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and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
AGERA ENERGY LLC, <i>et al.</i> , ¹)	Case No. 19-23802 (RDD)
Debtors.)	(Joint Administration Requested)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 4, 2019 AT 3:00 P.M.**

Location of Hearing: The Honorable Robert D. Drain
United States Bankruptcy Court
300 Quarropas Street
White Plains, New York 10601

Copies of Motions: A copy of each pleading can be viewed on the Court’s website at <http://www.nysb.uscourts.gov> and the website of the Debtors’ proposed notice and claims agent, Stretto, at <http://cases.stretto.com/agera>.

¹ The Debtors, together with the last four digits of each Debtor’s federal tax identification number, are: Agera Energy LLC (8122); Agera Holdings, LLC (3335); energy.me midwest llc (9484); Aequitas Energy, Inc. (7988); Utility Recovery LLC (4351); and Agera Solutions LLC (8749). The location of the Debtors’ corporate headquarters and the service address for all Debtors is 555 Pleasantville Road, S-107, Briarcliff Manor, NY 10510.

I. Introduction

1. *Voluntary Petitions*

- A. Agera Holdings, LLC
- B. Agera Energy, LLC
- C. energy.me midwest llc
- D. Aequitas Energy, Inc.
- E. Utility Recovery LLC
- F. Agera Solutions LLC

2. ***First Day Declaration.*** Declaration of Todd Sandford, Chief Operating Officer at Agera Energy, LLC, pursuant to Local Bankruptcy Rule 1007-2 in Support of Debtors' Chapter 11 Petitions and First Day Pleadings [Docket No. 3].

II. Matters Requested to be Heard at First Day Hearing.

3. ***Joint Administration Motion.*** Debtors' Motion Seeking Entry of an Order (I) Directing Joint Administration of Their Related Chapter 11 Cases and (II) Granting Related Relief [Docket No. 2].
4. ***Case Management Motion.*** Debtors' Motion for Entry of an Order (A) Establishing Certain Notice, Case Management, and Administrative Procedures and (B) Granting Related Relief [Docket No. 4].
5. ***Schedules Extension Motion.*** Debtors' Motion for Entry of an Order (I) Extending Time for Debtors to File Schedules and Statements and (II) Authorizing Debtors to File Consolidated Monthly Operating Reports [Docket No. 5].
6. ***Consolidated Creditor Motion.*** Debtors' Motion For Entry of an Order (I) Authorizing The Debtors to (A) File A Consolidated List of Creditors and (B) file a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, and (II) Authorizing the Debtors to Establish Procedures for Notifying Parties of the Commencement of these Chapter 11 Cases [Docket No. 6].
7. ***Prepetition Taxes Motion.*** Debtors' Motion for Entry of an Interim And Final Order (I) Authoring, but not Directing, the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 7].

8. **Wages Motion.** Debtors' Motion for Entry of Interim and Final Orders Authorizing Payment of Certain Prepetition Wages, Reimbursable Expenses, Benefits, and Related Items [Docket No. 8].
9. **Cash Management Motion.** Debtors' Motion For Entry Of Interim And Final Orders Authorizing Debtors To Continue (I) to Operate Their Cash Management System, Honor Certain Prepetition Obligations Related Thereto, and Maintain Existing Business Forms; and (II) Their Intercompany Transactions [Docket No. 9].
10. **Stay Enforcement Motion.** Debtors' Motion for the Entry of an Order Under Sections 105(a), 362, 365, and 525 of the Bankruptcy Code Enforcing and Restating Automatic Stay, *Ipsa Facto*, and Non-Discrimination Provisions [Docket No. 10].
11. **Claims Agent Application.** Debtors' Application for Retention and Appointment of Stretto as Claims and Noticing Agent [Docket No. 11].
12. **Motion to Pay Service Providers.** Debtors' Motion For Entry of Interim and Final Orders Authorizing The Debtors to (I) Pay Certain Prepetition Claims of Service Providers and (II) Continue Satisfying Postpetition Obligations in the Ordinary Course of Business [Docket No. 12].
13. **DIP Motion.** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Obtain Postpetition Financing; (II) Authorizing Use of Cash Collateral; (III) Granting Liens and Providing Superpriority Administrative Expense Status; (IV) Granting Adequate Protection; (V) Modifying Automatic Stay; (VI) Scheduling Final Hearing; and (VII) Granting Related Relief [Docket No. 13].

III. Matters to be Heard at a Later Date

14. **Insurance Motion.** Debtors' Motion For Entry of an Order (I) Authorizing the Debtors to (A) pay their Obligations Under Prepetition Insurance Policies, (B) Continue to pay Certain Brokerage Fees, (C) Renew, Supplement, Modify, or Purchase Insurance Coverage in the Ordinary Course, and (D) Honor their Prepetition Insurance Premium Financing Agreements; (II) Authorizing Banks and other Financial Institutions to Honor Checks and Electronic Transfer Requests Related Thereto; and (III) Granting Related Relief [Docket No. 14].
15. **Lease Rejection Motion.** Debtors' Motion for Entry of an Order Authorizing and Approving the Rejection of Certain Unexpired Lease of Nonresidential Real Property *Nunc Pro Tunc* to the Petition Date [Docket No. 15].
16. **Sale and Bidding Procedures Motion.** Debtors' Motion for Entry of Orders (I)(A) Approving Bidding Procedures Relating to the Sale of the Debtors' Assets, (B) Approving Stalking Horse Asset Purchase Agreement and Bid Protections, (C)

Approving Form and Manner of Notices of Sale, Auction and Sale Hearing, (D) Approving Procedures Relating to the Assumption and Assignment of Certain Executory Contracts, (E) Scheduling Auction for, and Hearing to Approve, Sale of the Agera Opco Entities' Assets; (II)(A) Approving the Sale of the Agera Opco Entities' Assets Free and Clear of All Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts; And (III) Granting Related Relief [Docket No. 16].

17. **RSA Motion.** Debtors' Motion for Entry of an Order Authorizing and Directing Assumption of the Restructuring Support Agreement Term Sheet [Docket No. 17].

18. **Ordinary Course Professionals Motion.** Debtors' Motion for Entry of Order Authorizing Debtors to Employ and Pay Professionals Utilized in the Ordinary Course of Business [Docket No. 18].

19. **Creditor Sealing Motion.** Debtors' Motion for Entry of an Order Authorizing (I) the Debtors to Redact Certain Personally Identifiable and Commercially Sensitive Information From Court Filings and (II) the Debtors' Claims and Noticing Agent to Withhold Publication of Claims Filed by Certain Individuals [Docket No. 19].

20. **APA Sealing Motion.** Debtors' Motion For Entry Of An Order Granting Leave To File The Unredacted Stalking Horse APA Under Seal [Docket No. 20].

21. **PSA Sealing Motion.** Debtors' Motion for Entry of an Order Granting Leave to File the Unredacted Senior Lien Supply Agreement Under Seal [Docket No. 21].

Dated: October 4, 2019
New York, NY

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

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