



ORDERED in the Southern District of Florida on February 27, 2024.

A handwritten signature in cursive script that reads "Corali Lopez-Castro".

Corali Lopez-Castro, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
www.flsb.uscourts.gov

In re:

BIRD GLOBAL, INC., *et al.*,¹

Debtors.

Chapter 11 Cases

Case No. 23-20514-CLC

(Jointly Administered)

**AMENDED AGREED ORDER GRANTING *EX PARTE* MOTION FOR
CONFIRMATION OF AUTHORITY FOR AIG INTERNATIONAL GROUP, INC.
TO PAY DEFENSE COSTS IN CONNECTION WITH PENDING MATTERS²**

THE MATTER came before the Court in Chambers upon the *Ex Parte Motion for Confirmation of Authority for AIG International Group, Inc. to Pay Defense Costs* (the “Motion”) [ECF No. 158]. The Court finds that (i) it has jurisdiction over the matters raised in the Motion under 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding under 28 U.S.C. § 157(b)(2)(A),

¹ The address of the Debtors is 392 Northeast 191st Street, #20388, Miami, FL 33179. The last four digits of the Debtors’ federal tax identification numbers are: (i) Bird Global, Inc. (3155); (ii) Bird Rides, Inc. (9939); (iii) Bird US Holdco, LLC (8390); (iv) Bird US Opco, LLC (6873); and (v) Skinny Labs, Inc. (8176).

² This Amended Order is entered on agreed basis after consultation with the Official Committee of Unsecured Creditors (the “Creditors Committee”), as well as AIG International Group, Inc.

and that this Court may enter a final order consistent with Article III of the Constitution; (iii) venue is proper before this Court under 28 U.S.C. §§ 1408 and 1409; (iv) the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; (v) notice of the Motion was appropriate under the circumstances and no other notice need be provided; and (vi) upon review of the record before the Court, including the legal and factual bases set forth in the Motion, good and sufficient cause exists to grant the relief requested in the Motion as provided herein. Accordingly, it is

ORDERED as follows:

1. The Motion is GRANTED as set forth below.
2. Entry of this Order is confirmation that the Insurer³ is authorized to, among other things, pay or continue paying attorneys' fees and costs relating to the defense of any covered individuals, including but not limited to, Travis VanderZanden, Yibo Ling, James Mutrie, Scott McNeill, Roelof F. Botha, Daniel Friedland, Nathaniel Justin Kan, Robert Komin, Racquel Russell, David Sacks, Chris Carter, Scott Gieselman, Sam Stoutner, Philip J. Deutch, Ray Kubis, Precious Williams Owodunni, Justin Balthrop, Brian Crumpley, Ryan Fujiu, Benjamin Lu, Amy Murphy, Kylie Rutten, Shane Torchiana, and Gregory Wright (together, the "Former D&Os"), in: (i) the stayed actions styled David Boulware v. Bird Global, Inc., et al., United States District Court for the Central District of California, lead Case No. 2:22-CV-08406-ODW-AGR_x and Ashkan Farazmand v. Travis VanderZanden, et al., United States District Court for the Central District of California, Case No. 2:23-cv-02042-ODW (AGR_x) (together, the "Securities Litigation Matters"), and (ii) the related, ongoing investigation conducted by the SEC that is not subject to

³ All capitalized terms not defined in this Order shall have the meanings ascribed to them in the Motion.

the stay (the “Pending SEC Investigation”), as provided for in the Policies (as defined in the Motion).

3. The Debtors lack the financial wherewithal to satisfy the self-insured retention requirements under the Policies or otherwise contribute to the defense of the Securities Litigation Matters or the Pending SEC Investigation.

4. The Debtors shall report to the Creditors Committee the total amount of attorneys’ fees and costs both (i) billed to, and (ii) paid by, the Insurers from commencement of the Securities Litigation Matters and the Pending SEC Investigation to the date of entry of this order and on a recurring monthly basis thereafter. If the Insurer fails to cover any unpaid fees relating to the Securities Litigation Matters or the Pending SEC Investigation, the Debtors and the Creditors Committee shall confer in an effort to agree to go-forward funding of any such unpaid defense costs and, if an agreement cannot be reached, the matter will be promptly brought before the Court by the Debtors.

5. The Debtors and Creditors Committee reserve their respective rights to file motions seeking supplemental relief related to this Order. The Debtors and Creditors Committee agree that any supplemental motion related to this Order may be submitted to, and heard by, the Court on an expedited basis. The Debtors and Creditors Committee reserve all rights to contest any relief any party may seek.

6. No term or condition in this Order is intended to modify or change any of the terms, conditions, or provisions of the Policies.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or

related to the implementation, interpretation, and enforcement of this Order.

#

Submitted by:

Paul A. Avron, Esq.

BERGER SINGERMANN LLP

1450 Brickell Avenue, Ste. 1900

Miami, FL 33131

Telephone: (305) 755-9500

Facsimile: (305) 714-4340

Email: pavron@bergersingerman.com

(Attorney Avron is directed to serve this order upon all non-registered users who have yet to appear electronically in this case and file a conforming certificate of service.)