

**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)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 23, 2020 AT 9:30 A.M. (ET)**

**MATTERS GOING FORWARD**

1. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 17, 2020 at 5:00 p.m. (ET) for TXU Energy and the Kentucky Utilities, January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC, and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20]

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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.

- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20]
- C. Objection of Certain Utility Companies [D.I. 116, 1/15/20]
- D. Objection of Duke Energy and Piedmont Natural Gas, Inc. [D.I. 119, 1/16/20]
- E. Preliminary Supplemental Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings [D.I. 130, 1/18/20]
- F. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20]
- G. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20]
- H. Informal comments from the Office of the United States Trustee
- I. Informal comments from counsel to the Official Committee of Unsecured Creditors

Related Documents:

- J. Interim Order [D.I. 51, 1/8/20]
- K. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20]
- L. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20]

Status: This matter is going forward.

- 2. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See 1.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See 1.B*)
- C. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See 1.F*)
- D. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See 1.G*)

Related Documents:

- E. Order [D.I. 49, 1/8/20]
- F. Notice of Proposed Supplemental Order [D.I. 83, 1/10/20]
- G. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See 1.L*)

Status: This matter is going forward.

- 3. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See 1.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See 1.B*)
- C. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See 1.F*)
- D. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See 1.G*)
- E. Informal comments from counsel to the Official Committee of Unsecured Creditors

Related Documents:

- F. Interim Order [D.I. 52, 1/8/20]
- G. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See 1.K*)
- H. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See 1.L*)

Status: This matter is going forward.

- 4. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See I.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See I.B*)
- C. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See I.F*)
- D. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See I.G*)
- E. Informal comments from counsel to the Chubb Companies
- F. Informal comments from counsel to the Official Committee of Unsecured Creditors

Related Documents:

- G. Interim Order [D.I. 53, 1/8/20]
- H. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See I.K*)
- I. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See I.L*)

Status: This matter is going forward.

- 5. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See I.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See I.B*)
- C. Preliminary Supplemental Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings [D.I. 130, 1/18/20] (*See I.E*)
- D. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See I.F*)
- E. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See I.G*)
- F. Informal comments from the Office of the United States Trustee
- G. Informal comments from counsel to the Official Committee of Unsecured Creditors

Related Documents:

- H. Interim Order [D.I. 55, 1/8/20]
- I. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See I.K*)
- J. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See I.L*)

Status: This matter is going forward.

- 6. 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]

Response Deadline:

January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See 1.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See 1.B*)
- C. Preliminary Supplemental Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings [D.I. 130, 1/18/20] (*See 1.E*)
- D. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See 1.F*)
- E. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See 1.G*)
- F. Informal comments from the Office of the United States Trustee

Related Documents:

- G. Declaration of Jason Monaco in Support of Debtors' Motion for Authorization to Pay Critical Vendors [D.I. 11, 1/5/20]
- H. Interim Order [D.I. 59, 1/8/20]
- I. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See 1.K*)
- J. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See 1.L*)

Status: This matter is going forward.

7. 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]

Response Deadline: January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/20] (*See 1.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See 1.B*)
- C. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 131, 1/18/20] (*See 1.F*)
- D. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral and Other First Day Motions [D.I. 132, 1/18/20] (*See 1.G*)
- E. Informal comments from the Office of the United States Trustee
- F. Informal comments from counsel to the Official Committee of Unsecured Creditors

Related Documents:

- G. Interim Order [D.I. 48, 1/8/20]
- H. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See 1.K*)
- I. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See 1.L*)



Status: This matter is going forward.

8. 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]

Response Deadline: January 16, 2020 at 4:00 p.m. (ET)  
[Extended until January 18, 2020 at 5:00 p.m. (ET) for PNC, Bank, National Association, and KKR Credit Advisors (US) LLC and January 21, 2020 at 5:00 p.m. (ET) for the Official Committee of Unsecured Creditors]

Responses Received:

- A. Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 40, 1/7/10] (*See I.A*)
- B. Omnibus Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' First Day Pleadings and Joinder to Objection of PNC Bank, National Association [D.I. 41, 1/7/20] (*See I.B*)
- C. Objection of The Texas Taxing Authorities [D.I. 106, 1/15/20]
- D. Objection of Laguna Dairy, S. de R.L. de C.V. (f/k/a Laguna Dairy, S.A. de C.V.) and New Laguna, LLC [D.I. 120, 1/16/20]
- E. Limited Objection of MAC Trailer Leasing, Inc. d/b/a PLM Trailer Leasing [D.I. 122, 1/16/20]
- F. Preliminary Supplemental Objection and Reservation of Rights of Certain Prepetition Lenders to Debtors' Cash Collateral Motion [D.I. 129, 1/18/20]
- G. Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 131, 1/18/20] (*See I.F*)
- H. Joinder of KKR Credit Advisors (US) LLC to Preliminary Supplemental Omnibus Objection of PNC Bank, National Association to Debtors' Cash Collateral Motion and Other First Day Motions [D.I. 132, 1/18/20] (*See I.G*)
- I. Informal comments from the Office of the United States Trustee
- J. Informal comments from local governmental entities that are (a) authorized by the State of Texas to assess and collect taxes and (b) represented by the law firm of Linebarger Goggan Blair & Sampson, LLP.

- K. Motion of Laguna Dairy, S. de R.L. de C.V. and New Laguna, LLC for Leave to File Response to the Objections of PNC Bank, National Association and KKR [D.I. 134, 1/21/20]

Related Documents:

- L. Declaration of Sarah Gryll [D.I. 14, 1/6/20]
- M. Interim Order [D.I. 69, 1/9/20]
- N. Omnibus Notice of Pleadings and Hearing Thereon [D.I. 71, 1/9/20] (*See I.K*)
- O. Debtors' Motion for an Order, Pursuant to Local Rule 9006-1(d), Granting the Debtors Leave and Permission to File Replies in Support of First Day Motions [D.I. 138, 1/21/20] (*See I.L*)

Status: This matter is going forward.

*[Signature page follows]*

Dated: January 21, 2020  
Wilmington, Delaware

Respectfully submitted,

/s/ Elizabeth S. Justison

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