

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION**

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In re: : Chapter 11

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HO WAN KWOK, *et al.*, : Case No. 22-50073 (JAM)

:

Debtors.¹ : Jointly Administered

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**NOTICE OF FILING [REVISED PROPOSED] ORDER GRANTING
CHAPTER 11 TRUSTEE’S MOTION FOR ENTRY OF ORDER: (I) SUPPLEMENTING,
AMENDING, AND SUPERSEDING (A) ORDER DIRECTING PARTIES TO
MEDIATION, APPOINTING THE HONORABLE JAMES J. TANCREDI AS
MEDIATOR, AND AMENDING ORDER APPROVING PROCEDURES APPLICABLE
TO AVOIDANCE CLAIM ADVERSARY PROCEEDINGS; AND (B) ORDER
AMENDING ORDER DIRECTING PARTIES TO MEDIATION, APPOINTING THE
HONORABLE JAMES J. TANCREDI AS MEDIATOR, AND AMENDING ORDER
APPROVING PROCEDURES APPLICABLE TO AVOIDANCE CLAIM ADVERSARY
PROCEEDINGS TO FACILITATE CONSENSUAL PRE-LITIGATION AND PRE-
APPEARANCE MEDIATION; AND (II) APPROVING INTERVENTION OF
APPROPRIATE AVOIDANCE DEFENDANTS IN OMNIBUS ALTER EGO ACTIONS
AS TO ALTER EGO CLAIMS AGAINST SPECIFIED ALTER EGO DEFENDANTS**

PLEASE TAKE NOTICE (this “Notice”), Luc A. Despins, in his capacity as Chapter 11 Trustee (the “Trustee”) appointed in the chapter 11 case (the “Chapter 11 Case”) of Ho Wan Kwok hereby files his *[Revised Proposed] Order* (the “Revised Order”) granting the Trustee’s *Motion for Entry of Order: (I) Supplementing, Amending, and Superseding (A) Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings; and (B) Order*

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

Amending Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings to Facilitate Consensual Pre-Litigation and Pre-Appearance Mediation; and (II) Approving Intervention of Appropriate Avoidance Defendants in Omnibus Alter Ego Actions as to Alter Ego Claims Against Specified Alter Ego Defendants [Main Case ECF No. 4628] (the “Amended Procedures Motion”). A clean version of the Revised Order is attached hereto as **Exhibit 1**. A redline version of the Revised Order marked to show changes against the proposed order filed with the Procedures Motion (the “Original Order”) is attached hereto as **Exhibit 2**.

PLEASE TAKE FURTHER NOTICE, the Revised Order revises the original proposed order and the appended Amended Avoidance Action Procedures (the “Amended Procedures”) to: (a) add certain additional entities (*i.e.*, G Fashion (CA); G Fashion Hold Co A Limited; G Fashion Hold Co B Limited; G Fashion Media Group Inc.; GF IP, LLC; GF Italy, LLC; and GFNY, Inc.) as Specified Alter Ego Defendants as to which Avoidance Defendants wishing to dispute the Trustee’s Alter Ego Claims shall be required to utilize the proposed intervention procedure; (b) make adjustments to Exhibits 3-A and 3-B to the Amended Procedures; (c) provide that the partial stay procedure in subparagraph e(ii) of the Amended Procedures shall not apply with respect to Avoidance Defendants that do not timely appear and respond to the Trustee’s Avoidance Complaint; and (d) revise the list of entities in subparagraph e(ii) of the Amended Procedures as to which certain matters are “Stayed Issues.”² This Notice will be filed and served in a manner consistent with the Amended Procedures Motion.³

² Capitalized terms not otherwise defined in this Notice shall adopt the terms ascribed to them in the Trustee’s Procedures Motion.

³ The Notice will be filed in the Chapter 11 Case, the Omnibus Alter Ego Actions, and all pending Avoidance Actions, and it will be served via U.S. Mail on all non-appearing Avoidance Defendants. The Trustee will cause a Certificate of Service to be filed in the Chapter 11 Case upon completion of the foregoing.

Dated: September 24, 2025
New Haven, Connecticut

LUC A. DESPINS,
CHAPTER 11 TRUSTEE

By: /s/ Patrick R. Linsey
Patrick R. Linsey (ct29437)
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Counsel for the Chapter 11 Trustee

EXHIBIT 1 TO NOTICE

(Revised Proposed Order – Clean Version)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

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 In re: : Chapter 11
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 HO WAN KWOK, *et al.*, : Case No. 22-50073 (JAM)
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 Debtors.¹ : Jointly Administered
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**[REVISED PROPOSED] ORDER GRANTING
 CHAPTER 11 TRUSTEE’S MOTION FOR ENTRY OF ORDER: (I) SUPPLEMENTING,
 AMENDING, AND SUPERSEDING (A) ORDER DIRECTING PARTIES TO
 MEDIATION, APPOINTING THE HONORABLE JAMES J. TANCREDI AS
 MEDIATOR, AND AMENDING ORDER APPROVING PROCEDURES APPLICABLE
 TO AVOIDANCE CLAIM ADVERSARY PROCEEDINGS; AND (B) ORDER
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 HONORABLE JAMES J. TANCREDI AS MEDIATOR, AND AMENDING ORDER
 APPROVING PROCEDURES APPLICABLE TO AVOIDANCE CLAIM ADVERSARY
 PROCEEDINGS TO FACILITATE CONSENSUAL PRE-LITIGATION AND PRE-
 APPEARANCE MEDIATION; AND (II) APPROVING INTERVENTION OF
 APPROPRIATE AVOIDANCE DEFENDANTS IN OMNIBUS ALTER EGO ACTIONS
AS TO ALTER EGO CLAIMS AGAINST SPECIFIED ALTER EGO DEFENDANTS**

Upon the motion (the “Motion”) of Luc A. Despins, in his capacity as Chapter 11 Trustee (the “Trustee”) for Ho Wan Kwok (the “Debtor”), for entry of an order (this “Order”) (i) supplementing, amending, and superseding (a) the Court’s *Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings* [ECF No. 3163] (the “Litigation Procedures Order”); and (b) the Court’s ordering amending the Litigation Procedures

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

Order to approve procedures applicable to consensual pre-litigation and pre-appearance mediation [ECF No. 3465] (the “Pre-Litigation Procedures Order” and, together with the Litigation Procedures Order, collectively, the “Procedures Orders”); and (ii) approving the intervention of relevant Avoidance Defendants in *Despins v. ACA Capital Group Ltd., et al.*, Adv. Proc. No. 24-05249 (the “First Omnibus Alter Ego Action”), and/or *AA Global Ventures Limited, et al.*, Adv Proc. No. 24-05322 (the “Second Omnibus Alter Ego Action” and, together with the First Omnibus Alter Ego Action, collectively, the “Omnibus Alter Ego Actions”) for certain purposes; and the Court having found that the relief requested in the Motion is in the best interest of the Debtor’s chapter 11 estate, its creditors, and all parties in interest; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice need be given; and upon proceedings at a hearing held on _____, 2025; and any objections to the relief requested herein having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The *Amended Avoidance Litigation and Mediation Procedures*, including, without limitation, the appended Discovery Procedures (collectively, the “Amended Procedures”) appended hereto as **Exhibit A** are hereby approved and so ordered.²
3. This Order and the Amended Procedures appended hereto shall amend and supersede the existing Procedures Orders.
4. On or before the later of: (a) thirty (30) days from the entry of this Order; or (b): in any Avoidance Action commenced after the filing of the Motion, sixty (60) days from service of the summons and adversary complaint, any Avoidance Defendant wishing to dispute the Trustee’s

² Capitalized terms not expressly defined in this Order shall adopt the meanings ascribed to them in the Amended Procedures.

claims that any of G Club International Limited; G Club Operations LLC; G Fashion (CA); G Fashion Hold Co A Limited; G Fashion Hold Co B Limited; G Fashion Media Group Inc.; GF IP, LLC; GF Italy, LLC; GFNY, Inc.; Himalaya International Financial Group Limited; Himalaya International Reserves Limited; Himalaya International Clearing Limited; Himalaya International Payments Limited; Himalaya Currency Clearing Pty Ltd.; ACA Capital Group Ltd.; Hamilton Capital Holding Limited; Hamilton Investment Management Limited; Hamilton Opportunity Fund SPC; Anton Development Limited; Eastern Profit Corporation Limited; Gold Perfect Limited; Group Dynasty Limited; Joy Chance Holdings Limited; Pacific King Investment Limited; Strong Country Holdings Group Limited; AAGV Limited; Joincorp International Limited; and/or Hong Kong International Funds Investments Limited (collectively, the “Specified Alter Ego Defendants”) are alter egos of and/or that they or their property are equitably or beneficially owned by the Debtor (such claims, collectively, “Alter Ego Claims”) shall file a *Notice of Intervention* in the Omnibus Alter Ego Action in which such claims are pending. The Notice of Intervention shall identify the intervening Avoidance Defendant and identify the specific Alter Ego Claims as to which the Avoidance Defendant seeks to intervene.

5. The intervening Avoidance Defendant’s right to participate in proceedings in Omnibus Alter Ego Actions shall be limited to those claims that the Avoidance Defendant has identified and has standing to dispute. No Notice of Intervention shall be effective unless timely filed.

