

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY

IN RE: CHAPTER 11
LICKING RIVER MINING, LLC, *et al.* CASE NO. 14-10201
DEBTORS IN POSSESSION (ASHLAND, LONDON, &
LEXINGTON DIVISIONS)
JOINTLY ADMINISTERED

IN RE: CHAPTER 11
HARLAN COUNTY MINING, LLC CASE NO. 14-52501
OAK HILL COAL, INC. CASE NO. 14-52502
SANDLICK COAL COMPANY, LLC CASE NO. 14-52503
U.S. COAL MARKETING, LLC CASE NO. 14-52504
(LEXINGTON DIVISION)
DEBTORS IN POSSESSION JOINT ADMINISTRATION
APPLICATION PENDING

**APPLICATION FOR AN ORDER AUTHORIZING AND APPROVING THE
EMPLOYMENT AND RETENTION OF EPIQ BANKRUPTCY SOLUTIONS, LLC
AS CLAIMS, NOTICING, AND BALLOTING AGENT FOR HARLAN COUNTY
MINING, LLC, OAK HILL COAL, INC., SANDLICK COAL COMPANY, LLC, AND
U.S. COAL MARKETING, LLC AS DEBTORS AND DEBTORS IN POSSESSION**

Come Harlan County Mining, LLC, Oak Hill Coal, Inc., Sandlick Coal Company, LLC, and U.S. Coal Marketing, LLC, as debtors and debtors in possession (collectively, the “Additional Debtors”), and Licking River Resources, Inc., Licking River Mining, LLC, S. M. & J., Inc., J.A.D. Coal Company, Inc., Fox Knob Coal Co., Inc., and U.S. Coal Corporation, as jointly-administered debtors and debtors in possession (collectively, the “Jointly-Administered Debtors,” and together with the Additional Debtors, the “Debtors”), and respectfully request that this Court enter an Order, pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 105(a), appointing Epiq Bankruptcy Solutions, LLC (“Epiq”) as the claims, noticing, and

balloting agent in the Additional Debtors' bankruptcy cases effective as of the commencement of those cases (the "Application"). In support of this Application, the Debtors submit the Affidavit of Todd W. Wuertz, Director of Consulting Services at Epiq, attached hereto as Exhibit 1 (the "Affidavit"). In further support of this Application, the Debtors respectfully state as follows:

1. On May 22, 2014, an involuntary petition seeking relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.* (the "Bankruptcy Code") was filed against Licking River Mining, LLC ("LR Mining"). On May 23, 2014, involuntary petitions seeking relief under Chapter 11 of the Bankruptcy Code were filed against Licking River Resources, Inc. ("LRR") and Fox Knob Coal Co., Inc. ("Fox Knob"). On June 3, 2014, an involuntary petition seeking relief under Chapter 11 of the Bankruptcy Code was filed against S. M. & J., Inc. ("SM&J"). On June 4, 2014, an involuntary petition seeking relief under Chapter 11 of the Bankruptcy Code was filed against J.A.D. Coal Company, Inc. ("JAD").¹ On June 10, 2014, an involuntary petition seeking relief under Chapter 11 of the Bankruptcy Code was filed against U.S. Coal Corporation ("U.S. Coal"). The foregoing involuntary petitions are collectively referred to as the "Involuntary Petitions," and the dates upon which the Involuntary Petitions were filed are collectively referred to as the "Commencement Dates."

2. On June 12, 2014, the Court entered an order for relief in each of the Subsidiary Debtors' bankruptcy cases (the "Subsidiary Relief Date"). On June 27, 2014, the Court entered an order for relief in U.S. Coal's bankruptcy case (the "U.S. Coal Relief Date," and together with the Subsidiary Relief Date, the "Relief Dates").

¹ LR Mining, LRR, Fox Knob, SM&J, and JAD are collectively referred to as the "Subsidiary Debtors."

3. On June 13, 2014, the Court entered an Order [Doc 91]² directing the joint administration of the Subsidiary Debtors' bankruptcy cases. On June 27, 2014, the Court entered an Order [U.S. Coal Doc 48] directing that the bankruptcy case of U.S. Coal be jointly administered with the Subsidiary Debtors' bankruptcy cases. Contemporaneously herewith, the Debtors are filing a motion requesting that the Additional Debtors' bankruptcy cases be jointly administered with the Jointly-Administered Debtors' bankruptcy cases.

