

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re

TK HOLDINGS INC., et al.

Debtors.¹

TK HOLDINGS INC., et al.

Plaintiffs,

– against –

STATE OF HAWAI'I, by its Office of Consumer Protection, GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS, STATE OF NEW MEXICO, *ex rel.* HECTOR BALDERAS, Attorney General, *et al.*,

Defendants.

Chapter 11

Case No. 17–11375 (BLS)

Jointly Administered

Adv. Pro. No. 17-50880 (BLS)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 30, 2017 AT 10:00 A.M. (EDT)**²

I. RESOLVED / CONTINUED MATTERS:

1. Verified Complaint for Injunctive Relief, *TK Holdings Inc. v. State of Hawai'i*, Adv. Proc. No. 17-50880 (BLS) [Adv. Docket No. 1 - filed July 13, 2017]

Answers Received:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are: Takata Americas (9766); TK Finance, LLC (2753); TK China, LLC (1312); TK Holdings Inc. (3416); Takata Protection Systems Inc. (3881); Interiors in Flight Inc. (4046); TK Mexico Inc. (8331); TK Mexico LLC (9029); TK Holdings de Mexico S. de R.L. de C.V. (N/A); Industrias Irvin de Mexico, S.A. de C.V. (N/A); Takata de Mexico, S.A. de C.V. (N/A); and Strosshe-Mex, S. de R.L. de C.V. (N/A). Except as otherwise set forth herein, the Debtors' international affiliates and subsidiaries are not debtors in these chapter 11 cases. The location of the Debtors' corporate headquarters is 2500 Takata Drive, Auburn Hills, Michigan 48326.

² The hearing will be held before The Honorable Brendan L. Shannon at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6th Floor, Courtroom 1, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the October 30, 2017 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (EDT) on Friday, October 27, 2017 to register his/her telephonic appearance in accordance with the Instructions for Telephonic Appearances Effective January 5, 2005, Revised April 27, 2009.

- A. Turtle Mountain Tribal Court Defendant Don Bruce's Motion to Dismiss or to be Excluded, or in the Alternative, to Join the Turtle Mountain Band of Chippewa Indians as an Indispensable Party [Adv. Docket No. 15 - filed July 25, 2017]
- B. Debtors' Brief in Opposition to Don Bruce's Motion to Dismiss or to be Excluded, or in the Alternative to Join the Turtle Mountain Band of Chippewa Indians as an Indispensable Party [Adv. Docket No. 42 - filed August 7, 2017]
- C. Answer to Verified Complaint for Injunctive Relief (filed by Philip A. Franco) [Adv. Docket No. 80 - filed September 6, 2017]

Related Documents:

- i. Stipulation Extending Time to Respond to Complaint of Certain Parties and Addressing Service of Process [Adv. Docket No. 11 - filed July 19, 2017]
- ii. Stipulation Extending Time to Respond to Complaint of Certain Parties and Addressing Service of Process [Adv. Docket No. 65 - filed August 23, 2017]
- iii. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Adv. Docket No. 66 - filed August 24, 2017]
- iv. Stipulation Extending Time for New Mexico to Respond to Complaint [Adv. Docket No. 84 - filed September 13, 2017]
- v. Second Stipulation Extending Time to Respond to Complaint [Adv. Docket No. 86 - filed September 19, 2017]
- vi. Order Approving Stipulation Between Plaintiffs and Certain Defendants Extending Time to Respond to Complaint and Addressing Service of Process [Adv. Docket No. 98 - entered October 18, 2017]
- vii. Third Stipulation Extending Time to Respond to Complaint [Adv. Docket No. 101 - entered October 23, 2017]
- viii. Debtors' Motion to Continue Pretrial Conference [Adv. Docket No. 102 - filed October 25, 2017] (the "Motion to Continue")

Status: The Debtors have timely filed the Motion to Continue the pretrial conference and pursuant to Local Rule 9006-2, the pretrial conference will not go forward until the Court rules on the Motion to Continue.

2. Motion of the Official Committee of Unsecured Creditors for Entry of an Order Permanently Removing from the Docket, Docket No. 933 [Docket No. 942 - filed October, 2, 2017]

Objection / Response Deadline: October 16, 2017 at 4:00 p.m. (EDT)

Objections / Responses Received: None.