6. Within thirty (30) days of the filing of any Notice of Intervention, the Trustee may object to an Avoidance Defendant’s intervention in an Omnibus Alter Ego Action by filing an objection in the relevant Omnibus Alter Ego Action for the following reasons: (a) the Trustee disputes the Avoidance Defendant’s standing to participate in the Omnibus Alter Ego Action or

the scope of intervention described in the Notice of Intervention exceeds such standing; or (b) the Notice of Intervention is untimely. Following the filing of such an objection, the relevant Avoidance Defendant may file a reply within fourteen (14) days, following which the Court shall resolve the Trustee's objection. In the absence of an objection by the Trustee, the Avoidance Defendant's intervention in the Omnibus Alter Ego Action to the extent described in the Notice of Intervention shall be deemed approved.

7. Any judgments entered in the Omnibus Alter Ego Actions with respect to the Specified Alter Ego Defendants shall be binding on all Avoidance Defendants, irrespective of whether an Avoidance Defendant filed a Notice of Intervention in the relevant Omnibus Alter Ego Action. For the avoidance of doubt, and notwithstanding anything to the contrary in the Amended Procedures, this shall include Avoidance Defendants against which the Trustee's Avoidance Claims are otherwise stayed.

8. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

9. This Order shall be effective immediately upon entry.

Exhibit A

(Amended Avoidance Litigation and Mediation Procedures)

Amended Avoidance Litigation and Mediation Procedures

a. The Amended Avoidance Action Procedures (as may be further amended, the “Amended Procedures”) shall apply to: (i) any adversary proceedings commenced by the Trustee on or after February 1, 2024, in which the Trustee asserts claims solely under sections 544, 547, 548, 549, and 550 of the Bankruptcy Code and analogous claims under applicable state law (the “Avoidance Actions”); and/or (ii) in respect to Mediation Procedures (as defined herein) to any claims asserted or that may be asserted by the Trustee.

b. Upon filing a complaint commencing any Avoidance Action (an “Avoidance Complaint”), the Trustee shall file a *Notice of Applicability of Amended Avoidance Litigation and Mediation Procedures* in a form substantially similar to that attached hereto as **Exhibit 1** (the “Amended Procedures Notice”). The Trustee shall serve a copy of the Amended Procedures Notice on each defendant in an Avoidance Action (an “Avoidance Defendant”) together with the Summons and Avoidance Complaint pursuant to Bankruptcy Rule 7004.

c. Motions affecting multiple Avoidance Actions shall be filed in each applicable Avoidance Action and shall use a caption substantially in the form attached hereto as **Exhibit 2**.

d. To the extent that an Avoidance Complaint (including exhibits) contains information that is designated confidential or highly confidential pursuant to the amended Protective Order [Main Case ECF Nos. 923, 3264, 4448] (as may be further modified, the “Protective Order”) and the amended Stipulated Addendum to Protective Order [Main Case ECF Nos. 2460, 3264, 4448] (as may be further modified, the “P.O. Addendum”), the Trustee may file the Avoidance Complaint under seal (a “Sealed Avoidance Complaint”), *provided, however*, the Trustee shall file unsealed a copy of the Avoidance Complaint that redacts any information that is designated confidential or highly confidential (a “Redacted Avoidance Complaint”). Service of a Redacted Avoidance Complaint shall constitute sufficient service of a complaint as required by Bankruptcy Rule 7004. Notwithstanding anything to the contrary in the Protective Order and the P.O. Addendum, upon any Avoidance Defendant and its counsel each executing copies of Exhibit A to the Protective Order and, if applicable, Exhibit A to the P.O. Addendum (a “P.O. Consent”), the Trustee may provide a copy of the unredacted Avoidance Complaint to such Avoidance Defendant. Following the appearance of any self-represented Avoidance Defendant, such Avoidance Defendant shall confer with counsel for the Trustee and advise whether they prefer to receive notice by email or by U.S. Mail and the Trustee shall provide any required notices to the self-represented Avoidance Defendant consistent with their stated preference.

e. An Avoidance Defendant’s time to respond to any Avoidance Complaint (the “Response Date”) shall be sixty (60) days from the date that service is effected on such Avoidance Defendant, *provided, however*, that, without further order of the Court, the Trustee and any Avoidance Defendant may stipulate to further extend the defendant’s Response Date up to ninety (90) additional days. Any such stipulation shall be made in writing and the Trustee shall file such stipulation or otherwise shall file a notice of the stipulated extension on the docket in the applicable Avoidance Action. Notwithstanding anything herein to the contrary:

i. The claims against Avoidance Defendants set forth on **Exhibit 3-A** attached hereto (the “Stayed Avoidance Claims”) shall be stayed pending further order of the Court. At such time that the stay of the Stayed Avoidance Claims is lifted, the Court shall determine whether the Stayed Avoidance Claims shall be subject to the Mediation Procedures and set deadlines for Avoidance Defendants in such actions to respond to the Avoidance Complaints. For the avoidance of doubt, notwithstanding such stay, certain aspects of Stayed Avoidance Claims may be subject to litigation and binding adjudication through the procedure described in the Court’s Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court’s Order).

ii. The claims against Avoidance Defendants set forth on **Exhibit 3-B** attached hereto (the “Partially Stayed Avoidance Claims”), as to any such Avoidance Defendant that has timely appeared and responded to the Trustee’s Avoidance Complaint, shall be stayed pending further order of the Court solely as to any legal or factual issues concerning whether AA Global Ventures Limited; AAGV Limited; Alzarro Enterprises Ltd.; Ampleforth Capital Ltd.; Assets Sino Limited; Auspicious Coast Limited; BSA Strategic Fund I; Canadian Agri-product Monetary Investments Limited; Crane Advisory Group LLC; Delta Konsult Limited; Eagle Eye Investments Limited; Fiesta Investment Ltd.; Glory Asia (H.K.) Limited; Gold Perfect Limited; Group Dynasty Limited; GS Security Solutions Inc.; Guang Hong Limited; H Reserve Management Limited; Head Win Group Limited; Holy City Hong Kong Ventures Limited; Hong Kong International Funds Investments Limited; Hudson Diamond Holdings, Inc.; Infinity Treasury Management Inc.; Insight Phoenix Fund; Joincorp International Limited; Joy Chance Holdings Limited; Kingdom Rich Limited; Long Gate Limited; New Miracle Limited; Pacific King Investment Limited; Rich Group Development Limited; Rising Sun Capital Ltd.; River Valley Operations LLC; Sail Victory Limited; Strong Country Holdings Group Limited; Thousand Stars Company Limited; New Dynamic Development Limited; ACA Capital Group Ltd; Anton Development Limited; G Club International Limited; G Club Operations LLC; G Fashion (CA); G Fashion Media Group Inc.; GFNY Inc.; Hamilton Capital Holding Ltd; Himalaya International Clearing Ltd; Leading Shine Limited; Rule of Law Foundation III Inc.; Rule of Law Society IV Inc.; G Fashion International Limited; G Fashion Hold Co A Limited; G Fashion Hold Co B Limited; GF IP, LLC; GF Italy, LLC; G Music LLC; Freedom Media Ventures Limited; Wise Creation International Limited; Himalaya International Financial Group Limited; Himalaya International Reserves Limited; Himalaya International Payments Limited; Himalaya Currency Clearing Pty Ltd; Hamilton Investment Management Limited; Hamilton Opportunity Fund SPC; China Golden Spring (Hong Kong) Group Ltd.; Bravo Luck Limited; Eastern Profit Corporation Limited and/or Saraca Media Group Inc., were alter-egos of the Debtor and/or whether the property of such entities was property of the Debtor and/or of the Debtor’s chapter 11 estate (collectively, the “Stayed Issues”). For the avoidance of doubt, Stayed Issues may be mediated on a voluntary basis and may also be subject to litigation and binding adjudication

through the procedure described in the Court's Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court's Order). For the avoidance of doubt, no claims against an Avoidance Defendant shall be subject to a partial stay under this provision of the Amended Procedures unless such Avoidance Defendant has timely appeared and responded to the Trustee's Avoidance Complaint and the existence of Stayed Issues shall not prevent entry of judgment on all claims against any Avoidance Defendant that has not timely responded to the Trustee's Avoidance Complaint.

iii. Upon or after the filing of any new Avoidance Action, the Trustee may designate claims in such action to be Stayed Avoidance Claims or Partially Stayed Avoidance Claims by filing a notice of such designation (a "Stay Designation Notice") in the relevant Avoidance Action. Any Avoidance Defendant wishing to challenge a Stay Designation Notice shall file a response to such notice in the relevant Avoidance Action within seven (7) days of appearing in same, to which the Trustee may reply within fourteen (14) days of the filing of such response. Any disputes over a Stay Designation Notice shall be determined by the Court.

f. In the event that any Avoidance Defendant responds to an Avoidance Complaint by filing a motion pursuant to Civil Rule 12, the Trustee shall have sixty (60) days to respond to such motion, *provided, however*, if such a motion is filed with respect to claims that are stayed or with respect to claims that become stayed while such a motion is pending, the Trustee shall have sixty (60) days to respond to such motion following the termination of the stay. An Avoidance Defendant shall have thirty (30) days to reply to any response by the Trustee to a motion filed pursuant to Civil Rule 12.

