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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re	:	Chapter 11
	:	
DITECH HOLDING CORPORATION, <i>et al.</i> ,	:	Case No. 19-10412 (JLG)
	:	
Debtors. <sup>1</sup>	:	(Jointly Administered)
	:	
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**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
TELEPHONIC HEARING ON OCTOBER 26, 2021 AT 11:00 A.M.**

**PLEASE TAKE NOTICE**, that the United States Bankruptcy Court for the Southern District of New York (the “Court”) has entered General Order M-543 to protect public health, and in recognition of the national emergency that was declared by the President of the United States on March 13, 2020, the Court provided that all conferences scheduled to be held in the courthouse comprising the Manhattan Division of the Bankruptcy Court will be conducted telephonically. All attorneys, witnesses and parties wishing to appear at, or attend, a telephonic hearing or conference must refer to the guidelines for telephonic appearances and make arrangements with Court Solutions LLC (“Court Solutions”). Pro se parties may participate telephonically in hearings free of charge using Court Solutions. The instructions for registering with Court Solutions are attached hereto as Exhibit A.

<sup>1</sup> On September 26, 2019, the Court confirmed the *Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors* (ECF No. 1404), which created the Wind Down Estates. The Wind Down Estates, along with the last four digits of their federal tax identification number, as applicable, are Ditech Holding Corporation (0486); DF Insurance Agency LLC (6918); Ditech Financial LLC (5868); Green Tree Credit LLC (5864); Green Tree Credit Solutions LLC (1565); Green Tree Insurance Agency of Nevada, Inc. (7331); Green Tree Investment Holdings III LLC (1008); Green Tree Servicing Corp. (3552); Marix Servicing LLC (6101); Walter Management Holding Company LLC (9818); and Walter Reverse Acquisition LLC (8837). The Wind Down Estates’ principal offices are located at 2600 South Shore Blvd., Suite 300, League City, TX 77573.

**I. STATUS CONFERENCE:**

1. Case Conference

**II. UNCONTESTED MATTER:**

2. Consumer Claims Trustee's Forty-Eighth Omnibus Objection to Proofs of Claim (to Allow and Classify as Unsecured Consumer Creditor Claims) **(ECF No. 3643)**

Response Deadline: September 17, 2021 at 4:00 p.m.

Resolved Response Filed:

- A. Response of Justin Gourley **(ECF No. 3712)**

Related Documents: None.

Status: This matter is going forward on an uncontested basis.

**III. CONTESTED MATTER:**

3. Fourteenth Omnibus Objection to Proofs of Claim (No Basis Consumer Creditor Claims) **(ECF No. 1746)**

Response Deadline: February 14, 2020 at 4:00 p.m.

Response Filed:

- A. Objection of Sonia Lowe **(ECF No. 2037)**

Related Documents:

- B. Joint Reply of Plan Administrator and Consumer Representative in Support of the Fourteenth Omnibus Objection with Respect to Claim of Sonia A. Lowe (Claim No. 24611) **(ECF No. 3702)**

Status: This matter is going forward on a contested basis solely with respect to the claim of Sonia Lowe (claim number 24611).

**IV. ADVERSARY PROCEEDING:**

4. McChristian v. Ditech Holding Corporation, Green Tree Credit LLC, Breckenridge Prop Fund 2016 LLC **(Adv. Pro. No. 19-01137)**

**Motion to Expunge and Motions to Dismiss**

Related Documents:

- A. Adversary Complaint (**ECF No. 1**)
- B. Breckenridge Property Fund 2016, LLC Motion to Expunge the *lis pendens* (**ECF No. 6**)
- C. Breckenridge Property Fund 2016, LLC Motion to Dismiss Adversary Case (**Adv. Pro. No. 19-01137 ECF No. 8**)
- D. Plaintiff's Opposition to Motion to Dismiss and Remove *lis pendes* (**ECF No. 10**)
- E. Stipulation and Proposed Order Extending Ditech Defendants' Time to Answer, Move or Otherwise Respond (**ECF No. 11**)
- F. Ditech Holding Corporation Motion to Dismiss Adversary Complaint (**ECF No. 12**)
- G. Stipulation and Order Extending Ditech Defendants' Time to Answer, Move or Otherwise Respond (**ECF No. 14**)
- H. Briefing Stipulation and Order (**ECF No. 19**)
- I. Ditech Defendants' Reply to Plaintiff's Opposition to Motion to Dismiss (**ECF No. 20**)
- J. Plaintiff's Opposition to Consumer Claims Trustee Objection to Proofs of Claim (**ECF No. 22**)
- K. Notice of Adjournment of Bench Ruling (**ECF No. 23**)

Status: The hearing on this matter is going forward. The Court has indicated it will issue a ruling on the matter.

