electric System (Claim No. 9800460).
- E. Informal Response of Fred Beans Automotive (Claim No. 8704).
- F. Informal Response of Middle Tennessee EMC (Claim No. 2615).
- G. Informal Response of Network Solutions (Claim No. 3181590).
- H. Informal Response of Network USA (Claim No. 3181593).
- I. Informal Response of Grande Communications Networks, LLC (Claim No. 1615).

Related Documents:

- J. Certificate of No Objection Regarding Reorganized Debtors' Ninth Notice of Satisfaction of Claims [Docket No. [●]].

Status: This matter is going forward. The informal responses of Drum Capital, Murray Electric System, Middle Tennessee EMC, Network Solutions, and Grande Communications Network, LLC have been resolved. The matter has been continued to February solely with respect to Georgia Power Company, Fred Beans Automotive, and Network USA. The matter has been continued to a date to be determined solely with respect to the Ad Hoc EMC Group. The Reorganized Debtors and the Ad Hoc EMC Group will confer to submit a consensual scheduling order.

II. CONTINUED MATTERS IN CASE NO. 19-22397:

3. Motions or Notices for Payment of an Administrative Expense Claim by Certain Creditors.
 - A. ***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].
 - B. ***Unico Motion for Administrative Expense.*** Request of Unico BOP Rivertec, LLC for Allowance of Administrative Expense Claim [Docket No. 2580].
 - C. ***Saetec Motion for Administrative Expense.*** Motion of Saetec, Inc. for Allowance and Payment of an Administrative Expense Claim [Docket No. 2581].
 - D. ***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. 2582].
 - E. ***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].
 - F. ***Broadsoft, Inc. Motion for Administrative Expense.*** Request for Allowance and Payment of Administrative Expense Claim of Broadsoft, Inc. [Docket No. 2601].
 - G. ***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].
 - H. ***Kentucky Energy Motion for Administrative Expense.*** Kentucky Energy Cooperatives' Motion for Allowance and Payment of Administrative Expense Claims [Docket No. 2612].
 - I. ***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]

Related Documents:

- J. 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].

Status: The motions of Cincinnati Bell, Nitel, Inc., and 99 Washington Avenue, LLC and One Commerce Plaza, LLC have been continued to the February omnibus hearing date. The motion of CMN-RUS, Inc. has been continued to the March omnibus hearing date. The matter with respect to Saetec, Inc. is continued to a date to be determined, subject to Saetec, Inc. and the Reorganized Debtors working to submit a consensual scheduling order on the matter. The motions of Cigna Life Insurance Company of New York and Life Insurance Company of North America, Unico BOP Rivertec, LLC, Kentucky Energy Cooperatives, and Broadsoft, Inc. have not been noticed for hearing.

4. ***Objections to the Plan Supplement/Cure.***

- 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 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].
- H. 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].
- I. 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].

- J. United Electric Cooperative Services, Inc.'s Objection to Debtors Plan and Reservation of Rights Regarding Cure Amounts [Docket No. 2153].
- K. 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].
- L. 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].
- M. 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].
- N. Objection and Reservation of Rights of FirstEnergy Companies to Notice of Filing of Plan Supplement [Docket No. 2022].
- O. Objection of Niagara Mohawk Power Corporation to Notice of Filing of Tenth Amended Plan Supplement [Docket No. 2661].

Related Documents:

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

Status: The matter has been continued to the February omnibus hearing date solely with respect to the objections from MP Nexlevel and American Electric Power Companies. Solely with respect to the objection of Ad Hoc EMC Group, the Reorganized Debtors and Ad Hoc EMC Group will confer to determine a consensual scheduling order. Each matter is in process of consensual resolution with respect to the objections from NG-KIH Design Build LLC; Berkley Insurance Company and Berkley Regional Insurance Company; Aspen American Insurance Co., Aspen Insurance UK Limited, Aspen Specialty Insurance Co.; and Duke Energy. All other matters have been continued to a date to be determined.

