

**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 AGENDA FOR TELEPHONIC AND VIDEO HEARING
SCHEDULED FOR NOVEMBER 17, 2020 AT 10:30 A.M. (PREVAILING EASTERN
TIME), BEFORE THE HONORABLE MARY F. WALRATH, AT THE UNITED
STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²**

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, which are jointly administered for procedural purposes, 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 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 NOVEMBER 16, 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/1604985301>**

Meeting ID: 160 498 5301; Passcode: 276555

I. WITHDRAWN/RESOLVED MATTERS:

1. Motion of American Traffic Solutions Consolidated, LLC and ATS Processing Services, LLC (a) to Compel the Debtors to Assume or Reject Executory Contracts and (b) to Compel the Debtors to Provide Adequate Protection [[Docket No. 302](#) – filed June 4, 2020]

Objection/Response Deadline: June 18, 2020 at 4:00 p.m. (ET); extended by agreement to October 6, 2020 at 4:00 p.m. (ET) for the Debtors

Objections/Responses Received: None at this time.

Related Documents:

- i. First Notice of Assumption of Certain Executory Contracts [[Docket No. 1436](#) – filed October 6, 2020]
- ii. Order Authorizing Assumption of Certain Executory Contracts [[Docket No. 1586](#) – entered October 23, 2020]
- iii. Notice of Withdrawal of Motion of American Traffic Solutions Consolidated, LLC and ATS Processing Services, LLC (a) to Compel the Debtors to Assume or Reject Executory Contracts and (b) to Compel the Debtors to Provide Adequate Protection [[Docket No. 1729](#) – filed November 10, 2020]

Status: On November 10, 2020, the movant withdrew this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

2. Motion of Jessica Cajka and Nathaniel Cajka for Relief from Automatic Stay [[Docket No. 827](#) – filed July 27, 2020]

Objection/Response Deadline: August 10, 2020 at 4:00 p.m. (ET); extended by agreement to August 11, 2020 at 12:00 noon (ET) for the Debtors

Objections/Responses Received:

A. Debtors' Objection to Cajka Motion for Relief from the Automatic Stay [[Docket No. 1026](#) – filed August 11, 2020]

Related Documents:

- i. Jessica Cajka and Nathaniel Cajka's Reply to Debtors' Objection to Their Motion for Relief from the Automatic Stay [[Docket No. 1048](#) – filed August 13, 2020]
- ii. Order Approving Stipulation Regarding Cajka Motion to Lift Automatic Stay [[Docket No. 1106](#) – entered August 20, 2020]
- iii. Order Approving Stipulation Withdrawing Cajka Motion for Relief from Stay [[Docket No. 1718](#) – entered November 6, 2020]

Status: On November 6, 2020, the Court entered an order regarding this matter and this matter is withdrawn. Accordingly, a hearing with respect to this matter is no longer necessary.

3. Motion of the Rathbone Group, LLC for Relief from the Automatic Stay Authorizing the Rathbone Group, LLC to Apply its Right of Recoupment or Setoff [[Docket No. 1036](#) – filed August 12, 2020]

Objection/Response Deadline: September 2, 2020 at 4:00 p.m. (ET); extended by agreement to November 10, 2020 for the Debtors

Objections/Responses Received: None.

Related Documents:

- i. Order Approving Stipulation Regarding Motion of the Rathbone Group, LLC for Relief from the Automatic Stay [[Docket No. 1457](#) – entered October 8, 2020]
- ii. Order Approving Stipulation Regarding Motion of the Rathbone Group, LLC for Relief from the Automatic Stay [[Docket No. 1629](#) – entered October 27, 2020]

Status: On October 27, 2020, the Court entered an order regarding and resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

4. Motion of Juan Abarca, Telma Gamez, Karen Abarca and Jayson Abarca for Relief from the Automatic Stay to Permit Statutory Arbitration of Uninsured Motorist Personal Injury Claims [[Docket No. 1123](#) – filed August 24, 2020]

Objection/Response Deadline: September 8, 2020 at 4:00 p.m. (ET); extended by agreement to October 7, 2020 for the Debtors

Objections/Responses Received: None.

