

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

In re

The Hertz Corporation, *et al.*,¹

Debtors.

The Official Committee of Unsecured Creditors, on
behalf of the estates of the Debtors,

Plaintiffs,

v.

Barclays Bank PLC, solely as the holder of a first
lien and/or security interest in its capacity as
collateral agent under an Amended and Restated
Guarantee and Collateral Agreement dated
November 2, 2017, and BOKF, N.A., solely as the
holder of a second lien and/or security interest in its
capacity as collateral agent under the Second Lien
Collateral Agreement dated June 6, 2017,

Defendants.

Chapter 11

Case No. 20-11218 (MFW)

(Jointly Administered)

Adv. Pro. No. 20-50842 (MFW)

**NOTICE OF AMENDED² AGENDA FOR TELEPHONIC AND VIDEO HEARING
SCHEDULED FOR OCTOBER 20, 2020 AT 11:30 A.M. (PREVAILING EASTERN
TIME), BEFORE THE HONORABLE MARY F. WALRATH, AT THE UNITED
STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE³**

THIS HEARING WILL BE HELD TELEPHONICALLY AND BY VIDEO.

¹ The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, for which joint administration for procedural purposes has been requested, a complete list of the debtors 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 debtors' claims and noticing agent at <https://restructuring.primeclerk.com/hertz>.

² **Amended items appear in bold.**

³ All motions and other pleadings referenced herein are available online at the following address: <https://restructuring.primeclerk.com/hertz>.

ALL PARTIES WISHING TO APPEAR MUST DO SO TELEPHONICALLY BY CONTACTING COURTCALL, LLC AT 866-582-6878 NO LATER THAN OCTOBER 19, 2020 BY NOON. ONLY THOSE PARTIES THAT WILL BE ADDRESSING THE COURT SHOULD APPEAR BY ZOOM AND COURTCALL.

PLEASE NOTE THAT THE MICROPHONES ON THE ZOOM MEETING WILL BE MUTED AND THE ONLY AUDIO WILL BE THROUGH COURTCALL.

**TO APPEAR BY VIDEO CONFERENCE,
PARTIES SHOULD USE THE FOLLOWING INFORMATION:
JOIN ZOOMGOV HEARING: <https://debuscourts.zoomgov.com/j/1610625768>**

MEETING ID: 161 062 5768; PASSCODE: 463620

I. MATTER GOING FORWARD:

1. Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [Docket No. 1153 – filed August 27, 2020]

Objection/Response Deadline: September 10, 2020 at 4:00 p.m. (ET); extended by agreement to September 11, 2020 at 4:00 p.m. (ET) for the False Police Report Plaintiffs

Supplemental Objection/Response Deadline: October 15, 2020 at 4:00 p.m. (ET); extended by agreement to October 16, 2020 at 12:00 noon (ET) for the Official Committee of Unsecured Creditors

Objections/Responses Received:

- A. Objection to Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1249](#) – filed September 10, 2020]
- B. Objection of the United States Trustee to Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1254](#) – filed September 10, 2020]
- C. False Police Report Plaintiffs' Objection to (a) Motion of the Debtors for Entry of an Order Authorizing the Debtors to Redact Confidential Information in the Motion of Debtors Authorizing and Approving Debtors' (i) Key Employee

- Incentive Plan and (ii) Employee Incentive Plan; and (b) Motion to Authorize Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1275](#) – filed September 14, 2020]
- D. Response of Wayne L. Hunsperger [[Docket No. 1318](#) – filed September 17, 2020]
- E. Response of Erica Martinez [[Docket No. 1320](#) – filed September 17, 2020]
- F. Response of Teena Ridenhour [[Docket No. 1380](#) – filed September 25, 2020]
- G. Response of Unknown Party [[Docket No. 1415](#) – filed October 5, 2020]
- H. Objection of the Retired Executives Group to the Supplemental Brief of the Debtors in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' Employee Incentive Plan [[Docket No. 1518](#) – filed October 15, 2020]
- I. Response of the United States Trustee to Debtors' Supplemental Brief in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1519](#) – filed October 15, 2020]

Related Documents:

