

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

In re:

RAIT FUNDING, LLC,
a Delaware limited liability company, *et al.*,¹

Debtors.

Chapter 11

Case No. 19-11915 (BLS)
(Jointly Administered)

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 2, 2019 AT 10:00 A.M. (ET)**

I. MATTER FILED UNDER CERTIFICATION:

1. Debtors' Motion for Interim and Final Orders, Pursuant to Sections 105(a) and 366 of the Bankruptcy Code, (I) Prohibiting Utility Companies from Altering, Refusing, or Disconnecting Utility Services, (II) Deeming Utility Companies Adequately Assured of Future Payment, and (III) Establishing Procedures for Determining Additional Adequate Assurance of Payment [Docket No. 6; filed 9/2/19]

Response Deadline: September 25, 2019 at 4:00 p.m. (ET)

Responses Received: None

Related Documents

- A. Interim Order, Pursuant to Sections 105(a) and 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 [Docket No. 29; filed 9/4/19]
- B. Notice of Interim Order, Pursuant to Sections 105(a) and 366 of the Bankruptcy

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: RAIT Funding, LLC, a Delaware limited liability company (9983); RAIT Financial Trust, a Maryland real estate investment trust (9819); RAIT General, Inc., a Maryland corporation (9987); RAIT Limited, Inc., a Maryland corporation (9773); Taberna Realty Finance Trust, a Maryland real estate investment trust (3577); RAIT JV TRS, LLC, a Delaware limited liability company (3190); and RAIT JV TRS Sub, LLC, a Delaware limited liability company (4870). The mailing address for all Debtors is Two Logan Square, 100 N. 18th Street, 23rd Floor, Philadelphia, Pennsylvania 19103 (Attn: John J. Reyle).

² **Amended/Added agenda items are noted in bold.**

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 [Docket No. 34; filed 9/4/19]

C. Certificate of No Objection [Docket No. 105; filed 9/29/19]

Status: On September 29, 2019, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing with respect to this matter is only required to the extent that the Court has any questions or concerns.

II. CONTESTED MATTERS GOING FORWARD:

2. Debtors' Motion for Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relate Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Suspending the Requirements Contained in Section 345(b) of the Bankruptcy Code, and (III) Granting Related Relief [Docket No. 4; filed 9/2/19]

Response Deadline: September 5, 2019 at 4:00 p.m. (ET); Extended to September 27, 2019 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Responses Received:

- A. Informal Response from the Office of the United States Trustee
B. Informal Response from the Official Committee of Unsecured Creditors

Related Documents

- A. Interim Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relate Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Suspending the Requirements Contained in Section 345(b) of the Bankruptcy Code, and (III) Granting Related Relief [Docket No. 27; filed 9/4/19]
B. Notice of Interim (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relate Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Suspending the Requirements Contained in Section 345(b) of the Bankruptcy Code, and (III) Granting Related Relief [Docket No. 32; filed 9/4/19]
C. **Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor**

Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Suspending the Requirements Contained in Sections 345(b) of the Bankruptcy Code and (III) Granting Related Relief [Docket No. 110; filed 10/1/19]

Status: On October 1, 2019, the Debtors filed a proposed form of final order under certification of counsel in connection with this matter. Accordingly, a hearing with respect to this matter is only required to the extent that the Court has any questions or concerns.

3. Debtors' Motion for Interim and Final Orders Authorizing Them to Pay Prepetition Employee Wages and Other Compensation, Benefits, Business Expenses, and Related Items [Docket No. 5; filed 9/2/19]

Response Deadline: September 5, 2019 at 4:00 p.m. (ET); Extended to September 27, 2019 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Response Received:

- A. Informal Response from the Office of the United States Trustee
- B. Informal Response from the Official Committee of Unsecured Creditors

Related Documents

- A. Interim Order Authorizing Debtors to Pay Prepetition Employee Wages and Other Compensation, Benefits, Business Expenses, and Related Items [Docket No. 28; filed 9/4/19]
- B. Notice of Interim Order Authorizing Debtors to Pay Prepetition Employee Wages and Other Compensation, Benefits, Business Expenses, and Related Items [Docket No. 33; filed 9/4/19]
- C. **Certification of Counsel Regarding Final Order Authorizing Debtors to Pay Prepetition Employee Wages and Other Compensation, Benefits, Business Expenses, and Related Items [Docket No. 111; filed 10/1/19]**

Status: On October 1, 2019, the Debtors filed a proposed form of final order under certification of counsel in connection with this matter. The Debtors will seek entry of the proposed order after the close of evidence at on the Motion at the Hearing. This matter is going forward.

4. Debtors' Motion for Entry of an Order (I) Establishing the Bidding Procedures, Including Approval of a Break-Up Fee and Clear of Liens, Claims, Interests and Encumbrances, and (III) Granting Related Relief [Docket No. 53; filed 9/9/19]

Response Deadline: September 25, 2019 at 4:00 p.m. (ET); Extended to September 27, 2019 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Response Received:

- A. Informal Response from the Official Committee of Unsecured Creditors.
- B. REIT Administration, LLC's Objection to Debtor's Bidding Procedures Motion [Docket No. 70; filed 9/25/19]
- C. Informal Response from the Office of the United States Trustee**
- D. Debtors' Reply to REIT Administration, LLC's Objection to the Proposed Bidding Procedures [Docket No. 108; filed 10/1/19]**
- E. Official Committee of Unsecured Creditors' Statement with Respect to the Debtors' Motion for Entry of an Order (I) Establishing the Bidding Procedures, Including Approval of A Break-Up Fee and Expense Reimbursement, (II) Approving Sale of Substantially All of the Debtors' Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, and (III) Granting Related Relief [Docket No. 109; filed 10/1/19]**

Related Documents

Status: Response A has been resolved by changes to the proposed Bidding Procedures and Bidding Procedures Order. The Debtors anticipate presenting a revised form of Bidding Procedures Order at or prior to the hearing. The hearing regarding this matter is going forward.

Dated: October 1, 2019
Wilmington, Delaware

DRINKER BIDDLE & REATH LLP

/s/ Patrick A. Jackson

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