4. No trustee or examiner has been appointed in the Chapter 11 cases of any of the Debtors. The Official Committee of Unsecured Creditors (the "Committee") was appointed in the Jointly-Administered Debtors' bankruptcy cases on June 18, 2014 [See Doc 145].

5. On September 15, 2014, the Committee filed a Motion [Doc 468] requesting, among other things, that the Court compel the Jointly-Administered Debtors to file Chapter 11 petitions for the Additional Debtors, which are subsidiaries of U.S. Coal.

6. On October 27, 2014, the Court entered an Order [Doc 574] which authorized, compelled, and directed the Jointly-Administered Debtors to file Chapter 11 petitions for the Additional Debtors. Contemporaneously with the filing of this Motion, voluntary Chapter 11 petitions were filed for each of the four Additional Debtors as directed by the Court.

7. The Debtors all continue to operate their businesses and manage their properties as debtors in possession pursuant to 11 U.S.C. §§ 1107(a) and 1108.

8. This Court has jurisdiction over all of the Debtors' Chapter 11 cases under 28 U.S.C. §§ 157 and 1334. This matter constitutes a core proceeding under 28 U.S.C. § 157(b)(2)(A).

² All ECF numbers contained herein refer to pleadings filed in the lead case of *In re Licking River Mining, LLC*, Case No. 14-10201 unless otherwise specifically noted.

9. The Debtors all maintain their principal places of business in Fayette County, Kentucky. Accordingly, venue for all of the Debtors' Chapter 11 cases is proper in this District under 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

10. Information regarding the Debtors' businesses and operations can be found in the Declaration of John Collins in Support of the Debtors' First Day Pleadings [Doc 13] and the Declaration of John Collins Regarding the Motion of the Official Committee of Unsecured Creditors for an Order Compelling the Debtors to File Chapter 11 Petitions for Non-Debtor Subsidiaries [Doc 542], which are fully incorporated herein by reference.

PRIOR RELATED RELIEF

11. On June 9, 2014, the Subsidiary Debtors filed their Application for an Order Authorizing and Approving the Employment and Retention of Epiq Bankruptcy Solutions, LLC as Claims, Noticing, and Balloting Agent [Doc 36] (the "Original Epiq Employment Application"), which requested authorization for the Subsidiary Debtors to employ Epiq in their bankruptcy cases. On June 16, 2014, this Court entered an Order [Doc 128] (the "Original Epiq Employment Order") authorizing the Subsidiary Debtors to employ and retain Epiq as claims, noticing, and balloting agent for the Subsidiary Debtors effective as of the Subsidiary Relief Date.

12. Following the commencement of U.S. Coal's bankruptcy case, the Court entered an Order [U.S. Coal Doc 49] (the "USC Epiq Employment Order") rendering the Original Epiq Employment Order applicable to U.S. Coal effective as of the U.S. Coal Relief Date.

RELIEF REQUESTED

13. By this Application, and pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 105(a), the Debtors respectfully request the entry of an order substantially in the form tendered herewith rendering the Original Epiq Employment Order applicable to the Additional Debtors and their above-captioned bankruptcy cases, effective as of the commencement of the Additional Debtors' cases.

BASIS FOR REQUESTED RELIEF

14. For purposes of consistency among the Jointly-Administered Debtors' bankruptcy cases and the Additional Debtors' bankruptcy cases, the "Basis for Relief Requested" section in this Application is substantially the same as the "Basis for Relief Requested" section in the Original Epiq Employment Application, with the exception of added references to the Additional Debtors which have filed voluntary Chapter 11 petitions since the filing of the Original Application. However, interested parties are encouraged to read both pleadings as they evaluate the relief requested in this Application.

15. Section 156(c) of title 28 of the United States Code, which governs the staffing and expenses of a bankruptcy court, authorizes the Court to use "facilities" or "services" other than the Clerk's Office for administration of bankruptcy cases. It states:

Any court may utilize facilities or services, either on or off the court's premises, which pertain to the provision of notices, dockets, calendars, and other administrative information to parties in cases filed under the provisions of title 11, United States Code, where the costs of such facilities or services are paid for out of the assets of the estate and are not charged to the United States. The utilization of such facilities or services shall be subject to such conditions and limitations as the pertinent circuit council may prescribe.