5. ***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).

6. ***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.

7. ***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 of CMN-RUS, Inc. to Debtors' Sixth Omnibus Objection to Claims [Docket No. 2379].
- C. Creditor Bartley Sikes' Response to Debtors' Sixth Omnibus Objection to No Liability Claims [Docket No. 2428].
- D. Informal Response of Christina Akinyemi (Claim Nos. 6336, 6344).

Related Documents:

- E. 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 the February omnibus hearing with respect to the response from ESA Management LLC. This matter is continued to the March omnibus hearing with respect to CMN-RUS, Inc. This matter is continued to a date to be determined with respect to the responses from Bartley Sikes and Christina Akinyemi (with respect to Claim Nos. 6336, 6344).

8. ***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 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:

- C. Notice of Rescheduled Hearing [Docket No. 2496].
- D. 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 the response from Ricky Shelton and Billie Shelton. The matter with respect to Fairview Health Services has been continued to the February omnibus hearing date.

- 9. ***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. Corrected Certificate of No Objection Regarding Debtors' Ninth Omnibus Objection to Equity Interest Claims, Insufficient Documentation Claims,

Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified, and Wrong Debtor Claim [Docket No. 2604].

- F. Order Granting Debtors' Ninth Omnibus Objection to Equity Interest Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified, and Wrong Debtor Claim [Docket No. 2622].
- G. Reorganized Debtors' Response to Saetec, Inc.'s Cross-Motion for Permissive Abstention [Docket No. 2678]
- H. Order Denying Saetec, Inc.'s Motion for Permissive Abstention [Docket No. 2716].
- I. [Reorganized Debtors' Reply in Support of 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. [●]].
- J. [Scheduling and Pre-Trial Order with respect to the matters related to Saetec, Inc. [●]].

Status: The responses of Maricopa County Treasurer and Mississippi Department of Revenue has been continued to the February omnibus hearing. The matter with respect to Saetec, Inc. is continued to a date to be determined, subject to Saetec, Inc. and the Reorganized Debtors working to submit a consensual scheduling order on the matter. The response of Niagara Mohawk has been continued to a date to be determined.

10. ***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 19, 2020, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Creditor's Response (Marshall County) to Debtor's Objection on the Basis of Section 4, No Liability Claim [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. Informal Response of Ester Louise Osborne (Claim No. 5059).
- E. Informal Response of CSX Transportation, Inc. (Claim No. 5009).

Related Documents:

- F. 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].
- G. Order Granting, in Part, Reorganized Debtors' Tenth Omnibus Objection to Amended Claims, Equity Interest Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, Substantively Duplicate Claims, and Claims to be Modified [Docket No. 2717].

Status: The response of Marshall County has been continued to the February omnibus hearing. The responses of the Universal Service Administrative Company, Ricky Shelton and Billie Shelton, and Ester Louise Osborne have been continued to a date to be determined. The response of CSX Transportation has been resolved as to Claim No. 5009.

11. ***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].

Related Documents:

- C. Order Granting Fifth Notice of Satisfaction [Docket No. 2466].

Status: This matter is continued to a date to be determined with respect to the response of the School Board of Hamilton County, Florida. The matter has

been continued to the February hearing date solely with respect to Fairview Health Services.

III. UNCONTESTED MATTERS IN CASE NO. 19-08279:

1. *Uniti Adversary Dismissal*. Notice of Presentment of Stipulation and Order Dismissing the Adversary Proceeding [Adv. Docket No. 131].

Objection Deadline: January 19, 2021, at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Certificate of No Objection Regarding the Notice of Stipulation and Order Dismissing the Adversary Proceeding [Adv. Docket No. 133]

Status: The Debtors have filed a certificate of no objection for this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

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Dated: January 21, 2021
New York, New York

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

Stephen E. Hessler, P.C.

Marc Kieselstein, P.C.

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