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

In re:

CHINA FISHERY GROUP LIMITED (CAYMAN), *et al.*,¹

Debtors.

)
) Case No. 16-11895 (JLG)
)
) Chapter 11
)
) (Jointly Administered)
)

In re:

CFG PERU INVESTMENTS PTE. LTD. (SINGAPORE),

Debtor.

)
) Case No. 16-11914 (JLG)
)
) Chapter 11
)
) (Jointly Administered)
)

**APPELLANTS' DESIGNATION OF ITEMS TO BE INCLUDED
IN THE RECORD AND STATEMENT OF THE ISSUES**

Pursuant to Fed. R. Bankr. P. 8009(a), the Creditor Plan Proponents (as defined in the
Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)
[Docket No. 2564]) ("**Appellants**") hereby submit their designation of the record and statement of

¹ The debtors in these chapter 11 cases are China Fishery Group Limited (Cayman), Pacific Andes International Holdings Limited (Bermuda), N.S. Hong Investment (BVI) Limited, South Pacific Shipping Agency Limited (BVI), China Fisheries International Limited (Samoa), CFGL (Singapore) Private Limited, Chanery Investment Inc. (BVI), Champion Maritime Limited (BVI), Growing Management Limited (BVI), Target Shipping Limited (HK), Fortress Agents Limited (BVI), Ocean Expert International Limited (BVI), Protein Trading Limited (Samoa), CFG Peru Investments Pte. Ltd. (Singapore), Smart Group Limited (Cayman), Super Investment Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), Nouvelle Foods International Ltd., Golden Target Pacific Limited, Pacific Andes International Holdings (BVI) Limited, Zhonggang Fisheries Limited, Admired Agents Limited, Chiksano Management Limited, Clamford Holding Limited, Excel Concept Limited, Gain Star Management Limited, Grand Success Investment (Singapore) Private Limited, Hill Cosmos International Limited, Loyal Mark Holdings Limited, Metro Island International Limited, Mission Excel International Limited, Natprop Investments Limited, Pioneer Logistics Limited, Sea Capital International Limited, Shine Bright Management Limited, Superb Choice International Limited, and Toyama Holdings Limited (BVI).

issues on appeal in connection with their appeal, Civil Action No. 1:23-cv-01234, from the *Memorandum Decision and Order Resolving First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021* [Docket No. 3127], entered on January 27, 2023.

DESIGNATION OF RECORD

The Appellants respectfully designates the following items to be included in the appellate record pursuant to Bankruptcy Rule 8009(a):

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From Chapter 11 Case No. 16-11895

ECF No.	Date	Description
2	06/30/2016	Declaration Of Ng Puay Yee Pursuant To Rule 1007-2 Of The Local Bankruptcy Rules For The Southern District Of New York And In Support Of Debtors' First Day Motions And Applications
13	07/08/2016	Club Lender Parties' Statement, Limited Objection and Reservation of Rights to the Debtors' First Day Motions and Request for a Scheduling Conference
57	08/09/2016	Club Lender Parties' Motion for the Entry of an Order Directing the Appointment of a Chapter 11 Trustee Pursuant to 11 U.S.C. § 1104(a)(2)
58	08/09/2016	Declaration of Guy Isherwood in Support of the Club Lender Parties' Motion for the Entry of an Order Directing the Appointment of a Chapter 11 Trustee Pursuant to 11 U.S.C. 1104(a)(2)
61	08/10/2016	Maybank's Joinder In Respect of the Club Lender Parties' Motion for the Entry of an Order Directing the Appointment of a Chapter 11 Trustee Pursuant to 11 U.S.C. Section 1104(a)(2)
62	08/10/2016	Statement of Senior Noteholder Committee Regarding Club Lender Parties' Motion for Entry of an Order Directing the Appointment of a Chapter 11 Trustee Pursuant to 11 U.S.C. Section 1104(a)(2)
63	08/10/2016	Joinder to the Club Lender Parties' Motion for Entry of an Order Directing the Appointment of a Chapter 11 Trustee
65	08/10/2016	Joinder of the Insolvency Administrator of the Pickenpack Group to the Club Lender Parties' Motion for the Entry of an Order Directing the Appointment of a Chapter 11 Trustee Pursuant to 11 U.S.C. 1104 (a)(2)
80	08/15/2016	Verified Statement of the Senior Noteholder Committee Pursuant to Bankruptcy Rule 2019
99	08/23/2016	Declaration Of Francisco Paniagua
103	08/23/2016	Objection to Motion to the Club Lender Parties' Motion for the Entry of an Order Directing the Appointment of a Chapter 11 Trustee
104	08/23/2016	Declaration of Gustavo Miro-Quesda Milich

