

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

	X	
In re:	:	Chapter 11
	:	
PENSON WORLDWIDE, INC., <u>et al.</u> ,	:	Case No. 13-10061 (PJW)
	:	
Debtors. ¹	:	Jointly Administered
	X	
PENSON WORLDWIDE, INC. and	:	
PENSON FINANCIAL SERVICES, INC.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Adv. Proc. No. 13-50855 (PJW)
	:	
APEX CLEARING HOLDINGS LLC, APEX	:	
CLEARING CORPORATION, and APEX	:	
CLEARING SOLUTIONS LLC,	:	
	:	
Defendants.	:	
	X	

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON NOVEMBER 12, 2013 AT 9:30 A.M. (ET)**

ADJOURNED MATTERS

1. Complaint for Breach of Contract [Adv. D.I. 1; 2/25/13]

Related Documents:

- a) Summons and Notice of Pretrial Conference in an Adversary Proceeding [Adv. D.I. 3; 2/25/13]
- b) Order Approving Stipulation for Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 7; 3/19/13]
- c) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 13; 4/18/13]

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); GHP2, LLC (1374), Penson Futures (6207). The Debtors' mailing address is 800 Klein Road, Suite 200, Plano, Texas 75074.



- d) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 21; 5/23/13]
- e) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 24; 6/24/13]
- f) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 28; 7/26/13]
- g) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 31; 8/21/13]
- h) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 33; 9/20/13]
- i) Order Approving Stipulation for Further Extension of Time to Respond to Complaint and Adjourning Pretrial Conference [Adv. D.I. 38; 10/29/13]
- j) Notice of Rescheduled Pretrial Conference [Adv. D.I. 39; 11/4/13]

Response Deadline: Extended to December 12, 2013 at 4:00 p.m. (ET)

Objections/Responses Received: None to date.

Status: The pretrial conference with respect to this matter has been adjourned to January 6, 2014 at 10:00 a.m. (ET).

- 2. Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 505; 5/10/13]

Related Documents:

- a) Notice of Submission of Copies of Proofs of Claim Regarding Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 570; 5/28/13]
- b) Order Granting Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 613; 6/11/13]
- c) Order Resolving Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 802, 8/6/13]

- d) Agreed Order Resolving Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 with Respect to Claim No. 189 Filed by Steven J. Rosenberg, Esq. [D.I. 919; 10/2/13]

Objection Deadline: May 24, 2013 at 4:00 p.m. (ET) [Extended for Thomson Reuters (Markets) LLC to July 30, 2013 at 4:00 p.m. (ET)]

Objections/Responses Received:

- e) Consolidated Responses of Claimants Represented by Steven J. Rosenberg, Esq. to Objections Filed in the Above Matter as Set out in Exhibit A Thereto [D.I. 558; 5/21/13]
- f) Response of Christopher K. Hehmeyer to Debtors' Second Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1, Re: Claim Nos. 147 and 152 [D.I. 563; 5/24/13]

Status: With respect to item (e), an order has been entered resolving the claim filed by Mr. Rosenberg against Debtor Nexa Technologies, Inc. The remainder of the claims relating to item (e), as well as item (f), have been adjourned indefinitely. All other matters have been resolved. No hearing is necessary.

- 3. Penson Technologies, LLC's Third Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 858; 8/30/13]

Related Documents:

- a) Notice of Submission of Copies of Proofs of Claim Regarding Debtors' Third Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 884; 9/18/13]
- b) Order Granting Third Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 917; 10/2/13]
- c) Notice of Withdrawal of Penson Technologies, LLC's Third Omnibus (Substantive) Objection to Claims Solely as it Relates to Claim No. 331 Filed by Wisconsin Department of Revenue [D.I. 945; 11/7/13]

Objection Deadline: September 13, 2013 at 4:00 p.m. (ET)

Objections/Responses Received:

- d) Missouri Department of Revenue's Response to Debtors' Third Omnibus Objection to Claims [D.I. 877; 9/11/13]
- e) Response of Illinois Department of Revenue to Third Omnibus (Substantive) Objection to Claims [D.I. 883; 9/17/13]
- f) Response of Wisconsin Department of Revenue to Third Omnibus (Substantive) Objection to Claims [D.I. 885; 9/16/13]
- g) Mark Wesley's Response to Debtors' Third Omnibus Objection to Claims [D.I. 888; 9/18/13]
- h) James Avola's Response to Debtors' Third Omnibus Objection to Claims [D.I. 889; 9/18/13]

Status: With respect to items (d) (solely as it relates to Claim Nos. 215 and 218), (e), (g), and (h) this matter is being adjourned to the next hearing on December 11, 2013 at 9:30 a.m. (ET). With respect to item (f), this matter has been withdrawn with respect to Claim No. 331, which claim has been withdrawn by the creditor with consent of Penson Technologies, LLC. All other matters have been resolved. No hearing is necessary.

