

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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| In re: | x | |
| | : | Chapter 11 |
| | : | |
| PENSON WORLDWIDE, INC., <u>et al.</u> , | : | Case No. 13-10061 (PJW) |
| | : | |
| Debtors. ¹ | : | Jointly Administered |
| | x | |

**NOTICE OF AMENDED² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JULY 31, 2013 AT 10:00 A.M. (ET)**

ADJOURNED MATTER

1. Motion by Andrzej Abraszewski to Allow Claim Because Claimant was a Known Creditor who was not Served with Notice of the Bard Date or, Alternatively, to Allow a Late Filed Proof of Claim [D.I. 669; 7/1/13]

Related Documents:

- a) Notice of 30(b)(6) Deposition to Debtors [D.I. 675; 7/2/13]
- b) Notice of Service of Discovery [D.I. 676; 7/2/13]

Objection Deadline: July 17, 2013 at 4:00 p.m. (ET)

Objections/Responses Received:

- c) Debtors' Objection to Premature Discovery Requests Issued/Served in Connections with the Motion by Andrzej Abraszewski to Allow Claim Because Claimant was a Known Creditor who was not Served with Notice of the Bard Date or, Alternatively, to Allow a Late Filed Proof of Claim [D.I. 707; 7/15/13]
- d) Debtors' Objection to the Motion by Andrzej Abraszewski to Allow Claim Because Claimant was a Known Creditor who was not Served with Notice of the Bard Date or, Alternatively, to Allow a Late Filed Proof of Claim [D.I. 712; 7/17/13]

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Penson Worldwide, Inc. (6356); SAI Holdings, Inc. (3657); Penson Financial Services, Inc. (3990); Penson Financial Futures, Inc. (6207); Penson Holdings, Inc. (4821); Penson Execution Services, Inc. (9338); Nexa Technologies, Inc. (7424); GHP1, Inc. (1377); GHP2, LLC (1374), Penson Futures (6207).

² Amended items appear in bold.



Status: By agreement of the parties, this matter is adjourned to the next omnibus hearing on August 6, 2013 at 9:30 a.m. (ET).

MATTERS WITH CERTIFICATIONS FILED

2. Motion of Richard O’Connell, as Chapter 7 Trustee of the Estate of Arbco Capital Management, LLC, for Relief from the Automatic Stay [D.I. 695; 7/11/13]

Related Documents:

- a) Order Shortening Notice Period [D.I. 698; 7/11/13]
- b) Notice of Hearing on Motion of Richard O’Connell, as Chapter 7 Trustee of the Estate of Arbco Capital Management, LLC, for Relief from the Automatic Stay [D.I. 699; 7/11/13]
- c) Certification of Counsel [D.I. 758; 7/29/13]

Objection Deadline: July 25, 2013 at 10:00 a.m. (ET)

Objections/Responses Received:

- d) Informal Response by the Debtors.

Status: An agreed upon form of order has been submitted under certification of counsel. No hearing is necessary.

3. Debtors’ Motion to Estimate Certain Claims Solely for Purposes of Voting to Accept or Reject the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 704; 7/12/13]

Related Documents:

- a) Certificate of No Objection [D.I. TBD; 7/29/13]

Objection Deadline: July 24, 2013 at 4:00 p.m. (ET)

Objections/Responses Received:

- b) Objection of NDV Investment Company, JM Property SP Z.O.O. SP K, Jerzy Mendelka and Adamba Imports International, Inc. to Debtors’ Motion to Estimate Certain Claims Solely for Purposes of Voting to Accept or Reject the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 746; 7/24/13]
- c) Notice of Withdrawal [D.I. 753; 7/25/13]

Status: A certificate of no objection has been filed. No hearing is necessary.

CONTESTED MATTERS GOING FORWARD

4. Confirmation of Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 592; 6/6/13]

Related Documents:

- a) Order: (A) Approving Disclosure Statement; (B) Fixing Voting Record Date; (C) Approving Solicitation Materials and Procedures for Distribution Thereof; (D) Approving Forms of Ballots and Establishing Procedures for Voting on Plan; (E) Scheduling Hearing and Establishing Notice and Objection Procedures in Respect of Confirmation of the Plan; and (F) Granting Related Relief [D.I. 599; 6/7/13]
- b) Letter by the Official Committee of Unsecured Creditors in Support of the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 600; 6/7/13]
- c) Notice of (I) Approval of Disclosure Statement, (II) Deadline for Voting on Plan, (III) Hearing to Consider Confirmation of Plan, and (IV) Deadline for Filing Objections to Confirmation of Plan [D.I. 606; 6/10/13]
- d) Affidavit of Service by Kurtzman Carson Consultants LLC with Respect to Solicitation Packages [D.I. 661; 6/26/13]
- e) Affidavit of Publication of Alice Weber in the New York Times Regarding Notice of (I) Approval of Disclosure Statement, (II) Deadline for Voting on Plan, (III) Hearing to Consider Confirmation of Plan, and (IV) Deadline for Filing Objections to Confirmation of Plan [D.I. 662; 6/26/13]
- f) Notice of Filing of Supplement to Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 708; 7/15/13]
- g) Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 759; 7/29/13]
- h) Notice of Filing of First Amended Supplement to Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 760; 7/29/13]
- i) Notice of Filing of Blacklined Pages of Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 761; 7/29/13]