28 U.S.C. § 156(c). Accordingly, 28 U.S.C. § 156(c) empowers the Court to use outside agents and facilities for claims, noticing, and balloting purposes, provided that the Debtors' Estates pay for the cost of such services.

16. The Debtors' bankruptcy cases involve hundreds of entities to be noticed, many of which have or will file proofs of claim. In view of the number of anticipated claimants and the complexity of the Debtors' businesses, the Debtors submit that the appointment of a claims, noticing, and balloting agent is both necessary and in the best interests of all of the Debtors' Estates and creditors. By appointing Epiq as the claims, noticing, and balloting agent in the Chapter 11 bankruptcy cases of all of the Debtors, the distribution of notices and the processing of claims will be expedited, and the Office of the Clerk of the Court (the "Clerk's Office") will be relieved of the administrative burden of processing what may be a number of claims.

17. Epiq provides comprehensive solutions to design and implement legal notice programs and manage claims issues for Chapter 11 cases. For Chapter 11 case management, Epiq specializes in noticing, claims processing, and other administrative tasks necessary to operate Chapter 11 cases effectively. Epiq is one of the country's leading Chapter 11 administrators, with substantial experience in matters of significant size and complexity. Indeed, Epiq has acted as the official claims, noticing, and balloting agent in many large bankruptcy cases in this and other districts nationwide. *See, e.g., In re Trinity Coal Corp.*, Case No. 13-50364 (TNW) (Bankr. E.D. Ky.); *In re The Beach at Mason Limited Partnership*, Case No. 12-33854 (GRH) (Bankr. S.D. Ohio); *In re SRHS Bankruptcy, Inc. Bankruptcy, Inc. (f/k/a Sumner Regional Health Systems, Inc.)*, Case No. 10-04766 (MFH) (Bankr. M.D. Tenn.); *In re The Antioch Company, et al.*, Case No. 08-35741 (GRH) (Bankr. S.D. Ohio); *In re Fabric Estate, Inc. et al.*, Case No. 08-10249 (JCC) (Bankr. E.D. Tenn.); *In re ATLS Acquisition, LLC*,

Case No. 13-10262 (PJW) (Bankr. D. Del. Feb. 2, 2013): *In re Pinnacle Airlines Corp.*, Case No. 12-11343 (REG) (Bankr. S.D.N.Y. Apr. 3, 2012).

18. The Debtors believe that retaining Epiq as the claims, noticing, and balloting agent in the Chapter 11 cases of all the Debtors is in the best interests of all of the Debtors, their Estates, and their creditors.

19. Epiq has already been retained and appointed as the claims, noticing, and balloting agent in the Jointly-Administered Debtors' Chapter 11 cases pursuant to the Original Epiq Employment Order and the USC Epiq Employment Order. The terms of Epiq's retention by the Debtors are set forth in a Services Agreement that was attached as an exhibit to the Original Epiq Employment Application (the "Services Agreement") [Doc 36-2]; *provided, however*, that in the event of a conflict between the Services Agreement and the Original Epiq Employment Order, said Order controls.

20. On or about June 18, 2014, the Subsidiary Debtors, U.S. Coal, and Epiq entered into the First Amendment to Epiq Standard Services Agreement attached hereto as Exhibit 2 (the "First Amendment"). The First Amendment adds U.S. Coal as a client party to the initial Services Agreement (which is attached to the First Amendment as Exhibit A) but does not otherwise modify the terms of the Services Agreement.

21. On or about October 31, 2014, the Jointly-Administered Debtors, the Additional Debtors, and Epiq entered into the Second Amendment to Epiq Standard Services Agreement attached hereto as Exhibit 3 (the "Second Amendment"). The Second Amendment adds the Additional Debtors as client parties to the initial Services Agreement but does not otherwise modify the terms of the Services Agreement. Hereinafter, the term "Services Agreement" shall encompass the original Services Agreement, the First Amendment, and the Second Amendment.

