

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

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In re:

ENERGY FUTURE HOLDINGS CORP., *et al.*,<sup>1</sup>

Debtors.

)  
) Chapter 11  
)  
) Case No. 14-10979 (CSS)  
)  
) (Jointly Administered)  
)  
) **Re: D.I. 14335**  
)

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**ORDER APPROVING THE SETTLEMENT AGREEMENT BETWEEN NEXTERA,  
UMB BANK, N.A., ELLIOTT, AND THE EFH PLAN ADMINISTRATOR BOARD**

Upon the motion, dated September 1, 2021 [D.I. 14335] (the “Motion”)<sup>2</sup> of the EFH Plan Administrator Board (the “PAB”) for entry of an order (this “Order”), pursuant to section 105 of the Bankruptcy Code and Bankruptcy Rule 9019(a), approving the Settlement Agreement between the PAB, NextEra, the Trustee, and Elliott (together, the “Settlement Parties”), substantially in the form attached hereto as **Exhibit 1**, all as set forth more fully in the Motion; and the Court having found that it has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that consideration of the Motion and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b); and the Court having found that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the PAB provided sufficient notice of the Motion and such notice was adequate and appropriate under the particular circumstances; and upon any

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<sup>1</sup> The last four digits of Energy Future Holdings Corp.’s tax identification number are 8810. Due to the large number of debtors in these chapter 11 cases, for which joint administration has been granted, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors’ claims and noticing agent at <http://www.efhcaseinfo.com>.

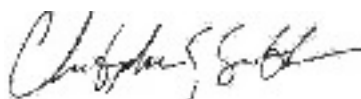
<sup>2</sup> Capitalized terms used, but not otherwise defined, herein shall have the same meanings ascribed to them in the Motion.

hearing held to consider the relief requested in the Motion (the “Hearing”); and upon consideration of the record of the Hearing (if any), and all proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors’ stakeholders, creditors, and other parties in interest; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby **ORDERED**:

1. The Motion is granted as set forth herein.
2. The Settlement Agreement, attached hereto as **Exhibit 1**, is hereby approved.
3. The Settlement Parties are authorized to enter into, perform, execute, and deliver all documents, and take all actions, necessary to immediately continue and fully implement the Settlement Agreement in accordance with the terms, conditions, agreements, and releases set forth therein, all of which are hereby approved.
4. Epiq Bankruptcy Solutions, LLC is authorized to amend the official claims register maintained in the Debtors’ chapter 11 cases to reflect the terms of the Settlement Agreement.
5. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014, or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. The PAB is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

7. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**Dated: September 9th, 2021**  
**Wilmington, Delaware**



**CHRISTOPHER S. SONTCHI**  
**UNITED STATES BANKRUPTCY JUDGE**