

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

In re:

RAIT FUNDING, LLC,  
a Delaware limited liability company, *et al.*,<sup>1</sup>  
  
Debtors.

Chapter 11

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

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON DECEMBER 5, 2019 AT 9:30 A.M. (ET)**

**I. CONTESTED MATTERS GOING FORWARD:**

1. 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 Liens, Claims, Interests and Encumbrances, and (III) Granting Related Relief [Docket No. 53; filed 9/9/19]

Sale Objection Deadline: November 18, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Limited Objection of Harvest Equities, Inc. and Its Affiliates, to the Debtors' Motion for Entry of an Order Approving the Sale of Substantially all of the Debtors' Assets Free and Clear of all Liens, Claims, Interests, and Encumbrances, and Granting Related Relief [Docket No. 198; filed 11/18/19]
- B. Objection of Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially all of Its Assets [Docket No. 203; filed 11/18/19]
- C. J.H. Lane Partners, LP's Omnibus (A) Reply to the Objection to the Debtors' Motion for an Order Establishing Bidding Procedures and Approving the Sale of

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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 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).

Substantially All of the Debtors' Assets, and (B) Objection to the Motions of the Ad Hoc Committee of Holders of Preferred Equity to Terminate Exclusivity and to Appoint an Official Committee of Equity Security Holders [Docket No. 234; filed 12/2/19]

- D. Statement of EJP CDO Manager LLC, as Collateral Manager for Kodiak CDO I, Ltd., in Support of Sale Process and Debtors' Plan [Docket No. 244; filed 12/2/19]

Related Documents

- A. Declaration of Andrew Kramer in Support of 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 the Sale of Substantially All of the Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances, and (III) Granting Related Relief [Docket No. 114; filed 10/1/19]
- B. Order (I) Establishing the Bidding Procedures, Including Approval of a Break-Up Fee and Expense Reimbursement, and (II) Granting Related Relief [Docket No. 126; filed 10/2/19]
- C. Notice of Filing of Amendment No. 1 to the Equity and Asset Purchase Agreement [Docket No. 129; filed 10/4/19]
- D. Affidavit of Publication of the Notice of Sale of Certain Assets at Auction in *USA Today* [Docket No. 154; filed 10/21/19]
- E. Notice of Filing of Proposed Form of Sale Order for Stalking-Horse Sale Transaction [Docket No. 195; filed 11/14/19]
- F. Declaration of Kenneth S. Grossman in Support of Objection of Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially all of Its Assets [Docket No. 206; filed 11/18/19]
- G. Declaration of Andrew E. Gadlin in Support of Objection of Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially all of Its Assets [Docket No. 207; filed 11/18/19]
- H. Notice of Cancellation of Auction and Designation of Stalking Horse Bidder as Winning Bidder [Docket No. 231; filed 11/29/19]
- I. Declaration in Support of the Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially All of Its Assets [Filed Under Seal Docket No. 241; filed 12/2/19]
- J. Motion to File Documents Under Seal [Docket No. 242; filed 12/2/19]

- K. Declaration of Matthew Dundon in Support of Objection to the Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially All of Its Assets [Filed Under Seal Docket No. 243; filed 12/2/19]
- L. Declaration of Matthew Dundon in Support of Objection to the Ad Hoc Committee of Holders of Preferred Equity Issued by RAIT Financial Trust to Debtors' Motion for Approval of the Sale of Substantially All of Its Assets [Filed as Reformatting Docket No. 243- Docket No. 245; filed 12/2/19]

Status: The hearing on this matter is going forward.

- 2. Debtors' Motion for Entry of an Order Waiving the Bankruptcy Rule 2015.3 Reporting Requirements for Cause [Docket No. 85; filed 9/27/19]

Response Deadline: October 11, 2019 at 4:00 p.m. (ET); Extended to November 13, 2019 at 4:00 p.m. (ET) for the Office of the United States Trustee and the Official Committee of Unsecured Creditors; Extended to December 3, 2019 at 4:00 p.m. (ET) for the Office of the United States Trustee and the Official Committee of Unsecured Creditors

Responses Received:

- A. Informal Response from the Official Committee of Unsecured Creditors
- B. United States Trustee's Objection to the Debtors' Motion for Entry of an Order Waiving the Bankruptcy Rule 2015.3 Reporting Requirements for Cause (D.I. 85) [Docket No. 228; filed 11/27/19]

Related Documents None

Status: The hearing on this matter is going forward.