Related Document:

- i. Certificate of No Objection Regarding Motion of the Official Committee of Unsecured Creditors for Entry of an Order Permanently Removing from the Docket, Docket No. 933 [Docket No. 1001 - filed October 17, 2017]
- ii. Order Granting Motion of the Official Committee of Unsecured Creditors for Entry of an Order Permanently Removing from the Docket, Docket No. 933 [Docket No. 1009 - entered October 18, 2017]

Status: On October 18, 2017, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

3. Application of Official Committee of Unsecured Creditors of TK Holdings Inc., *et al.*, for Entry of an Order Authorizing the Employment and Retention of Davies Ward Phillips & Vineberg LLP as Canadian Counsel, Effective as of August 8, 2017 [Docket No. 973 - filed October 9, 2017]

Objection / Response Deadline: October 23, 2017 at 4:00 p.m. (EDT)

Objections / Responses Received: None.

Related Document:

- i. Certificate of No Objection Regarding Application of Official Committee of Unsecured Creditors of TK Holdings Inc., *et al.*, for Entry of an Order Authorizing the Employment and Retention of Davies Ward Phillips & Vineberg LLP as Canadian Counsel, Effective as of August 8, 2017 [Docket No. 1038 - filed October 24, 2017]
- ii. Order Under 11 U.S.C. §§ 328 and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Bankruptcy Rule 2014-1 Authorizing Retention and Employment of Davies Ward Phillips & Vineberg LLP as Canadian Counsel to Official Committee of Unsecured Creditors of TK Holdings, Inc., *et al.*, Effective as of August 8, 2017 [Docket No. 1042 - entered October 25, 2017]

Status: On October 25, 2017, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

II. UNCONTESTED MATTERS GOING FORWARD:

4. Motion for Relief from the Automatic Stay to Continue Prepetition Non-Bankruptcy Seatbelt Litigation [Docket No. 699 - filed September 6, 2017]

Objection / Response Deadline: October 2, 2017 at 4:00 p.m. (EDT);
extended for Debtors to October 26, 2017 at
4:00 p.m. (EDT)

Objections / Responses Received: None.

Related Document: None.

Status: The parties have resolved this motion with a stipulation which they expect to file with the Court before the hearing after requesting comments, if any, from other parties in interest.

5. Application for an Order Authorizing the Future Claimants' Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel, *Nunc Pro Tunc* to September 27, 2017 [Docket No. 975 - filed October 9, 2017]

Objection / Response Deadline: October 23, 2017 at 4:00 p.m. (EDT);
extended to October 25, 2017 at 4:00 p.m.
(EDT) for the Official Committee of
Unsecured Trade Creditors (the "UCC")

Objections / Responses Received:

- i. Informal inquiry of the Office of the United States Trustee (the "U.S. Trustee")
- ii. Informal response from Debtors

Related Document: None.

Status: The Future Claimants' Representative (the "FCR") received inquiries from the U.S. Trustee regarding certain disclosures made by Greenberg Traurig, LLP in support of the Application. Those inquiries have been resolved. The FCR also received an informal response to the Application from the Debtors, which has been resolved through an agreed-upon revised proposed form of order, which will be submitted to the Court under certification of counsel after 4:00 p.m. on October 26, 2017 in accordance with the Local Rules.

III. CONTESTED MATTER GOING FORWARD:

6. Motion of SGS U.S. Testing Company, Inc. for Relief of Automatic Stay Under Section 362 of the Bankruptcy Code [Docket No. 448 - filed August 9, 2017]

Objection / Response Deadline: August 23, 2017 at 4:00 p.m. (EDT)

Objections / Responses Received:

- A. Debtors' Objection to the Motion of SGS U.S. Testing Company, Inc. for Relief of Automatic Stay Under Section 362 of the Bankruptcy Code [Docket No. 564 - filed August 23, 2017]
- B. Objection of Takata Corporation and Joinder in the Chapter 11 Debtors' Objection to Motion of SGS U.S. Testing Company, Inc. for Relief of Automatic Stay Under Section [Docket No. 565 - filed August 23, 2017]
- C. SGS U.S. Testing Company, Inc.'s Reply in Further Support of Its Motion for Relief of Automatic Stay Under Section 362 of the Bankruptcy Code [Docket No. 581 - filed August 25, 2017]

Related Document:

- i. Order Continuing Motion of SGS U.S. Testing Company, Inc. for Relief of Automatic Stay Under Section 362 of the Bankruptcy Code [Docket No. 793 - entered September 19, 2017]

Status: The hearing on this matter is going forward.

Dated: October 26, 2017
Wilmington, Delaware

/s/ Brett M. Haywood

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