

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

-----X
:

In re : **Chapter 11**
:

TK HOLDINGS INC., et al., : **Case No. 17-11375 (BLS)**
:

Debtors.¹ : **Jointly Administered**
:

-----X

**NOTICE OF AMENDED² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON AUGUST 10, 2017 AT 2:30 P.M. (EDT)³**

**AS NO MATTERS ARE SCHEDULED TO GO FORWARD, THE HEARING HAS BEEN
CANCELLED WITH PERMISSION FROM THE COURT**

I. CONTINUED MATTERS:

1. Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) Scheduling a Final Hearing [Docket No. 18 - filed June 26, 2017] (the "Accommodation Agreement Motion")

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to July 21, 2017 at 4:00 p.m. (EDT) for the United States Trustee (the "U.S. Trustee"); extended to August 3, 2017 at 4:00 p.m.

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 Amended items appear in bold.

³ 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 August 10, 2017 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (EDT) on Wednesday, August 9, 2017 to register his/her telephonic appearance in accordance with the Instructions for Telephonic Appearances Effective January 5, 2005, Revised April 27, 2009.

(EDT) for the plaintiffs in the multidistrict litigation action (the “MDL Action Plaintiffs”); extended to August 7, 2017 at 11:00 a.m. (EDT) for the Official Committee of Unsecured Tort Creditors (the “Tort Committee”); extended to August 9, 2017 at 4:00 p.m. (EDT) for the Official Committee of Unsecured Trade Creditors (the “UCC”)

Objections / Responses Received:

- A. Limited Objection by the Government of the U.S. Virgin Islands and the State of Hawai’i to Motion for Entry of a Final Order Approving the Accommodation Agreement [Docket No. 283 - filed July 19, 2017]
- B. The MDL Plaintiffs’ Objection to Debtors’ Request for Final Order Approving Relief Requested in Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) Scheduling a Final Hearing [Docket No. 383 - filed August 3, 2017]
- C. Exhibits A and B to the MDL Plaintiffs’ Objection to Debtors’ Request for Final Order Approving Relief Requested in Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) scheduling a Final Hearing [Docket No. 387 - filed August 3, 2017]
- D. Objection of Official Committee of Unsecured Tort Claimant Creditors to Entry of Final Order in Connection with Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) Scheduling a Final Hearing [Docket No. 402 - filed August 4, 2017]
- E. Informal comments from the Tort Committee

Related Documents:

- i. Notice of Filing of Exhibit B to Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) Scheduling a Final Hearing [Docket No. 87 - filed June 26, 2017]
- ii. Notice of Filing of Budget in Connection with the Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof, and (IV) Scheduling a Final Hearing [Docket No. 88 - filed June 26, 2017]
- iii. Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 Granting Motion for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof; and (IV) Scheduling a Final Hearing [Docket No. 107 - entered June 27, 2017]
- iv. Notice of Entry of (A) Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 6004, and 9014 Granting Motion for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement with Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof; and (IV) Scheduling a Final Hearing and (B) Final Hearing Thereon [Docket No. 135 - filed June 28, 2017]
- v. Notice of Filing of Modified Accommodation Agreement [Docket No. 289 - filed July 20, 2017]
- vi. Notice of Filing of Limited Waiver with Respect to Accommodation Agreement [Docket No. 303 - filed July 25, 2017]
- vii. Notice of Filing First Amendment to Accommodation Agreement [Docket No. 355 - filed August 1, 2017]

- viii. Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 403 - filed August 4, 2017]
- ix. Motion for Order Fixing Hearing Date and Shortening Time Regarding Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 404 - filed August 4, 2017]
- x. Supplement to Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 406 - filed August 4, 2017]
- xi. Notice of Filing of Second Limited Waiver with Respect to Accommodation Agreement [Docket No. 418 - filed August 8, 2017]

Status: The Debtors are working on a stipulation with the Tort Committee that will set new objection deadlines and govern discovery in connection with the Accommodation Agreement Motion. The hearing on this matter has been continued to September 11, 2017 at 10:00 a.m. (EDT).