**V. ADJOURNED MATTERS:**

- 5. Motion of Counsel for Certain Consumer Creditors Pursuant to Sections 503(b)(3) and (b)(4) of the Bankruptcy Code for Allowance of Payment of Expenses Incurred (**ECF No. 1579**)

Response Deadline: October 16, 2020 at 4:00 p.m.

Response Filed:

- A. Plan Administrator's Objection to Motion of Consumer Creditor Counsel for Allowance of Payment of Fees and Expenses Incurred as Administrative Expense Claim (**ECF No. 3686**)

Related Documents:

- B. Declaration of Thomas D. Domonoske in Support of Application for Fees **(ECF No. 1580)**
- C. Declaration of O. Max Gardner, III **(ECF No. 1581)**
- D. Declaration of Theodore O. Bartholow, III in Support of Application for Administrative Claim Attorney's Fees Based on Substantial Contribution to Debtors' Bankruptcy Case **(ECF No. 1582)**
- E. Response of Counsel for Certain Consumer Creditors to Plan Administrator's Objection to Motion Pursuant to Section 503(b)(3)(d) and (b)(4) of the Bankruptcy Code for Allowance of Payment of Fees and Expenses Incurred **(ECF No. 3717)**

Status: This matter has been adjourned to November 23, 2021.

- 6. Thirty-Second Omnibus Objection to Proofs of Claim (No Basis Consumer Creditor Litigation Claims) **(ECF No. 1764)**

Response Deadline: February 25, 2020 at 4:00 p.m.

Response Filed:

- A. Objection of Cynthia Settles **(ECF No. 1833)**

Related Documents: None.

Status: This matter has been adjourned to November 23, 2021 solely with respect to the claim of Cynthia Settles (claim number 511).

- 7. Forty-Third Omnibus Objection to Proofs of Claim (No Basis Consumer Creditor Claims) **(ECF No. 1976)**

Response Deadline: April 10, 2020 at 4:00 p.m.

Response Filed:

- A. Objection of Michael J. Kelsey **(ECF No. 2413)**

Related Document:

- B. Joint Reply of Plan Administrator and Consumer Representative in Support of the Forty-Third Omnibus Objection with Respect to Claim of Michael J. Kelsey (Claim No. 1620) **(ECF No. 3600)**

Status: This matter has been adjourned to a date to be determined.

8. Objection of the Consumer Claims Trustee and the Plan Administrator to Claim No. 21367 of Stella Johnson, Bernadette Martinez & Monique J. Scranton; Reply to Response to Omnibus Objection to Related Claim Nos. 60195, 1745, 1797, 2502, 60239, 2552, 2559, 2574, 2630, 21622 (**ECF No. 2324**)

Response Deadline: August 17, 2021 at 4:00 p.m.

Response Filed:

- A. Objection of Wayne Greenwald (**ECF No. 3531**)

Related Documents:

- B. Response of Wayne M. Greenwald on behalf of George Waters (**ECF No. 1886**)
- C. Response of Wayne M. Greenwald on behalf of Tersea Darty (**ECF No. 1887**)
- D. Response of Wayne M. Greenwald on behalf of Stanley Harrison (**ECF No. 1888**)
- E. Response of Wayne M. Greenwald on behalf of James Miller (**ECF No. 1889**)
- F. Response of Wayne M. Greenwald on behalf of Ive McDonald (**ECF No. 1890**)
- G. Response of Wayne M. Greenwald on behalf of Mose & Betty Arrington (**ECF No. 1891**)

Status: This matter has been adjourned to November 23, 2021.

9. Plan Administrator's Sixth Omnibus Motion to Enforce the Plan Injunction and Confirmation Order (**ECF No. 2656**)

Response Deadline: July 16, 2020 at 4:00 p.m.

Adjourned Response Filed:

- A. Brian Nelson (#28 of Ex. 3 of **ECF No. 2656**) (**ECF No. 2786**)

Related Documents: None.