Related Documents:

- i. Order Approving Stipulation Regarding Abarca Motion to Lift Automatic Stay [[Docket No. 1366](#) – entered September 24, 2020]
- ii. Notice of Withdrawal of Document [[Docket No. 1543](#) – filed October 20, 2020]

Status: On October 20, 2020, the Movant withdrew this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

5. Motion of Arthur J. Gallagher & Co. for Allowance and Payment of Administrative Expense Claim [[Docket No. 1451](#) – filed October 8, 2020]

Objection/Response Deadline: November 10, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Order Approving Stipulation Regarding Allowance of Administrative Expense Claim of Arthur J. Gallagher & Co. [[Docket No. 1652](#) – entered October 29, 2020]

Status: On October 29, 2020, the Court entered an order regarding this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

6. Amy Leal (Medina)'s Motion to Determine That the Automatic Stay Does Not Apply to Certain Actions Regarding Prepetition Claims, or in the Alternative for Relief from the Automatic Stay [[Docket No. 1545](#) – filed October 20, 2020]

Objection/Response Deadline: November 10, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Order Approving Stipulation Resolving Amy Leal (Medina)' Motion to Determine That the Automatic Stay Does Not Apply to Certain Actions

Regarding Prepetition Claims [[Docket No. 1741](#) – entered November 12, 2020]

Status: On November 12, 2020, the Court entered an order regarding and resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

7. Motion of Kavius Harris for Relief from Automatic Stay [[Docket No. 1546](#) – filed October 20, 2020]

Objection/Response Deadline: November 9, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Order Approving Stipulation Regarding Motion of Kavius Harris for Relief from Automatic Stay [[Docket No. 1747](#) – entered November 13, 2020]

Status: On November 13, 2020, the Court entered an order regarding and resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

8. Debtors' Motion for Entry of Order (i) Authorizing the Debtors to Invest in a Money Market Fund, (ii) Authorizing the Debtors to Transfer Funds Held in Segregated Cash Collateral Accounts to the Money Market Fund, and (iii) Granting Related Relief [[Docket No. 1634](#) – filed October 27, 2020]

Objection/Response Deadline: November 10, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Order (i) Authorizing the Debtors to Invest in a Money Market Fund, (ii) Authorizing the Debtors to Transfer Funds Held in Segregated Cash Collateral Accounts to the Money Market Fund, and (iii) Granting Related Relief [[Docket No. 1742](#) – entered November 12, 2020]

Status: On November 12, 2020, the Court entered an order regarding this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

II. CONTINUED MATTERS:

9. The Greater Orlando Airport Authority's Motion for Order Allowing, Authorizing, and Directing Immediate Payment of Administrative Expense Claim [[Docket No. 1083](#) – filed August 18, 2020]

Objection/Response Deadline: October 6, 2020 at 4:00 p.m. (ET); extended by agreement for the Debtors to December 9, 2020 at 4:00 p.m.

Objections/Responses Received: None at this time.

Related Documents:

- i. Notice of Hearing Regarding the Greater Orlando Airport Authority's Motion for Order Allowing, Authorizing, and Directing Immediate Payment of Administrative Expense Claim [[Docket No. 1105](#) – filed August 20, 2020]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET).

10. Debtors' Fifth Omnibus Motion for Entry of an Order Authorizing the Rejection of Certain Executory Contracts Effective *Nunc Pro Tunc* to the Specified Rejection Date [[Docket No. 1139](#) – filed August 26, 2020]

Objection/Response Deadline: September 2, 2020 at 4:00 p.m. (ET); extended by agreement to November 6, 2020 solely with respect to the contracts noted at paragraph 3 of the Order at Docket No. 1224; extended by agreement to November 10, 2020 at 4:00 p.m. (ET) for certain former officers

Objections/Responses Received:

- A. Informal comments from certain former officers

Related Documents:

- i. Order Authorizing the Rejection of Certain Executory Contracts Effective *Nunc Pro Tunc* to the Specified Rejection Date [[Docket No. 1224](#) – entered September 8, 2020]

Status: The Debtors and the responding counterparties have reached a resolution in principle of issues related to the matter. The Debtors intend to submit an agreed order under certification of counsel prior to the hearing. To the extent the Debtors are unable to do so prior to the hearing, this matter is continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET). Accordingly, a hearing on this matter is not necessary at this time.

11. Motion of the Metropolitan Nashville Airport Authority for Relief from the Automatic Stay to Draw on Prepetition Letters of Credit [[Docket No. 1342](#) – filed September 22, 2020]

Objection/Response Deadline: October 6, 2020 at 4:00 p.m. (ET); extended by agreement to December 9, 2020 for the Debtors

Objections/Responses Received: None at this time.

Related Documents: None.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET).

12. Motion of Firstmark Credit Union for Relief from the Automatic Stay [[Docket No. 1501](#) – filed October 14, 2020]

Objection/Response Deadline: November 2, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Declaration of Rick Nelson in Support of Motion of Firstmark Credit Union for Relief from the Automatic Stay [[Docket No. 1503](#) – filed October 14, 2020]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET).

13. Motion of Geraldine Peterson to Modify the Automatic Stay to the Extent of Liability Insurance [[Docket No. 1547](#) – filed October 20, 2020]

Objection/Response Deadline: November 7, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents: None.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET).

