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

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

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON MARCH 23, 2020 AT 2:00 P.M.**

Time & Date of Hearing: March 23, 2020 at 2:00 p.m. (prevailing Eastern Time)

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>.

<sup>1</sup> 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. RESCHEDULED MATTERS**

1. ***TFS Administrative Expense Motion.*** TFS Energy Solutions, LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 246].

Objection Deadline: December 9, 2019 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Amended Notice of Hearing in Connection with Motion by TFS Energy Solutions LLC for Allowance and Payment of Administrative Claim [Docket No. 308].
- B. Notice of Rescheduled Omnibus Hearing Date and Time [Docket No. 373].
- C. Notice of Rescheduled Omnibus Hearings [Docket No. 436].
- D. Amended Notice of Hearing in Connection with Motion by TFS Energy Solutions LLC for Allowance and Payment of Administrative Claim [Docket No. 510].
- E. Amended Notice of Hearing in Connection with Motion by TFS Energy Solutions LLC for Allowance and Payment of Administrative Claim [Docket No. 532].

Formal Responses Received:

- A. Debtor's Objection to TFS Energy Solutions, LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 283].
- B. Statement of the Official Committee of Unsecured Creditors Regarding TFS Energy Solutions, LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 284].
- C. Debtors' Limited Response to Statement of the Official Committee of Unsecured Creditors Regarding TFS Energy Solutions, LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 304].
- D. TFS Energy Solutions LLC's (A) Response in Support of Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. Sec. 503(b)(1)(A), and (B) Joinder in EMEX LLC's Response [Docket No. 420].

Status: This matter has been rescheduled to the April 21, 2020 omnibus hearing.

2. ***EMEX Administrative Expense Motion***. EMEX LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 317].

Objection Deadline: January 22, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement until April 14, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Rescheduled Omnibus Hearing Date and Time [Docket No. 373].
- B. Declaration of Mark Linzenbold in Support of Debtors' Objection to EMEX LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 398].
- C. Notice of Rescheduled Omnibus Hearings [Docket No. 436].

Formal Responses Received:

- A. Debtor's Objection to EMEX LLC's Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 392].
- B. EMEX LLC's Response in Support of Motion for Allowance and Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1)(A) [Docket No. 413].

Status: This matter has been rescheduled, by agreement, to the April 21, 2020 omnibus hearing.

3. ***MA DOER Administrative Expense Application***. Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 422].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended pursuant to the Stipulation and Order (defined herein), entered March 18, 2020, for the Debtors, the Official Committee of Unsecured Creditors (the "Committee") and any other interested party until April 14, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing on Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 496].
- B. Stipulation of Agreement and Order Regarding: (I) Debtors' Omnibus Objections to the Claims of the Massachusetts Department of Energy Resources and the Massachusetts Department of Environmental Protection; and (II) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources (the "Stipulation and Order") [Docket No. 522].

Formal Responses Received:

- A. Objection of the Official Committee of Unsecured Creditors to Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 548].

Status: This matter has been adjourned to the April omnibus hearing.

- 4. ***Eighth Omnibus Claims Objection.*** Debtors' Eighth Omnibus Objection to Claims Filed by The Commonwealth of Massachusetts, Department of Energy Resources [Docket No. 467].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended pursuant to the Stipulation and Order, entered March 18, 2020, for The Commonwealth of Massachusetts, Department of Energy Resources, ("Mass. DOER"), The Commonwealth of Massachusetts, Department of Environmental Protection ("Mass. DOEP") and the Committee until April 14, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received:

- A. The Commonwealth of Massachusetts, Department of Energy Resources' Response to Debtors' Eighth Omnibus Objection to Claims [Docket No. 521].

Status: This matter has been rescheduled to the April 21, 2020 omnibus hearing.

