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Proposed Counsel for the Debtor and Debtor In Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In Re: § Chapter 11
§
NUVECTRA CORPORATION,¹ § Case No. 19-43090
§
Debtor. § **Hearing Date: Monday, December 30, 2019 at 10:00
a.m. (prevailing Central time)**

**REVISED AGENDA FOR MATTERS SCHEDULED FOR
HEARING ON DECEMBER 30, 2019**

I. Uncontested Matters

- A. Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to Use Cash Collateral; (II) Granting Adequate Protection; (III) Modifying the Automatic Stay; and (IV) Setting a Final Hearing [*DE #19*]

Responses Received:

- 1. Objection of Official Committee Of Unsecured Creditors to Debtor’s Emergency Motion for Entry of interim and Final Orders (i) Authorizing the Debtor to use Cash Collateral; (ii) Granting Adequate Protection; (iii) Modifying the Automatic Stay; and (iv) Setting a Final Hearing [*DE #106*]

Replies Received:

- 2. Response of Oxford Finance LLC and Silicon Valley Bank to Objection of Official Committee of Unsecured Creditors to Debtor’s Motion for Interim and Final Orders (A) Authorizing the Debtor to Use Cash Collateral, (B)

¹ The last four digits of the Debtor’s federal tax identification number are: 3847. The location of the Debtor’s principal place of business and the service address for the Debtor is: 5830 Granite Parkway, Suite 1100, Plano, TX 75024.



Granting Adequate Protection, (C) Modifying the Automatic Stay, and (D) Setting a Final Hearing [DE # 136]

Related Documents/Pleadings:

1. Interim Order (I) Authorizing the Debtor to Use Cash Collateral; (II) Granting Adequate Protection; (III) Modifying the Automatic Stay; and (IV) Setting a Final Hearing [DE #44]
2. Notice of Hearing [DE #46]
3. Certificate of Service [DE #62]
4. Amended Notice of Filing [DE #107]
5. Secured Lenders' Witness and Exhibit List [DE # 116, 137]
6. Committee's Witness and Exhibit List [DE #119, 127]
7. Debtor's Witness and Exhibit List [DE # 120, 134]

Status: **The parties will present to the Court a proposed Second Interim Cash Collateral Order.**

- B. Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [DE #8]

Responses Received: None

Replies Received: None

Related Documents/Pleadings:

1. Interim Order (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [DE #42]
2. Debtors' Notice of Hearing on Certain "Second Day" Matters [DE #46]
3. BNC Certificate of Service [DE #58]
4. Certificate of Service [DE #62]

Status: **This matter is going forward.**

- C. Debtor's Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to (A) Maintain Existing Insurance Programs, (B) Satisfy All Related Prepetition Obligations in the Ordinary Course of Business, and (C) Renew,

Supplement, or Enter into New Insurance Programs in the Ordinary Course of Business and (II) Granting Related Relief [DE #9]

Responses Received: The Debtor received informal comments from the Official Committee of Unsecured Creditors.

Replies Received: None

Related Documents/Pleadings:

1. Interim Order (I) Authorizing the Debtor to (A) Maintain Existing Insurance Programs, (B) Satisfy All Related Prepetition Obligations in the Ordinary Course of Business, and (C) Renew, Supplement, or Enter into New Insurance Programs in the Ordinary Course of Business and (II) Granting Related Relief [DE #43]
2. Debtors' Notice of Hearing on Certain "Second Day" Matters [DE #46]
3. BNC Certificate of Service [DE #59]
4. Certificate of Service [DE #62]

Status: **This matter is going forward.**

- D. Motion for Entry of Interim and Final Orders Authorizing Debtor to Maintain and Honor Prepetition Warranty Program Pursuant to Sections 363(b) and 105(a) of the Bankruptcy Code [DE #14]

Responses Received: None

Replies Received: None

Related Documents/Pleadings:

1. Interim Order Authorizing Debtor to Maintain and Honor Prepetition Warranty Program Pursuant to Sections 363(b) and 105(a) of the Bankruptcy Code [DE #38]
2. Debtors' Notice of Hearing on Certain "Second Day" Matters [DE #46]
3. BNC Certificate of Service [DE #57]
4. Certificate of Service [DE #62]

Status: **This matter is going forward.**

- E. Emergency Motion for Entry of Interim and Final Orders Authorizing (I) Continued Use of Existing Cash Management System; (II) Maintenance of Existing Bank Accounts; (III) Continued Use of Existing Business Forms; (IV) Maintenance of Existing Investment Practices; and (V) Related Relief [DE #18]

Responses Received: None

Replies Received: None

Related Documents/Pleadings:

1. Interim Order Authorizing (I) Continued Use of Existing Cash Management System; (II) Maintenance of Existing Bank Accounts; (III) Continued Use of Existing Business Forms; (IV) Maintenance of Existing Investment Practices; and (V) Related Relief [DE #34]
2. Debtors' Notice of Hearing on Certain "Second Day" Matters [DE #46]
3. BNC Certificate of Service [DE #49]
4. Certificate of Service [DE #62]

Status: **This matter is going forward.**

- F. Debtor's Application Pursuant to 11 U.S.C. §§ 327(e) and 328(a) for Entry of an Order Authorizing the Retention of Dorsey & Whitney LLP as General Corporate Counsel to the Debtor Effective as of the Petition Date [DE #79]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #86]
2. Certificate of Service [DE #96]
3. Supplemental Declaration of Laura Marie Kalesnik in Support of the Debtor's Application Pursuant to 11 U.S.C. §§ 327(e) and 328(a) for Entry of an Order Authorizing the Retention of Dorsey & Whitney LLP as General Corporate Counsel to the Debtor Effective as of the Petition Date [DE #112]
4. Second Supplemental Declaration of Laura Marie Kalesnik in Support of the Debtor's Application Pursuant to 11 U.S.C. §§ 327(e) and 328(a) for Entry of

an Order Authorizing the Retention of Dorsey & Whitney LLP as General Corporate Counsel to the Debtor Effective as of the Petition Date [DE #129]

Status: **This matter is going forward.**

- G. Debtor's Application to Employ and Retain Alvarez & Marsal North America, LLC as Financial Advisors to Debtor and Debtor in Possession Pursuant to Sections 327(a) and 328 of the Bankruptcy Code [DE #80]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #86]
2. Certificate of Service [DE #96]
3. Supplemental Declaration of John L. Stuart in Support of the Debtor's Application to Employ and Retain Alvarez & Marsal North America, LLC as Financial Advisors to Debtor and Debtor in Possession Pursuant to Sections 327(a) and 328 of the Bankruptcy Code [DE #128]

Status: **This matter is going forward.**

- H. Debtor's Motion for Order Establishing Procedures for Monthly, Interim, and Final Compensation and Reimbursement of Expenses of Retained Professionals [DE #81]

Responses Received: The Debtor received informal comments from the Official Committee of Unsecured Creditors and the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #86]
2. Certificate of Service [DE #96]

Status: **This matter is going forward.**

- I. Debtor's Motion for Entry of an Order Authorizing the Debtor to Retain and Compensate Professionals Utilized in the Ordinary Course of Business [DE #82]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #86]
2. Certificate of Service [DE #96]
3. Certificate of Notice Regarding Amended List of Ordinary Course Professionals [DE # 132]

Status: **This matter is going forward.**

- J. Debtor's Application for an Order Authorizing the Employment and Retention of Norton Rose Fulbright US LLP as Counsel to the Debtor Effective as of the Petition Date [DE #83]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #86]
2. Certificate of Service [DE #96]
3. Supplemental Declaration of Ryan E. Manns in Support of the Debtor's Application for an Order Authorizing the Employment and Retention of Norton Rose Fulbright US LLP as Counsel to the Debtor Effective as of the Petition Date [DE #130]

Status: **This matter is going forward.**

- K. Debtor's Application for an Order (I) Authorizing the Employment and Retention of Stout Risius Ross Advisors, LLC as Investment Banker to the Debtor Effective as of November 26, 2019 [DE #84]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Debtor's Motion to File Unredacted Stout Risius Ross Advisors, LLC Engagement Letter Under Seal [DE #85]
2. Notice of Hearing [DE #86]
3. Certificate of Service [DE #96]
4. Declaration of John L. Stuart in Support of: (1) the Debtor's Application for an Order Authorizing the Employment and Retention of Stout Risius Ross Advisors, LLC as Investment Banker to the Debtor Effective as of November 26, 2019; and (2) the Debtor's Motion to File Unredacted Stout Risius Ross Advisors, LLC Engagement Letter Under Seal [DE # 131]

Status: **This matter is going forward.**

- L. Debtor's Motion to File Unredacted Stout Risius Ross Advisors, LLC Engagement Letter Under Seal [DE #85]

Responses Received: The Debtor received informal comments from the United States Trustee.