- 2. Motion of Debtors Pursuant to 11 U.S.C. §§ 502(b)(9) and 105(a), Fed. R. Bankr. P. 2002, 3003(c)(3), 5005, and 9007, and Local Rules 2002-1(e), 3001-1, and 3003-1 for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, and (III) Approve Procedures for Providing Notice of Bar Date and Other Important Deadlines and Information to Potential PSAN Inflater Claimants [Docket No. 171 - filed July 7, 2017]

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to August 3, 2017 at 4:00 p.m. (EDT) for the U.S. Trustee, the UCC, the Tort Committee, and the MDL Action Plaintiffs

Objections / Responses Received:

- A. Limited Objection by the Government of the U.S. Virgin Islands and the State of Hawai'i by Its Office of Consumer Protection to the Debtors' Motion for an Order Establishing Bar Dates for Filing Claims [Docket No. 272 - filed July 18, 2017]
- B. Limited Objection by the Tennessee Department of Commerce and Insurance - Division of Consumer Affairs tot the Debtors' Motion for an Order Establishing Bar Dates for Filing Claims and for Approval of the Manner of Notice to Creditors [Docket No. 281 - filed July 19, 2017]
- C. Notice of Joinder (filed by the State of South Carolina) [Docket No. 297 - filed July 24, 2017]
- D. Limited Objection of the Official Committee of Unsecured Creditors to the Debtors' (I) Bar Date Motion; and (II) Motion for a Future Claimants Representative [Docket No. 380 - filed August 3, 2017]
- E. The MDL Plaintiffs' Objection to Motion of Debtors Pursuant to 11 U.S.C. §§ 502(b)(9) and 105(a), Fed. R. Bankr. P. 2002, 3003(c)(3), 5005, and 9007, and Local Rules 2002-1(e), 3001-1, and 3003-1 for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, and (III) Approve Procedures for Providing Notice of Bar Date and Other Important Deadlines and Information to Potential PSAN Inflater Claimants [Docket No. 382 - filed August 3, 2017]
- F. Objection of Official Committee of Unsecured Tort Claimant Creditors to Motion of Debtors Pursuant to 11 U.S.C. §§ 502(b)(9) and 105(a), Fed. R. Bankr. P. 2002, 3003(c)(3), 5005, and 9007, and Local Rules 2002-1(e), 3001-1, and 3003-1 for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, and (III) Approve Procedures for Providing Notice of Bar Date and Other Important Deadlines and Information to Potential PSAN Inflater Claimants [Docket No. 385 - filed August 3, 2017]
- G. United States Trustee's Objection to the Motion of Debtors Pursuant to 11 U.S.C. §§ 502(b)(9) and 105(a), Fed. R. Bankr. P. 2002, 3003(c)(3), 5005, and 9007, and Local Rules 2002-1(e), 3001-1, and 3003-1 for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, and (III) Approve Procedures for

Providing Notice of Bar Date and Other Important Deadlines and Information to Potential PSAN Inflater Claimants (D.E. 171) [Docket No. 386 - filed August 3, 2017]

- H. Informal comments from the U.S. Trustee
- I. Informal comments from the Tort Committee
- J. Informal comments from Roger Frankel as proposed Future Claimant's Representative
- K. Informal comments from Professor Eric Green, as Special Master

Related Document:

- i. Notice of Filing Exhibit B-2 to Motion of Debtors Pursuant to 11 U.S.C. §§ 502(b)(9) and 105(a), Fed. R. Bankr. P. 2002, 3003(c)(3), 5005, and 9007, and Local Rules 2002-1(e), 3001-1, and 3003-1 for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, and (III) Approve Procedures for Providing Notice of Bar Date and Other Important Deadlines and Information to Potential PSAN Inflater Claimants [Docket No. 282 - filed July 19, 2017]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for August 30, 2017 at 1:00 p.m. (EDT).