105	08/23/2016	Declaration Of Ng Puay Yee In Opposition To The Lenders' Motion For The Entry Of An Order Directing The Appointment Of A Chapter 11 Trustee Pursuant To 11 U.S.C. 1104(A)(2)
159	09/13/2016	Transcript Regarding Hearing Held on August 30, 2016
203	10/28/2016	Memorandum Decision and Order signed on 10/28/2016 Granting Motion for The Appointment of a Chapter 11 Trustee in the Chapter 11 Case of CFG Peru Investments Pte. Limited (Singapore), Case No. 16-11914(JLG)
218	11/10/2016	Application for Order Approving the Appointment of a Chapter 11 Trustee in Debtor CFG Peru Singapore
219	11/10/2016	Order Approving the Appointment of Chapter 11 Trustee
226	11/14/2016	Notice of Approval and Acceptance of Appointment of Chapter 11 Trustee in CFG Peru Investments Ptd. Limited (Singapore)
234	11/18/2016	Transcript regarding Hearing Held on November 17, 2016
244	11/23/2016	Stipulation By and Among the Chapter 11 Trustee, CFG Investment S.A.C., Corporacion Pesquera Inca S.A.C., and Sustainable Fishing Resources S.A.C.
268	12/06/2016	Chapter 11 Trustee's Motion for the Entry of an Order Pursuant to Sections 105(a) and 362 of the Bankruptcy Code to Enforce the Automatic Stay
279	12/16/2016	Notice of Withdrawal of Chapter 11 Trustee's Motion for the Entry of an Order Pursuant to Sections 105(a) and 362 of the Bankruptcy Code to Enforce the Automatic Stay Scheduled for December 21, 2016 at 11:00 a.m.
302	01/06/2017	Transcript regarding Hearing Held on January 4, 2017
408	03/29/2017	Chapter 11 Trustee's Application for Entry of an Order Authorizing Retention of Development Specialists, Inc. as Account to the Trustee <i>Nunc Pro Tunc</i> to November 10, 2016
474	04/13/2017	Transcript Regarding Hearing Held on April 12, 2017
482	04/24/2017	Order Granting Chapter 11 Trustee's Motion for Order Pursuant to Bankruptcy Code Sections 105(a), 363(b), 541(a)(1), and 1108 and Bankruptcy Rules 2002, 6004, and 9006 Authorizing and Approving Procedures for (A) the Sale or Transfer of Certain Non-Debtor Assets and (B) Taking All Desirable or Necessary Corporate Governance Actions in Connection Therewith

491	04/28/2017	Order Granting Chapter 11 Trustee's Application for Entry of an Order Authorizing Retention of Development Specialists, Inc. as Accountant to the Trustee <i>Nunc Pro Tunc</i> to November 10, 2016
526	05/15/2017	Response Of The United States Trustee Regarding Applications For First Interim Allowance Of Compensation And Reimbursement Of Out-Of-Pocket Expenses For Professionals Of Chapter 11 Trustee Of Debtor CFG Peru Investments Pte. Limited (Singapore)
548	05/23/2017	Motion For An Order (I) Authorizing The Chapter 11 Trustee To Obtain Intercompany Postpetition Financing On A Superpriority Administrative Claim Basis, And (II) Granting Related Relief
565	05/31/2017	Senior Noteholder Committee's Reservation of Rights Regarding Motion for an Order (I) Authorizing the Chapter 11 Trustee to Obtain Intercompany Postpetition Financing on a Superpriority Administrative Claim Basis, and (II) Granting Related Relief,
584	06/12/2017	Order Granting Chapter 11 Trustee's Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 1108 and Bankruptcy Rule 2002 Authorizing and Approving Procedures for (A) the Sale or Transfer of Certain Additional Non-Debtor Assets and (B) Taking All Desirable or Necessary Corporate Governance Actions in Connection Therewith
585	06/12/2017	Order (I) Authorizing the Chapter 11 Trustee to Obtain Intercompany Postpetition Financing on a Superpriority Administrative Claim Basis, and (II) Granting Related Relief
634	07/19/2017	Memorandum Decision and Order Granting Trustee's Motion for Order Authorizing Issuance of Subpoenas to Hongkong Shanghai Banking Corporation Limited
646	07/26/2017	Chapter 11 Trustee's Motion for an Order (I) Approving Bidding Procedures, (II) Approving the Form and Manner of Notice Thereof, and (III) Granting Related Relief
716	08/25/2017	Order (I) Approving Bidding Procedures, (II) Approving the Form and Manner of Notice Thereof, and (III) Granting Related Relief
741	09/07/2017	Chapter 11 Trustee's Motion For Order Pursuant To Bankruptcy Code Sections 105(a), 363(b) And 1108, Authorizing And Approving (A) The Issuance Of New Promissory Notes Related To The Club Facility And (B) Taking All Desirable Or Necessary Corporate Governance Actions In Connection Therewith