5. ***Ninth Omnibus Claims Objection.*** Debtors' Ninth Omnibus Objection to Claims Filed by The Commonwealth of Massachusetts, Department of Environmental Protection [Docket No. 468].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended pursuant to the Stipulation and Order, entered March 18, 2020, for Mass. DOER, Mass. DOEP and the Committee until April 14, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received:

- A. The Commonwealth of Massachusetts, Department of Environmental Protection's Response to Debtors' Ninth Omnibus Objection to Claims and, if Required, Request for Allowance of Tardy Claim Pursuant to 11 U.S.C. § 503(a) [Docket No. 519].

Status: This matter has been rescheduled to the April 21, 2020 omnibus hearing.

## **II. MATTERS WITH CERTIFICATES OF NO OBJECTION**

6. ***First Omnibus Claims Objection.*** Debtors' First Omnibus Objection to Duplicate Claims [Docket No. 460].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 552].

7. ***Second Omnibus Claims Objection.*** Debtors' Second Omnibus Objection to Satisfied Claims [Docket No. 461].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection [Docket No. 527] and Amended Certificate of No Objection [Docket No 553] have been filed.

8. ***Third Omnibus Claims Objection.*** Debtors' Third Omnibus Objection to Claims That Asset Priority in Excess of the Maximum Amount Under Bankruptcy Code Section 507 [Docket No. 462].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 528].

9. ***Fourth Omnibus Claims Objection.*** Debtors' Fourth Omnibus Objection to Claims Filed by Corporations Asserting Priority for Sales Commissions Under Bankruptcy Code Section 507 [Docket No. 463].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Informal Responses Received: Informal comments regarding claim nos. 93 and 75.

Status: A Certificate of No Objection has been filed with respect to the claims other than claim nos. 93 and 75. [Docket No. 554].

10. ***Fifth Omnibus Claims Objection.*** Debtors' Fifth Omnibus Objection to Claims That Assert Priority in Excess of the Maximum Amount Under Bankruptcy Code Section 507 [Docket No. 464].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 529].

11. ***Sixth Omnibus Claims Objection.*** Debtors' Sixth Omnibus Objection to Satisfied Claims and Claims That Assert Priority in Excess of the Maximum Amount Under Bankruptcy Code Section 507 [Docket No. 465].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 530].

12. ***Seventh Omnibus Claims Objection.*** Debtors' Seventh Omnibus Objection to Duplicate Claims [Docket No. 466].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection [Docket No. 531] and Amended Certificate of No Objection [Docket No 555] have been filed.

13. ***Objection to Claim No. 60.*** Debtors' Objection to Proof of Claim No. 60 of West Virginia State Auditor's Office [Docket No. 469].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 533].

14. ***Objection to Claim No. 11.*** Debtors' Objection to Proof of Claim No. 11 of Steven A. Marchal [Docket No. 470].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 534].

15. ***Objection to Claim No. 121.*** Debtors' Objection to Proof of Claim No. 121 of Michael D. Berger [Docket No. 471].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 535].

16. ***Objection to Claim No. 86.*** Debtors' Objection to Proof of Claim No. 86 of Fadi Bidawid [Docket No. 472].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 536].

17. ***Objection to Claim No. 88.*** Debtors' Objection to Proof of Claim No. 88 of Jennifer A. Hodgson [Docket No. 473].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 537].

18. ***Objection to Claim No. 198.*** Debtors' Objection to Proof of Claim No. 198 of Patrick Fitzgibbon [Docket No. 474].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 538].

19. ***Objection to Claim No. 10.*** Debtors' Objection to Proof of Claim No. 10 of Robert Papalia [Docket No. 475].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 539].



20. ***Objection to Claim No. 22.*** Debtors' Objection to Proof of Claim No. 22 of Joseph Flamini [Docket No. 476].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 540].

21. ***Objection to Claim No. 81.*** Debtors' Objection to Proof of Claim No. 81 of Susan R. Nelson [Docket No. 477].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 541].

22. ***Objection to Claim No. 30.*** Debtors' Objection to Proof of Claim No. 30 of Thomas J. Beausang [Docket No. 478].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 542].

23. ***Objection to Claim No. 34.*** Debtors' Objection to Proof of Claim No. 34 of Ronald Lyman [Docket No. 479].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 543].

