

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

In re:

BOOMERANG TUBE, LLC, a Delaware limited
liability company, *et al.*,¹

Debtors.

Chapter 11

Case No. 15-11247 (MFW)

Jointly Administered

**NOTICE OF SECOND AMENDED² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON SEPTEMBER 21, 2015 AT 9:30 A.M. (ET)**

****WITH PERMISSION FROM THE COURT, THE HEARING ORIGINALLY
SCHEDULED FOR 10:30 A.M. (ET) WILL NOW BEGIN AT 9:30 A.M. (ET) WITH
RESPECT TO NON-CONFIRMATION RELATED MATTERS****

RESOLVED MATTER

1. Debtors' Motion for an Order Pursuant to 11 U.S.C. §§ 105 and 363 Authorizing the Debtors to Retain Expert Witness [D.I. 288, 7/24/15]

Response Deadline: September 4, 2015 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- A. Order Authorizing The Debtors To Retain Expert Witness [Docket No. 484, 9/10/15]

Status: An order has been entered.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Boomerang Tube, LLC (9415); BTCSP, LLC (7632); and BT Financing, Inc. (6671). The location of the Debtors' corporate headquarters is 14567 North Outer Forty, Suite 500, Chesterfield, Missouri 63017.

² Amended items appear in bold.

UNCONTESTED MATTERS – CERTIFICATION FILED

2. Debtors' Motion Pursuant to Section 365(d)(4) of the Bankruptcy Code, for Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property [D.I. 441, 8/28/15]

Response Deadline: September 11, 2015 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- A. Certificate of No Objection [D.I. 506, 9/16/15]
- B. Order Extending Debtors' Time To Assume Or Reject Unexpired Leases Of Nonresidential Real Property [D.I. 521, 9/18/15]

Status: An order has been entered.

3. Debtors' Motion to Extend the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Federal Rules of Bankruptcy Procedure 9006 and 9027 [D.I. 442, 8/28/15]

Response Deadline: September 11, 2015 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- A. Certificate of No Objection [D.I. 507, 9/16/15]
- B. Order Extending The Period Within Which The Debtors May Remove Actions [D.I. 522, 9/18/15]

Status: An order has been entered.

CONTESTED MATTERS GOING FORWARD

4. Application Pursuant to Bankruptcy Code Sections 328 and 1103, Bankruptcy Rule 2014(a) for Order Authorizing Employment and Retention of Alvarez & Marsal North America, LLC as Financial Advisors to the Official Committee of Unsecured Creditors Effective as of June 24, 2015 [D.I. 288, 7/24/15]

Response Deadline: August 7, 2015 at 4:00 p.m. (ET)

Responses Received:

- A. Objection of the United States Trustee to Application [D.I. 316, 8/3/15]
- B. Joinder of Cortland Capital Market Services LLC to Objection of the United States Trustee to Application [D.I. 319, 8/3/15]

Related Documents:

- C. Declaration in Support of Application [D.I. 289, 7/24/15]
- D. Notice of Filing of Exhibit B to Declaration in Support of Application [D.I. 302, 7/28/15]
- E. Certification of Counsel [D.I. 517, 9/17/15]

Status: This matter has been resolved and a revised proposed order has been submitted under Certification of Counsel. No hearing is required unless the Court has questions.

- 5. Motion for Entry of an Order Authorizing the Debtors to Reject Certain Executory Contracts Effective as of August 17, 2015 [D.I. 392, 8/17/15]

Response Deadline: August 31, 2015 at 4:00 p.m. (ET)

Responses Received:

- A. Limited Objection of SB Boomerang Tubular, LLC to Motion [D.I. 447, 8/31/15]

Related Documents: None.

Status: This matter is not going forward on a contested basis, and counsel will provide a status update to the Court at the hearing.