g. Unless otherwise ordered by the Court, no initial pretrial conference pursuant to Bankruptcy Rule 7016 will be held prior to discovery in any Avoidance Action and, accordingly, the Summons issued by the Clerk of the Court and served by the Trustee will not include a date for a pretrial conference. To the extent that a party to an Avoidance Action believes that a pretrial conference is necessary to address scheduling or other issues, any party may request such a conference at any time by filing a request on the docket in the Avoidance Action.

h. Discovery in any Avoidance Action as to any claims that are not stayed shall be conducted pursuant to the discovery procedures (the "Discovery Procedures") appended hereto as **Exhibit 4**. Civil Rule 26 (to the extent incorporated by Bankruptcy Rule 7026), and District of Connecticut Local Civil Rule 7026-1, shall apply to the Avoidance Actions, except to the extent that they are expressly modified by the Amended Procedures (including, without limitation, the appended Discovery Procedures). For the avoidance of doubt, the stay effective during Mediation Proceedings shall include all formal discovery but shall not preclude any informal exchange of documents or information on a voluntary basis or as an Assigned Mediator (as defined herein) may direct.

i. Any party to an Avoidance Action may request that these Amended Procedures be modified as applied in such Avoidance Action for good cause shown. Such modification shall be requested by motion filed in the applicable Avoidance Action.

j. Any claims asserted or that may be asserted by the Trustee, including, without limitation, Avoidance Claims, shall be subject to the following procedures described in paragraphs (k) through (w) herein governing mediation proceedings (the “Mediation Procedures”).

k. The Trustee and any other party the Trustee believes may be subject to claims owned by the Estate (a “Counterparty”) may stipulate (a “Mediation Stipulation”) to refer the Trustee’s claims against such Counterparty (the “Mediated Claims”) to non-binding mediation proceedings (as set forth herein, the “Mediation Proceedings”). Mediation Stipulations shall be made as follows:

i. Mediation Stipulations shall be made in writing signed by the Trustee and the applicable Counterparty and shall confirm that the Trustee and the Counterparty consent to the Mediation Procedures.

ii. Mediation Stipulations in pending Avoidance Actions shall be filed in the applicable Avoidance Action.

iii. Mediation Stipulations shall be submitted to Judge Tancredi (a “Mediation Referral”) with joint correspondence (whether by letter or by email) to Judge Tancredi’s mediation email address attaching the applicable Mediation Stipulation and briefly (and in a non-argumentative manner) describing the Mediated Claims.

l. If the Trustee has already commenced litigation against a Counterparty at the time that the Trustee and the Counterparty (collectively, the “Mediating Parties”) execute the Mediation Stipulation, litigation shall be stayed (including, without limitation, as to such Counterparty’s obligation to respond to the Avoidance Complaint) until the conclusion of Mediation Proceedings. If any litigation deadlines would otherwise expire during Mediation Proceedings or within thirty (30) days following the termination thereof, such deadlines shall be suspended until the first business day that is thirty (30) days following the termination of Mediation Proceedings, *provided, however*, as to any deadline for the Trustee to respond to a motion filed pursuant to Civil Rule 12 prior to or during Mediation Proceedings, the Trustee’s deadline to respond to such motion shall be the first business day that is sixty (60) days following the termination of Mediation Proceedings. For the avoidance of doubt, notwithstanding such stay, certain aspects of Mediated Claims may be subject to litigation and binding adjudication through the procedure described in the Court’s Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court’s Order).

m. United States Bankruptcy Judge James J. Tancredi (“Judge Tancredi”) has been appointed as the lead mediator, *see* original *Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings* [Main Case ECF No. 3163], and shall continue to oversee all Mediation Proceedings, *provided, however*, mediations shall be conducted by Judge Tancredi or by a mediator from an approved panel of mediators (the “Mediation Panel”). The members of the Mediation Panel shall be selected by Judge Tancredi, subject to the Court’s approval of the appointment of each such mediator and rates of compensation applicable to same. For the avoidance of doubt, the Trustee or any Counterparty may suggest potential mediators for

appointment to the Mediation Panel to Judge Tancredi and Judge Tancredi may in his discretion consult with the Trustee or such Counterparty regarding their suggestions. The Trustee shall request the Court's approval of mediators selected by Judge Tancredi by filing a motion in the Main Case only with notice filed in any pending Avoidance Actions, and the appointment of a mediator to the Mediation Panel shall become effective upon approval by the Court following the Court's consideration of the motion and any objections or responses to same. All matters concerning the responsibility of parties to Mediation Proceedings to compensate any Assigned Mediator shall be reserved pending the assignment of any mediators to a Mediation Panel that require compensation, if any.

n. Upon a Mediation Referral, Judge Tancredi shall assign the Mediated Claims to be mediated by himself or by a member of the Mediation Panel (the "Assigned Mediator"). Judge Tancredi may also order that related Mediation Proceedings (including, where appropriate, where claims are asserted against multiple defendants in a single Avoidance Action) be consolidated. Upon notification of their assignment, the Assigned Mediator shall determine whether they have any conflicts with respect to the Mediated Claims and, in the event of a conflict, shall recuse themselves and not act in the particular mediation unless such conflict is disclosed to and expressly waived by the Mediating Parties. If the Assigned Mediator is recused, Judge Tancredi shall assign an alternative mediator from the Mediation Panel or shall assign himself to the mediation. If a Mediating Party believes that a conflict of interest precludes the service of the Assigned Mediator or otherwise opposes the assignment of the Assigned Mediator, such party may seek the assignment of a different Assigned Mediator by letter submitted to Judge Tancredi through his mediation email address (with copies to the opposing party and the Assigned Mediator).

o. All proceedings and writings incident to Mediation Proceedings shall be considered privileged and confidential and subject to all protections of Federal Rule of Evidence 408 and shall not be reported or admitted as evidence for any reason except to prove that a party failed to comply with the Mediation Procedures. No stenographic, written, electronic, or any other form of recording or internet posting shall be made at any time during or after the Mediation Proceedings except to memorialize a definitive settlement agreement approved by Judge Tancredi. Judge Tancredi (including, without limitation, in his capacity as lead mediator and as an Assigned Mediator), any other Assigned Mediator, and their respective agents, shall have absolute judicial immunity as provided under state, federal, and common law, from liability for any act or omission in connection with the Mediation Proceedings, and from compulsory process to testify or produce documents in connection with the Mediation Proceedings except as set forth in this paragraph, and shall be held harmless by all Mediating Parties. Neither any Assigned Mediator nor Judge Tancredi shall be subpoenaed or called as a witness or expert by any party except as set forth in this paragraph. No party shall attempt to compel the testimony of, or compel the production of documents from, the Assigned Mediator (including his/her agents, partners, or employees of their respective law firms or organizations) or Judge Tancredi (including his agents, partners, or employees), *provided, however*, subject to Court order, the Assigned Mediator or Judge Tancredi may be called as a witness by any party and may be compelled to testify on a limited basis in

proceedings where it is alleged that a party failed to comply with the Mediation Procedures. Any documents provided to the Assigned Mediator or Judge Tancredi by the parties shall be destroyed within thirty (30) days after the termination of Mediation Proceedings unless the Court orders otherwise.

p. The Assigned Mediator shall preside over any mediation sessions and the rules of evidence shall not apply. The Assigned Mediator shall determine the format of any mediation sessions, including, without limitation, (i) the length and schedule of any sessions, (ii) the order and format of presentations, (iii) the location of sessions and whether sessions are to be held in-person or via videoconference, (iv) whether the Mediating Parties shall be required to provide written submissions, and (v) whether counsel only and/or client representatives with authority to settle Mediated Claims shall be required to attend mediation sessions. The Assigned Mediator may implement any procedures which are reasonable and practical under the circumstances. Judge Tancredi is authorized to seek any amendments to the Mediation Procedures during the Mediation Proceedings that he believes are necessary to assist with the mediation. Any Mediating Party may communicate *ex-parte* with the Assigned Mediator to the extent that their Assigned Mediator deems appropriate. The Trustee and his counsel may communicate *ex-parte* with Judge Tancredi concerning the implementation of these Mediation Procedures, the selection of mediators to the Mediation Panel, the categorization of Avoidance Actions, and/or any recommendations issued by Judge Tancredi to the Court.

q. Mediating Parties shall participate in Mediation Proceedings pursuant to the Mediation Procedures and as directed by the applicable Assigned Mediator in good faith and with a view toward reaching a consensual resolution. An Assigned Mediator may report any noncompliance with the Mediation Procedures to the Court by a written notice, which Judge Tancredi shall cause to be filed in any applicable adversary proceeding or otherwise in the Main Case. If a Mediating Party fails to comply with the Mediation Procedures, the Court may (with or without the filing of a motion by any party) schedule a hearing to consider the appropriateness of sanctions against the noncompliant party. Such sanctions may include, without limitation, assessing costs of the Mediation Proceedings and/or the opposing party's attorneys' fees against the noncompliant party. Additionally, in cases of willful, persistent, or egregious noncompliance, the Court may enter a default judgment or dismissal against the party that failed to comply with the Mediation Procedures. Failure to achieve settlement and/or termination of Mediation Proceedings alone cannot constitute grounds for a finding of "bad faith" or the imposition of sanctions. An Assigned Mediator (other than Judge Tancredi) may at any time and for any reason recommend to Judge Tancredi that Mediation Proceedings as to any Mediated Claims be reassigned.

