

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)
) Chapter 11
PLASTIQ INC., *et al.*,¹)
) Case No. 23-10671 (BLS)
Debtors.)
) (Jointly Administered)
)

**NOTICE OF AMENDED² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JULY 27, 2023 AT 10:00 A.M. (ET)**

This hearing will be conducted in person. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person Court proceeding using Zoom is allowed only in the following circumstances: (i) counsel for a party or a pro se litigant files a responsive pleading and intends to make only a limited argument; (ii) a party or a representative of a party is interested in observing the hearing; (iii) a party is proceeding in a claims allowance dispute on a pro se basis; (iv) an individual has a good faith health-related reason to participate remotely and has obtained permission from chambers to do so; or (v) other extenuating circumstances that warrant remote participation as may be determined by the Court.

COURTCALL WILL NOT BE USED FOR THIS HEARING.

Please use the following link to register for this hearing:

<https://debuscourts.zoomgov.com/meeting/register/vJltf-uprzstHWT3JdQftP0hH4Mcr9YzxBU>

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

**YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM
OR YOU WILL NOT BE ALLOWED INTO THE MEETING.**

RESOLVED MATTERS

1. Debtors’ Motion for Order Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code (I) Approving Key Employee Retention Plan; and (II) Granting Related Relief [D.I. 165; 7/6/23]

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PlastiQ Inc. (6125), PLV Inc. d/b/a/ PLV TX Branch Inc. (5084), and Nearside Business Corp. (N/A). The corporate headquarters and the mailing address for the Debtors is 1475 Folsom Street, Suite 400, San Francisco, California 94103.

² Amended items appear in bold.



Related Pleadings:

- a) [Sealed] Exhibit B to Debtors' Motion for Order Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code (I) Approving Key Employee Retention Plan; and (II) Granting Related Relief [D.I. 166; 7/6/23]
- b) Declaration of Vladimir Kasparov in Support of Debtors' Motion for Order Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code (I) Approving Key Employee Retention Plan; and (II) Granting Related Relief [D.I. 205; 7/25/23]
- c) Certification of Counsel [D.I. 206; 7/25/23]
- d) Order Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code (I) Approving Key Employee Retention Plan; and (II) Granting Related Relief [D.I. 209; 7/25/23]

Objection Deadline: July 20, 2023 at 4:00 p.m. (ET)

Objections/Informal Responses:

- e) Informal Response from the Office of the United States Trustee

Status: An order has been entered by the Court. No hearing is necessary.

2. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to File Under Seal Exhibit B to Debtors' Motion for Entry of an Order Approving the Key Employee Retention Program and (II) Directing Parties to Redact Confidential Information in All Related Pleadings [D.I. 167; 7/6/23]

Related Pleadings:

- a) [Sealed] Exhibit B to Debtors' Motion for Order Pursuant to Sections 363(b) and 503(c) of the Bankruptcy Code (I) Approving Key Employee Retention Plan; and (II) Granting Related Relief [D.I. 166; 7/6/23]
- b) Certificate of No Objection [D.I. 190; 7/21/23]
- c) Order (I) Authorizing the Debtors to File Under Seal Exhibit B to Debtors' Motion for Entry of an Order Approving the Key Employee Retention Program and (II) Directing Parties to Redact Confidential Information in All Related Pleadings [D.I. 195; 7/24/23]

Objection Deadline: July 20, 2023 at 4:00 p.m. (ET)

Objections/Informal Responses: None.

Status: An order has been entered by the Court. No hearing is necessary.

3. Application of the Official Committee of Unsecured Creditors of PlastiQ Inc., *et al.*, for Entry of an Order Authorizing Employment and Retention of DLA Piper LLP (US) as Counsel, *Nunc Pro Tunc* to June 8, 2023 [D.I. 172; 7/6/23]

Related Pleadings:

- a) Certification of Counsel [D.I. 192; 7/21/23]
- b) Order (I) Authorizing the Official Committee of Unsecured Creditors to Retain and Employ DLA Piper LLP (US) as Counsel, Effective as of June 8, 2023, and (II) Granting Related Relief [D.I. 196; 7/24/23]

Objection Deadline: July 20, 2023 at 4:00 p.m. (ET)

Objections/Informal Responses:

- c) Informal response from the Office of the United States Trustee

Status: An order has been entered by the Court. No hearing is necessary.

4. Application of the Official Committee of Unsecured Creditors of PlastiQ Inc., *et al.*, for Entry of an Order Authorizing and Approving the Employment and Retention of Dundon Advisers LLC as Financial Advisor Effective as of June 9, 2023 [D.I. 173; 7/6/23]

Related Pleadings:

- a) Certification of Counsel [D.I. 193; 7/21/23]
- b) Order Authorizing and Approving the Retention of Dundon Advisers LLC as Financial Advisor to the Official Committee of Unsecured Creditors of PlastiQ Inc., *et al.*, Effective as of June 9, 2023 [D.I. 197; 7/24/23]

Objection Deadline: July 20, 2023 at 4:00 p.m. (ET)

Objections/Informal Responses:

- c) Informal response from the Office of the United States Trustee

Status: An order has been entered by the Court. No hearing is necessary.