22. The Jointly-Administered Debtors and the Additional Debtors have requested that their bankruptcy cases be jointly administered, and they anticipate that their bankruptcy cases will be proceed on much the same schedule after the Additional Debtors' cases complete the initial first-day matters. Accordingly, the Debtors submit that appointing Epiq as claims, noticing, and balloting agent in the bankruptcy cases of the Additional Debtors on the same terms as approved in the Original Epiq Employment Order is warranted and will promote efficiency and uniformity among all of the Debtors' bankruptcy cases. Specifically, the Debtors request that Epiq be authorized to perform the following tasks in its role as the claims, noticing, and balloting agent for the Additional Debtors (the "Claims, Noticing and Balloting Services"), as well as all quality control relating thereto, which are the same tasks that Epiq is authorized to perform for the Jointly-Administered Debtors in their bankruptcy cases:

A. Noticing

- (a) Prepare and serve required notices and documents in the Chapter 11 cases in accordance with the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") in the form and manner directed by the Debtors and/or the Court, including (i) notice of the first-day hearings in the each of the Debtors' respective bankruptcy cases; (ii) notice of the commencement of those Chapter 11 cases and the initial meeting of creditors under 11 U.S.C. § 341(a), (iii) notice of any claims bar date and any auction or sale hearing, (iv) notices of objections to claims, (v) notices of any hearings on a disclosure statement and confirmation of the Debtors' Chapter 11 plan or plans, and (vi) other miscellaneous notices to any entities as the Debtors or the Court may deem necessary or appropriate for an orderly administration of the Debtors' Chapter 11 cases;
- (b) For all notices, motions, orders, or other pleadings or documents served, prepare and file or cause to be filed with the Clerk an affidavit of service within seven (7) business days of service that includes, to the extent not inconsistent with any case management order entered by the Court, (i) a copy of the notice involved, (ii) a list of persons to whom it was mailed and (iii) the date and manner of mailing;
- (c) Update the claim database to reflect undeliverable or changed addresses;

- (d) Coordinate publication of certain notices in periodicals and other media;
- (e) Distribute claim acknowledgement cards to any creditor that has filed a proof of claim/interest;

B. Preparation of Schedules and Statements

- (a) Assist the Debtors with administrative tasks in the preparation of their bankruptcy Schedules of Assets and Liabilities (the “Schedules”) and Statements of Financial Affairs (the “Statements”), including (as needed): (i) coordinating with the Debtors and their advisors regarding the Schedules and Statements process, requirements, timelines, and deliverables, (ii) creating and maintaining databases for maintenance and formatting of Schedules and Statements data, (iii) coordinating collection of data from the Debtors and their advisors and (iv) providing data entry and quality assurance assistance regarding Schedules and Statements, including, specifically, the creation of Schedule G.

C. Claims Management

- (a) Maintain copies of all proofs of claim and proofs of interest filed (in hard copy and electronic form);
- (b) Provide a secure on-line tool through which creditors can file proofs of claim and related documentation;
- (c) Create and maintain electronic databases for creditors and parties in interest information provided by the Debtors (e.g., creditor matrices, Schedules, and Statements) and by creditors and parties in interest (e.g., proofs of claim and proofs of interests);
- (d) Process all proofs of claim or interest received;
- (e) Provide access to the public for examination of copies of the proofs of claim or interest without charge during regular business hours;
- (f) Maintain the official claims register for each of the Debtors (the “Claims Registers”) on behalf of the Clerk and include in the Claims Registers, among other things, the following information for each proof of claim or proof of interest: (i) the name and address of the claimant and any agent thereof, if the proof of claim or proof of interest was filed by an agent, (ii) the date received, (iii) the claim number assigned, and (iv) the asserted amount and classification of the claim;

- (g) Create and maintain a website with general case information, key documents, claim search function, and mirror of ECF case docket (the “Case Information Website”);
- (h) Transmit to the Clerk’s office a copy of the claims registers on a monthly basis, unless requested by the Clerk’s office on a more or less frequent basis or, in the alternative, make available the claims register on-line;
- (i) Implement necessary security measures to ensure the completeness and integrity of the claims registers;
- (j) Record all transfers of claims pursuant to Fed. R. Bankr. P. 3001 (e) and provide notice of such transfers as required by Fed. R. Bankr. P. 3001(e);
- (k) Maintain an up-to-date mailing list for all entities that have filed a proof of claim, proof of interest, or notice of appearance, which list shall be available upon request of a party in interest or the Clerk’s office;