r. If Mediation Proceedings are successful in achieving a settlement of the Mediated Claims, in whole or in part, the Assigned Mediator shall prepare a report (the "Mediator's Report") indicating whether the Mediating Parties adhered to these Mediation Procedures. The Assigned Mediator may, but shall not be required, to indicate in such Mediator's Report whether the Assigned Mediator believes that the proposed settlement that the economics and terms of the

settlement agreement are fair, reasonable, and in the best interests of the Chapter 11 estate as measured by the standards of *In re Iridium Operating LLC*, 478 F.3d 452, 462 (2d Cir. 2007). If the Mediated Claims are the subject of a pending adversary proceeding, Judge Tancredi shall cause the Mediator's Report to be filed in the applicable adversary proceeding. If the Mediated Claims are not the subject of a pending adversary proceeding, the Assigned Mediator shall transmit the Mediator's Report to the Trustee and the Trustee shall provide a copy of such report to the applicable Counterparty. The Mediator's Report shall not address the substance of mediation discussions or provide details of any settlement that might be reached.

s. The Trustee shall file a motion requesting Court approval as soon as practicable following the issuance of any Mediator's Report indicating a full or partial settlement. The Trustee may submit a motion seeking such approval under seal (with access limited to the Trustee, the relevant Counterparty, counsel for the Official Committee of Unsecured Creditors, and the United States Trustee) to the extent the Trustee believes that public disclosure of the settlement terms would harm the estate and/or would implicate commercially sensitive or otherwise confidential information public disclosure of which would prejudice parties to the settlement. Where a motion is filed under seal, the Trustee shall file on the public docket a copy of the motion that redacts any commercially sensitive or otherwise confidential information.

t. Members of the Mediation Panel shall regularly consult with Judge Tancredi concerning the status of Mediation Proceedings to which they are assigned. Judge Tancredi may submit reports to the Court regarding the progress of Mediation Proceedings and any recommendations of Judge Tancredi to promote the efficient administration of the Avoidance Actions and/or Mediated Claims. Such reports shall be issued in writing and filed on the docket in the Main Case with notice to any Avoidance Defendants that would be impacted by any recommendations of Judge Tancredi. Upon a hearing considering Judge Tancredi's recommendations and any timely written response but without need for the filing of a motion, the Court may enter further orders addressing such recommendations.

u. The Mediation Procedures shall be subject to modification by further order of the Court, including, without limitation, by a motion filed in the Main Case by the Trustee or any party in interest for good cause shown, or otherwise as the Court deems appropriate, including, without limitation, based upon Judge Tancredi's recommendations.

v. Mediation Proceedings shall terminate upon the earliest of the issuance of a Mediator's Report indicating a complete resolution of the Mediating Parties' Mediated Claims, a written notice of termination by any Mediating Party or Judge Tancredi (a "Termination Notice"), or an order of the Court terminating such proceedings. Any Termination Notice shall be served on the following parties (as applicable): (i) the Trustee, (ii) the Counterparty, (iii) the Assigned Mediator, and (iv) Judge Tancredi. If the Termination Notice applies to Mediated Claims that are the subject of an adversary proceeding, the issuing party shall cause the Termination Notice to be filed in the applicable adversary proceeding. A Termination Notice may be issued at any time by any of the foregoing parties and for any reason. For the avoidance of doubt, Judge Tancredi may

issue a Termination Notice immediately upon a Mediation Referral if Judge Tancredi declines to accept the Mediated Claims for Mediation Proceedings.

w. Notwithstanding anything in these Amended Procedures to the contrary, these Mediation Procedures may be modified by the Court upon the request of the Trustee or any other party in interest, or as otherwise ordered by the Court (including, without limitation, upon recommendations issued by Judge Tancredi), upon a motion filed in the Main Case only in accordance with any applicable rules, provided, however, the revised Mediation Procedures, upon approval, shall be filed in all Avoidance Actions.

EXHIBIT 1

(Amended Procedures Notice)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION**

-----	X	
	:	
In re:	:	Chapter 11
	:	
HO WAN KWOK, <i>et al.</i> , ¹	:	Case No. 22-50073 (JAM)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----	X	
	:	
LUC A. DESPINS, CHAPTER 11	:	
TRUSTEE,	:	
	:	Adv. Proceeding No. xx-xxxxxx
Plaintiff,	:	
v.	:	
	:	
[:	
],	:	
	:	
Defendant.	:	
	:	
-----	X	

**[FORM OF] NOTICE OF APPLICABILITY OF
AMENDED AVOIDANCE LITIGATION AND MEDIATION PROCEDURES**

PLEASE TAKE NOTICE that the *Order Granting Motion for Entry of Order: (I) Supplementing, Amending, and Superseding (A) Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings; (B) Order Amending Order Amending Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator,*

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings to Facilitate Consensual Pre-Litigation and Pre-Appearance Mediation; and (II) Approving Intervention of Appropriate Avoidance Defendants in Omnibus Alter Ego Actions as to Alter Ego Claims Against Specified Alter Ego Defendants [Main Case ECF No. (____)] appended hereto as **Exhibit 1**, including, without limitation, the *Amended Avoidance Litigation and Mediation Procedures* appended thereto, is hereby made applicable to and governs this adversary proceeding.

Dated: [____], 202_
New Haven, Connecticut

LUC A. DESPINS
CHAPTER 11 TRUSTEE

By: /s/ FORM
[Attorney (ct)]
NEUBERT, PEPE & MONTEITH, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
(203) 781-2884
Email: _____
Counsel for the Chapter 11 Trustee

[FORM OF] Exhibit 1

(Order Granting Motion for Entry of Order: (I) Supplementing, Amending, and Superseding (A) Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings; and (B) Order Amending Order Amending Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings to Facilitate Consensual Pre-Litigation and Pre-Appearance Mediation; and (II) Approving Intervention of Appropriate Avoidance Defendants in Omnibus Alter Ego Actions as to Alter Ego Claims Against Specified Alter Ego Defendants)

EXHIBIT 2
(Form of Caption)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

-----X
:

In re: : Chapter 11
:

HO WAN KWOK, *et al.*,¹ : Case No. 22-50073 (JAM)
:

Debtors. : (Jointly Administered)
:

-----X
: Adv. Proceeding Nos. 24-05005, 24-05006,
LUC A. DESPINS, CHAPTER 11 : 24-05008, 24-05009, 24-05010, 24-05011,
TRUSTEE, : 24-05012, 24-05013, 24-05014, 24-05015,
: 24-05016, 24-05017, 24-05018, 24-05019,
Plaintiff, : 24-05020, 24-05021, 24-05022, 24-05023,
v. : 24-05024, 24-05025, 24-05026, 24-05027,
: 24-05028, 24-05029, 24-05030, 24-05031,
AVOIDANCE DEFENDANTS, : 24-05032, 24-05033, 24-05035, 24-05036,
: 24-05037, 24-05038, 24-05039, 24-05040,
Defendants. : 24-05041, 24-05042, 24-05043, 24-05044,
: 24-05045, 24-05046, 24-05047, 24-05048,
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¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

: 24-05102, 24-05103, 24-05104, 24-05105,
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EXHIBIT 3-A

(Fully Stayed Avoidance Claims)

ADV. PROC. NO.	DEFENDANT
Adv. Proc. No. 24-05008	Boardwalk Motor Imports LLC
Adv. Proc. No. 24-05009	Mercantile Bank International Corp.
Adv. Proc. No. 24-05012	Ogier
Adv. Proc. No. 24-05014	Pillsbury Winthrop Shaw Pittman LLP
Adv. Proc. No. 24-05017	Post Oak Motors, LLC
Adv. Proc. No. 24-05022	FAM United LLC
Adv. Proc. No. 24-05023	Studio Cataldi Group SRL
Adv. Proc. No. 24-05026	Yieldesta LP
Adv. Proc. No. 24-05029	Great Bowery Inc dba Camilla Lowther Management
Adv. Proc. No. 24-05032	Hugga LLC
Adv. Proc. No. 24-05037	Triple2 Digital LLC
Adv. Proc. No. 24-05038	D4Zero S.R.L.
Adv. Proc. No. 24-05041	CFG Global Limited
Adv. Proc. No. 24-05043	Loro Piana S.P.A.
Adv. Proc. No. 24-05045	The Quinlan Law Firm, LLC
Adv. Proc. No. 24-05046	Janco SRL
Adv. Proc. No. 24-05050	Oro Mont Alpi SRL
Adv. Proc. No. 24-05051	Mindy Wechsler
Adv. Proc. No. 24-05052	MF19 Inc
Adv. Proc. No. 24-05068	Caribe Condado, LLC
Adv. Proc. No. 24-05080	Reinhard Plank S.R.L.
Adv. Proc. No. 24-05084	Tavares Cutting Inc
Adv. Proc. No. 24-05087	Mosaicon Shoes SRL
Adv. Proc. No. 24-05088	Tokyoseiki Co. LTD
Adv. Proc. No. 24-05089	Pellettieri Di Parma SRL
Adv. Proc. No. 24-05091	Shalom B LLC dba Asher Fabric Concepts
Adv. Proc. No. 24-05094	Solazzo Calzature S.R.L.
Adv. Proc. No. 24-05095	SOD Stone Offroad Design GmbH
Adv. Proc. No. 24-05096	1245 Factory Place, LLC
Adv. Proc. No. 24-05097	Liapull S.R.L.
Adv. Proc. No. 24-05099	American Arbitration Association, Inc.
Adv. Proc. No. 24-05104	Ice24 SRO
Adv. Proc. No. 24-05106	Reach Manufacturing, LLC
Adv. Proc. No. 24-05111	DNM Beauty Distribution
Adv. Proc. No. 24-05113	1322089 B.C. L.T.D.
Adv. Proc. No. 24-05116	Hilton Management, LLC
Adv. Proc. No. 24-05118	J Tan Jewelry Design, Inc.
Adv. Proc. No. 24-05121	Shaylen Music LLC
Adv. Proc. No. 24-05123	Bestview1 Pty Ltd
Adv. Proc. No. 24-05124	Legends OWO LLC
Adv. Proc. No. 24-05127	Waycap S.P.A.
Adv. Proc. No. 24-05129	Fay Ye