Replies Received: None

Related Documents/Pleadings:

1. Debtor's Application for an Order (I) Authorizing the Employment and Retention of Stout Risius Ross Advisors, LLC as Investment Banker to the Debtor Effective as of November 26, 2019 [DE #84]
2. Notice of Hearing [DE #86]
3. Certificate of Service [DE #96]
4. Declaration of John L. Stuart in Support of: (1) the Debtor's Application for an Order Authorizing the Employment and Retention of Stout Risius Ross Advisors, LLC as Investment Banker to the Debtor Effective as of November 26, 2019; and (2) the Debtor's Motion to File Unredacted Stout Risius Ross Advisors, LLC Engagement Letter Under Seal [DE # 131]

Status: **This matter is going forward.**

- M. Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to Use Cash Collateral; (II) Granting Adequate Protection; (III) Modifying the Automatic Stay; and (IV) Setting a Final Hearing [DE #19]

Responses Received:

3. Objection of Official Committee Of Unsecured Creditors to Debtor's Emergency Motion for Entry of interim and Final Orders (i) Authorizing the Debtor to use Cash Collateral; (ii) Granting Adequate Protection; (iii) Modifying the Automatic Stay; and (iv) Setting a Final Hearing [DE #106]

Replies Received:

4. Response of Oxford Finance LLC and Silicon Valley Bank to Objection of Official Committee of Unsecured Creditors to Debtor's Motion for Interim and Final Orders (A) Authorizing the Debtor to Use Cash Collateral, (B) Granting Adequate Protection, (C) Modifying the Automatic Stay, and (D) Setting a Final Hearing [DE # 136]

Related Documents/Pleadings:

8. Interim Order (I) Authorizing the Debtor to Use Cash Collateral; (II) Granting Adequate Protection; (III) Modifying the Automatic Stay; and (IV) Setting a Final Hearing [DE #44]
9. Notice of Hearing [DE #46]
10. Certificate of Service [DE #62]
11. Amended Notice of Filing [DE #107]
12. Secured Lenders' Witness and Exhibit List [DE # 116, 137]
13. Committee's Witness and Exhibit List [DE #119, 127]
14. Debtor's Witness and Exhibit List [DE # 120, 134]

Status: **The parties will present to the Court a proposed Second Interim Cash Collateral Order.**

II. Contested Matters

- A. Application of the Official Committee of Unsecured Creditors to Employ Barnes & Thornburg LLP as Counsel to the Committee Nunc Pro Tunc to November 27, 2019 [DE #76]

Responses Received:

1. United States Trustee's Objection to Unsecured Creditor Committee's Application to Employ Barnes & Thornburg LLP as Counsel to the Committee [DE #99]

Replies Received:

1. Response to the United States Trustee's Objection to Unsecured Creditor Committee's Application to Employ Barnes & Thornburg LLP as Counsel to the Committee [DE #124]

Related Documents/Pleadings:

1. Supplemental Declaration of Connie A. Lahn in Support of the Application to Employ Barnes & Thornburg LLP as Counsel to the Committee [DE # 95]
2. Second Supplemental Declaration of Connie A. Lahn in Support of the Application to Employ Barnes & Thornburg LLP as Counsel to the Committee [DE # 125]
3. Declaration of Elissa Lindsoe in Support of Response to the United States Trustee's Objection to Unsecured Creditor Committee's Application to Employ Barnes & Thornburg LLP as Counsel to the Committee [DE # 126]
4. Notice of Hearing [DE #102]
5. Certificate of Service [DE #76]
6. Secured Lenders' Witness and Exhibit List [DE # 116, 137]
7. Committee's Witness and Exhibit List [DE #119, 127]
8. Debtor's Witness and Exhibit List [DE # 120, 134]

Status: **This matter is going forward.**

- B. Application of Official Committee of Unsecured Creditors for an Order Pursuant to 11 U.S.C. §§ 328, 330, and 1103 Authorizing Retention and Employment of Thompson & Knight LLP as Co-Counsel to the Committee [DE #77]

Responses Received:

1. United States Trustee's Limited Objection to Unsecured Creditor Committee's Application to Employ Thompson & Knight LLP as Co-Counsel to the Committee [DE #100]

Replies Received: None

Related Documents/Pleadings:

1. Notice of Hearing [DE #102]
2. Certificate of Service [DE #77]
3. Secured Lenders' Witness and Exhibit List [DE # 116,137]
4. Committee's Witness and Exhibit List [DE #119, 127]
5. Debtor's Witness and Exhibit List [DE # 120, 134]

Status: **This matter is going forward.**

Dated: December 29, 2019

Respectfully Submitted,

NORTON ROSE FULBRIGHT US LLP

By: /s/ Ryan E. Manns

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Proposed Counsel for the Debtor and Debtor in Possession

Certificate of Service

I certify that on December 29, 2019, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Eastern District of Texas.

/s/ Ryan E. Manns

Ryan E. Manns