- 4. Penson Technologies, LLC's Fourth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 859; 8/30/13]

Related Documents:

- a) Order Granting Fourth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 918; 10/2/13]
- b) Order Resolving Penson Technologies, LLC's Fourth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 with Respect to Claim NO. 397 Filed by Bank of America Merrill Lynch [D.I. 942; 10/30/13]

Objection Deadline: September 13, 2013 at 4:00 p.m. (ET) [Extended for Bank of America Merrill Lynch to October 15, 2013 at 4:00 p.m. (ET)]

Objections/Responses Received:

- c) Informal Response from Bank of America Merrill Lynch

d) Informal Response from New Jersey Department of Taxation

Status: With respect to item (c), this matter has been resolved. With respect to item (d), this matter has been adjourned to the next hearing scheduled on December 11, 2013 at 9:30 a.m. (ET). All other matters have been resolved. No hearing is necessary.

FINAL FEE APPLICATIONS

5. Final Fee Requests of Professionals. Please refer to Exhibit 1, attached.

Related Documents: None.

Objection Deadline: October 14, 2013 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Status: This matter will be going forward.

Dated: November 7, 2013
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Ryan M. Bartley

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 Penson Technologies, LLC

EXHIBIT 1 - INDEX TO FEE APPLICATIONS

A. Young Conaway Stargatt & Taylor, LLP

1. Order Approving First Quarterly Fee Request of Young Conaway Stargatt & Taylor, LLP [D.I. 647; 6/19/13]
2. Order Approving Second Quarterly Fee Request of Young Conaway Stargatt & Taylor, LLP [D.I. 926; 10/7/13]
3. Seventh Monthly and Final Fee Application for the Monthly Period from July 1, 2013 through August 15, 2013 and the Final Period from January 11, 2013 through August 15, 2013 [D.I. 895; 9/26/13]
4. Certificate of No Objection [D.I. 932; 10/18/13]

B. Paul, Weiss, Rifkind, Wharton & Garrison, LLP

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Omnibus Order Approving Second Quarterly Fee Applications [D.I. 916; 10/2/13]
3. Fifth Monthly Fee Application for the Period from July 1, 2013 through July 31, 2013 [D.I. 833; 8/16/13]
4. Certificate of No Objection [D.I. 881; 9/17/13]
5. Sixth Monthly and Final Fee Application for the Monthly Period from August 1, 2013 through August 15, 2013 and the Final Period from January 11, 2013 through August 15, 2013 [D.I. 891; 9/23/13]
6. Certificate of No Objection [D.I. 930; 10/18/13]

C. KPMG, LLP

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Omnibus Order Approving Second Quarterly Fee Applications [D.I. 916; 10/2/13]
3. Seventh Monthly Fee Application for the Period from July 1, 2013 through July 31, 2013 [D.I. 840 8/23/13]
4. Certificate of No Objection [D.I. 882; 9/17/13]
5. Eighth Monthly and Final Fee Application for the Monthly Period from August 1, 2013 through August 15, 2013 and the Final Period from January 11, 2013 through August 15, 2013 [D.I. 892; 9/24/13]
6. Certificate of No Objection [D.I. 931; 10/18/13]

D. Mayer Brown LLP

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Second Monthly and Final Fee Application for the Monthly Period from April 1, 2013 through August 15, 2013 and the Final Period from January 11, 2013 through August 15, 2013 [D.I. 904; 9/27/13]
3. Certificate of No Objection [D.I. 936; 10/21/13]

E. Sandtree Finance LLC

1. First Monthly and Final Fee Application for the Period from January 11, 2013 through August 15, 2013 [D.I. 898; 9/26/13]
2. Certificate of No Objection [D.I. 933; 10/18/13]

F. Kurtzman Carson Consultants LLC

1. First Monthly and Final Fee Application for the Period from January 11, 2013 through August 15, 2013 [D.I. 899; 9/27/13]
2. Certificate of No Objection [D.I. 934; 10/18/13]

G. Cousins Chipman & Brown, LLP

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Omnibus Order Approving Second Quarterly Fee Applications [D.I. 916; 10/2/13]
3. Sixth Monthly Fee Application for the Period from July 1, 2013 through July 31, 2013 [D.I. 830; 8/15/13]
4. Certificate of No Objection [D.I. 870; 9/6/13]
5. Seventh Monthly and Final Fee Application for the Monthly Period from August 1, 2013 through August 15, 2013 and the Final Period from January 24, 2013 through August 15, 2013 [D.I. 901; 9/27/13]
6. Certificate of No Objection [D.I. 938; 10/22/13]

H. Hahn & Hessen LLP

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Omnibus Order Approving Second Quarterly Fee Applications [D.I. 916; 10/2/13]
3. Final Application for the Period from January 24, 2013 through August 15, 2013 [D.I. 905; 9/27/13]

I. Capstone Advisory Group, LLC

1. Omnibus Order Approving First Quarterly Fee Applications [D.I. 611; 6/11/13]
2. Omnibus Order Approving Second Quarterly Fee Applications [D.I. 916; 10/2/13]
3. Sixth Monthly Fee Application for the Period from July 1, 2013 through July 31, 2013 [D.I. 897; 9/26/13]
4. Certificate of No Objection [D.I. 935; 10/18/13]
5. Seventh Monthly and Final Fee Application for the Monthly Period from August 1, 2013 through August 15, 2013 and the Final Period from January 25, 2013 through August 15, 2013 [D.I. 900; 9/27/13]
6. Certificate of No Objection [D.I. 937; 10/22/13]