

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re:	:
	: Chapter 11
EXIDE TECHNOLOGIES,	:
	: Case No. 13-11482 (KJC)
Reorganized Debtor. <sup>1</sup>	:
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WEST SALEM STORAGE, LLC,	:
	:
Plaintiff,	:
	:
v.	: Adv. No. 17-51826 (KJC)
EXIDE TECHNOLOGIES,	:
	:
Defendant.	:
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**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JANUARY 31, 2018 AT 10:00 A.M. (EASTERN)**

Set forth below are the matters scheduled to be heard before the Honorable Kevin J. Carey, United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5<sup>th</sup> Floor, Courtroom 5, Wilmington, Delaware, on January 31, 2018 at 10:00 a.m. (Eastern).

**I. CONTESTED MATTERS**

1. **DEBTOR’S ADMINISTRATIVE CLAIMS OBJECTION:** Reorganized Debtor’s (Substantive) Objection Pursuant To Bankruptcy Code Section 503(b) And Bankruptcy Rule 3007 To Proof Of Administrative Expense Claim Filed By The South Coast Air Quality Management District (Claim No. 4123) (Docket No. 4507) (Date Filed: 9/30/15)

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<sup>1</sup> The last four digits of the Reorganized Debtor’s taxpayer identification number are 2730. The Reorganized Debtor’s corporate headquarters are located at 13000 Deerfield Parkway, Building 200, Milton, Georgia 30004.

Related Documents:

- a. Declaration Of Thomas H. Strang In Support Of Reorganized Debtors (Substantive) Objection Pursuant To Bankruptcy Code Section 503(b) And Bankruptcy Rule 3007 To Proof Of Administrative Expense Claim Filed By The South Coast Air Quality Management District (Claim No. 4123) (Docket No. 4508) (Date Filed: 9/30/15)
- b. South Coast Air Quality Management District Administrative Claim No. 4123
- c. All other related documents are listed under matter 5.

Objections/Responses Filed:

- a. The South Coast Air Quality Management District's Opposition To The Reorganized Debtor's (Substantive) Objection Pursuant To Bankruptcy Code Section 503(b) And Bankruptcy Rule 3007 To Proof Of Administrative Expense Claim Filed By The South Coast Air Quality Management District (Claim No. 4123) (Docket No. 4559) (Date Filed: 11/20/15)
- b. Reorganized Debtor's Reply To The South Coast Air Quality Management District's Opposition To (Substantive) Objection Pursuant To Bankruptcy Code Section 503(b) And Bankruptcy Rule 3007 To Proof Of Administrative Expense Claim (Claim No. 4123) (Docket No. 4604) Date Filed: 12/18/15)

Status: Argument on the above motion is going forward.

2. **PRIMA FACIE DISCHARGE EXCEPTION MOTION:** The South Coast Air Quality Management District's Motion For A Determination That It Has Alleged A Prima Facie Case For Application Of The 11 U.S.C. § 1141(d)(6) Exception To Discharge (Docket No. 4505) (Date Filed: 9/30/15)

Related Documents:

- a. All related documents are listed under matter 5.

Objections/Responses Filed:

- a. The Reorganized Debtor's Response To The South Coast Air Quality Management District's Motion For A Determination That It Has Alleged A Prima Facie Case For Application Of The 11 U.S.C. § 1141(d)(6) Exception To Discharge (Docket No. 4561) (Date Filed: 11/20/15)

- b. Reply In Further Support Of The District's Motion For A Determination That It Has Alleged A Prima Facie Case For Application Of The 11 U.S.C. § 1141(d)(6) Exception To Discharge (Docket No. 4606) (Date Filed: 12/18/15)
- c. The South Coast Air Quality Management District's Supplemental Authorities Regarding Motion For A Determination That It Has Alleged A Prima Facie Case For Application of the 11 U.S.C. § 1141(d)(6) Exception To Discharge (Docket No. 4913) (Date Filed: 11/17/17)
- d. Reorganized Debtor's Response To South Coast Air Quality Management District's Supplemental Authorities Regarding Motion For A Determination That It Has Alleged A Prima Facie Case For Application Of The 11 U.S.C. § 1141(d)(6) Exception To Discharge (Docket No. 4916) (Date Filed: 12/4/17)

Status: Argument on the above motion is going forward.

- 3. **GUC CLAIMS MOTION:** The South Coast Air Quality Management District's Motion For Entry Of An Order Concerning The Timeliness Of Its General Unsecured Claims Against Exide (Docket No. 4503) (Date Filed: 9/30/15)

Related Documents:

- a. South Coast Air Quality Management District Proof Of Claim No. 3317
- b. South Coast Air Quality Management District Proof Of Claim No. 3966
- c. All other related documents are listed under matter 5.

