

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

In re

The Hertz Corporation, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-11218 (MFW)

(Jointly Administered)

**NOTICE OF *AMENDED*² AGENDA FOR TELEPHONIC AND VIDEO HEARING
SCHEDULED FOR JULY 24, 2020 AT 2:00 P.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.

**ALL PARTIES WISHING TO APPEAR MUST DO SO TELEPHONICALLY BY
CONTACTING COURTCALL, LLC AT 866-582-6878 NO LATER THAN JULY 23, 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/1602770372>**

MEETING ID: 160 277 0372 PASSWORD: 994242

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 **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>.

I. WITHDRAWN MATTER:

1. Motion of Fenton Texas LLC (Successor in Interest to Hardeman Family Joint Venture, Ltd.) for Allowance and Payment of Post-Petition Lease Obligations [[Docket No. 683](#)– filed July 8, 2020]

Objection/Response Deadline: July 17, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Notice of Withdrawal of Motion [[Docket No. 745](#) – filed July 16, 2020]

Status: This matter has been withdrawn.

II. CONTINUED MATTERS:

2. Debtors’ Motion for Entry of (i) Interim Order (a) Establishing Notice and Hearing Procedures for Trading in Equity Securities in the Debtors, and (b) Setting Record Date for Notice and Potential Sell-Down Procedures with Respect to Trading in Claims Against the Debtors; and (ii) Final Order (a) Establishing Notice and Hearing Procedures for Trading in Equity Securities in the Debtors, and (b) Setting Record Date for Notice and Potential Sell-Down Procedures and Establishing Procedures Applicable to Trading in Claims Against the Debtors Following the Occurrence of a Determination Date [[Docket No. 27](#) – filed May 24, 2020]

Objection/Response Deadline: June 18, 2020 at 4:00 p.m. (ET); extended by agreement to June 23, 2020 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors (the “Committee”)

Objections/Responses Received:

- A. Informal comments from the Committee
- B. Informal comments from Barclays Bank PLC
- C. Informal comments from The Ad Hoc First Lien Group
- D. Informal comments from The Ad Hoc Second Lien Group

Related Documents:

- i. Interim Order (i) Establishing Notice and Hearing Procedures for Trading in Equity Securities in the Debtors and (ii) Setting Record Date for Notice Potential and Sell-Down Procedures with Respect to Trading in Claims Against the Debtors [[Docket No. 200](#) – entered May 27, 2020]

- ii. Notice of (a) Entry of Interim Order (i) Establishing Notice and Hearing Procedures for Trading in Equity Securities in the Debtors and (ii) Setting Record Date for Notice Potential and Sell-Down Procedures with Respect to Trading in Claims Against the Debtors; and (b) Final Hearing Thereon [[Docket No. 219](#) – filed May 28, 2020]

Status: The hearing on this matter has been continued to a date to be determined.

3. 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 August 5, 2020 at 4:00 p.m. (ET) for the Debtors

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for August 12, 2020 at 10:30 a.m. (ET).

4. Brian J. Clark’s Motion for Relief from the Automatic Stay [[Docket No. 550](#) – filed June 24, 2020]

Objection/Response Deadline: July 8, 2020 at 4:00 p.m. (ET); extended by agreement to July 17, 2020 at 4:00 p.m. (ET) for the Debtors

Objections/Responses Received: None.

Related Documents:

- i. Certification of Counsel Regarding Order Approving Stipulation Regarding Briefing Schedule for Motions Regarding Automatic Stay [[Docket No. 751](#) – filed July 17, 2020]
- ii. Order Approving Stipulation Regarding Briefing Schedule for Motions Regarding Automatic Stay [[Docket No. 757](#) - entered July 17, 2020]

Status: The hearing on this matter has been continued to August 18, 2020 at 10:00 a.m. (ET).