Adv. Proc. No. 24-05131	Lawrence River
Adv. Proc. No. 24-05136	ASAP SRL
Adv. Proc. No. 24-05137	Bellerive Attorneys at Law
Adv. Proc. No. 24-05139	Houston Litstar LLC
Adv. Proc. No. 24-05140	Quinones Law PLLC
Adv. Proc. No. 24-05142	Immobiliara Barbara 2000 SRL
Adv. Proc. No. 24-05143	Dream Projects LLC
Adv. Proc. No. 24-05146	Fortnum Information Security Limited
Adv. Proc. No. 24-05148	Galaxy Ltd
Adv. Proc. No. 24-05150	Jialin Qin
Adv. Proc. No. 24-05151	Li Sho Yo
Adv. Proc. No. 24-05153	Ming Ni
Adv. Proc. No. 24-05155	Hayashi Meiou
Adv. Proc. No. 24-05156	12476517 Canada Society
Adv. Proc. No. 24-05157	DP Textile & Apparel Inc
Adv. Proc. No. 24-05160	LA International Foundation
Adv. Proc. No. 24-05164	National Sweepstakes Company, LLC
Adv. Proc. No. 24-05165	Oxford Visionary Ltd.
Adv. Proc. No. 24-05166	Chris Lee
Adv. Proc. No. 24-05169	D&D Solutions LLC
Adv. Proc. No. 24-05170	The Gertz File Investigative Reporting Project Inc
Adv. Proc. No. 24-05173	Wenhua Gong
Adv. Proc. No. 24-05176	Luminescence Co Ltd
Adv. Proc. No. 24-05177	Xiaobo He
Adv. Proc. No. 24-05180	Richmond Strategic Advisors, LLC
Adv. Proc. No. 24-05191	Deng Qian
Adv. Proc. No. 24-05193	Fiesta Investments Ltd
Adv. Proc. No. 24-05195	Shujuan Milne
Adv. Proc. No. 24-05197	Great Lakes Drone Company, LLC
Adv. Proc. No. 24-05198	G-Service LLC
Adv. Proc. No. 24-05205	Marini Pietrantonio Muniz LLC
Adv. Proc. No. 24-05207	Bering Yachts LLC
Adv. Proc. No. 24-05210	Jiayao Gan
Adv. Proc. No. 24-05215	Bradley Staple, dba Staples Building Solutions
Adv. Proc. No. 24-05217	Haisong Peng
Adv. Proc. No. 24-05218	Hou Yuan Chan
Adv. Proc. No. 24-05224	OSC Orbit Services Company LLC
Adv. Proc. No. 24-05227	Tao Zheng
Adv. Proc. No. 24-05230	Cayuse Government Services, LLC
Adv. Proc. No. 24-05231	9 East 40th Street, LLC
Adv. Proc. No. 24-05232	Daihao Zhou
Adv. Proc. No. 24-05234	Lyzon Enterprises Corporation
Adv. Proc. No. 24-05235	Halley Chen CPA Professional Corporation

Adv. Proc. No. 24-05236	Feng Yi
Adv. Proc. No. 24-05237	Qiang Hu
Adv. Proc. No. 24-05239	Jianhai Jiao
Adv. Proc. No. 24-05240	Fengjie Ma
Adv. Proc. No. 24-05241	MZC Financial Inc
Adv. Proc. No. 24-05242	Cotton Craft Textiles Intl Trading
Adv. Proc. No. 24-05243	Ihotry Ltd
Adv. Proc. No. 24-05244	Quick-Equip LLC
Adv. Proc. No. 24-05245	RM Auctions Deutschland GmbH
Adv. Proc. No. 24-05245	Qiang Guo
Adv. Proc. No. 24-05246	WA & HF LLC
Adv. Proc. No. 24-05248	Curiosity Corp.
Adv. Proc. No. 24-05248	Flying Colours Corp
Adv. Proc. No. 24-05248	River Valley Operations LLC
Adv. Proc. No. 24-05248	Supreme SG PTE LTD
Adv. Proc. No. 24-05248	Top California Beach Corporation
Adv. Proc. No. 24-05248	Wang's Realty Management Service Inc
Adv. Proc. No. 24-05250	Scarabaeus Wealth Management AG
Adv. Proc. No. 24-05251	LLC Stz Fund No. 1
Adv. Proc. No. 24-05252	Gettr USA Inc
Adv. Proc. No. 24-05253	Ivy Capital Advisor Limited
Adv. Proc. No. 24-05254	NAV Consulting Inc
Adv. Proc. No. 24-05255	Ziba Limited
Adv. Proc. No. 24-05256	New Mulberry PTE Ltd
Adv. Proc. No. 24-05257	Mishcon de Reya LLP
Adv. Proc. No. 24-05258	Hogan Lovells International LLP
Adv. Proc. No. 24-05259	Top Target General Trading LLC
Adv. Proc. No. 24-05260	GCP Investment Advisors SL
Adv. Proc. No. 24-05261	Starling Bank Ltd.
Adv. Proc. No. 24-05262	Red Team Partners
Adv. Proc. No. 24-05263	G Club Holdco I LLC
Adv. Proc. No. 24-05263	G Club Three
Adv. Proc. No. 24-05263	HAA Group Pty Ltd
Adv. Proc. No. 24-05263	Mountains of Spices Inc
Adv. Proc. No. 24-05263	Omicron Nutraceutical LLC
Adv. Proc. No. 24-05263	Rosy Acme Ventures Limited
Adv. Proc. No. 24-05264	Smaragdos Mamzeris
Adv. Proc. No. 24-05265	Siu Ming Je
Adv. Proc. No. 24-05266	Gong Jianfen
Adv. Proc. No. 24-05267	Khaled Ashafy
Adv. Proc. No. 24-05268	Pure Global Group Limited
Adv. Proc. No. 24-05269	Himalaya Australia Athena Farm Inc.
Adv. Proc. No. 24-05269	Himalaya Australia PTY Ltd

Adv. Proc. No. 24-05269	Himalaya Boston Mayflower LLC
Adv. Proc. No. 24-05269	Himalaya New World Inc
Adv. Proc. No. 24-05269	Himalaya New York Rock Inc
Adv. Proc. No. 24-05269	Himalaya Shanghai Farm LLC
Adv. Proc. No. 24-05269	Himalaya UK Club
Adv. Proc. No. 24-05269	Himalaya Worldwide SL
Adv. Proc. No. 24-05269	HML Vancouver Sailing Farm Ltd
Adv. Proc. No. 24-05269	Golden Gate Himalaya Farm LLC
Adv. Proc. No. 24-05269	MOS Himalaya Foundation Inc
Adv. Proc. No. 24-05269	UK Himalaya Ltd
Adv. Proc. No. 24-05270	Crocker Mansion Estate LLC and Taurus Fund
Adv. Proc. No. 24-05271	Weihua Li
Adv. Proc. No. 24-05271	Rongrong Li
Adv. Proc. No. 24-05271	Zhang Lin
Adv. Proc. No. 24-05271	Mi Kyung Yang
Adv. Proc. No. 24-05271	Xue Wang
Adv. Proc. No. 24-05271	Yaping Zhang
Adv. Proc. No. 24-05271	Zhixuan Li
Adv. Proc. No. 24-05271	Fanggui Zhu
Adv. Proc. No. 24-05271	Yuechen Lan
Adv. Proc. No. 24-05271	Tian Shu Huang
Adv. Proc. No. 24-05271	Shiying Li
Adv. Proc. No. 24-05271	Jianxiao Chen
Adv. Proc. No. 24-05272	Hayman Hong Kong Opportunities Onshore Fund LP
Adv. Proc. No. 24-05274	Kin Ming Je
Adv. Proc. No. 24-05274	Sin Ting Rong
Adv. Proc. No. 24-05275	Lamp Capital LLC
Adv. Proc. No. 24-05275	Golden Spring (New York) Ltd
Adv. Proc. No. 24-05275	Greenwich Land LLC
Adv. Proc. No. 24-05275	HCHK Technologies Inc
Adv. Proc. No. 24-05275	HCHK Property Management Inc
Adv. Proc. No. 24-05275	Lexington Property and Staffing Inc
Adv. Proc. No. 24-05275	Leading Shine NY Ltd
Adv. Proc. No. 24-05275	G Club International Limited
Adv. Proc. No. 24-05275	G Club Operations LLC
Adv. Proc. No. 24-05275	G Fashion
Adv. Proc. No. 24-05275	G Fashion Media Group Inc
Adv. Proc. No. 24-05275	Rule of Law Foundation III Inc
Adv. Proc. No. 24-05275	Rule of Law Society IV Inc.
Adv. Proc. No. 24-05275	GFNY Inc
Adv. Proc. No. 24-05275	Anton Development Limited
Adv. Proc. No. 24-05275	Himalaya International Clearing Ltd