Status: This matter has been adjourned to November 23, 2021 solely with respect to Brian Nelson.

10. Sixty-Third Omnibus Objection to Proofs of Claim (No Basis Consumer Creditor Claims) (**ECF No. 2840**)

Response Deadline: October 16, 2020 at 4:00 p.m.

Response Filed:

- B. Objection of Roy J. Dixon, Jr. (**ECF No. 2936**)

Related Documents: None.

Status: This matter has been adjourned to November 23, 2021.

11. GUC Recovery Trust's Objection to Classify the Proof of Claim of the Geary Class Action Plaintiffs (Brian and Connie Geary, Individually and on Behalf of Others Similarly Situated) (Claim No. 20041) as a Consumer Creditor Claim for Distribution, if any, from the Consumer Creditor Recovery Cash Pool (**ECF No. 2972**)

Response Deadline: December 4, 2020 at 4:00 p.m.

Response Filed:

- A. Opposition of Consumer Claims Trustee to GUC Recovery Trust's Objection to Classify Geary Claim (No. 20041) as Consumer Creditor Claim and Cross-Motion to Classify as a General Unsecured Creditor Claim (**ECF No. 3037**)

Related Document:

- B. Reply of the Ditech Holding Corporation GUC Recovery Trust to the Consumer Claims Trustee's Opposition to GUC Recovery Trust's Objection to Classify Geary Claim (No. 20041) as Consumer Creditor Claim and Opposition to the Consumer Claims Trustee's Cross-Motion to Classify as a General Unsecured Claim (**ECF No. 3067**)

Status: This matter has been adjourned to November 23, 2021.

12. Cross-Motion of the Consumer Claims Trustee to Classify as a General Unsecured Creditor Claim (**ECF No. 3037**)

Response Deadline: December 10, 2020 at 4:00 p.m.

Responses Filed:

- A. Reply of the Ditech Holding Corporation GUC Recovery Trust to the Consumer Claims Trustee's Opposition to GUC Recovery Trust's Objection to Classify Geary Claim (No. 20041) as Consumer Creditor Claim and Opposition to the Consumer Claims

Trustee's Cross-Motion to Classify as a General Unsecured Claim  
(ECF No. 3067)

- B. Response of the Geary Class Action in Partial Opposition to the Cross Motion of the Consumer Claims Trustee to Classify the Geary Class Action Claim as a General Unsecured Claim (ECF No. 3072)

Related Documents: None.

Status: This matter has been adjourned to November 23, 2021.

13. Motion of Plan Administrator for Entry of Order in Aid of Execution of Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors (I) Authorizing Wind Down Estates to Abandon Any Lingering Interests in Property Sold or Abandoned Prior to Commencement Date, (II) Clarifying that Third Parties with Valid and Legal Interests in Property Sold or Abandoned Prior to Commencement Date are Free to Exercise Any Rights or Remedies they May Have with Respect to Such Property, and (III) Granting Related Relief (ECF No. 3722)

Response Deadline: October 18, 2021 at 4:00 p.m.

Responses Filed:

- A. Objection of Launa Lishamer (ECF No. 3740)

Related Documents: None.

Status: This matter has been adjourned to November 23, 2021.

**VI. ADJOURNED ADVERSARY PROCEEDING:**

14. Jawdat Lahlouh, Nisreen Lahlouh v. Ditech Financial, LLC, NewRez LLC, and Bank of America, N.A., Countrywide Home Loans, Ins. and Federal National Mortgage Association (Adv. Pro. No. 21-01176)

**Pretrial Conference**

Related Documents:

- A. Adversary Complaint for a Declaration of Rights in re Non-Dischargeable Debts and Scope of Stay and Permanent Injunction Post-Plan Approval (ECF No. 1)
- B. Notice Regarding Equal Protection and Due Process Constitutional Challenges Under 11 U.S.C. §§ 523(a)(2)(A), 524(a)(2), 1141(d)(1), and 363(f) as Applied to Discharge of Fraud of Corporate Debtor and Sale of Assets (ECF No. 2)