24. ***Objection to Claim No. 191.*** Debtors' Objection to Proof of Claim No. 191 of Robert Yoho [Docket No. 480].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 544].

25. ***Objection to Claim No. 15.*** Debtors' Objection to Proof of Claim No. 15 of Lower Electric, LLC [Docket No. 481].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 545].

26. ***Motion to Approve Settlement with Boston Gas Company and/or Colonial Gas Company.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between Agera and Boston Gas Company and/or Colonial Gas Company [Docket No. 500].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents: None.

Formal Responses Received: None.

Status: A Certificate of No Objection has been filed [Docket No. 546].

### **III. CONTESTED MATTERS GOING FORWARDx**

27. ***First Interim Fee Application of Kilpatrick Townsend & Stockton LLP.*** First Interim Application of Kilpatrick Townsend & Stockton LLP for Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Official Committee of Unsecured Creditors for the Period from October 11, 2019 Through and Including January 31, 2020 [Docket No. 497].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement with the Debtor and Committee Professionals for the U.S. Trustee until March 19, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing with Respect to First Interim Fee Applications [Docket No. 499].

Informal Responses Received:

- A. Informal comments from the Office of the United States Trustee for the Southern District of New York (the "U.S. Trustee").

Status: This matter is going forward.

- 28. ***First Interim Fee Application of McDermott Will & Emery LLP.*** First Interim Fee Application of McDermott Will & Emery LLP, Counsel to the Debtors and Debtors in Possession, for the Period from October 4, 2019 Through December 31, 2019 [Docket No. 483].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement with the professionals retained by the Debtors and the Official Committee of Unsecured Creditors (the "Debtor and Committee Professionals") for the U.S. Trustee until March 19, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing with Respect to First Interim Fee Applications [Docket No. 499].
- B. Supplemental Declaration of Darren Azman in Support of First Interim Fee Application of McDermott Will & Emery LLP, Counsel to the Debtors and Debtors in Possession, for the Period from October 4, 2019 through December 31, 2019 [Docket No. 556].

Informal Responses Received:

- A. Informal comments from the U.S. Trustee.

Status: This matter is going forward.

29. ***First Interim Fee Application of Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc.*** First Interim Fee Application of Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc., the Debtors' Investment Banker, for Compensation for Services Rendered and Reimbursement of Expenses Incurred from October 4, 2019 Through December 31, 2019 [Docket No. 487].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement with the Debtor and Committee Professionals for the U.S. Trustee until March 19, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing with Respect to First Interim Fee Applications [Docket No. 499].

Informal Responses Received:

- A. Informal comments from the U.S. Trustee.

Status: This matter is going forward.

30. ***First Interim Fee Application of Stretto.*** First Interim Application of Stretto for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Administrative Advisor to the Debtors for the Period from October 4, 2019 Through December 31, 2019 [Docket No. 484].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement with the Debtor and Committee Professionals for the U.S. Trustee until March 19, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing with Respect to First Interim Fee Applications [Docket No. 499].

Informal Responses Received:

- A. Informal comments from the U.S. Trustee.

Status: This matter is going forward.

31. ***First Interim Fee Application of GlassRatner.*** First Interim Fee Application of GlassRatner, Financial Advisor to the Debtors and Debtors in Possession, for the Period from October 4, 2019 Through December 31, 2019 [Docket No. 498].

Objection Deadline: March 16, 2020 at 4:00 p.m. (prevailing Eastern Time), extended by agreement with the Debtor and Committee Professionals for the U.S. Trustee until March 19, 2020 at 4:00 p.m. (prevailing Eastern Time).

Related Documents:

- A. Notice of Hearing with Respect to First Interim Fee Applications [Docket No. 499].

Informal Responses Received:

- A. Informal comments from the U.S. Trustee.

Status: This matter is going forward.

Dated: March 20, 2020  
New York, NY

**MCDERMOTT WILL & EMERY LLP**

*/s/ Darren Azman*

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