D. Balloting and Tabulation

- (a) Provide balloting services in connection with the solicitation process for any Chapter 11 plan for which a disclosure statement has been approved by the Court, including (as needed): (i) coordinate distribution of solicitation documents, (ii) respond to requests for documents from parties in interest, including brokerage firm and bank back-offices and institutional holders, (iii) respond to telephone inquiries from lenders, bondholders, and nominees regarding the disclosure statement and the voting procedures, (iv) establish a website for the posting of solicitation documents, (v) receive and examine all ballots and master ballots cast by voting parties, (vi) date and time-stamp the originals of all such ballots and master ballots upon receipt and (vii) tabulate all ballots and master ballots received prior to the voting deadline in accordance with established procedures and prepare a certification for filing with the court;
- (b) Undertake such other duties as may be requested by the Debtors;

E. Call Center

- (a) Provide state-of-the-art Call Center facility and services, including (as needed): create frequently asked questions, call scripts, escalation procedures and call log formats; record automated messaging; train Call Center staff; maintain and transmit call log to the Debtors and their advisors;

F. Virtual Dataroom

- (a) Provide confidential on-line workspace to facilitate permission contract and invoice review, or creation of contract repository, among other reasons;

G. Miscellaneous

- (a) In addition, (i) provide such other claims processing, noticing, and related administrative services as may be requested from time to time by the Debtors, (ii) promptly comply with such further conditions and requirements as the Court may at any time prescribe, (iii) comply with applicable federal, state, municipal, and local statutes, ordinances, rules, regulations, orders and other requirements, and (iv) provide temporary employees to the Clerk's Office to process claims, as necessary.

23. The Debtors submit that, based on all engagement proposals obtained and reviewed, Epiq's rates are competitive and reasonable given Epiq's quality of services and expertise. Furthermore, the Debtors respectfully submit that the fees and expenses that Epiq would incur under the proposed engagement would be administrative in nature and, therefore, should not be subject to the standard fee application procedures of professionals.

24. The Debtors respectfully request that the undisputed fees and expenses incurred by Epiq in the performance of the above services be treated as administrative expenses of the Debtors' Chapter 11 Estates pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 503(b)(1)(A), and that the Debtors be authorized to pay those fees and expenses in the ordinary course of business without further application to or order of the Court. Epiq agrees to maintain records of all services showing dates, categories of services, fees charged, and expenses incurred, and to serve monthly invoices on the Debtors, the Office of the United States Trustee for the Eastern District of Kentucky (the "U.S. Trustee"), counsel to the Debtors, counsel to any official committee monitoring the expenses of the Debtors, and any party in interest who specifically requests service of the monthly invoices. If any dispute arises relating to the Services Agreement or

monthly invoices, the parties shall meet and confer in an attempt to resolve the dispute; if resolution is not achieved, the parties may seek resolution of the matter from the Court.

25. Prior to the Relief Dates, the Debtors provided Epiq a retainer in the amount of \$15,000 (the "Retainer"). The Debtors request that the Court authorize Epic to apply the Retainer to all fees, costs, and expenses incurred pursuant to the Services Agreement.

26. In connection with its retention as the claims, noticing and balloting agent, Epiq represents in the Affidavit, among other things, that:

- (a) Epiq is not a creditor of any of the Debtors;
- (b) Epiq will not consider itself employed by the United States government and shall not seek any compensation from the United States government in its capacity as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors;
- (c) By accepting employment in these Chapter 11 cases, Epiq waives any rights to receive compensation from the United States government in its capacity as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors;
- (d) In its capacity as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors, Epiq will not be an agent of the United States and will not act on behalf of the United States;
- (e) Epiq will not employ any past or present employees of the Debtors in connection with its work as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors;
- (f) In its capacity as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors, Epiq will not intentionally misrepresent any fact to any person;
- (g) Epiq shall be under the supervision and control of the Clerk's Office with respect to the receipt and recordation of claims and claim transfers; and
- (h) None of the services provided by Epiq as the claims, noticing, and balloting agent in the Chapter 11 cases of the Debtors shall be at the expense of the Clerk's Office.