- 3. Debtors' Application to Retain and Employ KPMG LLP as Auditor and Tax Consultant *Nunc Pro Tunc* to September 23, 2019 [Docket No. 184; filed 11/7/19]

Response Deadline: November 21, 2019 at 4:00 p.m.

Responses Received:

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

Related Documents None.

Status: Counsel has resolved the informal comments received from the United States Trustee. The Debtors anticipate filing a revised proposed form of order under certification of counsel in advance of the hearing.

4. Debtors' Motion for Entry of an Order (I) Approving the Disclosure Statement, (II) Establishing Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan, (III) Approving Forms of Notices and Ballots, (IV) Establishing Notice and Objection Procedures in Respect Thereof, (V) Setting Confirmation Hearing and Related Deadlines and (VI) Granting Related Relief [Docket No. 192; filed 11/12/19]

Response Deadline: December 2, 2019 at 4:00 p.m. (ET)

Responses Received:

- A. Informal Response from the Office of the United States Trustee
- B. Informal Response from the Official Committee of Unsecured Creditors
- C. Objection of the Ad Hoc Committee of Preferred Equity Security Holders of RAIT Financial Trust to Debtors' Motion for Entry of an Order (I) Approving the Disclosure Statement, (II) Establishing Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan, (III) Approving Forms of Notices and Ballots, (IV) Establishing Notice and Objection Procedures in Respect Thereof, (V) Setting Confirmation Hearing and Related Deadlines and (VI) Granting Related Relief [Docket No. 236; filed 12/2/19]
- D. Informal Response from Wells Fargo Bank, National Association

Related Documents

- A. Debtors' Joint Chapter 11 Plan [Docket No. 139; filed 10/14/19]
- B. Disclosure Statement for Debtors' Joint Chapter 11 Plan [Docket No. 140; filed 10/14/19]
- C. Notice of Hearing to Consider Approval of Proposed Disclosure Statement for Joint Chapter 11 Plan of Reorganization of RAIT Funding, LLC and Its Debtors Affiliates [Docket No. 170; filed 10/31/19]

Status: The hearing on this matter is going forward.

5. Motion of the Ad Hoc Committee of Preferred Equity Security Holders of RAIT Financial Trust to Terminate the Debtors' Exclusive Period to Propose and Solicit Acceptances of a Plan of Reorganization [Docket No. 215; filed 11/21/19]

Response Deadline: December 2, 2019 at 12:00 p.m. (ET);

Response Received:

- A. J.H. Lane Partners, LP's Omnibus (A) Reply to the Objection to the Debtors' Motion for an Order Establishing Bidding Procedures and Approving the Sale of

Substantially All of the Debtors' Assets, and (B) Objection to the Motions of the Ad Hoc Committee of Holders of Preferred Equity to Terminate Exclusivity and to Appoint an Official Committee of Equity Security Holders [Docket No. 234; filed 12/2/19]

Related Documents          None.

Status: The hearing regarding this matter is going forward.

6. Motion of the Ad Hoc Committee of Preferred Equity Security Holders of RAIT Financial Trust for Entry of an Order Directing the United States Trustee to Appoint an Official Committee of Equity Security Holders [Docket No. 216; filed 11/21/19]

Response Deadline:          December 2, 2019 at 12:00 p.m. (ET);

Response Received:

- A. J.H. Lane Partners, LP's Omnibus (A) Reply to the Objection to the Debtors' Motion for an Order Establishing Bidding Procedures and Approving the Sale of Substantially All of the Debtors' Assets, and (B) Objection to the Motions of the Ad Hoc Committee of Holders of Preferred Equity to Terminate Exclusivity and to Appoint an Official Committee of Equity Security Holders [Docket No. 234; filed 12/2/19]

Related Documents          None.

Status: The hearing regarding this matter is going forward.

Dated: December 3, 2019  
Wilmington, Delaware

**DRINKER BIDDLE & REATH LLP**

/s/ Patrick A. Jackson

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