

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

In re:

SUITABLE TECHNOLOGIES, INC.,¹

Debtor.

Chapter 11

Case No. 20-10432 (MFW)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON MARCH 26, 2020 AT 11:30 A.M. (ET)**

****CONSISTENT WITH THE COURT'S GENERAL ORDER
DATED MARCH 16, 2020, ASSUMING THE COURT ENTERS THE ORDERS
ON THE UNCONTESTED MATTERS WITH CERTIFICATIONS, THE DEBTOR
RESPECTFULLY REQUESTS THAT THIS HEARING BE HELD TELEPHONICALLY
SOLELY AS IT PERTAINS TO THE UNITED STATES TRUSTEE'S OBJECTION TO
THE MOTION TO RETAIN ORDINARY COURSE PROFESSIONALS.****

RESOLVED MATTERS

1. Debtor's Motion for Interim and Final Orders, Pursuant to Section 366 of the Bankruptcy Code, (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Payment, (III) Establishing Procedures for Determining Additional Adequate Assurance of Payment, and (IV) Setting a Final Hearing Related Thereto [D.I. 3, 2/26/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Certificate of No Objection [D.I. 52, 3/20/20]
- B. Final Order [D.I. 59, 3/23/20]

Status: A final order has been entered.

¹ The last four digits of the Debtor's United States federal tax identification number are 7816. The Debtor's mailing address is 921 East Charleston Road, Palo Alto, CA 94303.

2. Debtor's Motion for Interim and Final Orders, Pursuant to Sections 105(a), 507(a)(8), and 541(d) of the Bankruptcy Code, (I) Authorizing the Payment of Prepetition Sales, Use, and Franchise Taxes and Similar Taxes and Fees, (II) Authorizing Banks and Other Financial Institutions to Receive, Process, Honor, and Pay Checks Issued and Electronic Payment Requests Made Relating to the Foregoing, and (III) Scheduling a Final Hearing [D.I. 4, 2/26/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

A. Certificate of No Objection [D.I. 53, 3/20/20]

B. Final Order [D.I. 60, 3/23/20]

Status: A final order has been entered.

3. Debtor's Motion for Interim and Final Orders, Pursuant to Sections 105(a), 345, 363, 1107(a) and 1108 of the Bankruptcy Code, Bankruptcy Rule 2015, and Local Rule 2015-2, (I) Authorizing Continued Use of Cash Management System and Maintenance of Prepetition Bank Accounts, (II) Authorizing Continued Use of Existing Business Forms, (III) Extending the Time by Which the Debtor Must Comply with the Requirements of Section 345(b) of the Bankruptcy Code and (IV) Granting Certain Related Relief [D.I. 5, 2/26/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

A. Informal comments from the Office of the United States Trustee

Related Documents:

B. Certification of Counsel [D.I. 54, 3/20/20]

C. Order [D.I. 61, 3/23/20]

Status: An order has been entered.

4. Debtor's Application for an Order Authorizing the Retention and Employment of Young Conaway Stargatt & Taylor, LLP as Counsel for the Debtor, Effective as of the Petition Date [D.I. 28, 3/5/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

- A. Informal comments from the Office of the United States Trustee

Related Documents:

- B. Supplemental Declaration of Robert F. Poppiti, Jr. in Support of Debtor's Application for an Order Authorizing the Retention and Employment of Young Conaway Stargatt & Taylor, LLP as Counsel for the Debtor, Effective as of the Petition Date [D.I. 55, 3/20/20]
- C. Certification of Counsel [D.I. 56, 3/20/20]
- D. Order [D.I. 62, 3/23/20]

Status: An order has been entered.

- 5. Debtor's Application for an Order Authorizing the Employment and Retention of Donlin, Recano & Company, Inc. as Administrative Agent to the Debtor, Effective as of the Petition Date [D.I. 29, 3/5/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

- A. Informal comments from the Office of the United States Trustee

Related Documents:

- B. Certification of Counsel [D.I. 57, 3/20/20]
- C. Order [D.I. 63, 3/23/20]

Status: An order has been entered.