- i. Notice of Filing of Proposed Redacted Version of the Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1154](#) – filed August 27, 2020]
- ii. Statement of the Official Committee of Unsecured Creditors in Support of the Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1251](#) – filed September 10, 2020]
- iii. [SEALED] Notice of Amendment of Incentive Plan Rosters in Connection with Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1292](#) - filed September 15, 2020]
- iv. Notice of Filing of Proposed Redacted Version of the Notice of Amendment of Incentive Plan Rosters in Connection with Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1294](#) - filed September 15, 2020]
- v. Debtors' Omnibus Reply in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1295](#) - filed September 15, 2020]

- vi. Order Granting Debtors' Motion for Leave to File (a) Debtors' Omnibus Reply in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan and (b) Debtors' Omnibus Reply in Support of Their Motion for Entry of an Order Authorizing the Debtors to Redact Confidential Information in the Motion of Debtors Authorizing and Approving Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1302](#) – entered September 16, 2020]
- vii. Order Authorizing the Debtors to Redact Confidential Information in the Motion of the Debtors for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1324](#) – entered September 17, 2020]
- viii. Debtors' Supplemental Brief in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1439](#) – filed October 7, 2020]
- ix. Notice of Continued Hearing with Respect to (a) Debtors' Motion for Entry of an Order Authorizing and Approving (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan and (b) Debtors' Supplemental Brief in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1471](#) – filed October 8, 2020]
- x. [SEALED] Notice of Filing Revised Employee Incentive Plan as Described in Debtors' Supplemental Brief in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [Docket No. 1499 – filed October 13, 2020]
- xi. [Redacted] Notice of Filing Revised Employee Incentive Plan as Described in Debtors' Supplemental Brief in Support of Their Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1500](#) – filed October 13, 2020]
- xii. Debtors' Reply in Support of Their Supplemental Brief Regarding Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1532](#) – filed October 19, 2020]**
 - a. Debtors' Motion for Leave to File Debtors' Reply in Support of Their Supplemental Brief Regarding Motion for Entry of an Order Authorizing and Approving the Debtors' (i) Key Employee Incentive Plan and (ii) Employee Incentive Plan [[Docket No. 1534](#) – filed October 19, 2020]**
- xiii. Supplemental Statement of Official Committee of Unsecured Creditors Supporting Debtors' Amended Motion for Approval of Employee Incentive Plan [[Docket No. 1533](#) – filed October 19, 2020]**

Witness Information: The Debtors intend to offer testimony by declaration. To the extent live testimony is necessary, Mr. John England, the Managing Partner of

Pay Governance LLC, will be available to testify by video from his home in St. Petersburg, FL, Mr. Michael Buenzow, Senior Managing Director of FTI Consulting, Inc., will be available to testify by video from an office in Chicago, IL, and Mr. Matthew Pulliam, a Compensation Consultant of FTI Consulting, Inc., will be available to testify by video from his home in West Bloomfield, MI.

Status: The hearing on this matter will go forward.

II. PRE-TRIAL CONFERENCE:

2. Complaint [Adv. Case No. 20-50842 (MFW) – [Docket No. 1](#) – filed September 11, 2020]

Response Deadline: October 13, 2020

Responses Received: None at this time.

Related Documents:

- i. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Issued to Barclays Bank PLC, solely as the holder of first lien and/or security interest in its capacity as collateral agent under an Amended and Restated Guarantee and Collateral Agreement dated November 2, 2017] [Adv. Case No. 20-50842 (MFW) – [Docket No. 3](#) – filed September 11, 2020]
- ii. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Issued to BOKF, N.A, solely as the holder of a second lien and/or security interest in its capacity as collateral agent under the Second Lien Collateral Agreement dated June 6, 2017] [Adv. Case No. 20-50842 (MFW) – [Docket No. 4](#) – filed September 11, 2020]
- iii. Certification of Counsel Regarding Proposed Scheduling Orders [Adv. Case No. 20-50842 (MFW) – [Docket No. 6](#) – filed October 9, 2020]

Status: The hearing on this matter will go forward.

Dated: October 19, 2020

/s/ J. Zachary Noble

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