

David S. Meyer (admitted *pro hac vice*)
Jessica C. Peet (admitted *pro hac vice*)
VINSON & ELKINS LLP
The Grace Building
1114 Avenue of the Americas, 32nd Floor
New York, New York 10036-7708
Telephone: (212) 237-0000
Facsimile: (212) 237-0100

Matthew J. Pyeatt (admitted *pro hac vice*)
Trevor G. Spears (admitted *pro hac vice*)
VINSON & ELKINS LLP
Trammell Crow Center
2001 Ross Avenue, Suite 3900
Dallas, Texas 75201
Telephone: (214) 220-7700
Facsimile: (214) 220-7716

Michael A. Condyles (VA 27807)
Peter J. Barrett (VA 46179)
Jeremy S. Williams (VA 77469)
KUTAK ROCK LLP
901 East Byrd Street, Suite 1000
Richmond, Virginia 23219-4071
Telephone: (804) 644-1700
Facsimile: (804) 783-6192

Proposed Co-Counsel to the Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

)	
In re:)	Chapter 11
)	
ENVIVA INC., <i>et al.</i> ,)	Case No. 24 – 10453 (BFK)
)	
Debtors. ¹)	(Jointly Administered)
)	

**AMENDED PROPOSED AGENDA FOR MATTERS SCHEDULED FOR HEARING
ON MAY 1, 2024, AT 10:00 A.M. (EASTERN PREVAILING TIME)**

PLEASE TAKE NOTICE that the following matters are scheduled for hearing in person and by remote video conference May 1, 2024, at 10:00 a.m. (Eastern Prevailing Time). Interested parties who wish to participate by video or audio may do so by registering in advance at:

https://www.zoomgov.com/meeting/register/vJIscuytrDkoErNpek6-Q_DEEuWqbVauQbE

¹ Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.



I. UNCONTESTED MATTER

1. *“Cash Management Motion” Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Business Forms, and (C) Continue Intercompany Transfers, (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief [Docket No. 13]*

Pending Responses: None

Related Documents:

- A. *Exhibit(s) C and D to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Business Forms, and (C) Continue Intercompany Transfers; (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief [Docket No. 45]*
- B. *Interim Order (I) Authorizing the Debtors to (A) Maintain the Cash Management System, (B) Continue Using Existing Business Forms, and (C) Continue Intercompany Transfers; (II) Providing Administrative Expense Priority Status for Postpetition Intercompany Claims, and (III) Granting Related Relief [Docket No. 102]*
- C. *Certificate of No Objection and Notice of Filing of Revised Proposed Order [Docket No. 423]*

Status: This matter is going forward.

II. CONTESTED MATTER

2. *“DIP Motion” Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 24].*

Pending Responses:

- A. *Limited Objection of the NMTC Participants to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 258]*

- B. *Preliminary Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 375]
- C. *Supplemental Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 390]²

Related Documents:

- A. *Declaration of Christian Tempke in Support of the Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 29];
- B. *Declaration of Mark Rajceвич in Support of the Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 30]
- C. *Amended Exhibit C to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 55]

² Pursuant to the *Order Granting Joint Motion to Adjourn Final Hearing on DIP Financing Motion and Related Matters* [Docket No. 368], the deadline for the Official Committee of Unsecured Creditors to file its supplemental objection was April 29, 2024 at 10:00 am. (Eastern Time). The supplemental objection was not timely filed and the Debtors reserve all rights and remedies in connection therewith.

- D. *Notice of Filing of Revised Proposed Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 98]
- E. *Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 103]
- F. *Notice of Filing of Revised Proposed Final Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 225]
- G. *Statement Regarding Status of Final Hearing on DIP Financing Motion* [Docket No. 245]
- H. *Certificate of Service of Discovery Documents* [Docket No. 329]
- I. *Notice of Subpoena* [Docket No. 335]
- J. *Notice of Subpoena* [Docket No. 337]
- K. *NMTC Participants' Witness and Exhibit List for Final Hearing on DIP Motion* [Docket No. 389]
- L. *Declaration of Mike Genereaux in Support of the Supplemental Objection of the Official Committee of Unsecured Creditors to the Debtors' DIP Motion* [Docket No. 391]
- M. *Motion for Authority to File Under Seal (I) Portions of the Supplemental Objection; (II) Portions of the Declaration of Mike Genereux; and (III) Certain Exhibits Submitted in Support of the Supplemental Objection Under Seal* [Docket No. 392; redocketed at Docket No. 418]
- N. *NMTC Participants' Amended Witness and Exhibit List for Final Hearing on DIP Motion* [Docket No. 397]
- O. *Motion in Limine to Exclude Debtors' Board Minutes and Materials as Evidence of Debtors' Business Judgment* [Docket No. 400]

- P. *Debtors' Witness and Exhibit List for May 1, 2024 Hearing* [Docket No. 401]
- Q. *Motion for Authority to File Under Seal (I) Motion in Limine and (II) Exhibits in Support of Motion in Limine* [Docket No. 402; redocketed at Docket No. 421]
- R. *Initial Exhibit List of Official Committee of Unsecured Creditors for Hearing* [Docket No. 404]
- S. *Witness List for Hearing* [Docket No. 405]
- T. *Debtors' Reply to the Objections of the Official Committee of Unsecured Creditors to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 407]
- U. *Reply of Ad Hoc Group in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 408]
- V. *Joinder of Ankura Trust Company, LLC to the Reply of Ad Hoc Group in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 409]
- W. *Sealed Objection* [Docket No. 419]
- X. *Sealed Certification/Declaration/Statement* [Docket No. 420]

Status: This matter is going forward.

[Remainder of page intentionally left blank]

Richmond, Virginia
Dated: April 30, 2024

/s/ Adolyn C. Wyatt

KUTAK ROCK LLP

Michael A. Condyles (VA 27807)
Peter J. Barrett (VA 46179)
Jeremy S. Williams (VA 77469)
901 East Byrd Street, Suite 1000
Richmond, Virginia 23219-4071
Telephone: (804) 644-1700
Facsimile: (804) 783-6192
Email: michael.condyles@kutakrock.com;
peter.barrett@kutakrock.com;
jeremy.williams@kutakrock.com

VINSON & ELKINS LLP

David S. Meyer (admitted *pro hac vice*)
Jessica C. Peet (admitted *pro hac vice*)
The Grace Building
1114 Avenue of the Americas, 32nd Floor
New York, New York 10036-7708
Telephone: (212) 237-0000
Facsimile: (212) 237-0100
Email: dmeyer@velaw.com;
jpeet@velaw.com

- and -

Matthew J. Pyeatt (admitted *pro hac vice*)
Trevor G. Spears (admitted *pro hac vice*)
Trammell Crow Center
2001 Ross Avenue, Suite 3900
Dallas, Texas 75201
Telephone: (214) 220-7700
Facsimile: (214) 220-7716
Email: mpyeatt@velaw.com;
tspears@velaw.com

Proposed Co-Counsel for the Debtors and Debtors in Possession