743	09/07/2017	Motion of William A. Brandt, Jr., Chapter 11 Trustee For CFG Peru Investments Pte. Ltd. (Singapore), Pursuant To 11 U.S.C. 105(a), 362(a), and 541(a)(1), for Entry of An Order Confirming Applicability of Automatic Stay to Any Collection Actions Pursued in Peru By Holders of Club Facility and Senior Notes Claims and By Debtor CFIL Against Peruvian Operating Companies
800	11/29/2017	Disclosure Statement for Joint Chapter 11 Plan of Reorganization of China Fishery Group Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), and Certain of Their Affiliated Debtors
807	10/03/2017	Joint Chapter 11 Plan of Reorganization of China Fishery Group Limited, Pacific Andes Resources Development Limited (Bermuda), and Certain of Their Affiliated Debtors
808	10/03/2017	Chapter 11 Plan of Reorganization of Pacific Andes International Holdings Limited (Bermuda) and Certain of its Affiliated Debtors
809	10/04/2017	Order Granting Motion of William A. Brandt, Jr., Chapter 11 Trustee for CFG Peru Investments Pte. Ltd. (Singapore), Pursuant to 11 U.S.C. §§ 105(a), 362(a), and 541(a)(1), for Entry of an Order Confirming Applicability of Automatic Stay to Any Collection Actions Pursued in Peru by Holders of Club Facility and Senior Notes Claims and by Debtor CFIL Against Peruvian Operating Companies
856	10/30/2017	Omnibus Order Granting Applications for Compensation for Services Rendered and Reimbursement of Expenses for the Period from March 1, 2017 Through and Including June 30, 2017
993	02/21/2018	Chapter 11 Trustee And The Other Debtors' Joint Motion For An Order Approving The Settlement Agreement Netting Intercompany Claims Among And Between CFG Peru Singapore, the Other Debtors, and the Non-Debtor Affiliates, Including the CFG Peru Singapore Subsidiaries
1020	03/07/2018	Senior Noteholder Committees Limited Objection to Chapter 11 Trustee and the Other Debtors' Joint Motion for an Order Approving the Settlement Agreement Netting Intercompany Claims Among and Between CFG Peru Singapore, the Other Debtors, and the Nondebtor Affiliates, Including the CFG Peru Singapore Subsidiaries
1021	03/07/2018	Objection of Bank of America, N.A. to the Chapter 11 Trustee and the Other Debtors' Joint Motion for an Order Approving the Settlement Agreement Netting Intercompany Claims Among and Between CFG Peru Singapore, the Other Debtors, and the Non-Debtor Affiliates, Including the CFG Peru Singapore Subsidiaries

1112	04/26/2018	Order Approving the Settlement Agreement Netting Intercompany Claims Among and Between CFG Peru Singapore, the Other Debtors, and the Non-Debtor Affiliates, Including the CFG Peru Singapore Subsidiaries, and Approving Stipulation with Bank of America, N.A.
1234	07/31/2018	Notice of Sale Of Non-Debtor Real Estate In Accordance With Non-Debtor Asset Sale Order
1280	08/29/2018	Statement in Opposition of Certain Debtors to Proposed Sale of Copeinca Headquarters
1293	09/04/2018	Chapter 11 Trustee's Motion For Order Pursuant To Bankruptcy Code Sections 105(a) And 363(b) And Bankruptcy Rules 2002 And 6004 Authorizing Taking All Corporate Governance Actions In Connection With The Donation Of Excess, Unusable, And Vacant Real Estate Property In La Planchada, Peru To The Peruvian Government By Non-Debtor Corporation CFG Investment S.A.C.
1336	10/07/2018	Stipulation By and Between Certain Debtors and Chapter 11 Trustee Withdrawing Proofs of Claim Nos. 145, 171, 350, 371, 1517, 1527, 1528, 1771, and 1773 and Withdrawing PAIH Debtors' Objection to Such Claims
1419	12/26/2018	Omnibus Order Granting Applications for Compensation for Services Rendered and Reimbursement of Expenses for the Period From March 1, 2018 Through and Including June 30, 2018
1420	12/26/2018	Order Granting the Chapter 11 Trustee's First Omnibus Objection to No Liability Claims (PARD Bonds)
1490	06/09/2021	Chapter 11 Trustee's Motion for an Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Taking Corporate Governance Actions to Enable an Interim Distribution of Excess Cash to Certain Creditors by Non-Debtor CFG Investment S.A.C.
1498	02/25/2019	Withdrawal of Claim
1519	03/21/2019	Transcript regarding Hearing Held on March 13, 2019
1613	06/10/2019	Notice of Withdrawal of Chapter 11 Trustee's Motion for an Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Taking Corporate Governance Actions to Enable an Interim Distribution of Excess Cash to Certain Creditors by Non-Debtor CFG Investment S.A.C.
1650	07/16/2019	Letter dated July 16, 2019, from Clifford Chance to the Hon. James L. Garrity, Jr.

