Caption in Compliance with D.N.J. LBR 9004-2(c)

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

> Order Filed on January 3, 2022 by Clerk U.S. Bankruptcy Court **District of New Jersey**

Case No. 21-30589

Chapter 11

Judge Michael B. Kaplan

LLT MANAGEMENT, LLC,

Debtor.

## CASE MANAGEMENT ORDER SETTING SELECTION PROTOCOL FOR FUTURE TALC CLAIMS REPRESENTATIVE

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

DATED: January 3, 2022

DATED: January 3, 2022

United States Bankruptcy Judge

THIS MATTER having come before the Court by way of the Debtor's Motion for an Order Appointing Joseph W. Grier as Legal Representative for Future Talc Claimants (ECF No. 726) ("Debtor's Motion"); and several parties informally objecting to such appointment; and the Court having expressed its concern regarding anticipated costs, delays and use of resources associated with litigation over nomination and appointment of a Future Talc Claims Representative ("FTCR"); and the Debtor, acting at the Court's direction having withdrawn Debtor's Motion without prejudice on January 3, 2022 (ECF No. 1035); and pursuant to the authority given the Court in 11 U.S.C §105 and 11 U.S.C §524(g)(4)(B)(i), and for good cause shown;

# IT IS ON THIS 3<sup>rd</sup> DAY OF JANURY, 2022, HEREBY ORDERED:

- 1. On or before **January 14, 2022**, the Debtor and the Official Committees of Talc Claimants I & II (collectively, "Committees") shall each submit *ex parte* to the Court up to **three** (3) names [for a total of **six** names] of nominees for appointment as the FTCR. Along with each nominee's name, the parties must provide the Court with a *curriculum vitae* and a verified statement consistent with the requirements of Fed. R. Bankr. P. 2014.
- 2. The Office of the US Trustee may submit *ex parte* to the Court its own single nominee in the same time period and in the same format. Likewise, the Court may also add a nominee for consideration.
- 3. Upon the submission of nominees, the Court will assemble and docket the list of names and supporting documentation. All parties will have an opportunity for limited discovery, directed at the nominees, which discovery is to conclude no later than **fourteen (14) days** following the conclusion of the hearing on the pending Motions to Dismiss the Chapter 11 proceeding.
- 4. After the discovery period, the Debtor and Committees may each strike the names of up to two nominees [for a total of four stricken nominees] without further discussion or explanation. The Court will then schedule a final hearing at which all parties in interest may argue in favor and/or against any of the remaining nominees. In advance of the hearing, the parties will file statements indicating their preferences and/or objections. The Court will thereafter select and appoint the FTCR after consideration of oral argument and submissions. There will be no testimony at the final hearing absent approval in advance by the Court.

5. Discovery may be sought only as to the identified nominees and inquiry is limited to (1) information relative to a nominee's experience, qualifications, competence and prior engagements as a future claims representative, and (2) information having a direct bearing upon whether the nominee is a "disinterested person" as the term is defined under 11 U.S.C §101(14).

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United States Bankruptcy Court District of New Jersey

In re: Case No. 21-30589-MBK LTL Management LLC Chapter 11

Debtor

### CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 1
Date Rcvd: Jan 03, 2022 Form ID: pdf903 Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 05, 2022:

Recipi ID Recipient Name and Address

th + LTL Management LLC, 501 George Street, New Brunswick, NJ 08933-0001

aty + Glenn M. Kurtz, White & Case LLP, 1221 Avenue of the America, New York, NY 10020-1001 aty + Jessica Lauria, White & Case LLP, 1221 Avenue of the America, New York,, NY 10020-1001

aty + Rayburn, Cooper & Durham, P.A., The Carillon, Suite 1200, 227 West Trade St., Charlotte, NC 28202-1672

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 05, 2022 Signature: /s/Joseph Speetjens