- C. Summons and Notice of Pretrial Conference **(ECF No. 3)**
- D. Affidavit of Service **(ECF No. 5)**
- E. Notice of Appearance of Counsel for Defendants Bank of America, N.A., Countrywide Home Loans, Ins. and Federal National Mortgage Association **(ECF No. 6)**
- F. Stipulation Extending the Time for Defendants Bank of America, N.A., Countrywide Home Loans Inc. and Federal National Mortgage Association to File and Serve a Responsive Pleading to Plaintiff's Complaint **(ECF No. 7)**
- G. Scheduling Stipulation and Order **(ECF No. 11)**
- H. Letter Requesting a 60-day Extension of the Government's Time to Intervene Pursuant to FRCP 5.1 **(ECF No. 12)**
- I. Amended Complaint for Administrative Order or Alternative Injunctive Relief; Declaration of Rights in re Post Plan Torts, Debts, and the Scope of Permanent Injunction Post-Plan Approval; Money Damages for Fraud **(ECF No. 13)**
- J. Motion for Administrative Order Commanding Debtor to Cease and Desist from Litigation in Bad Faith and to make Disclosures in Pending Nevada Case or Other Injunctive Relief **(ECF No. 14)**
- K. Errata Declaration of Jawdat Lahlouh in Support of Motion for Order to Desist from Wrongful Debt Collection **(ECF No. 16)**
- L. Corporate Disclosure Statement Fed. R. Civ. P. 7.1 **(ECF No. 18)**
- M. Motion to Dismiss of NewRez LLC **(ECF No. 19)**
- N. Motion to Dismiss of Bank of America, N.A., Countrywide Home Loans Inc., and Federal National Mortgage Association **(ECF No. 20)**
- O. Plan Administrator's Motion to Dismiss Adversary Proceeding of Jawdat and Nisreen Lahlouh **(ECF No. 22)**
- P. Notice of Withdrawal Solely with Respect to Amended Notice of Motion **(ECF No. 23)**
- Q. Letter to the Honorable James L. Garrity, Jr. **(ECF No. 24)**
- R. Letter of William Look **(ECF No. 25)**
- S. Notice of Withdrawal of Letter with Ineligible Exhibit of William Look **(ECF No. 26)**



- T. Notice of Objection to Ex Parte Brief and Attempt to  
'Precondition' the Court to Defendant's Pending 10(b)5 Motion  
**(ECF No. 27)**
- U. Letter Regarding Meet and Confer **(ECF No. 29)**
- V. Omnibus Objection to Motions to Dismiss **(ECF No. 32)**

Status: This matter has been adjourned to November 23, 2021.

Dated: October 25, 2021  
New York, New York

/s/ Sunny Singh  
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**Exhibit A**

**General Order M-543**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re: :  
 :  
CORONAVIRUS/COVID-19 PANDEMIC, :  
COURT OPERATIONS UNDER THE EXIGENT : General Order M-543  
CIRCUMSTANCES CREATED BY COVID-19 :  
 :  
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In order to protect public health, and in recognition of the national emergency that was declared by the President of the United States on March 13, 2020, the United States Bankruptcy Court for the Southern District of New York ("Bankruptcy Court") hereby issues the following order:

IT IS HEREBY ORDERED, effective immediately and until further notice, that:

1. **Hearings and Conferences.** All hearings and conferences scheduled to be held in courthouses comprising the Manhattan Division, White Plains Division, and Poughkeepsie Division of the Bankruptcy Court will be conducted **telephonically** pending further Order of the Bankruptcy Judge assigned to the matter ("Bankruptcy Judge"). Any party wishing to appear in person at a hearing or conference shall file or submit an appropriate motion or request, which will be considered by the Bankruptcy Judge. Any party may request an adjournment of a hearing or conference by filing or submitting an appropriate motion or request setting forth the basis for the adjournment in conformity with the Bankruptcy Judge's procedures for requesting adjournments. All attorneys, witnesses and parties wishing to appear at, or attend, a telephonic hearing or conference must refer to the Bankruptcy Judge's guidelines for telephonic appearances and make arrangements with **Court Solutions LLC**. Pro se parties, Chapter 7 Trustees and Ch 13 Trustee may participate telephonically in hearings free of charge using Court Solutions. The instructions for registering with Court Solutions are attached hereto.
2. **Evidentiary Hearings and Trials.** Parties should contact the Bankruptcy Judge's courtroom deputy or law clerk assigned to the case to inquire about whether an upcoming evidentiary hearing or trial will proceed as scheduled and be prepared to discuss procedures and technology for conducting the evidentiary hearing remotely.
3. **Official Record.** In order to assist the Bankruptcy Court in creating and maintaining the official record of proceedings before it, and to facilitate the availability of official transcripts of the proceedings, Bankruptcy Court personnel are permitted to utilize tools made available through Court Solutions to record telephonic hearings, conferences and trials. Such recordings shall be the official record. Transcripts can be ordered and corrected in the same way as before the issuance of this Order.