- j) Declaration of Bryce B. Engel Pursuant to 28 U.S.C. § 1746 in Support of Confirmation of Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 762; 7/29/13]
- k) Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Confirming Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 763; 7/29/13]
- l) Notice of Filing of Blacklined Pages of First Amended Supplement to Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 764; 7/29/13]
- m) Certification of Michael J. Hill with Respect to the Tabulation of Votes on the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 765; 7/29/13]
- n) Debtors' Memorandum of Law in Support of Confirmation of Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors, and in Response to Objections Thereto [D.I. 766; 7/29/13]

Objection Deadline: July 24, 2013 at 5:00 p.m. (ET)

Objections/Responses Received:

- o) Objection by the Internal Revenue Service to the Fourth Amended Joint Plan of Liquidation of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 726; 7/23/13]
- p) George E. Morris Revocable Trust's Objection to Confirmation of the Fourth Amended Joint Plan of Liquidation of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 730; 7/23/13]
- q) Grace Financial Group LLC's Objection to Confirmation of the Fourth Amended Joint Plan of Liquidation of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 731; 7/23/13]
- r) Limited Objection by Andrzej Abraszewski to Fourth Amended Joint Plan of Penson Worldwide, Inc. and Its Affiliated Debtors and Joinder to Certain Other Objections [D.I. 737; 7/24/13]
- s) Missouri Department of Revenue Objection to Fourth Amended Joint Plan of Liquidation [D.I. 739; 7/24/13]
- t) Joinder of NDV Investment Company, JM Property SP Z.O.O. SP K, Jerzy Mendelka and Adamba Imports International, Inc. to the Limited Objection by Andrzej Abraszewski to Fourth Amended Joint Plan of Penson Worldwide, Inc. and Its Affiliated Debtors [D.I. 740; 7/24/13]

- u) Notice of Assertion and Reservation of Rights with Respect to the Proposed Confirmation of the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc. and Its Affiliated Debtors [D.I. 745; 7/24/13]
- v) Texas Comptroller of Public Accounts' Objection to the Fourth Amended Joint Liquidation Plan of Penson Worldwide, Inc. and Its Affiliated Debtors [D.I. 749; 7/24/13]

Additional Pleadings:

- w) **Third Amended Disclosure Statement with Respect to the Joint Liquidation Plan of Penson Worldwide, Inc., and Its Affiliated Debtors [D.I. 593; 6/6/13]**

Status: Items (p), (q), (s) and (v) are resolved, and the Debtors have reached a resolution in principle regarding item (o). The Debtors are working with the objecting parties to resolve items (r) and (t). This matter will be going forward.

- 5. Debtors' Motion for Entry of Order Authorizing Implementation of Alternative Dispute Resolution Procedures, Including Mandatory Mediation [D.I. 690; 7/10/13]

Related Documents: None.

Objection Deadline: July 24, 2013 at 4:00 p.m. (ET)

Objections/Responses Received:

- a) George E. Morris Revocable Trust's Objection to Debtors' Motion for Entry of Order Authorizing Implementation of Alternative Dispute Resolution Procedures, Including Mandatory Mediation [D.I. 729; 7/23/13]
- b) Limited Objection of Tradeking, LLC to the Debtors' Motion for Entry of Order Authorizing Implementation of Alternative Dispute Resolution Procedures, Including Mandatory Mediation [D.I. 736; 7/24/13]
- c) Limited Objection by Andrzej Abraszewski to Debtors' Motion for Entry of Order Authorizing Implementation of Alternative Dispute Resolution Procedures, Including Mandatory Mediation [D.I. 738; 7/24/13]
- d) Joinder in Objection by Andrzej Abraszewski and Limited Objection of Slawomir Wisniewski to Debtors' Motion for Entry of Order Authorizing Implementation of Alternative Dispute Resolution Procedures, Including Mandatory Mediation [D.I. 750; 7/24/13]
- e) Informal Response from Plaintiff, Reid Friedman

Status: Items (a) and (e) are resolved, and the Debtors believe that they have reached an agreement in principle regarding item (c). The Debtors are working with the objecting parties to resolve items (b) and (d). The Debtors intend to submit a revised form of Order prior to, or at, the Hearing. This matter will be going forward.

Dated: July 29, 2013
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Kenneth J. Enos

Pauline K. Morgan (No. 3650)
Kenneth J. Enos (No. 4544)
Ryan M. Bartley (No. 4985)
Ashley E. Markow (No. 5635)
Rodney Square
1000 North King Street
Wilmington, Delaware 19801
Telephone: (302) 571-6600
Facsimile: (302) 571-1253

- and -

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
Andrew N. Rosenberg
Oksana Lashko
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

Counsel to the Debtors and Debtors in Possession