Adv. Proc. No. 24-05275	China Golden Spring Group (Hong Kong) Ltd
Adv. Proc. No. 24-05275	GF Italy LLC
Adv. Proc. No. 24-05275	ACA Capital Group Ltd
Adv. Proc. No. 24-05275	Hamilton Investment Management Ltd
Adv. Proc. No. 24-05275	Hamilton Opportunity Fund SPC
Adv. Proc. No. 24-05275	Hamilton Capital Holding Ltd
Adv. Proc. No. 24-05275	Himalaya Currency Clearing Pty Ltd
Adv. Proc. No. 24-05275	Himalaya International Financial Group Ltd
Adv. Proc. No. 24-05275	Himalaya International Reserves Ltd
Adv. Proc. No. 24-05275	Hudson Diamond NY LLC
Adv. Proc. No. 24-05275	Saraca Media Group Inc
Adv. Proc. No. 24-05275	G Fashion International Limited
Adv. Proc. No. 24-05276	ZYB Associates, LLC d/b/a Law Offices of Yongbing Zhang
Adv. Proc. No. 24-05276	Yongbing Zhang
Adv. Proc. No. 24-05286	Clear Treasury Limited
Adv. Proc. No. 24-05287	Ascentiq Solutions Limited
Adv. Proc. No. 24-05288	Sivotech Limited
Adv. Proc. No. 24-05289	Aviva PLC
Adv. Proc. No. 24-05290	Birchstone Capital AG
Adv. Proc. No. 24-05291	Callsign Ltd
Adv. Proc. No. 24-05292	Epic IT Ltd
Adv. Proc. No. 24-05293	Goodman Masson Ltd
Adv. Proc. No. 24-05294	Hays Specialist Recruitment Limited
Adv. Proc. No. 24-05295	G Club Two
Adv. Proc. No. 24-05296	Offensive Shield Ltd
Adv. Proc. No. 24-05297	Kionasoft LLC
Adv. Proc. No. 24-05298	HP Inc UK Limited
Adv. Proc. No. 24-05299	Zendesk Inc
Adv. Proc. No. 24-05300	IW Group Services UK Ltd
Adv. Proc. No. 24-05301	Qun Ju
Adv. Proc. No. 24-05302	Whole Alpha Trading LLC (f/k/a Art Operation LLC)
Adv. Proc. No. 24-05303	CyberApt Recruitment Ltd
Adv. Proc. No. 24-05304	Teneo Ltd UK
Adv. Proc. No. 24-05305	Telehouse International Corporation of Europe Ltd
Adv. Proc. No. 24-05306	I.com Solutions Limited
Adv. Proc. No. 24-05307	Softcat PLC
Adv. Proc. No. 24-05308	The Golden Sealine Limited
Adv. Proc. No. 24-05309	Haitong International Securities
Adv. Proc. No. 24-05310	Qiu Yue Shou
Adv. Proc. No. 24-05316	Foley Hoag LLP
Adv. Proc. No. 24-05317	Norris McLaughlin PA
Adv. Proc. No. 25-05006	CRISP Insurance Advisors
Adv. Proc. No. 25-05007	Hatstone Lawyers (BVI) Ltd

Adv. Proc. No. 25-05008	CyGlass Inc
Adv. Proc. No. 25-05009	Strategic Political Management LLC
Adv. Proc. No. 25-05010	David Consulting Inc
Adv. Proc. No. 25-05011	Melbourne ROLF Incorporated
Adv. Proc. No. 25-05012	Bambee Inc
Adv. Proc. No. 25-05014	JS Morlu LLC
Adv. Proc. No. 25-05015	Cesare Attolini NY LLC
Adv. Proc. No. 25-05016	Global Shuttle Pte Ltd
Adv. Proc. No. 25-05017	Hee-Seup Shin
Adv. Proc. No. 25-05020	Abu Dhabi Motors LLC
Adv. Proc. No. 25-05021	Savino Del Bene USA Inc
Adv. Proc. No. 25-05023	Mandelli USA Inc
Adv. Proc. No. 25-05024	Prodome Management Consulting LLC
Adv. Proc. No. 25-05025	Taiwan Baudau Farm International Limited Company
Adv. Proc. No. 25-05026	CSQ Project Development Consultants
Adv. Proc. No. 25-05027	Cyjax Limited
Adv. Proc. No. 25-05028	KDEBECHE Inc
Adv. Proc. No. 25-05029	Chan Chih Hsing
Adv. Proc. No. 25-05030	O'Rourke (Midlands) Ltd
Adv. Proc. No. 25-05031	Chetu Inc
Adv. Proc. No. 25-05032	VP Bank (BVI) Ltd
Adv. Proc. No. 25-05034	Wenlong Wang
Adv. Proc. No. 25-05035	Xiang Zeng
Adv. Proc. No. 25-05036	17 State Owner LLC
Adv. Proc. No. 25-05037	BitGo Trust Company Inc
Adv. Proc. No. 25-05038	S.A. Leather
Adv. Proc. No. 25-05040	SDL Auctions Ltd
Adv. Proc. No. 25-05042	Passione Rossa LLC
Adv. Proc. No. 25-05044	BMW of Freeport
Adv. Proc. No. 25-05046	Vision Building Energy Efficiency LLC d/b/a Bee
Adv. Proc. No. 25-05047	FV Bank International Inc
Adv. Proc. No. 25-05067	X49 FZ LLC
Adv. Proc. No. 25-05068	Yay Design Inc
Adv. Proc. No. 25-05069	Ping Tang
Adv. Proc. No. 25-05070	A.C.N. 676 287 157 PTY Ltd
Adv. Proc. No. 25-05071	Lee Thian Guan John
Adv. Proc. No. 25-05072	Dante Emanuel Leslie Delroy Brown
Adv. Proc. No. 25-05073	Azeem Bashir
Adv. Proc. No. 25-05074	Azalea M Garcia Corujo Esq (AGC Consulting)
Adv. Proc. No. 25-05076	Yuekun Ji
Adv. Proc. No. 25-05077	Andrew David Law
Adv. Proc. No. 25-05078	Richard E Signorelli Attorney at Law
Adv. Proc. No. 25-05081	Syed Ehsan Haque

Adv. Proc. No. 25-05082	Ali Albakri
Adv. Proc. No. 25-05087	Cedric DuPont Antiques
Adv. Proc. No. 25-05088	1stDibs.com
Adv. Proc. No. 25-05089	Warp & Weft
Adv. Proc. No. 25-05090	Westland Antiques Limited
Adv. Proc. No. 25-05091	Artistic Tile Inc
Adv. Proc. No. 25-05092	Gold Medal Service LLC
Adv. Proc. No. 25-05093	Lobel Modern Inc
Adv. Proc. No. 25-05094	NY Blinds and Shades Inc dba Innovation Shades
Adv. Proc. No. 25-05095	Labarbiera Custom Homes LLC
Adv. Proc. No. 25-05096	MonStar Air Heating & Cooling LLC
Adv. Proc. No. 25-05097	Picture Perfect Glass & Mirror LLC
Adv. Proc. No. 25-05098	Prevenitas Inc
Adv. Proc. No. 25-05099	Marmiro Stones Inc
Adv. Proc. No. 25-05100	Chenyang Wang
Adv. Proc. No. 25-05100	Danni Yu
Adv. Proc. No. 25-05100	Foteini Kantziou
Adv. Proc. No. 25-05100	Haitao Guan
Adv. Proc. No. 25-05100	Jian Jiao
Adv. Proc. No. 25-05100	Kai Zhao
Adv. Proc. No. 25-05100	Le Qiao
Adv. Proc. No. 25-05100	Lee Shin Jiet
Adv. Proc. No. 25-05100	Naseer Ahmad Khan
Adv. Proc. No. 25-05100	Niels Bom Olesen
Adv. Proc. No. 25-05100	Xianggang Li
Adv. Proc. No. 25-05100	Xiaona Chen
Adv. Proc. No. 25-05100	Xu Zhang
Adv. Proc. No. 25-05100	Ying Hu
Adv. Proc. No. 25-05100	Yuxiang Diao
Adv. Proc. No. 25-05100	Zelin Li
Adv. Proc. No. 25-05100	Zhuowei Xu
Adv. Proc. No. 25-05102	Rizwan Javed
Adv. Proc. No. 25-05105	Ace Decade Holdings Limited
Adv. Proc. No. 25-05105	Bravo Luck Limited
Adv. Proc. No. 25-05105	Eastern Profit Corporation Limited
Adv. Proc. No. 25-05105	Guang Hong Limited
Adv. Proc. No. 25-05105	H Reserve Management Ltd
Adv. Proc. No. 25-05105	New Dynamic Development Limited