27. To the extent that there is any inconsistency between this Application, the Original Epiq Employment Order, and the Services Agreement, the Original Epiq Employment Order shall govern.

28. Should Epiq discover any new relevant facts or relationships bearing on the matters described herein during the period of its retention, Epiq will use reasonable efforts to promptly file a supplemental affidavit.

29. Courts within this jurisdiction have entered similar orders providing for the retention of a noticing and claims agent. *See, e.g., In re Trinity Coal Corporation, et al.*, Case No. 13-50364 (Bankr. E.D. Ky. March 6, 2013); *In re Horizon Natural Resources Company*, Case No. 02-14261 (Bankr. E.D. Ky. November 15, 2002); *In re Black Diamond Mining Company, LLC*, Case No. 08-70066 (Bankr. E.D. Ky. March 19, 2008); and *In re Special Metals Corp.*, Case No. 02-10335 (Bankr. E.D. Ky. April 18, 2002).

30. For the reasons set forth herein, the Debtors respectfully submit that the retention of Epiq by the Additional Debtors pursuant to the terms of the Services Agreement, as approved by the Original Epiq Employment Order, will inure to the benefit of their Estates and all parties in interest by expediting the noticing, claims docketing, and ballot solicitation and tabulation processes, and will enable the Debtors' Chapter 11 cases to be conducted in a cost-effective and efficient manner. The Debtors believe that retaining Epiq as the claims, noticing, and balloting agent in the Chapter 11 cases of the Additional Debtors is therefore in the best interests of the Debtors, their Estates, and their creditors.

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form tendered herewith: (a) approving this Application; (b) ordering that all portions of the Original Epiq Employment Order are applicable to the Additional Debtors and

their bankruptcy cases; (c) appointing Epiq as claims, noticing, and balloting agent in the Additional Debtors' Chapter 11 cases, effective as of the commencement of those cases; and (d) granting the Debtors such other and further relief as the Court deems just and proper.

Dated: November 3, 2014

LICKING RIVER MINING, LLC

By: /s/ John A. Collins

Title: CEO

LICKING RIVER RESOURCES, INC.

By: /s/ John A. Collins

Title: CEO

S. M. & J., INC.

By: /s/ John A. Collins

Title: CEO

FOX KNOB COAL CO., INC.

By: /s/ John A. Collins

Title: CEO

J.A.D. COAL COMPANY, INC.

By: /s/ John A. Collins

Title: CEO

U.S. COAL CORPORATION

By: /s/ John A. Collins

Title: CEO

HARLAN COUNTY MINING, LLC

By: /s/ John A. Collins

Title: CEO

OAK HILL COAL, INC.

By: /s/ John A. Collins

Title: CEO

SANDLICK COAL COMPANY, LLC

By: /s/ John A. Collins

Title: CEO

U.S. COAL MARKETING, LLC

By: /s/ John A. Collins

Title: CEO

Respectfully submitted,

DELCOTTO LAW GROUP PLLC

/s/ Amelia Martin Adams, Esq.

KY Bar No. 93038

Laura Day DelCotto, Esq.

KY Bar No. 81763

200 North Upper Street

Lexington, KY 40507

Telephone: (859) 231-5800

Facsimile: (859) 281-1179

aadams@dlgfirm.com

ldelcotto@dlgfirm.com

and

NIXON PEABODY LLP

/s/ Dennis J. Drebsky, Esq.

NY Bar No. 1181007

Christopher M. Desiderio, Esq.

NY Bar No. 4350633

437 Madison Avenue

New York, NY 10022-7039

Telephone: (212) 940-3000

Facsimile: (212) 940-3111

ddrebsky@nixonpeabody.com

cdesiderio@nixonpeabody.com

COUNSEL FOR JOINTLY-
ADMINISTERED DEBTORS
AND DEBTORS IN POSSESSION

COUNSEL FOR
ADDITIONAL DEBTORS
(UNDER PENDING APPLICATION)