1656	07/22/2019	Notice of Sale of a Non-Debtor Vessel in Accordance With Non-Debtor Asset Sale Order
1710	08/27/2019	Chapter 11 Trustee's Renewed Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Taking Corporate Governance Actions Necessary to Enable an Interim Distribution of Excess Cash to Certain Creditors by Non-Debtor CFG Investment S.A.C.
1753	10/04/2019	Motion of Pacific Andes International Holdings Limited (Bermuda) and Pacific Andes International Holdings (BVI) Limited, Pursuant to Bankruptcy Code Sections 105, 363 and 502, and Bankruptcy Rules 2002, 3001(e), 3007, 4001, 6004, 9014 AND 9019, (I) to Approve Compromise among Movants, Certain Creditors and Investors, (II) to Authorize Certain Corporate Governance Actions in Furtherance of Compromise, (III) to Approve the Compromise and Allowance of Certain Claims Related to the Proposed Transaction, and (IV) to Grant Related Relief
1765	10/16/2019	Monarch Alternative Capital's Reply to Objecting Noteholders' Limited Objection to Chapter 11 Trustee's Renewed Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Taking Corporate Governance Actions Necessary to Enable an Interim Distribution of Excess Cash to Certain Creditors By Non-Debtor CFG Investment S.A.C.
1772	10/22/2019	Trustee William A. Brandt, Jr.'s Objection to Motion of Pacific Andes International Holdings Limited (Bermuda) and Pacific Andes International Holdings (BVI) Limited, Pursuant to Bankruptcy Code Sections 105, 363 and 502, and Bankruptcy Rules 2002, 3001(E), 3007, 4001, 6004, 9014 And 9019, (I) to Approve Compromise Among Movants, Certain Creditors and Investors, (II) to Authorize Certain Corporate Governance Actions in Furtherance of Compromise, (III) to Approve the Compromise and Allowance of Certain Claims Related to the Proposed Transaction, and (IV) to Grant Related Relief
1856	12/10/2019	Chapter 11 Trustee's Emergency Motion for Entry of an Order (A) Appointing a Mediator, (B) Directing the Proposed Mediation Parties to Participate in Mediation, and (C) Authorizing Taking Corporate Governance Actions Necessary to Enable Non-Debtor CFG Investment S.A.C. to Participate in Mediation

1859	12/11/2019	Chapter 11 Trustee's Emergency Motion for Entry of an Order (A) Appointing a Mediator, (B) Directing the Proposed Mediation Parties to Participate in Mediation, and (C) Authorizing Taking Corporate Governance Actions Necessary to Enable Non-Debtor CFG Investment S.A.C. to Participate in Mediation
1867	12/13/2019	TMF Trustee Limited's Response in Support of Chapter 11 Trustee's Emergency Motion for Entry of an Order (A) Appointing a Mediator, (B) Directing the Proposed Mediation Parties to Participate in Mediation, and (C) Authorizing Taking Corporate Governance Actions Necessary to Enable Non-Debtor CFG Investment S.A.C. to Participate in Mediation
1938	01/29/2020	Order (A) Granting Mediation Motion, (B) Referring Matters to Mediation, and (C) Authorizing Taking Corporate Governance Actions Necessary to Enable Non-Debtor CFG Investment S.A.C. to Participate in Mediation
1939	01/30/2020	Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Taking Corporate Governance Actions Necessary to Enable an Interim Distribution of Excess Cash to Certain Creditors by Non-Debtor CFG Investment S.A.C.
1957	02/12/2020	Order Appointing a Mediator
2050	05/22/2020	Chapter 11 Trustee's Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 (I) Compelling Debtors China Fisheries International Limited and CFG Peru Singapore to Effectuate Certain Preliminary Aspects of the Netting of Intercompany Claims, and (II) Authorizing Corporate Governance Actions Necessary to Remove or Replace the Ng Subsidiary Directors at CFG Peru Singapore's Subsidiaries
2096	07/01/2020	Order Concerning Netting of 459M Claim
2100	07/06/2020	Omnibus Order Granting Applications for Compensation for Services Rendered and Reimbursement of Expenses for the Period From March 1, 2019 Through and Including June 30, 2019
2135	08/17/2020	China Fishery Group Limited (CAYMAN) <i>et al.</i> Monthly Operating Report for Reporting Period of July 31, 2020
2200	10/21/2020	Notice of Withdrawal of Chapter 11 Trustee's Motion for an Order (I) Approving Bidding Procedures, (II) Approving the Form and Manner of Notice Thereof, and (III) Granting Related Relief