14. Motion of Leonardo Rivera Rojas and Valeria Rivera Rojas for Relief from the Automatic Stay [[Docket No. 1538](#) – filed October 19, 2020]

Objection/Response Deadline: November 9, 2020 at 4:00 p.m. (ET); extended by agreement to December 1, 2020 at 4:00 p.m. (ET) for the Debtors

Objections/Responses Received: None at this time.

Related Documents:

- i. Affidavit of Jose M. Calderon, Esquire in Support of Motion of Leonardo Rivera Rojas and Valeria Rivera Rojas for Relief from the Automatic Stay [[Docket No. 1539](#) – filed October 19, 2020]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for December 16, 2020 at 10:30 a.m. (ET).

III. MATTERS GOING FORWARD:

15. Motion of Daniel J. Ortiz and Paul W. Ortiz, Individually and as Co-Personal Representatives of the Estates of Joan Ortiz a/k/a Joan T. Ortiz and Paul Ortiz for Relief from the Automatic Stay [[Docket No. 1505](#) – filed October 14, 2020]

Objection/Response Deadline: November 4, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Debtors' Objection to Ortiz Motion for Relief from the Automatic Stay [[Docket No. 1692](#) – filed November 4, 2020]

Related Documents:

- i. Affidavit of Andrew G. Moore, Esquire, in Support of Motion of Daniel J. Ortiz and Paul W. Ortiz, Individually and as Co-Personal Representatives of the Estates of Joan Ortiz a/k/a Joan T. Ortiz and Paul Ortiz for Relief from the Automatic Stay [[Docket No. 1506](#) – filed October 14, 2020]

Status: The hearing on this matter will go forward.

16. Motion of Tamia Howard to Modify the Automatic Stay to the Extent of Insurance Coverage [[Docket No. 1608](#) – filed October 26, 2020]

Objection/Response Deadline: November 7, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Debtors' Objection to Tamia Howard's Motion for Relief from the Automatic Stay [[Docket No. 1730](#) – filed November 10, 2020]

Related Documents:

- i. Notice of Motion of Tamia Howard for Relief from the Automatic Stay [[Docket No. 1611](#) – filed October 26, 2020]
- ii. Exhibit B to Tamia Howard's Motion for Relief from the Automatic Stay [[Docket No. 1623](#) – filed October 27, 2020]

Status: The hearing on this matter will go forward.

IV. PRE-TRIAL CONFERENCE:

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

Response Deadline: October 13, 2020

Responses Received:

- A. Barclays Bank PLC and BOKF, N.A.'s Motion to Dismiss Counts II, III, and IV of the Complaint [Adv. Case No. 20-50842 (MFW) – [Docket No. 9](#) – filed October 13, 2020]
- i. [SEALED] Memorandum of Law in Support of Barclays Bank PLC and BOKF, N.A.'s Motion to Dismiss [Adv. Case No. 20-50842 (MFW) – Docket No. 10 – filed October 13, 2020]
 - ii. [SEALED] Declaration of Robert Walsh in Support of Barclays Bank PLC and BOKF, N.A.'s Motion to Dismiss [Adv. Case No. 20-50842 (MFW) – Docket No. 14 – filed October 13, 2020]
 - iii. [SEALED] Declaration of Jordan D. Gratch in Support of Barclays Bank PLC and BOKF, N.A.'s Motion to Dismiss [Adv. Case No. 20-50842 (MFW) – Docket No. 15 – filed October 13, 2020]
 - iv. Supplemental Memorandum of Law in Support of BOKF, N.A.'s Motion to Dismiss Counts II, III and IV of the Complaint Pursuant to Bankruptcy Code Section 546(e) [Adv. Case No. 20-50842 (MFW) – [Docket No. 16](#) – filed October 13, 2020]
 - v. Declaration of Andrew I. Silfen in Support of Motion of Barclays Bank PLC and BOKF, N.A. to Dismiss [Adv. Case No. 20-50842 (MFW) – [Docket No. 17](#) – filed October 13, 2020]
 - vi. Motion to File Under Seal Declaration of Jordan D. Gratch [Adv. Case No. 20-50842 (MFW) – [Docket No. 20](#) – filed October 16, 2020]
 - vii. Notice of Filing of Proposed Redacted Version of Declaration of Jordan D. Gratch [Adv. Case No. 20-50842 (MFW) – [Docket No. 21](#) – filed October 16, 2020]

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. Notice of Adjournment of Pretrial Conference [Adv. Case No. 20-50842 (MFW) – [Docket No. 29](#) – filed October 27, 2020]
- iv. Certification of Counsel Regarding Stipulated Briefing Schedule on Defendants’ Motion to Dismiss [Adv. Case No. 20-50842 (MFW) – [Docket No. 40](#) – filed November 11, 2020]

Status: This hearing on this matter will go forward.

Dated: November 13, 2020

/s/ Brett M. Haywood

RICHARDS, LAYTON & FINGER, P.A.

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