- 6. Motion of Ford Motor Credit Company for Relief From Automatic Stay, or, Alternatively, for Adequate Protection [D.I. 457, 9/1/15]

Response Deadline: September 14, 2015 at 4:00 p.m. (ET)
[Extended until September 17, 2015 at 10:00 a.m. for the Debtors]

Responses Received:

- A. Debtors' Objection to Motion [D.I. 510, 9/17/15]

Related Documents:

None.

Status: The Debtors and the Movant have reached an agreement in principle to resolve the Motion, subject to obtaining the consent of the Debtors' secured lenders. The Debtors are in discussion with their secured lenders and are documenting the proposed resolution. To the extent the Motion is not resolved consensually, the Debtors and Movant are requesting to defer consideration of the Motion until the continuation of the hearing on October 5, 2015.

CONFIRMATION HEARING

7. Debtors Amended Joint Prearranged Chapter 11 Plan Dated September 4, 2015 [D.I. 470, 9/4/15]

Response Deadline:

September 14, 2015 at 4:00 p.m. (ET)
[Extended until September 16, 2015 at noon
(ET) for Mustang/CAT and the Official
Committee of Unsecured Creditors]

Responses Received:

- A. Limited Objection of Cypress-Fairbanks Independent School District and Harris County [D.I. 491, 9/14/15]
- B. Objection of Chambers County Tax Office, Sheldon Independent School District, Crosby Independent School District, Parkway Utility District and Channelview Independent School District [D.I. 493, 9/14/15]
- C. Objection of the Acting United States Trustee [D.I. 496, 9/14/15]
- D. Objection of SB Boomerang Tubular, LLC [D.I. 497, 9/14/15]
- E. Objection of the Official Committee of Unsecured Creditors [D.I. 501 & 502, 9/16/15]
- F. Informal objection of the United States Department of Justice, representing the Environmental Protection Agency.

Related Documents:

- G. Debtors Amended Joint Prearranged Chapter 11 Plan Dated August 13, 2015 [D.I. 377, 8/13/15]
- H. Disclosure Statement for Debtors' Amended Joint Prearranged Chapter 11 Plan Dated August 13, 2015 [D.I. 378, 8/13/15]

- I. Order (A) Approving the Disclosure Statement, (B) Approving the Solicitation Procedures, (C) Approving the Form of Ballots and Notices in Connection Therewith, (D) Establishing the Plan Confirmation Schedule, and (E) Granting Related Relief [D.I. 384, 8/14/15]
- J. Notice of Order (A) Approving the Disclosure Statement, (B) Approving the Solicitation Procedures, (C) Approving the Form of Ballots and Notices in Connection Therewith, (D) Establishing the Plan Confirmation Schedule, and (E) Granting Related Relief [D.I. 385, 8/14/15]
- K. Notice of Filing of Blackline of Amended Plan [D.I. 471, 9/4/15]
- L. Notice to Counterparties to Executory Contracts and Unexpired Leases Potentially Being Assumed Under the Plan [D.I. 487, 9/11/15]
- M. Notice to Counterparties to Executory Contracts and Unexpired Leases Proposed to be Rejected Under the Plan [D.I. 488, 9/11/15]
- N. Plan Supplement to Debtors' Amended Joint Prearranged Chapter 11 Plan Dated September 4, 2015 [D.I. 489, 9/11/15]
- O. Notice of Filing of Plan Supplement to the Debtors' Amended Joint Prearranged Chapter 11 Plan Dated September 4, 2015 [D.I. 490, 9/14/15]
- P. SB Boomerang Tubular, LLC's Notice of § 1111(b) Election [D.I. 492, 9/14/15]
- Q. Stipulation to Temporarily Allow Claim of SB Boomerang Tubular, LLC for Voting Purposes Only Pursuant to Fed.R.Bank.P. 3018 [D.I. 494, 9/14/15]
- R. Declaration of Jung W. Song on Behalf of Donlin, Recano & Company, Inc. Regarding Voting and Tabulation of Ballots Accepting and Rejecting Debtors' Amended Joint Prearranged Chapter 11 Plan Dated August 13, 2015 [D.I. 511, 9/17/15]
- S. Cortland Capital Market Service LLC's Limited Reply to the Objection of the Official Committee of Unsecured Creditors to Confirmation [D.I. 519, 9/18/15]
- T. Declaration of Kevin Nystrom in Support of Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015 [D.I. 520, 9/18/15]
- U. Joint Exhibit List for Confirmation Hearing [D.I. 523, 9/18/15]
- V. Debtors' Motion for (I) Leave to Exceed Page Limit Requirements With Respect to Debtors' Memorandum of Law in Support of Confirmation of and