- 6. Debtor's Motion for Entry of an Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [D.I. 30, 3/5/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

- A. Informal comments from the Office of the United States Trustee

Related Documents:

B. Certification of Counsel [D.I. 58, 3/20/20]

C. Order [D.I. 64, 3/23/20]

Status: An order has been entered.

UNCONTESTED MATTERS – CERTIFICATIONS FILED

7. [Debtor's Motion for Interim and Final Orders, Pursuant to Sections 105, 361, 362, 363, 364 and 507 of the Bankruptcy Code, \(I\) Approving Postpetition Financing, \(II\) Authorizing Use of Cash Collateral, \(III\) Granting Liens and Providing Superpriority Administrative Expense Status, \(IV\) Granting Adequate Protection, \(V\) Modifying Automatic Stay, \(VI\) Scheduling a Final Hearing, and \(VII\) Granting Related Relief](#) [D.I. 6, 2/26/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

A. Informal comments from the Office of the United States Trustee

B. [Allison Huynh's Response to Debtor's Motion](#) [D.I. 48, 3/19/20]

Related Documents:

C. [Certification of Counsel](#) [D.I. 70, 3/23/20]

Status: The concerns of the United States Trustee and Ms. Huynh have been resolved, and a proposed order approving the Motion on a final basis has been submitted under Certification of Counsel. No hearing is required unless the Court has questions.

8. [Debtor's Motion for Entry of an Order Authorizing the Debtor to \(I\) Employ and Retain Asgaard Capital LLC to Provide the Debtor a Chief Restructuring Officer and Certain Additional Personnel and \(II\) Designate Charles Reardon as Chief Restructuring Officer for the Debtor, Effective as of the Petition Date](#) [D.I. 31, 3/5/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET) [Extended until March 20, 2020 at 4:00 p.m. (ET) for the Office of the United States Trustee]

Responses Received:

A. Informal comments from the Office of the United States Trustee

Related Documents:

- B. [Supplemental Declaration of Charles Reardon in Support of Debtor's Motion for Entry of an Order Authorizing the Debtor to \(I\) Employ and Retain Asgaard Capital LLC to Provide the Debtor a Chief Restructuring Officer and Certain Additional Personnel and \(II\) Designate Charles Reardon as Chief Restructuring Officer for the Debtor, Effective as of the Petition Date](#) [D.I. 67, 3/23/20]
- C. [Certification of Counsel](#) [D.I. 68, 3/23/20]

Status: The United States Trustee's concerns have been resolved, and a revised proposed order has been submitted under Certification of Counsel. No hearing is required unless the Court has questions.

CONTESTED MATTER REQUESTED TO GO FORWARD

- 9. [Debtor's Motion for an Order Authorizing \(I\) the Debtor to Retain, Employ, and Compensate Certain Professionals Utilized by the Debtor in the Ordinary Course of Business Effective as of the Petition Date and \(II\) Waiving Certain Information Requirements of Local Rule 2016-2](#) [D.I. 32, 3/5/20]

Response Deadline: March 19, 2020 at 4:00 p.m. (ET)

Responses Received:

- A. Informal comments from the Office of the United States Trustee
- B. [United States Trustee's Limited Objection](#) [D.I. 50, 3/19/20]

Related Documents:

- C. [Notice of Supplement to List of Ordinary Course Professionals](#) [D.I. 39, 3/12/20]
- D. [Certification of Counsel](#) [D.I. 65, 3/23/20]
- E. [Order](#) [D.I. 66, 3/23/20]

Status: The United States Trustee's concerns in (A) above have been resolved, and an order has been entered.

The Debtor believes that, under the circumstances, the Court's consideration of the United States Trustee's limited objection in (B) above and the Debtor's proposed retention of MLP Tax & Financial Services, Inc. is time sensitive. Accordingly, the Debtor respectfully requests that the hearing on the Motion

go forward telephonically solely as to the issues raised in the limited objection. The United States Trustee does not oppose this request. The parties do not anticipate any witnesses or evidence being presented (just brief argument).

Dated: March 24, 2020
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Betsy L. Feldman

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