Objections/Responses Filed:

- a. The Reorganized Debtor's Objection To The South Coast Air Quality Management District's Motion For Entry Of An Order Concerning The Timeliness Of Its General Unsecured Claims Against Exide (Docket No. 4562) (Date Filed: 11/20/15)
- b. Reply In Further Support Of The District's Motion For Entry Of An Order Concerning The Timeliness Of Its General Unsecured Claims Against Exide (Docket No. 4607) (Date Filed: 12/18/15)

Status: Argument on the above motion is going forward.

- 4. **JUDICIAL NOTICE REQUESTS:** The South Coast Air Quality Management District's Request For Judicial Notice (Docket No. 4504) (Date Filed: 9/30/15) and The South Coast Air Quality Management District's Second Request For Judicial Notice (Docket No. 4563) (Date Filed: 11/20/15)

Related

Documents:

- a. All related documents are listed under matter 5.

Objections/Responses Filed:

- a. Limited Objection To The South Coast Air Quality Management District's Request For Judicial Notice And Reservation Of Rights (Docket No. 4560) (Date Filed: 11/20/15)
- b. Objection To The South Coast Air Quality Management District's Request For Judicial Notice And Reservation Of Rights (Docket No. 4605) (Date Filed: 12/18/17)

Status: Argument on the above motion is going forward.

5. **RELATED DOCUMENTS WITH RESPECT TO MATTERS 1-4:** Each of the following documents are related to all matters scheduled to be heard at the January 31, 2018 hearing between the Reorganized Debtor and the South Coast Air Quality Management District.

- a. Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4023) (Date Filed: 6/3/15)
- b. Notice Of Filing Of Exhibit To The Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4029) (Date Filed: 6/3/15)
- c. Joinder Of GUC Trust Trustee To The Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorneys' Fees (Docket No. 4245) (Date Filed: 6/17/15)
- d. The South Coast Air Quality Management District's Objection To The Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4247) (Filed: 6/17/15)
- e. The Reorganized Debtor's Reply In Support Of Its Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4291) (Date Filed: 6/26/15)

- f. Joinder Of Exide Stakeholders In The Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4299) (Date Filed: 6/26/15)
- g. Transcript regarding Hearing Held 7/7/2015 re: Plan Injunction Motion (Docket No. 4389) (Date Filed: 7/23/15)
- h. Order Resolving The Reorganized Debtor's Motion For Entry Of An Order (I) Enforcing The Plan Injunction Under The Confirmation Order And Confirmed Plan Of Reorganization And (II) Awarding Costs And Attorney's Fees (Docket No. 4414) (Date Filed: 7/23/15)
- i. Order Granting Parties' Agreed Schedule (Docket No. 4528) (Date Filed: 10/14/15)
- j. The Reorganized Debtor's Status Conference Report Regarding Litigation With The South Coast Air Quality Management District (Docket No. 4626) (Date Filed: 1/26/16)
- k. The South Coast Air Quality Management District's Status Conference Statement (Docket No. 4627) (Date Filed: 1/26/16)

6. **WEST SALEM STORAGE, LLC AGAINST EXIDE TECHNOLOGIES,**  
**Adv. No. 17-51826:** Complaint for Declaratory Judgment against Exide Technologies  
[Adv. Docket No. 1] (Date Filed: 10/26/17)

Related  
Documents:

- a. Summons And Notice Of Pretrial Conference [Adv. Docket No. 3]  
(Date Filed: 10/26/17)
- b. Defendant's Motion to Dismiss Complaint [Adv. Docket No. 4]  
(Date Filed: 11/27/17)
- c. Memorandum of Law in Support of Defendant's Motion to Dismiss Complaint  
[Adv. Docket No. 5] (Date Filed: 11/27/17)
- d. Transmittal Declaration of Stephen J. Della Penna Regarding Memorandum of Law  
in Support of the Defendant's Motion to Dismiss Complaint [Adv. Docket No. 6]  
(Date Filed: 11/27/17)
- e. Brief of Plaintiff West Salem Storage, LLC in Support of its Response to  
Defendant's Motion to Dismiss, with Declaration of Terrance Christian Blackburn  
in Support of Complaint [Adv. Docket No. 7] (Date Filed: 12/11/17)

- f. Reply in Support of Defendant's Motion to Dismiss Complaint [Adv. Docket No. 9]  
(Date Filed: 12/18/17)
- g. Defendant's Request for Oral Argument [Adv. Docket No. 10]  
(Date Filed: 12/21/17)
- h. Notice of Completion of Briefing [Adv. Docket No. 13] (Date Filed: 12/26/17)

Status: Argument on the motion to dismiss and pretrial conference are going forward.

Dated: Wilmington, Delaware  
January 29, 2018

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Anthony W. Clark

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