EXHIBIT 3-B

(Partially Stayed Avoidance Claims)

ADV. PROC. NO.	DEFENDANT
Adv. Proc. No. 24-05006	Amazon Web Services, Inc.
Adv. Proc. No. 24-05011	E.L.J.M. Consulting LLC
Adv. Proc. No. 24-05016	Imperius International Trade Co Ltd.
Adv. Proc. No. 24-05019	Mary Fashion S.p.A.
Adv. Proc. No. 24-05021	Bannon Strategic Advisors Inc
Adv. Proc. No. 24-05024	TT Resources 1 Pty Ltd
Adv. Proc. No. 24-05027	Yanping Wang
Adv. Proc. No. 24-05028	Yuqiang Qin
Adv. Proc. No. 24-05028	Yunfu Jiang
Adv. Proc. No. 24-05030	Vision Knight Capital (China) Fund
Adv. Proc. No. 24-05036	Mei Guo
Adv. Proc. No. 24-05044	Teris-Phoenix, LLC
Adv. Proc. No. 24-05054	Style Eyes Inc. d/b/a Ginger Finds
Adv. Proc. No. 24-05056	FFP (BVI) Limited
Adv. Proc. No. 24-05057	Amazon.com, Inc.
Adv. Proc. No. 24-05057	Hing Chi Ngok
Adv. Proc. No. 24-05057	Alex Hadjicharalambous
Adv. Proc. No. 24-05057	Chunguang Han
Adv. Proc. No. 24-05057	Mei Guo
Adv. Proc. No. 24-05058	Anthem Health Plans, Inc.
Adv. Proc. No. 24-05059	Federal Express Corporation
Adv. Proc. No. 24-05060	Apple Inc.
Adv. Proc. No. 24-05060	Alex Hadjicharalambous
Adv. Proc. No. 24-05060	Chunguang Han
Adv. Proc. No. 24-05060	Mei Guo
Adv. Proc. No. 24-05065	A.Z. Bigiotterie S.A.S. DI Zanutto Gabriele & C.
Adv. Proc. No. 24-05069	B&H Foto & Electronics Corp.
Adv. Proc. No. 24-05069	Hing Chi Ngok
Adv. Proc. No. 24-05069	Alex Hadjicharalambous
Adv. Proc. No. 24-05069	Chunguang Han
Adv. Proc. No. 24-05075	Marcella Monica Falciani
Adv. Proc. No. 24-05077	American Express Company
Adv. Proc. No. 24-05077	American Express Centurion Bank
Adv. Proc. No. 24-05077	American Express Bank, FSB
Adv. Proc. No. 24-05077	American Express National Bank, FSB
Adv. Proc. No. 24-05077	American Express Travel Related Services Company, Inc.
Adv. Proc. No. 24-05082	Ohtzar Shlomo Solomon Treasure LLC
Adv. Proc. No. 24-05085	Vandenloom Inc.
Adv. Proc. No. 24-05090	Swans Team Design Inc
Adv. Proc. No. 24-05093	2 B Packing LLC

Adv. Proc. No. 24-05098	Shing Seung Ankerite Engineering Ltd.
Adv. Proc. No. 24-05102	Ocorian Consulting Ltd
Adv. Proc. No. 24-05105	N87 Inc.
Adv. Proc. No. 24-05109	Moran Yacht Management, Inc
Adv. Proc. No. 24-05112	Anthem HealthChoice Assurance, Inc. f/k/a Empire HealthChoice, Inc., d/b/a Empire Blue Cross Blue Shield
Adv. Proc. No. 24-05115	Cloudflare, Inc.
Adv. Proc. No. 24-05122	Indium Software Inc
Adv. Proc. No. 24-05125	Rilievi Group S.R.L.
Adv. Proc. No. 24-05133	Beile Li
Adv. Proc. No. 24-05134	V.X. Cerda & Associates PA
Adv. Proc. No. 24-05135	Liberty Jet Management Corp.
Adv. Proc. No. 24-05141	Flat Rate Movers, Ltd.
Adv. Proc. No. 24-05145	Manhattan Motorcars, Inc
Adv. Proc. No. 24-05154	Kamel Debeche
Adv. Proc. No. 24-05159	Gold Leaf Consulting Limited
Adv. Proc. No. 24-05161	Mandelli USA, Inc.
Adv. Proc. No. 24-05168	The Francis Firm PLLC
Adv. Proc. No. 24-05172	Federal Corporation
Adv. Proc. No. 24-05174	SGB Packaging Group, Inc.
Adv. Proc. No. 24-05175	Lau Lai Chun Annie, a/k/a Annie Lau a/k/a Lau Lai Chun Annie
Adv. Proc. No. 24-05186	Berkeley Rowe Limited
Adv. Proc. No. 24-05188	Weddle Law PLLC
Adv. Proc. No. 24-05189	TD Avenue (The Diamond Avenue)
Adv. Proc. No. 24-05192	Forbes Hare LLP
Adv. Proc. No. 24-05199	Lawall & Mitchell LLC
Adv. Proc. No. 24-05199	Aaron Mitchell
Adv. Proc. No. 24-05203	Oasis Tech Limited
Adv. Proc. No. 24-05206	Hao Haidong
Adv. Proc. No. 24-05211	Putnam's Landscaping LLC
Adv. Proc. No. 24-05223	G-Translators Pty Ltd
Adv. Proc. No. 24-05226	ACASS Canada Ltd.
Adv. Proc. No. 24-05238	Qiang Guo
Adv. Proc. No. 24-05248	Tut Co Limited
Adv. Proc. No. 24-05263	BSA Strategic Fund I
Adv. Proc. No. 24-05263	Hong Kong International Funds Investments Limited
Adv. Proc. No. 24-05271	Junjie Jiang
Adv. Proc. No. 24-05315	Spears & Imes, LLP
Adv. Proc. No. 25-05005	All Air Custom Brokers Inc
Adv. Proc. No. 25-05013	Salesforce Inc.
Adv. Proc. No. 25-05018	Grubhub Holdings Inc

Adv. Proc. No. 25-05022	E.L.J.M. Consulting LLC
Adv. Proc. No. 25-05033	Ya Li
Adv. Proc. No. 25-05043	Yan Yan Tsang
Adv. Proc. No. 25-05045	Bourne In Time Inc
Adv. Proc. No. 25-05048	Qiang Guo
Adv. Proc. No. 25-05049	Cohen Howard LLP
Adv. Proc. No. 25-05052	N.A.R. Enterprises Inc dba Luxury Cleaning NY
Adv. Proc. No. 25-05058	Reichard & Escalera LLC
Adv. Proc. No. 25-05061	Schulman Bhattacharya LLC
Adv. Proc. No. 25-05075	Jinfeng Wu
Adv. Proc. No. 25-05079	Hao Li
Adv. Proc. No. 25-05083	Rovello Electric Inc
Adv. Proc. No. 25-05084	The Fania Company
Adv. Proc. No. 25-05085	The Vision Group Inc dba Bank & Olufsen
Adv. Proc. No. 25-05086	Weathertest Co Inc
Adv. Proc. No. 25-05101	Janover LLC
Adv. Proc. No. 25-05101	Armanino LLP
Adv. Proc. No. 25-05101	Armanino CPA LLP
Adv. Proc. No. 25-05101	Armanino Advisory LLC
Adv. Proc. No. 25-05103	Xiuli Wang
Adv. Proc. No. 25-05104	RCN Networks, LLC
Adv. Proc. No. 25-05104	Astound Networks, LLC
Adv. Proc. No. 25-05104	Astound Networks New York, LLC
Adv. Proc. No. 25-05104	Radiate Holdco, LLC

EXHIBIT 4

(Discovery Procedures in Avoidance Actions)

DISCOVERY PROCEDURES IN AVOIDANCE ACTIONS

1. These Discovery Procedures shall apply to all Avoidance Actions unless otherwise ordered by the Court.

2. No later than sixty (60) days following the Court's approval of these Discovery Procedures, the Trustee shall create an electronic discovery depository (the "Depository") comprised of data rooms (the "Data Rooms") each containing all non-privileged¹ documents² in the possession of the Trustee related to the following subject matter:

- a. Golden Spring (New York) Limited³;
- b. Lamp Capital LLC;
- c. Leading Shine NY Ltd.;
- d. Hudson Diamond NY LLC;
- e. Lexington Property and Staffing, Inc.;
- f. HCHK Technologies, Inc.;
- g. HCHK Property Management, Inc.;
- h. Greenwich Land LLC;
- i. New Dynamic Development Limited;
- j. Taurus Fund LLC;
- k. The Trustee's allegations in Avoidance Complaints asserting claims for actual fraudulent transfer under section 548 of the Bankruptcy Code and/or N.Y. Debtor & Creditor Law regarding the Debtor's "shell game" of using alter egos and nominees to hold title to his assets and conduct his affairs. *See, e.g., Avoidance Complaint in Despins v. Agora Lab, Inc.* [Adv. Proc. No. 24-05005 Docket No. 1] ¶¶ 15-27, 32-34; and

1. The Avoidance Defendants, *provided, however*, the Trustee need not include documents related to Avoidance Defendants (i) as to which the Trustee has solely asserted Stayed Avoidance Claims, (ii) that are engaging in Mediation Proceedings as of the date

¹ "Non-privileged" as used in paragraph 2 above shall mean not subject to any attorney-client privilege, work product, or similar privilege or protection, that is owned or controlled by the Trustee, including, without limitation, in respect to the Trustee's own attorney-client relationships and creation of work product by the Trustee and/or his professionals and/or pursuant to the *Consent Order Regarding Control of Attorney-Client Privilege and Work Product Protection Related to Rule 2004 Subpoenaed Documents and Information* [Main Case ECF No. 856] (as may be further modified, the "Privileges Order") and/or the Bankruptcy Code (including, without limitation, as successor to the Debtor).