III. MATTERS GOING FORWARD:

5. Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 390](#) – filed June 11, 2020] (the “Rejection Motion”)

Objection/Response Deadline: June 18, 2020 at 4:00 p.m. (ET); extended by agreement to June 24, 2020 at 4:00 p.m. (ET) for all parties

Objections/Responses Received:

- A. Statement of the Official Committee of Unsecured Creditors in Support of, and Reservation of Rights with Respect to, the Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 565](#) – filed June 24, 2020]
- B. Objection of Deutsche Bank AG, New York Branch, the MTN Steering Committee and the Bank of New York Mellon Trust Company, N.A. to Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 567](#) – filed June 24, 2020]
- a. Declaration of Elliot Moskowitz in Support of the Objection of Deutsche Bank AG, New York Branch, the MTN Steering Committee and the Bank of New York Mellon Trust Company, N.A. to Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 603](#) – filed June 26, 2020]
- b. Notice of Filing Exhibits to Declaration of Elliot Moskowitz in Support of the Objection of Deutsche Bank AG, New York Branch, the MTN Steering Committee and the Bank of New York Mellon Trust Company, N.A. to Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 604](#) – filed June 26, 2020]
- C. Motion of Proposed *Amicus Curiae* Structured Finance Association for Leave to File Brief as *Amicus Curiae* in Support of Preliminary Objection of Deutsche Bank, AG, New York Branch, the MTN Steering Committee and the Bank of New York Mellon Trust Company, N.A. to Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 602](#) – filed June 26, 2020]

- a. Debtors' Objection to the Motion of Proposed *Amicus Curiae* Structured Finance Association for Leave to File Brief as *Amicus Curiae* in Support of Preliminary Objection of Deutsche Bank, AG, New York Branch, the MTN Steering Committee and the Bank of New York Mellon Trust Company, N.A. to Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 619](#) – filed June 30, 2020]
- b. Notice of Corrected Exhibit [[Docket No. 606](#) – filed June 26, 2020]
- c. Motion for Leave to File Reply by Proposed *Amicus Curiae* Structured Finance Association in Support of Motion for Leave to File Brief as *Amicus Curiae* Pursuant to Federal Rule of Bankruptcy Procedure 8017(a)(7) and Local Bankruptcy Rule 9006-1(d) and (2) Relief from the Provisions of Local Bankruptcy Rule 9006-1(d) Regarding the Time to File Reply Papers [[Docket No. 646](#) – filed July 1, 2020]

Related Documents:

- i. Supplemental Declaration of Jamere Jackson in Support of Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 391](#) – filed June 11, 2020]
- ii. Notice of Filing of Stipulation Adjourning the Hearing on the Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 482](#) – filed June 19, 2020]
- iii. Debtors' Reply in Support of Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 620](#) – filed June 30, 2020]
- iv. Reply of the Official Committee of Unsecured Creditors in Further Support of the Debtors' Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 621](#) – filed June 30, 2020]
- v. Notice of Filing of Revised Proposed Order Granting Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 622](#) – filed June 30, 2020]
- vi. Limited Reply of Ad Hoc First Lien Group in Support of Debtors' Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11,

2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 623](#) – filed June 30, 2020]

- vii. Statement of Ad Hoc Group of Second Lien Noteholders in Support of Relief Requested in the Debtors’ Motion for Order Rejecting Certain Unexpired Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [[Docket No. 624](#) – filed June 30, 2020]
- viii. Notice of Filing of Order Temporarily Resolving Certain Matters Related to the Master Lease Agreement, Setting a Schedule for Further Litigation Related Thereto in 2021 and Adjourning Hearing on Debtors’ Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [Docket No. 390] *sine die* [[Docket No. 769](#) – filed July 20, 2020]
- ix. **Notice of Filing of Revised Order Temporarily Resolving Certain Matters Related to the Master Lease Agreement, Setting a Schedule for Further Litigation Related Thereto in 2021 and Adjourning Hearing on Debtors’ Motion for Order Rejecting Certain Unexpired Vehicle Leases Effective *Nunc Pro Tunc* to June 11, 2020 Pursuant to Sections 105 and 365(a) of the Bankruptcy Code [Docket No. 390] *sine die* [[Docket No. 802](#) - filed July 24, 2020]**

Status: The Debtors, the Agent, the HVF Trustee, and the MTN Steering Committee have agreed on a form of order that provides for an interim resolution of this matter through December 31, 2020. The Debtors filed such proposed agreed order on July 20, 2020 under notice [Docket No. 769]. **On July 24, 2020, the Debtors filed a revised proposed agreed order under notice [Docket No. 802] incorporating comments received from the Committee and the Prepetition Secured Parties and will seek entry of that revised order at the hearing. The Debtors are not aware of any outstanding comments or objections to the proposed revised order.** The hearing on this matter will go forward for purposes of submitting the **revised** agreed order.

Dated: July 24, 2020

/s/ Brett M. Haywood

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