

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, 5197, and 5199
_____)	

**CERTIFICATION OF COUNSEL SUBMITTING ORDER APPROVING AMENDED
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 *Amended 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.*

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.

5188] and Related Matters (the “Amended Stipulation”) is attached to the Proposed Order as Exhibit A thereto.

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

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

Dated: August 21, 2019

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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, 5197, 5199**

**ORDER APPROVING AMENDED 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 *Amended 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 “Amended Stipulation”) between the parties in the above-captioned cases; and the Court having reviewed the Amended 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 Amended Stipulation is approved in its entirety.

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 Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Amended 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, 5197, 5199
_____)	

AMENDED 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”);

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, on July 18, 2019, the Court entered the stipulated briefing schedule [Docket No. 5199] (the “Briefing Schedule”) setting forth response deadlines and scheduling a hearing on the Motions for September 18, 2019 at 2:00 p.m. (Eastern Time);

WHEREAS, on August 5, 2019, the UST filed his objection to the Debtor’s Motion [Docket No. 5204] (the “UST Objection”);

WHEREAS, on August 5, 2019, the Debtor filed its Objection to the UST Motion [Docket No. 5205] (the “Debtor’s Objection”); and

WHEREAS, the UST and Exide have conferred and agreed to extend certain deadlines in the Briefing Schedule.

IT IS HEREBY Stipulated and Agreed as follows:

On or by August 30, 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 September 3, 2019, the Debtor will file a Notice of Completion of Briefing with respect to the Motions and submit a hearing binder to chambers.

Dated: August 21, 2019

ANDREW R. VARA
ACTING UNITED STATES TRUSTEE
Region 3

/s/ Jane M. Leamy

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