2231	11/20/2020	First Interim Application of The Chapter 11 Trustee, William A. Brandt, Jr., for Reimbursement of Expenses for the Period From November 10, 2016 Through and Including February 29, 2020
2237	11/30/2020	Declaration of Lisa Laukitis Regarding Annual Increase of Skadden, Arps, Slate, Meagher & Flom LLP
2271	12/18/2020	Transcript Regarding Hearing Held on December 15, 2020
2272	12/20/2020	Order Granting Application for Reimbursement of Expenses
2325	02/07/2021	Omnibus Order Granting Applications for Compensation for Services Rendered and Reimbursement of Expenses for the Period From March 1, 2020 Through and Including June 30, 2020
2341	02/12/2021	First Supplement to Motion of Pacific Andes International Holdings Limited (Bermuda) and Pacific Andes International Holdings (BVI) Limited, Pursuant to Bankruptcy Code Sections 105, 363 and 502, and Bankruptcy Rules 2002, 3001(e), 3007, 4001, 6004, 9014 and 9019, (I) to Approve Compromise among Movants, Certain Creditors and Investors, (II) to Authorize Certain Corporate Governance Actions in Furtherance of Compromise, (III) to Approve the Compromise and Allowance of Certain Claims Related to the Proposed Transaction, and (IV) to Grant Related Relief
2352	02/23/2021	Motion of Chapter 11 Trustee Pursuant to 11 U.S.C. §§ 105(A) and 363 and Fed. R. Bankr. P. 9019 for Order (I) Approving Settlement Agreement Resolving Hong Kong Action with Certain Liquidation Companies HCA 836/2019, (II) Authorizing Corporate Governance Actions, and (III) Granting Related Relief
2380	03/16/2021	Amended Verified Statement of the Ad Hoc Group Pursuant to Bankruptcy Rule 2019
2381	03/16/2021	Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore) and Smart Group Limited (Cayman)
2382	03/16/2021	Disclosure Statement for the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investment Pte., Ltd. (Singapore) and Smart Group Limited (Cayman)
2384	03/17/2021	Creditor Plan Proponents' Motion for Entry of an Order Approving (I) The Adequacy of the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Form of Ballots and Notices in Connection Therewith; and (IV) Certain Dates with Respect Thereto
2390	03/19/2021	Transcript Regarding Hearing Held on March 16, 2021

2401	04/14/2021	Chapter 11 Trustee's Limited Objection to the Motion of Movants for Entry of an Order Approving (I) the Adequacy of the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Form of Ballots and Notices in Connection Therewith; and (IV) Certain Dates With Respect Thereto
2409	04/16/2021	Chapter 11 Trustee's Emergency Motion for an Order (I) Approving Bidding Procedures, (II) Approving the Form and Manner of Notice Thereof, and (III) Granting Related Relief
2415	04/18/2021	Creditor Plan Proponents' Omnibus Reply to Objections to Approval of the Disclosure Statement for the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore) and Smart Group Limited (Cayman)
2437	04/21/2021	Disclosure Statement for the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Ptd. Ltd. (Singapore) and Smart Group Limited (Cayman)
2440	04/23/2021	Notice of Withdrawal, without Prejudice, of Motion of Pacific Andes International Holdings Limited (Bermuda) and Pacific Andes International Holdings (BVI) Limited, Pursuant to Bankruptcy Code Sections 105, 363 and 502, and Bankruptcy Rules 2002, 3001(e), 3007, 4001, 6004, 9014 AND 9019, (I) to Approve Compromise among Movants, Certain Creditors and Investors, (II) to Authorize Certain Corporate Governance Actions in Furtherance of Compromise, (III) to Approve the Compromise and Allowance of Certain Claims Related to the Proposed Transaction, and (IV) to Grant Related Relief
2441	04/23/2021	Order Approving (I) the Adequacy of the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Form of Ballots and Notices in Connection Therewith; and (IV) Certain Dates with Respect Thereto
2442	04/23/2021	Order Authorizing Epiq Bankruptcy Solutions, LLC to Solicit Acceptances of the <i>Creditor Plan Proponents' Chapter 11 Plan For CFG Peru Investment Pte., Ltd. (Singapore) and Smart Group Limited (Cayman)</i>
2459	05/04/2021	Transcript Regarding Hearing Held on April 21, 2021
2479	05/18/2021	Chapter 11 Trustee's Emergency Motion for an Order Pursuant to Bankruptcy Code Sections 105(a) and 363(b) and Bankruptcy Rules 2002 and 6004 Authorizing Corporate Governance Actions Necessary to Remove and Replace the Ng Family Members at CFG Peru Singapore Subsidiaries