- 3. Debtors' Motion for an Order Appointing Roger Frankel as Legal Representative for Future Personal Injury Claimants *Nunc Pro Tunc* to July 20, 2017 [Docket No. 288 - filed July 20, 2017]

Objection / Response Deadline: August 3, 2017 at 4:00 p.m. (EDT)

Objections / Responses Received:

- A. Attorney Information Exchange Group's Objection to the Debtors' Motion for an Order Appointing Roger Frankel as Legal Representative for Future Personal Injury Claimants *Nunc Pro Tunc* to July 20, 2017 [Doc. No. 288] [Docket No. 379 - filed August 3, 2017]
- B. Limited Objection of the Official Committee of Unsecured Creditors to the Debtors' (I) Bar Date Motion; and (II) Motion for a Future Claimants Representative [Docket No. 380 - filed August 3, 2017]
- C. Official Committee of Unsecured Tort Claimant Creditors' Response to the Motions to Appoint Future Claims Representatives [Docket No. 381 - filed August 3, 2017]

- D. Objection of the MDL Plaintiffs to the Motions to Appoint Future Claims Representatives [Docket No. 384 - filed August 3, 2017]

Related Document: None.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for August 30, 2017 at 1:00 p.m. (EDT).

4. Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 403 - filed August 4, 2017] (the “Emergency Motion”)

Objections / Responses Received: None.

Related Documents:

- i. Motion for Order Fixing Hearing Date and Shortening Time Regarding Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 404 - filed August 4, 2017]
- ii. Supplement to Emergency Motion of the Official Committee of Unsecured Tort Claimant Creditors to Continue Final Hearing on Motion of Debtors Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 503, 506 and 507 and Fed. R. Bankr. P. 2002, 4001, 6003, 36004, and 9014 for Entry of an Interim and Final Order (I) Authorizing Debtors to Enter Into Accommodation Agreement and Access Agreement With Certain Customers, (II) Granting Adequate Protection in Connection Therewith, (III) Modifying the Automatic Stay to Implement and Effectuate the Terms Thereof and (IV) Scheduling a Final Hearing [Docket No. 406 - filed August 4, 2017]

Status: The Debtors and certain other parties in interest, including the Tort Committee, have agreed to continue the Accommodation Agreement Motion to September 11, 2017 at 10:00 a.m. (EDT). Accordingly, the

hearing on this matter is continued to a date to be determined as it is not necessary at this time. The Debtors are working on a stipulation with the Tort Committee that will set new objection deadlines and govern discovery in connection with the Accommodation Agreement Motion.

II. MATTERS GOING FORWARD:

5. Motion of Debtors Pursuant to 11 U.S.C. §§ 363 and 105(a) for Interim and Final Authority to (I) Continue Tooling and Warranty Programs in the Ordinary Course of Business and Pay Prepetition Obligations Related Thereto, and (II) Authorize Banks to Honor and Process Related Checks and Transfers [Docket No. 10 - filed June 26, 2017]

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to July 21, 2017 at 4:00 p.m. (EDT) for the Office of the U.S. Trustee; extended to August 3, 2017 at 4:00 p.m. (EDT) for the MDL Action Plaintiffs; extended to August 7, 2017 at 11:00 a.m. (EDT) for the UCC and Tort Committee

Objections / Responses Received:

- A. Informal comments from the UCC
B. Informal comments from the Tort Committee

Related Documents:

- i. Interim Order Pursuant to 11 U.S.C. §§ 363 and 105(a) Authorizing Debtors to (I) Continue Tooling and Warranty Programs in the Ordinary Course of Business and Pay Prepetition Obligations Related Thereto, and (II) Authorize Banks to Honor and Process Related Checks and Transfers [Docket No. 108 - entered June 27, 2017]
- ii. Notice of Entry of (A) Interim Order Pursuant to 11 U.S.C. §§ 363 and 105(a) Authorizing Debtors to (I) Continue Tooling and Warranty Programs in the Ordinary Course of Business and Pay Prepetition Obligations Related Thereto, and (II) Authorize Banks to Honor and Process Related Checks and Transfers and (B) Final Hearing Thereon [Docket No. 129 - filed June 28, 2017]
- iii. **Certification of Counsel Regarding Final Order Pursuant to 11 U.S.C. §§ 363 and 105(a) Authorizing Debtors to (I) Continue Tooling and Warranty Programs in the Ordinary Course of Business and Pay Prepetition Obligations Related Thereto, and (II) Authorize Banks to**

Honor and Process Related Checks and Transfers [Docket No. 433 - filed August 8, 2017]

Status: The Debtors have resolved the informal comments of the UCC and the Tort Committee and submitted a revised proposed form of order reflecting such resolution under certification of counsel. Accordingly, the Court has indicated that a hearing on this matter is no longer necessary.

