

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

MEDLEY LLC,¹

Debtor.

Chapter 11

Case No. 21-10526 (KBO)

RE D.I. 81 & 113

**SECOND SUPPLEMENTAL DECLARATION OF ERIC J. MONZO IN
SUPPORT OF APPLICATION TO AUTHORIZE AND APPROVE
THE EMPLOYMENT OF MORRIS JAMES LLP AS CO-COUNSEL
TO THE DEBTOR NUNC PRO TUNC TO MARCH 7, 2021**

I, Eric J. Monzo, being duly sworn, declare pursuant to 28 U.S.C. § 1746, under penalty of perjury that deposes and says:

1. I am a partner with the law firm of Morris James LLP (“Morris James” or the “Firm”)² with offices located at 500 Delaware Avenue, Suite 1500, Wilmington, Delaware 19801 and am duly admitted to practice law in the State of Delaware, the United States District Court for the District of Delaware, the State of Maryland, the United States District Court for the District of Maryland, the State of New Jersey, the United States District Court for the District of New Jersey, the Commonwealth of Pennsylvania, the United States District Courts for the Eastern and Western Districts of Pennsylvania, and the United States Court of Appeals for the Third Circuit.

2. I am duly authorized to execute this second supplemental declaration (the “Second Supplemental Declaration”) on behalf of Morris James. I am familiar with the matters set forth herein and, if called as a witness, I could and would testify thereto. Unless otherwise stated in this Second Supplemental Declaration, I have personal knowledge of the facts hereinafter set forth. To the extent that any information disclosed herein requires amendment or modification upon Morris James’ completion of further analysis or additional creditor information becomes available to Morris James, a further supplemental declaration will be submitted to the Court.

¹ The last four digits of the Debtor’s taxpayer identification number are 7343. The Debtor’s principal executive office is located at 280 Park Avenue, 6th Floor East, New York, New York 10017.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Application.



3. I am filing this Second Supplemental Declaration to supplement the disclosures that were included in my original declaration, dated April 1, 2021 (the “Original Declaration”), that was filed with the *Debtor’s Application for Entry of an Order Authorizing and Approving the Employment of Morris James LLP as Co-Counsel to the Debtor nunc pro tunc to March 7, 2021* [Docket No. 81] (the “Application”) and the *Supplemental Declaration of Eric J. Monzo In Support Of Application for Entry of an Order Authorizing and Approving the Employment of Morris James LLP as Co-Counsel to the Debtor nunc pro tunc to March 7, 2021* [Docket No. 113] (the “Supplemental Declaration”) in accordance with Rule 2014(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). The Court has not yet entered an order regarding the Application.

4. Pursuant to Paragraph 20 of the Original Declaration, Morris James indicated that it would promptly file a supplemental declaration with the Court if it discovers any information that is contrary to the statements made in the Original Declaration or otherwise requires further disclosure.

5. Except as otherwise indicated herein, all facts stated in this Second Supplemental Declaration are based on my personal knowledge of Morris James’ operations and finances, information learned from my review of relevant documents, and information supplied to me by Morris James’ partners or employees. If called upon to testify, I could and would testify on that basis.

ADDITIONAL DISCLOSURES

6. In accordance with its ongoing obligations under Bankruptcy Rule 2014 and Local Rule 2014-1, Morris James has conducted, and continues to conduct, an examination of its relationships with the Debtor, its creditors, and other parties in interest in this Chapter 11 Case. Based on ongoing conflicts review, Morris James subsequently ran the following parties through conflicts and therefore supplements the disclosures in the Application:

- a. Medley (Aspect II) GP LLC
- b. Medley Avantor Investors LLC

- c. Medley BMA Advisors LLC
- d. Medley Caddo Investors LLC
- e. Medley Cloverleaf Investors LLC
- f. Medley Real D Investors LLC
- g. Carl Wegerer, III
- h. Glenn Gardipee
- i. Guy Rounsaville
- j. James MacAyeal
- k. Jim Feeley
- l. John Dyett
- m. Kelley Drye & Warren LLP
- n. LexisNexis
- o. Peter Kravitz
- p. Potter Anderson & Carroon
- q. FTI Consulting
- r. William Guo
- s. Judge Craig Goldblatt
- t. Judge J. Kate Stickles

7. To the best of my knowledge, after due inquiry, Morris James does not have any connection with the parties listed above and will not represent any of the aforementioned parties in connection with the Debtor or this Chapter 11 Case except as provided herein.

8. Upon information and belief, Peter Kravitz, an independent director of the Debtor, is a principal of Province, Inc. Morris James represents Province, Inc. in its capacity as Plan Administrator in another unrelated bankruptcy matter, Bluestem Brand, Inc., et al. Case No. 20-10566) and is frequently involved in other matters in which Province, Inc. may be an estate professional or have an interest in said matter. Additionally, Morris James has been and is

involved in matters in which the proposed professionals to the Official Committee of Unsecured Creditors, Kelley Drye & Warren LLP, Potter Anderson, and FTI are also involved.

9. Morris James, to the best of its knowledge, information and belief, believes that it continues to be a “disinterested person” as that term is defined in section 101(14) of the Bankruptcy Code, and that it does not hold or represent an interest adverse to the Debtor’s estate with respect to the matters on which it is employed.

10. I continue to reserve the right to supplement Morris James’ disclosures in the event that Morris James learns of any additional connections that require disclosure. If any new material, relevant facts, or relationships are discovered or arise, Morris James will promptly file another supplemental declaration pursuant to Bankruptcy Rule 2014.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: May 4, 2021

/s/ Eric J. Monzo
Eric J. Monzo (DE Bar No. 5214)