2494	05/21/2021	Plan Supplement for the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore) and Smart Group Limited (Cayman)
2525	06/01/2021	Reservation of Rights of William A. Brandt, Jr., in his Individual Capacity, to Confirmation of the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Ptd. Ltd. (Singapore) and Smart Group Limited (Cayman)
2532	06/03/2021	Notice of Filing of Global Settlement Agreement Between the Creditor Plan Proponents, the Other Debtors, the Ng Family Members, and the Non-Debtor Affiliates
2541	06/04/2021	Declaration of Andrew J. Herenstein [of Monarch Alternative Capital LP] in Support of the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)
2542	06/04/2021	Declaration of Bradley Jordan in Support of the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)
2556	06/08/2021	Notice of Stipulation and Consent Order (A) Dismissing Adversary Proceeding with Prejudice Pursuant to Fed. R. Civ. P. 7041(a)(2) and Fed. R. Bankr. P. 7041 and (B) Reflecting Settlement by and Among William A. Brandt, Jr., Chapter 11 Trustee, and the HongKong and Shanghai Banking Corporation Limited
2557	06/09/2021	Creditor Plan Proponents' Brief in Support of Confirmation of the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)
2564	06/09/2021	Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore)
2569	06/10/2021	Order Confirming Creditor Plan Proponents' Chapter 11 Plan For CFG Peru Investments Pte. Ltd. (Singapore)
2577	06/14/2021	Transcript Regarding Hearing Held on June 9, 2021
2582	06/17/2021	Creditor Plan Proponents' Motion for Entry of an Order Pursuant to the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore) and Section 1129(a)(4) of the Bankruptcy Code (I) Approving All Pre-Confirmation Fees, Expenses, Costs and Disbursements Incurred by Houlihan Lokey, Inc. and (II) Authorizing and Directing the Plan Administrator to Promptly Pay All Such Preconfirmation Fees, Expenses, Costs and Disbursements

2600	07/15/2021	The Hongkong and Shanghai Banking Corporation Limited's Motion for Entry of an Order Pursuant to the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd (Singapore) and Section 1129(a)(4) of the Bankruptcy Code (I) Approving Pre-Confirmation Fees Incurred by Davis Polk & Wardwell LLP and Boies Schiller Flexner LLP and (II) Authorizing and Directing the Plan Administrator to Promptly Pay Such Amounts
2614	07/29/2021	Monthly Operating Report for June 2021
2625	08/05/2021	Creditor Plan Proponent's Motion for Entry of an Order Pursuant to the Creditor Plan Proponents' Chapter 11 Plan for CFG Peru Investments Pte. Ltd. (Singapore) and Section 1129(a)(4) of the Bankruptcy Code (I) Approving All Pre-Confirmation Fees, Expenses, Costs, and Disbursements Incurred by Kirkland & Ellis LLP and Kirkland & Ellis International LLP, Attorneys for the Creditor Plan Proponents and Ad Hoc Group, and (II) Authorizing and Directing the Plan Administrator to Cause CFG Peru (or the Peruvian Opcos, or Newco on Behalf of CFG Peru) to Promptly Pay All Such Pre-Confirmation Fees, Expenses, Costs, and Disbursements
2642	08/17/2021	Notice of Filing of Amended Global Settlement Agreement Between the Creditor Plan Proponents, the Other Debtors, the Ng Family Members, and the Non-Debtor Affiliates
2662	09/13/2021	Twelfth Interim and Final Application of Quinn Emanuel Urquhart & Sullivan, LLP for Compensation for Services Rendered and Reimbursement of Expenses Incurred as Special Litigation Counsel to the Chapter 11 Trustee for (I) the Period of November 1, 2020 Through and Including June 10, 2021 and (II) the Final Period From December 23, 2016 Through June 10, 2021
2663	09/13/2021	Thirteenth Interim and Final Fee Application of Development Specialists, Inc. for Compensation for Services Rendered and Reimbursement of Expenses as Accountant to the Chapter 11 Trustee for (I) the Thirteenth Interim Period From November 1, 2020 Through and Including June 10, 2021 and (II) the Entire Case Period From November 10, 2016 Through and Including June 10, 2021
2712	10/01/2021	First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021