6. Motion of Debtors Pursuant to 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) and Fed. R. Bankr. P. 4001, 6003, and 6004 for Interim and Final Authority to Continue Insurance and Surety Bond Programs and Pay All Obligations with Respect Thereto [Docket No. 11 - filed June 26, 2017]

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to July 21, 2017 at 4:00 p.m. (EDT) for the U.S. Trustee and extended to August 3, 2017 at 4:00 p.m. (EDT) for the MDL Action Plaintiffs; extended to August 7, 2017 at 11:00 a.m. (EDT) for the UCC and Tort Committee

Objections / Responses Received:

- A. Informal comments from the UCC
- B. Informal comments from the Tort Committee

Related Documents:

- i. Interim Order Pursuant to 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) and Fed. R. Bankr. P. 4001, 6003, and 6004 Authorizing Debtors to Continue Their Insurance and Surety Bond Programs and Pay All Obligations with Respect Thereto [Docket No. 111- entered June 27, 2017]
- ii. Notice of Entry of (A) Interim Order Pursuant to 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) and Fed. R. Bankr. P. 4001, 6003, and 6004 Authorizing Debtors to Continue Their Insurance and Surety Bond Programs and Pay All Obligations with Respect Thereto and (B) Final Hearing Thereon [Docket No. 130 - filed June 28, 2017]
- iii. **Certification of Counsel Regarding Final Order Pursuant to 11 U.S.C. §§ 105(a), 362(d), 363(b), and 503(b) and Fed. R. Bankr. P. 4001, 6003, and 6004 Authorizing Debtors to Continue Their Insurance and**

**Surety Bond Programs and Pay All Obligations with Respect Thereto
[Docket No. 434 - filed August 8, 2017]**

Status: The Debtors have resolved the informal comments of the UCC and the Tort Committee and submitted a revised proposed form of order reflecting such resolution under certification of counsel. Accordingly, the Court has indicated that a hearing on this matter is no longer necessary.

7. Motion of Debtors Pursuant to 11 U.S.C. §§ 105(a), 345(b), 363(b), 363(c), 364(a), and 503(b) and Fed. R. Bankr. P. 6003 and 6004 for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Provide Certain Postpetition Claims Administrative Expense Priority, (D) Continue Intercompany Funding of Certain Non-Debtors, and (E) Maintain Existing Bank Accounts and Business Forms; and (II) Extending Time to Comply with Requirements of 11 U.S.C. § 345(b) [Docket No. 13 - filed June 26, 2017]

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to July 21, 2017 at 4:00 p.m. (EDT) for the U.S. Trustee, for further interim relief requested; extended to July 24, 2017 at 2:00 p.m. (EDT) for the UCC and the Tort Committee for further interim relief requested and extended to August 3, 2017 at 4:00 p.m. (EDT) for the U.S. Trustee for further interim relief; extended to August 7, 2017 at 11:00 a.m. (EDT) for the UCC and the Tort Committee for further interim relief

Objections / Responses Received:

- A. Informal comments from the U.S. Trustee
- B. Informal comments from the UCC
- C. Informal comments from the Tort Committee

Related Documents:

- i. Interim Order Pursuant to 11 U.S.C. §§ 105(a), 345(b), 363(b), 363(c), 364(a), and 503(b) and Fed. R. Bankr. P. 6003 and 6004 for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Provide Certain Postpetition

Claims Administrative Expense Priority, (D) Continue Intercompany Funding of Certain Non-Debtors, and (E) Maintain Existing Bank Accounts and Business Forms; and (II) Extending Time to Comply with Requirements of 11 U.S.C. § 345(b) [Docket No. 104 - entered June 27, 2017]

