

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

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**NOTICE OF PRESENTMENT OF ORDER MODIFYING AMENDED CASE
MANAGEMENT ORDER SOLELY AS TO THE MASTER SERVICE LIST**

PLEASE TAKE NOTICE THAT James W. Giddens (the “Trustee”), as trustee for the liquidation of Lehman Brothers Inc. (“LBI”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, by and through his undersigned attorneys, Hughes Hubbard & Reed LLP, will present the annexed *Order Modifying Amended Case Management Order Solely as to the Master Service List* (the “Proposed Order”) for signature to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, in chambers, at the United States Bankruptcy Court for the Southern District of New York, the Alexander Hamilton United States Customs House, One Bowling Green, New York, New York 10004, on **March 4, 2020 at 12:00 p.m. (Prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that, on July 13, 2010, the Court entered the *Amended Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 Implementing Certain Notice and Case Management Procedures and Related Relief* (ECF No. 3466) (the “Amended Case Management Order”),¹ which among other things,

1. Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Amended Case Management Order.

requires the Trustee to maintain the Master Service List in the LBI proceeding and directs parties to serve certain papers filed in LBI proceeding on the Master Service List in accordance with the Amended Case Management Order.

PLEASE TAKE FURTHER NOTICE that, as nearly a decade has elapsed since entry of the Amended Case Management Order, the Master Service List has become timeworn. Accordingly, the Trustee has determined that certain parties and counsel to certain parties should be removed from the Master Service List going forward as the Trustee is aware that such parties and / or counsel to such parties no longer have any interest in the LBI proceeding. These parties include, for example, all persons and entities that filed Notices of Appearance in the chapter 11 proceedings of Lehman Brothers Holdings Inc. and affiliated debtors, and not the LBI proceeding, as well as certain counsel listed on Notices of Appearance filed in the LBI proceeding who have subsequently left their law firm or retired from the practice of law while other counsel at the firm listed on the Notice of Appearance continues the representation.

PLEASE TAKE FURTHER NOTICE that the Trustee, for the reasons stated above, respectfully requests that the Court enter the Proposed Order modifying the Amended Case Management Order solely to provide that the Trustee shall maintain going forward a revised Master Service List consisting of (i) the Court (for courtesy service copies); (ii) the Trustee's counsel; (iii) the Securities Investor Protection Corporation; (iv) all governmental agencies, tax authorities, and regulatory bodies required to be on the Master Service List pursuant to the Amended Case Management Order or otherwise on the last update to the Master Service List (ECF No. 15053); (v) all parties that have filed a Notice of Appearance in the LBI proceeding; and (vi) all parties with allowed or pending general creditor claims in the LBI proceeding that

otherwise appear on the last update to the Master Service List (collectively, the “Amended Master Service List”), as reflected on Exhibit 1 to the Proposed Order.

PLEASE TAKE FURTHER NOTICE that the Proposed Order further provides that all provisions of the Amended Case Management Order related to the Master Service List shall be made applicable to the Amended Master Service List.

PLEASE TAKE FURTHER NOTICE that, except as provided for in the Proposed Order, the Amended Case Management Order shall remain in full force and effect.

PLEASE TAKE FURTHER NOTICE that objections, if any, to entry of the Proposed Order must (i) be in writing; (ii) state the name and address of the objecting party and nature of the claim or interest of such party; (iii) state with particularity the legal and factual bases of such objection; (iv) conform to the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules; (v) be filed with the Bankruptcy Court, together with proof of service, either electronically, in accordance with General Order M-399 (available at the Court’s website, www.nysb.uscourts.gov), by registered users of the Court’s Electronic Case Files system, or, on a 3.5 inch disk or CD-ROM, preferably in Portable Document Format (PDF), WordPerfect or any other Windows-based word processing format by all other parties in interest no later than **March 3, 2020 at 4:00 p.m. (Prevailing Eastern Time)** (the “Objection Deadline”); and (vi) served on (a) Hughes Hubbard & Reed LLP, One Battery Park Plaza, New York, New York 10004, Attn: Christopher K. Kiplok, Esq. and Jeffrey S. Margolin, Esq.; and (b) Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kenneth J. Caputo, Esq. and Hemant Sharma, Esq., with a courtesy copy to the chambers of the Honorable Shelley C. Chapman, United States Bankruptcy Court, One Bowling Green, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE that if no objections are timely filed and served by the Objection Deadline with respect to the Proposed Order, the relief requested shall be deemed unopposed, and the Bankruptcy Court may enter the Proposed Order without a hearing.

Dated: New York, New York
February 25, 2020

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Attorneys for James W. Giddens, Trustee for
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Inc.

Exhibit A

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

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**ORDER MODIFYING AMENDED CASE MANAGEMENT ORDER
SOLELY AS TO THE MASTER SERVICE LIST**

Upon the Notice of Presentment dated February 25, 2020 (the “Notice of Presentment”)¹ of James W. Giddens (the “Trustee”), as Trustee for the liquidation of Lehman Brothers Inc. (“LBI”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”), requesting entry of an order modifying Amended Case Management Order solely as to the Master Service List, as more fully described in the Notice of Presentment; and the Court having jurisdiction to consider the Notice of Presentment and the relief requested therein in accordance with SIPA § 78eee(b)(4); and venue being proper before this Court pursuant to SIPA § 78eee(a)(3) and 15 U.S.C. § 78aa; and it appearing that the relief requested by the Notice of Presentment is necessary and in the best interests of the estate, its customers, its creditors, and all parties in interest; and it appearing that due and proper notice of the Notice of Presentment having been given to all parties who may have an interest in the Notice of Presentment, and no other or further notice is necessary; and the Trustee having articulated good, sufficient, and sound justifications for modifying the Amended Case Management Order solely as to the Master Service List; and the Court having reviewed the Notice of Presentment; and the Court having

1. Capitalized terms not defined herein shall have the meaning ascribed to them in the Notice of Presentment.

determined that the legal and factual bases set forth in the Notice of Presentment establish just cause for the relief granted herein, it is hereby

ORDERED that the relief requested in the Notice of Presentment is GRANTED; and it is further

ORDERED that Trustee shall maintain going forward a revised Master Service List consisting of (i) Court (for courtesy service copies); (ii) the Trustee's counsel; (iii) the Securities Investor Protection Corporation; (iv) all governmental agencies, tax authorities, and regulatory bodies required to be on the Master Service List pursuant to the Amended Case Management Order or otherwise on the last update to the Master Service List (ECF No. 15053); (v) all parties that have filed a Notice of Appearance in the LBI proceeding; and (vi) all parties with allowed or pending general creditor claims in the LBI proceeding that otherwise appear on the last update to the Master Service List (collectively, the "Amended Master Service List"), as reflected on Exhibit 1 hereto; and it is further

ORDERED that all provisions of the Amended Case Management Order related to the Master Service List shall be made applicable to the Amended Master Service List; and it is further

ORDERED that, except as provided in this Order, the Amended Case Management Order shall remain in full force and effect; and it is further

ORDERED that the form and manner of notice of the Notice of Presentment and the persons and entities whom such notice has been sent as provided in the Affidavit of Service of the Notice of Presentment constitutes sufficient and proper notice under the circumstances; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all
matters arising from or related to this Order.

Dated: New York, New York
_____, 2020

HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

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