2713	10/01/2021	Declaration of William A. Brandt, Jr. in Support of First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 through and Including June 24, 2021
2713-1	10/01/2021	Exhibit A to Declaration of William A. Brandt
2713-2	10/01/2021	Exhibit B – Part 1 to Declaration of William A. Brandt
2713-3	10/01/2021	Exhibit B – Part 2 to Declaration of William A. Brandt
2713-4	10/01/2021	Exhibit B – Part 3 to Declaration of William A. Brandt
2713-5	10/01/2021	Exhibit B – Part 4 to Declaration of William A. Brandt
2713-6	10/01/2021	Exhibit C – Part 1 to Declaration of William A. Brandt
2713-7	10/01/2021	Exhibit C – Part 2 to Declaration of William A. Brandt
2713-8	10/01/2021	Exhibit C – Part 3 to Declaration of William A. Brandt
2713-9	10/01/2021	Exhibit C – Part 4 to Declaration of William A. Brandt
2713-10	10/01/2021	Exhibit D – Part 1 to Declaration of William A. Brandt
2713-11	10/01/2021	Exhibit D – Part 2 to Declaration of William A. Brandt
2713-12	10/01/2021	Exhibit D – Part 3 to Declaration of William A. Brandt
2713-13	10/01/2021	Exhibit D – Part 4 to Declaration of William A. Brandt
2713-14	10/01/2021	Exhibit E – Part 1 to Declaration of William A. Brandt
2713-15	10/01/2021	Exhibit E – Part 2 to Declaration of William A. Brandt
2713-16	10/01/2021	Exhibit E – Part 3 to Declaration of William A. Brandt
2713-17	10/01/2021	Exhibit F to Declaration of William A. Brandt
2713-18	10/01/2021	Exhibit G to Declaration of William A. Brandt
2713-19	10/01/2021	Exhibit H to Declaration of William A. Brandt
2713-20	10/01/2021	Exhibit I to Declaration of William A. Brandt
2713-21	10/01/2021	Exhibit J to Declaration of William A. Brandt
2713-22	10/01/2021	Exhibit K to Declaration of William A. Brandt
2713-23	10/01/2021	Exhibit L to Declaration of William A. Brandt

2713-24	10/01/2021	Exhibit M to Declaration of William A. Brandt
2713-25	10/01/2021	Exhibit N to Declaration of William A. Brandt
2713-26	10/01/2021	Exhibit O to Declaration of William A. Brandt
2713-27	10/01/2021	Exhibit P to Declaration of William A. Brandt
2713-28	10/01/2021	Exhibit Q to Declaration of William A. Brandt
2713-29	10/01/2021	Exhibit R to Declaration of William A. Brandt
2714	10/01/2021	Declaration of Patrick J. O'Malley in Support of First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2785	10/28/2021	Creditor Plan Proponents' Motion to Enforce the Injunction Order and Confirmation Order
2793	10/29/2021	Order Enforcing the Injunction Order and Confirmation Order
2813	11/17/2021	The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2813-1	11/17/2021	Exhibit A to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.
2813-2	11/17/2021	Exhibit B to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.
2813-3	11/17/2021	Exhibit C to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.
2813-4	11/17/2021	Exhibit D to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.

2813-5	11/17/2021	Exhibit E to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.
2813-6	11/17/2021	Exhibit F to The Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr.
2814	11/17/2021	Declaration of Bradley Jordan in Support of the Creditor Plan Proponents' Objection to the First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2829	11/29/2021	Reply Brief in Support of First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2830	11/29/2021	Supplemental Declaration of William A. Brandt, Jr., Re: Reply Brief in Support of First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2830-1	11/29/2021	Exhibit 1 to Supplemental Declaration of William A. Brandt, Jr.
2830-2	11/29/2021	Exhibit 2 to Supplemental Declaration of William A. Brandt, Jr.
2830-3	11/29/2021	Exhibit 3 to Supplemental Declaration of William A. Brandt, Jr.
2830-4	11/29/2021	Exhibit 4 to Supplemental Declaration of William A. Brandt, Jr.
2830-5	11/29/2021	Exhibit 5 to Supplemental Declaration of William A. Brandt, Jr.
2830-6	11/29/2021	Exhibit 6 to Supplemental Declaration of William A. Brandt, Jr.
2830-7	11/29/2021	Exhibit 7 to Supplemental Declaration of William A. Brandt, Jr.
2830-8	11/29/2021	Exhibit 8 to Supplemental Declaration of William A. Brandt, Jr.

2830-9	11/29/2021	Exhibit 9 to Supplemental Declaration of William A. Brandt, Jr.
2830-10	11/29/2021	Exhibit 10 to Supplemental Declaration of William A. Brandt, Jr.
2830-11	11/29/2021	Exhibit 11 to Supplemental Declaration of William A. Brandt, Jr.
2830-12	11/29/2021	Exhibit 12 to Supplemental Declaration of William A. Brandt, Jr.
2830-13	11/29/2021	Exhibit 13 to Supplemental Declaration of William A. Brandt, Jr.
2830-14	11/29/2021	Exhibit 14 to Supplemental Declaration of William A. Brandt, Jr.
2831	11/29/2021	Declaration of David J. Richardson Re: Reply Brief in Support of First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2831-1	11/29/2021	Exhibit A to Declaration of David J. Richardson
2831-2	11/29/2021	Exhibit B to Declaration of David J. Richardson
2832	11/29/2021	Notice of [Amended Proposed] Findings of Fact and Conclusions of Law Approving First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021
2834	11/30/2021	Supplemental Declaration of David J. Richardson re: Transcript of Deposition of Brad Jordan Taken in Connection with First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021

