

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
EXIDE TECHNOLOGIES,)	Case No. 13-11482 (MFW)
)	
Reorganized Debtor. ¹)	Ref: 5188, 5189, 5190 and 5197
_____)	

**CERTIFICATION OF COUNSEL SUBMITTING ORDER APPROVING
STIPULATED BRIEFING SCHEDULE REGARDING REORGANIZED DEBTOR'S
MOTION TO DETERMINE EXTENT OF LIABILITY FOR POST-CONFIRMATION
QUARTERLY FEES PAYABLE PURSUANT TO 28 U.S.C. § 1930(A)(6)
DOCKET NO. 5188] AND RELATED MATTERS**

The undersigned counsel hereby certifies that:

1. The above-captioned reorganized debtors (collectively, the “Reorganized Debtors”) respectfully submit the proposed order (the “Proposed Order”) attached hereto as Exhibit 1 to address briefing of (A) the *Debtor’s Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) [Docket No. 5188]* and (B) the *United States Trustee’s Motion for the Entry of an Order Requiring that any Cause of Action Asserted on the Reorganized Debtor’s Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(A)(6) be Filed as an Adversary Proceeding [Docket No. 5197]* (together, the “Motions”). A copy of the *Stipulated Briefing Schedule Regarding Debtor’s Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) [Docket No. 5188] and Related Matters* (the “Stipulation”) is attached to the Proposed Order as Exhibit A thereto.

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

2. The United States Trustee (the “UST”) has indicated that the Proposed Order and Stipulation is acceptable.

3. After briefing on the Motions is completed, the parties request that the Court conduct a hearing on the Motions during the week of September 16, 2019 or as soon thereafter as is convenient for the Court.

4. Accordingly, the Reorganized Debtors respectfully request that the Court enter the Proposed Order at the Court’s earliest convenience.

Dated: July 16, 2019

FOX ROTHSCHILD LLP
Robert M. Fishman
Allen J. Guon
Terence G. Banich
Laura A. Caplin
321 N. Clark Street, Suite 800
Chicago, IL 60654
Telephone: (312) 541-0151
Facsimile: (312) 980-3888
Email: rfishman@foxrothschild.com
aguon@foxrothschild.com
tbanich@foxrothschild.com
lcaplin@foxrothschild.com

Counsel for the Reorganized Debtor

-and-

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O’Neill

Laura Davis Jones (Bar No. 2436)
James E. O’Neill (Bar No. 4042)
919 N. Market Street, 17th Floor
Wilmington, DE 19801
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
joneill@pszjlaw.com

Special Conflicts Counsel for the Reorganized Debtor

Exhibit 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
EXIDE TECHNOLOGIES,) Case No. 13-11482 (MFW)
)
Reorganized Debtor.¹) **Re: Docket No. 5188, 5189, 5190 and 5197**

ORDER APPROVING STIPULATED BRIEFING SCHEDULE REGARDING DEBTOR'S MOTION TO DETERMINE EXTENT OF LIABILITY FOR POST-CONFIRMATION QUARTERLY FEES PAYABLE PURSUANT TO 28 U.S.C. § 1930(A)(6) [DOCKET NO. 5188] AND RELATED MATTERS

Upon consideration of the *Stipulated Briefing Schedule for Defendants' Motion to Dismiss Stipulated Briefing Schedule Regarding Debtor's Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) [Docket No. 5188] and Related Matters* (the "Stipulation") between the parties in the above-captioned cases; and the Court having reviewed the Stipulation, a copy of which is attached hereto as Exhibit A), and sufficient cause appearing for the relief requested therein, it is hereby

ORDERED THAT:

1. The Stipulation is approved in its entirety.
2. The Court will conduct a hearing on the Motions on _____,

2019 at _____.

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

3. The Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Stipulation.

Exhibit A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
EXIDE TECHNOLOGIES,)	Case No. 13-11482 (MFW)
)	
Reorganized Debtor. ¹)	Ref: 5188, 5189, 5190 and 5197
_____)	

**STIPULATED BRIEFING SCHEDULE REGARDING REORGANIZED DEBTOR'S
MOTION TO DETERMINE EXTENT OF LIABILITY FOR POST-CONFIRMATION
QUARTERLY FEES PAYABLE PURSUANT TO 28 U.S.C. § 1930(A)(6)
[DOCKET NO. 5188] AND RELATED MATTERS**

WHEREAS, on June 12, 2019, Exide Technologies (“Exide” or the “Debtor”) filed the Reorganized Debtor's Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) [Docket No. 5188] and the Memorandum of Law in Support of the Reorganized Debtor's Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) [Docket No 5189] and the Notice of Constitutional Challenge to Federal Statute [Docket No. 5190] (the “Debtor’s Motion”); and

WHEREAS, on July 15, 2019, the United States Trustee (the “UST”) filed the Motion for the Entry of an Order Requiring that any Cause of Action Asserted in the Reorganized Debtor’s Motion to Determine Extent of Liability for Post-Confirmation Quarterly Fees Payable Pursuant to 28 U.S.C. § 1930(a)(6) be filed as an Adversary Proceeding [Docket no. 5197] (the “UST Motion” and, together with the Debtor’s Motion, the “Motions”); and

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

WHEREAS, the UST and Exide have conferred and agreed on a briefing schedule.

IT IS HEREBY Stipulated and Agreed as follows:

On or by August 5, 2019 the UST will file his objection to the Debtor's Motion (the "UST Objection").

On or by August 5, 2019 the Debtor will file its Objection to the UST Motion (the "Debtor's Objection").

On or by August 26, 2019, the UST will file its Reply to the Debtor's Objection and the Debtor will file its Reply to the UST's Objection.

On or by August 27, 2019, the Debtor will file a Notice of Completion of Briefing with respect to the Motions and submit a hearing binder to chambers.

The parties hereto request that the Court conduct a hearing on the Motions on or after September 16, 2019 at the Court's convenience.

Dated: July 16, 2019

ANDREW R. VARA
ACTING UNITED STATES TRUSTEE
Region 3

/s/ Linda J. Casey

Linda J. Casey, Esquire
United States Department of Justice
Office of the United States Trustee
J. Caleb Boggs Federal Building
844 King Street, Suite 2207
Lockbox 35
Wilmington, DE 19801
(302) 573-6491
(302) 573-6497 (Fax)
Email: Linda.Casey@usdoj.gov

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

Laura Davis Jones (Bar No. 2436)
James E. O'Neill (Bar No. 4042)
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
Email: joneill@pszjlaw.com

Special Conflicts Counsel for the Reorganized Debtor

and

FOX ROTHSCHILD LLP
Robert M. Fishman, Esquire
Allen J. Guon, Esquire
Terence G. Banich, Esquire
Laura A. Caplin, Esquire
321 N. Clark Street, Suite 1600
Chicago, IL 60654
Telephone: (312) 517-9200
Facsimile: (312) 517-9201
Email: rfishman@foxrothschild.com
Email: aguon@foxrothschild.com
Email: tbanich@foxrothschild.com
Email: lcaplin@foxrothschild.com

Counsel for the Reorganized Debtor