

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

In re:

BORDEN DAIRY COMPANY, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 20-10010 (CSS)

(Joint Administration Requested)

**AGENDA FOR FIRST DAY HEARING  
AND INDEX OF FIRST DAY PLEADINGS**

**Date and Time of Hearing:** JANUARY 7, 2020 AT 4:00 P.M. (ET)

**Location:** UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 N. MARKET STREET, 5TH FLOOR, COURTROOM NO. 6, WILMINGTON, DELAWARE 19801

**VOLUNTARY PETITIONS**

1. Voluntary Chapter 11 Petitions
  - A. Borden Dairy Company [20-10010]
  - B. Borden Dairy Holdings, LLC [20-10011]
  - C. National Dairy, LLC [20-10012]
  - D. Borden Dairy Company of Alabama, LLC [20-10013]
  - E. Borden Dairy Company of Cincinnati, LLC [20-10014]
  - F. Borden Transport Company of Cincinnati, LLC [20-10015]
  - G. Borden Dairy Company of Florida, LLC [20-10016]
  - H. Borden Dairy Company of Kentucky, LLC [20-10017]
  - I. Borden Dairy Company of Louisiana, LLC [20-10018]
  - J. Borden Dairy Company of Madisonville, LLC [20-10019]
  - K. Borden Dairy Company of Ohio, LLC [20-10020]
  - L. Borden Transport Company of Ohio, LLC [20-10021]
  - M. Borden Dairy Company of South Carolina, LLC [20-10022]
  - N. Borden Dairy Company of Texas, LLC [20-10023]

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Borden Dairy Company (1509); Borden Dairy Holdings, LLC (8504); National Dairy, LLC (9109); Borden Dairy Company of Alabama, LLC (5598); Borden Dairy Company of Cincinnati, LLC (1334); Borden Transport Company of Cincinnati, LLC (3462); Borden Dairy Company of Florida, LLC (5168); Borden Dairy Company of Kentucky, LLC (7392); Borden Dairy Company of Louisiana, LLC (4109); Borden Dairy Company of Madisonville, LLC (7310); Borden Dairy Company of Ohio, LLC (2720); Borden Transport Company of Ohio, LLC (7837); Borden Dairy Company of South Carolina, LLC (0963); Borden Dairy Company of Texas, LLC (5060); Claims Adjusting Services, LLC (9109); Georgia Soft Serve Delights, LLC (9109); NDH Transport, LLC (7480); and RGC, LLC (0314). The location of the Debtors' service address is: 8750 North Central Expressway, Suite 400, Dallas, TX 75231.

- O. Claims Adjusting Services, LLC [20-10024]
- P. Georgia Soft Serve Delights, LLC [20-10025]
- Q. NDH Transport, LLC [20-10026]
- R. RGC, LLC [20-10027]

### **INFORMATIONAL PLEADING**

- 2. Declaration of Jason Monaco in Support of Chapter 11 Petitions and First Day Motions [D.I. 15, 1/6/20]

### **MATTERS GOING FORWARD**

- 3. Debtors' Motion for Entry of an Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief [D.I. 2, 1/5/20]

Status: This matter is going forward.

- 4. Debtors' Application for Authorization to Employ and Retain Donlin Recano & Company, Inc. as Claims and Noticing Agent Effective *Nunc Pro Tunc* to the Petition Date [D.I. 3, 1/5/20]

Status: This matter is going forward.

- 5. Debtors' Motion for Entry of Interim and Final Orders (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (IV) Granting Related Relief [D.I. 4, 1/5/20]

Status: This matter is going forward.

- 6. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation and Reimbursable Expenses, and (B) Continue Employee Benefits Program, and (II) Granting Related Relief [D.I. 5, 1/5/20]

Status: This matter is going forward.

- 7. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition Taxes and Fees, and (II) Granting Related Relief [D.I. 6, 1/5/20]

Status: This matter is going forward.

8. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, and (C) Continue Its Insurance Premium Finance Agreements, and (II) Granting Related Relief [D.I. 7, 1/5/20]

Status: This matter is going forward.

9. Motion of the Debtors for Entry of an Order (I) Authorizing the Debtors to Honor Prepetition Obligations to Customers, and Otherwise Continue Customer Practices, and (II) Granting Related Relief [D.I. 8, 1/5/20]

Status: This matter is going forward.

10. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Claims of Lien Claimants, and (II) Granting Related Relief [D.I. 9, 1/5/20]

11. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Critical Vendor Claims and 503(b)(9) Claims in the Ordinary Course of Business, (II) Authorizing the Debtors to Return Goods, and (III) Granting Related Relief [D.I. 10, 1/5/20]

- A. Declaration of Jason Monaco in Support of Debtors' Motion for Authorization to Pay Critical Vendors [D.I. 11, 1/5/20]

Status: This matter is going forward.

12. Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Maintain Their Existing Cash Management System, Bank Accounts, Business Forms, and PNC and Fuel Card Programs, (B) Honor Certain Prepetition Obligations Related Thereto, and (C) Continue to Perform Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Claims, and (III) Granting Related Relief [D.I. 12, 1/5/20]

Status: This matter is going forward.

13. Debtors' Motion for Interim and Final Orders (A) Authorizing Use Cash Collateral and Granting Adequate Protection, (B) Authorizing Use of Reserve Account Cash, (C) Scheduling Final Hearing, and (D) Granting Related Relief [D.I. 13, 1/6/20]

- A. Declaration of Sarah Gryll [D.I. 14, 1/6/20]

Status: This matter is going forward.

Dated: January 6, 2020  
Wilmington, Delaware

Respectfully submitted,

*/s/ Elizabeth S. Justison*

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