2842	12/08/2021	The Plan Administrator's Statement Regarding (I) First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021 (II) The Creditor Plan Proponents' Objections Thereto; and (III) the Reply Brief in Support of First and Final Fee Application of William A. Brandt, Jr. as Chapter 11 Trustee
2947	02/02/2022	Transcript Regarding Hearing Held on December 14, 2021
3127	01/27/2023	Memorandum Decision and Order Resolving First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period from November 10, 2016 Through and Including June 24, 2021, and Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021

From Case No. 16-11891

ECF No.	Date	Description
4	06/30/2016	Verified Petition of Francisco Paniagua as Foreign Representative of the Above Captioned Debtors in a Foreign Proceeding, for (I) Recognition of a Foreign Main Proceeding pursuant to 11 U.S.C. §§ 1515 and 1517, and (II) Relief Pursuant to 11 U.S.C. 1520 and 1521

From Case No. 16-11892

ECF No.	Date	Description
4	06/30/2016	Verified Petition of Francisco Paniagua as Foreign Representative of the Above Captioned Debtors in a Foreign Proceeding, for (I) Recognition of a Foreign Main Proceeding pursuant to 11 U.S.C. §§ 1515 and 1517, and (II) Relief Pursuant to 11 U.S.C. 1520 and 1521

From Case No. 16-11894

ECF No.	Date	Description
4	06/30/2016	Verified Petition of Francisco Paniagua as Foreign Representative of the Above Captioned Debtors in a Foreign Proceeding, for (I) Recognition of a Foreign Main Proceeding pursuant to 11 U.S.C. §§ 1515 and 1517, and (II) Relief Pursuant to 11 U.S.C. 1520 and 1521

From Adversary Case No. 18-01575

ECF No.	Date	Description
1	06/29/2018	Complaint
58	04/07/2021	Stipulation and Order (A) Referring Matters to Mediation and (B) Governing the Disclosure of Confidential Documents
61	06/10/2021	Stipulation and Consent Order (A) Dismissing Adversary Proceeding With Prejudice Pursuant to Fed. R. Civ. P. 7041(a)(2) and Fed. R. Bankr. P. 7041 and (B) Reflecting Settlement By and Among William A. Brandt, Jr., Chapter 11 Trustee, and the Hong Kong and Shanghai Banking Corporation Limited

From Proofs of Claim

Claim No.	Date	Description
3-1	12/14/2016	TMF Trustee Ltd, as indenture trustee
67-1	01/13/2007	Cheong Kai Tjieh Augustin

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STATEMENT OF ISSUES ON APPEAL

Whether the United States Bankruptcy Court for the Southern District of New York (Garrity, J.) (the “Bankruptcy Court” or the “court”) erred in awarding the chapter 11 Trustee, William A. Brandt Jr., (the “Trustee”), a commission in the amount of \$16,358,871 and expenses in the amount of \$326,622.52, including, without limitation:

- (A) Whether the Bankruptcy Court erred in calculating the fee cap under section 326 of title 11 of the United States Code where, among other things, (i) the court included \$1.895 billion in disbursements made by non-debtor subsidiaries to parties that were not parties in interest in the chapter 11 cases of the debtor entities; (ii) the court included the disbursement of equity interests, even though equity interests do not fall within the relevant statutory language of “moneys disbursed”; and (iii) the court included disbursements from the Trustee to the Plan Administrator.
- (B) Whether the Bankruptcy Court erred in calculating an adjusted lodestar of \$10,905,914.00 based on 13,667 hours submitted by the Trustee for the period from to 2016-2021, including an average of nearly 3,400 hours per year for three of those years.
- (C) Whether the Bankruptcy Court erred in applying a fee enhancement in the form of a 1.5 multiplier applied to the lodestar where, among other things, the Trustee: (i) never accomplished the sale that he viewed as the exclusive path out of bankruptcy; (ii) never proposed a plan; (iii) opposed the plan that was filed with overwhelming creditor support and ultimately confirmed by the court; (iv) allowed hundreds of millions of dollars in additional debt to accrue; (v) paid unnecessary fees to the U.S. Trustee.

RESERVATION OF RIGHTS

The Appellants expressly reserve their rights to amend or supplement this Designation and/or to object, or otherwise supplement or move to strike or modify, some or all of any designation filed by any other party to this appeal. This filing is made expressly subject to, and without waiver, of any and all rights, remedies, challenges and objections.

Dated: February 24, 2023
New York, New York

/s/ Colin West

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