4. **Clerk's Office and Pro Se Filings.** Until further notice, the three Divisions of the Bankruptcy Court will remain open for all other business. Clerk's Office personnel are available by telephone, mail will be received, and the intake desks will remain open to receive *pro se* filings. *Pro se* filers can also continue to utilize the drop boxes located in the lobbies of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007 or the Honorable Charles L. Brieant Jr. Federal Building and Courthouse, 300 Quarropas Street, White Plains, NY 10601 for delivery of documents after 5:00 pm. Any documents submitted for filing in a drop box must be time-stamped, sealed in an envelope addressed to the Clerk of Court of the Bankruptcy Court, and must include the filer's contact information.

Dated: March 20, 2020  
New York, New York

/s/ Cecelia G. Morris  
Cecelia G. Morris  
United States Bankruptcy Chief Judge

## Instructions to register for CourtSolutions.

### 1. Create a CourtSolutions account online.

Logon to <https://www.court-solutions.com/> to “Signup” for an account and to register a telephonic appointment for an upcoming hearing. Registration for a hearing must occur no later than 12:00 noon on the business day prior to the hearing date.

### 2. Register for a hearing with CourtSolutions.

After creating and signing into their CourtSolutions account at <https://www.court-solutions.com/>, a party must register for a hearing.

a. Enter the last name of the Judge to appear before and then select the appropriate name from the list.

b. Enter the time and date of the hearing.

c. Select participation status: Live or Listen Only.

d. Enter the case name, case number, and, if applicable, the name of client.

e. There is a box to click to agree to terms/conditions, and then press “Register”.

f. CourtSolutions will send an email confirmation of the participation request.

g. The court staff will first confirm that a granted motion to appear telephonically is on the docket. If there exists a granted motion, the court staff will approve the reservation.

h. CourtSolutions will then send another email confirmation.

Note that the reservation received for a registered hearing may NOT be transferred to another person. If someone dials in with someone else’s registration information, the caller information presented to the court will not match the correct person.

### 3. Charges.

For lawyers and participants, registration and reservations are free.

Once a party dials into a call, the cost is a flat fee of \$70, per reservation, per judge, per day. If the hearing is adjourned for a break and the party rejoins the call later that day, there is no additional charge to rejoin the call. If the hearing is continued to another day, lawyers and participants will need to re-register and the flat fee will apply again when dialing in.

If a party does not timely join a call, no fee is charged. The Judge will have the party listed as having made a reservation, but the party is not charged. However, the hearing may proceed in their absence, and they may face sanctions from the Court.

Additionally, a party may notice that there is a charge on their card after making a reservation. When making a reservation, CourtSolutions places an authorization hold on the card. If the party does not join the call, the pending hold will be removed automatically several days later, and there will be no charge.

Any issues with billing shall be directed to the vendor. The Court is not responsible for the billing or collection of the fees incurred with CourtSolutions.

### 4. Order of Proceeding.

CourtSolutions does not place a call to counsel on the day of the hearing. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing. Logging into the CourtSolutions website for the hearing is not required but is helpful to unmute your line if the Court mutes it or to raise your hand to be recognized during the hearing.

Upon connecting to the call and at the time of the hearing, a party may hear the activity in the courtroom. Unless a joining party mutes their line, he/she joins the call as an active participant and can be heard. Failure to act appropriately on the line may result with the party being disconnected by Court. When the judge is ready to hear the case, appearances will be called. Each time a telephonic party speaks, he/she should identify them self for the record. The court's teleconferencing system allows more than one speaker to be heard, so the judge can interrupt a speaker to ask a question or redirect the discussion. When the judge informs the participants that the hearing is completed, the telephonic participant may disconnect, and the next case will be called.

5. Failure to appear.

If a party does not timely call and connect to the scheduled hearing, the hearing may proceed in their absence, and they may face sanctions from the Court for their failure to appear.

6. Other/Miscellaneous.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include denying the matter for failure to prosecute, continuing the hearing, proceeding in the absence of a party who fails to appear, or a monetary sanction.