- ii. Notice of Entry of (A) Interim Order Pursuant to 11 U.S.C. §§ 105(a), 345(b), 363(b), 363(c), 364(a), and 503(b) and Fed. R. Bankr. P. 6003 and 6004 for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Provide Certain Postpetition Claims Administrative Expense Priority, (D) Continue Intercompany Funding of Certain Non-Debtors, and (E) Maintain Existing Bank Accounts and Business Forms; and (II) Extending Time to Comply with Requirements of 11 U.S.C. § 345(b) and (B) Final Hearing Thereon [Docket No. 132 - filed June 28, 2017]
- iii. Second Interim Order Pursuant to 11 U.S.C. §§ 105(a), 345(b), 363(b), 363(c), 364(a), and 503(b) and Fed. R. Bankr. P. 6003 and 6004 for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Provide Certain Postpetition Claims Administrative Expense Priority, (D) Continue Intercompany Funding of Certain Non-Debtors, and (E) Maintain Existing Bank Accounts and Business Forms; and (II) Extending Time to Comply with Requirements of 11 U.S.C. § 345(b) [Docket No. 328 - entered July 26, 2017]
- iv. **Certification of Counsel Regarding Third Interim Order Pursuant to 11 U.S.C. §§ 105(a), 345(b), 363(b), 363(c), 364(a), and 503(b) and Fed. R. Bankr. P. 6003 and 6004 for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Provide Certain Postpetition Claims Administrative Expense Priority, (D) Continue Intercompany Funding of Certain Non-Debtors, and (E) Maintain Existing Bank Accounts and Business Forms; and (II) Extending Time to Comply with Requirements of 11 U.S.C. § 345(b) [Docket No. 435 - filed August 8, 2017]**

Status: **The Debtors have resolved the informal comments from the U.S. Trustee, the UCC, and the Tort Committee for the purpose of obtaining further interim relief with respect to this matter. As a result the Debtors submitted a revised proposed form of third interim order reflecting such resolutions under certification of counsel. The final hearing on this matter has been continued to the omnibus hearing scheduled for August 30, 2017 at 1:00 p.m. (EDT).**

Accordingly, the Court has indicated that a hearing on the third interim order is no longer necessary.

8. Motion of Debtors Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 503(b)(9) for Interim and Final Authority to Pay Prepetition Obligations Owed to Certain Critical Vendors [Docket No. 14 - filed June 26, 2017]

Objection / Response Deadline: July 19, 2017 at 4:00 p.m. (EDT); extended to July 21, 2017 at 4:00 p.m. (EDT) for the U.S. Trustee and extended to August 3, 2017 at 4:00 p.m. (EDT) for the Tort Committee and the MDL Action Plaintiffs; extended to August 5, 2017 at 12:00 p.m. (EDT) for the UCC

Objections / Responses Received:

- A. Informal comments from the UCC
- B. Informal comments from the Tort Committee

Related Documents:

- i. Declaration of Scott Simpton in Support of the Debtors' Motions to Pay Prepetition Obligations Owed to Certain Critical Vendors, Foreign Vendors, and Lien Claimants [Docket No. 16 - filed June 26, 2017]
- ii. Interim Order Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 503(b)(9) Authorizing the Debtors to Pay Certain Prepetition Obligations of Critical Vendors [Docket No. 106 - entered June 27, 2017]
- iii. Notice of Entry of (A) Interim Order Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 503(b)(9) Authorizing the Debtors to Pay Certain Prepetition Obligations of Critical Vendors and (B) Final Hearing Thereon [Docket No. 133 - filed June 28, 2017]
- iv. **Certification of Counsel Regarding Final Order Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 503(b)(9) Authorizing the Debtors to Pay Certain Prepetition Obligations of Critical Vendors [Docket No. 436 - filed August 8, 2017]**

Status: **The Debtors have resolved the informal comments of the UCC and the Tort Committee and submitted a revised proposed form of order reflecting such resolution under certification of counsel. Accordingly, the Court has indicated that a hearing on this matter is no longer necessary.**

Dated: August 9, 2017
Wilmington, Delaware

/s/ Amanda R. Steele

RICHARDS, LAYTON & FINGER, P.A.

Mark D. Collins (No. 2981)

Michael J. Merchant (No. 3854)

Amanda R. Steele (No. 5530)

Brett M. Haywood (No. 6166)

One Rodney Square

920 N. King Street

Wilmington, Delaware 19801

Telephone: (302) 651-7700

Facsimile: (302) 651-7701

-and-

WEIL, GOTSHAL & MANGES LLP

Marcia L. Goldstein

Ronit J. Berkovich

Matthew P. Goren

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000

Facsimile: (212) 310-8007

*Attorneys for the Debtors and Debtors in
Possession*