in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015, and (II) Leave and Permission to File Debtors' Memorandum of Law in Support of Confirmation of and in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015 [D.I. 524, 9/18/15]

- W. Motion for Order, Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, Authorizing Debtors to File Under Seal Certain Seal Portions of Their Memorandum of Law in Support of Confirmation of and in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015 [D.I. 525, 9/18/15]
- X. Motion to Shorten Time for Notice With Respect to the Motion for Order, Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, Authorizing Debtors to File Under Seal Certain Seal Portions of Their Memorandum of Law in Support of Confirmation of and in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015 [D.I. 526, 9/18/15]
- Y. Debtors' Memorandum of Law in Support of Confirmation and in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan Dated September 4, 2015 [Sealed Version D.I. 527/Redacted Version D.I. 528, 9/18/15]
- Z. Debtors' Corrected Memorandum of Law in Support of Confirmation and in Response to Objections to Confirmation of Debtors' Amended Joint Prearranged Chapter 11 Plan Dated September 4, 2015 [Sealed Version D.I. 536/Redacted Version D.I. 537, 9/18/15]**
- AA. Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Under Section 1129 of the Bankruptcy Code and Bankruptcy Rule 3020 Confirming Debtors' Amended Joint Prearranged Chapter 11 Plan, Dated September 4, 2015 [D.I. 538, 9/20/15]**
- BB. Supplemental Joint Exhibit List for Confirmation Hearing [D.I. 539, 9/20/15]**

Status: Items A, B and F have been resolved through language that the Debtors have agreed to include in their proposed Confirmation Order. The Debtors are attempting to work with the remaining three objectors in an effort to resolve, or narrow the scope of, their objections.

8. Official Committee of Unsecured Creditors' Motion for an Order Authorizing the Committee to File Under Seal an Exhibit to and Certain Portions of the Objection of the Official Committee of Unsecured Creditors to Confirmation of Amended Joint Prearranged Chapter 11 Plan of Boomerang Tube, LLC and Its Affiliated Debtors and Debtors-in-Possession [D.I. 503, 9/16/15]

Response Deadline: At or before the hearing.

Related Documents:

- A. Order Shortening Notice of Motion [D.I. 512, 9/17/15]

Responses Received: None at this time.

Status: This matter is going forward.

9. **Motion of the Official Committee of Unsecured Creditors to Strike and Exclude Certain Evidence in Connection With Confirmation [D.I. 540, 9/20/15]**

Response Deadline: At or before the hearing.

Responses Received:

- A. **Debtors' Objection to the Motion of the Official Committee of Unsecured Creditors to Strike and Exclude Certain Evidence in Connection With Confirmation [D.I. 542, 9/21/15]**

Related Documents:

- B. **Official Committee of Unsecured Creditors' Motion for Order Shortening Notice of Motion the Official Committee of Unsecured Creditors to Strike and Exclude Certain Evidence in Connection With Confirmation [D.I. 541, 9/20/15]**

Status: The Creditors Committee has requested that this matter be heard at 9:30 a.m. and has filed a motion to shorten. This matter will go forward at the direction of the Court.

[Signature page follows]

Dated: September 21, 2015
Wilmington, Delaware

/s/ Ryan M. Bartley

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