MATTERS GOING FORWARD

5. Debtors' Motion for Entry of (A) an Order (I) Approving Bidding Procedures in Connection with the Sale of the Debtors' Assets and Related Bid Protections, (II) Approving Form and Manner of Notice, (III) Scheduling Auction and Sale Hearing, (IV) Authorizing Procedures Governing Assumption and Assignment of Certain Contracts and Unexpired Leases, and (V) Granting Related Relief; and (B) an Order (I) Approving the Purchase Agreements, and (II) Authorizing a Sale Free and Clear of All Liens, Claims, Encumbrances, and Other Interests [[D.I. 23](#); 5/24/23]

Related Pleadings:

- a) Order (I) Approving Bidding Procedures in Connection with the Sale of the Debtors' Assets and Related Bid Protections, (II) Approving Form and Manner of Notice, (III) Scheduling Auction and Sale Hearing, (IV) Authorizing Procedures Governing Assumption and Assignment of Certain Contracts and Unexpired Leases, and (V) Granting Related Relief [[D.I. 127](#); 6/21/23]
- b) Notice of Sale, Bidding Procedures, Auction, Sale Hearing, and Objection Deadline [[D.I. 128](#); 6/21/23]
- c) Notice of *Possible* Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with Sale [[D.I. 148](#); 6/27/23]
- d) Notice of Cancellation of Auction [[D.I. 189](#); 7/21/23]
- e) Reply of PlastiQ, Powered by Priority, LLC in Support of Approval of the Sale of the Debtors' Assets and in Response to the Limited Objection of the Official Committee of Unsecured Creditors [[D.I. 198](#); 7/24/23]
- f) Declaration of Tim O'Leary on behalf of the Buyer in Support of Approval of the Sale of the Debtors' Assets [[D.I. 199](#); 7/24/23]
- g) Reply of Colonnade Acquisition Corp. II in Support of the Proposed Sale of the Debtors' assets to PlastiQ, Powered by Priority, LLC Pursuant to the Stalking Horse Agreement [[D.I. 200](#); 7/24/23]
- h) Debtors' Reply to Limited Objection of Official Committee of Unsecured Creditors to Approval of Sale of Debtors' Assets and Distribution of Sale Proceeds Under Stalking Horse Bid [[D.I. 201](#); 7/24/23]
- i) Declaration of Steven W. Bremer in Support of Debtors' Motion for Entry of an Order (I) Approving the Purchase Agreement, and (II) Authorizing a Sale Free and Clear of All Liens, Claims, Encumbrances, and Other Interests [[D.I. 202](#); 7/24/23]

- j) Declaration of Vladimir Kasparov in Support of Debtors' Motion for Entry of an Order (I) Approving the Purchase Agreement, and (II) Authorizing a Sale Free and Clear of All Liens, Claims, Encumbrances, and Other Interests [[D.I. 204](#); 7/25/23]

Contract Objection Deadline: July 12, 2023 at 4:00 p.m. (ET)

Contract Objections/Informal Responses:

- k) Oracle America, Inc.'s Limited Objection to Notice of *Possible* Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with Sale [[D.I. 177](#); 7/12/23] (the "**Oracle Objection**")

Sale Objection Deadline: July 17, 2023 at 4:00 p.m. (ET)

Sale Objections/Informal Responses:

- l) Limited Objection of Official Committee of Unsecured Creditors to Approval of Sale of Debtors' Assets and Distribution of Sale Proceeds Under Stalking Horse Bid [[D.I. 186](#); 7/17/23] (the "**Committee Objection**")
- m) Reservation of Rights of Colonnade Acquisition Corp. II to the Proposed Sale of the Debtors' Assets [[D.I. 187](#); 7/17/23]

Witnesses: The Debtors intend to present Steven W. Bremer and Vladimir Kasparov as witnesses in support of this matter.

Additional Pleadings:

- n) **Notice of Filing of Revised Proposed Sale Order** [[D.I. 215](#); 7/26/23]

Status: This matter is going forward with respect to the Committee Objection. The Debtors are in discussions with Oracle America regarding a resolution to the Oracle Objection.

- 6. Debtors' Motion for Entry of an Order (I) Approving the Combined Disclosure Statement and Plan on an Interim Basis for Solicitation Purposes Only; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Combined Hearing and the Deadline for Filing Objections Thereto; (VI) Establishing Bar Date for Filing Requests for Allowance of Initial Administrative Claims; and (VII) Granting Related Relief [[D.I. 170](#); 7/6/23]

Related Pleadings:

- a) Combined Disclosure Statement and Chapter 11 Plan of PlastiQ Inc. and Its Affiliated Debtors [[D.I. 168](#); 7/6/23]

- b) Notice of Filing of (I) Revised Combined Disclosure Statement and Chapter 11 Plan of PlastiQ Inc. and Its Affiliated Debtors; and (II) Blackline Thereof [[D.I. 207](#); 7/25/23]
- c) Notice of Filing of (A) Revised Proposed Order (I) Approving the Combined Disclosure Statement and Plan on an Interim Basis for Solicitation Purposes Only; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Combined Hearing and the Deadline for Filing Objections Thereto; (VI) Establishing Bar Date for Filing Requests for Allowance of Initial Administrative Claims; and (VII) Granting Related Relief; and (B) Blackline Thereof [[D.I. 208](#); 7/25/23]

Objection Deadline: July 20, 2023 at 4:00 p.m. (ET)

Objections/Informal Responses:

- d) Informal Response from the Office of the United States Trustee

Status: This matter is going forward on an uncontested basis.

Dated: July 27, 2023
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Joseph M. Mulvihill

Michael R. Nestor (No. 3526)
Matthew B. Lunn (No. 4119)
Joseph M. Mulvihill (No. 6061)
Jared W. Kochenash (No. 6557)
1000 North King Street
Rodney Square
Wilmington, Delaware 19801
Tel.: (302) 571-6600
Facsimile: (302) 571-1253
Email: mnestor@ycst.com
mlunn@ycst.com
jmulvihill@ycst.com
jkochenash@ycst.com

Counsel for Debtors and Debtors in Possession