² Documents shall be uploaded to the data room in the form produced to the Trustee, including any available metadata. If not apparent from such metadata, the Trustee will cooperate to respond to any inquiries by Avoidance Defendants as to the source of documents in the Data Rooms. Further, at the request of any Avoidance Defendant undertaking discovery, the Trustee will supply copies of subpoenas and document requests issued to producing parties with respect to documents in the Data Rooms.

³ For the avoidance of doubt, in producing all documents related to the entities set forth in subparagraphs (a) through (j), the Trustee shall include, among other things, all documents related to any prepetition or postpetition transfers made via such entities.

which is sixty (60) days following the Court's approval of these Discovery Procedures, or (iii) as to which the Trustee's claims have been resolved by settlement or dismissal.

3. With respect to documents as to which the Trustee asserts privilege, work product, or any similar privilege or protection, the Trustee shall produce a categorical privilege log generally identifying by producing parties and/or categories of documents those documents covered by the above subject matter that have been withheld from the Data Rooms, *provided, however,* the Trustee need not include on such log the work product of, or communications between and among, the Trustee, his counsel, and his other advisors.

4. Access to the Depository shall be limited to attorneys appearing for Avoidance Defendants that (a) have individually certified compliance with these Discovery Procedures⁴, and (b) whose law firms and applicable clients have executed P.O. Consents.⁵ In accessing any Data Room(s), the accessing attorney shall certify compliance with these requirements and shall list the Avoidance Defendant(s) for which the accessing attorney is accessing the Data Room(s). Avoidance Defendants accessing documents and information in the Data Rooms shall be deemed to understand that the Trustee's creation of and delivery of documents into the Depository is subject to the following reservation of rights:

- a. The vast majority of the documents and information in the Depository was compiled by the Trustee from third parties in the course of his investigation and the Trustee makes absolutely no representations or warranties whatsoever as to the accuracy, completeness, and/or authenticity of documents or information therein.
- b. The inclusion of documents or information in the Depository shall not constitute an admission or basis to argue that such documents or information are relevant or admissible, nor that the documents are genuine, nor shall the inclusions of documents or information in the Depository constitute an admission of any facts.
- c. The inclusion of documents or information in the Depository shall not constitute nor evidence any waiver of attorney-client privilege, the work product doctrine, or any other privilege or protection exercisable by the Trustee, whether in his own right or as successor-in-interest.
- d. The Trustee and any Avoidance Defendants participating in discovery reserve all rights and objections with respect to documents and information contained in the Depository.
- e. The Protective Order applies to all documents and information contained in the Depository to the extent that such documents and information are designated "Confidential" or "Highly Confidential" and access to the Depository shall be

⁴ This certification shall be provided in a form reasonably acceptable to the Trustee.

⁵ To obtain access to the Depository, the P.O. Consents must consent to both the Protective Order and the P.O. Addendum. "Applicable clients" as used in paragraph 3 above shall mean the Avoidance Defendant for which the attorney access the Data Room(s) is appearing and for which Avoidance Defendant the attorney is accessing the Data Room(s).

strictly limited to counsel for Avoidance Defendants that have (individually or through their law firms) agreed to be bound by the Protective Order.

- f. Counsel that obtain documents or information through Discovery Proceedings in any Avoidance Action may only share such documents and information with the client(s) as to which such Discovery Proceedings are conducted. For the avoidance of doubt, counsel that obtain documents or information through Discovery Proceedings as to one client may not share such documents or information with any other individuals or entities (including counsel's other client(s), unless such other clients are independently entitled to access the documents or information in accordance with these Discovery Procedures).
5. The following discovery schedule (the "Discovery Schedule") shall apply in Avoidance Actions, with deadlines running from the date that discovery is commenced (the "Discovery Start Date"):
- a. No later than seven days after the Discovery Start Date, the Trustee shall grant the Avoidance Defendant's counsel, provided such counsel is otherwise eligible to access the Depository, access to the Data Rooms containing documents related to the claims asserted in the applicable Avoidance Action. If the Trustee and the Avoidance Defendant disagree about which Data Rooms should be accessible to an Avoidance Defendant's counsel, the parties shall meet and confer to seek to resolve such disagreement, following which the disagreement may be submitted to the Court by a motion filed in the relevant Avoidance Action.
 - b. No later than fourteen (14) days after the Discovery Start Date, the parties shall exchange initial disclosures pursuant to Civil Rule 26(a)(1) ("Automatic Disclosures"), *provided, however*, any obligation of the Trustee to produce documents as part of the Trustee's Automatic Disclosures shall be satisfied by the Trustee's granting of access to the Avoidance Defendant to any relevant Data Rooms.
 - c. Any initial interrogatories, requests for admission, and/or requests for production of documents (collectively, the "Written Discovery Requests"), pursuant to Civil Rules 33, 34, and 36, made applicable to the Avoidance Actions by Bankruptcy Rules 7033, 7034, and 7036, as well as initial subpoenas to third-parties, shall be served no later than ninety (90) days after the Discovery Start Date. The parties may serve supplemental Written Discovery Requests and subpoenas, consistent with the other dates and deadlines set forth herein, based on newly discovered information or developments in the litigation.
 - d. The deadline for the completion of all fact discovery, including deposition discovery, discovery conducted through the Depository, discovery conducted pursuant to Written Discovery Requests, under, *e.g.*, Bankruptcy Rules 7030, 7033, 7034, and 7036, and Civil Rules 30, 33, 34, and 36, and/or third-party discovery pursuant to Bankruptcy Rule 9016 and Civil Rule 45, shall be three hundred (300) days after the Discovery Start Date.

e. Any party that believes expert discovery is required shall provide written notice to all other parties no later than sixty (60) days prior to the close of discovery. Upon receipt of such notice, the parties shall confer regarding a schedule for expert discovery including, without limitation, disclosure and deposition deadlines, which schedule the parties shall submit to the Court for approval. In the absence of agreement as to the schedule governing expert discovery, the parties shall request a status conference to address the matter.

f. The deadlines above may be extended (a) up to ninety (90) days by a written stipulation between the parties filed in the applicable Avoidance Action; and/or (b) upon a motion by any party by order of the Court.

6. Notwithstanding anything herein to the contrary, any Avoidance Defendants wishing to serve Written Discovery Requests on the Trustee shall, prior to service: (i) make diligent efforts to obtain any documents and information sought from the Depository; (ii) exclude from Written Discovery Requests any requests for documents and information available through the Depository; (iii) meet and confer with the Trustee regarding the availability of documents and information in the Depository and the contemplated Written Discovery Requests and to discuss other Avoidance Defendants that may be undertaking discovery with respect to the same or similar subject matter; and (iv) make reasonable efforts to coordinate with other Avoidance Defendants⁶ to avoid duplicative or cumulative discovery and to serve joint requests where reasonably possible, including, by way of example, by service of common interrogatories. The Trustee reserves all rights to object to such Written Discovery Requests, including without limitation on the grounds that the requests, in the aggregate, are duplicative and/or overly burdensome on the Trustee. Any disputes as to the foregoing shall be resolved by the Court upon appropriate motion.

7. Discovery shall be available in any Avoidance Action (“Discovery-Eligible Actions”) except for those in which: (a) the Trustee’s claims are Stayed Avoidance Claims under subparagraph (e)(i) of the Amended Procedures; and/or (b) any Defendant is participating in Mediation Proceedings with the Trustee regarding the claims in such action. Any party to a Discovery-Eligible Action may file a Notice of Discovery Start Date in such action, which filing shall fix the Discovery Start Date as the later of: (x) the first business day at least seventy (70) days after entry of the Court’s order approving these Discovery Procedures; or (b) the date of the filing of the Notice of Discovery Start Date.

8. For the avoidance of doubt, documents and information that are in the possession of a party solely under circumstances that render such documents and information subject to mediation privilege and confidentiality shall not be discoverable.

9. The inclusion of documents and information in the Depository shall not constitute nor be evidence of a waiver of attorney-client privilege, the work product doctrine, or any other

⁶ For the avoidance of doubt, the obligation to coordinate with other Avoidance Defendants shall apply only when other Avoidance Defendants are known to the Avoidance Defendant subject to the obligation, including, without limitation, following the Trustee advising that other Avoidance Defendants are seeking the same or similar discovery.

privilege or protection exercisable by the Trustee, whether in his own right or as a successor-in-interest. Nor shall the inclusion of documents and information in the Depository constitute or be evidence of a waiver of the work product doctrine with respect to the Trustee's investigation of the Debtor's financial affairs, which protection the Trustee has expressly reserved.

10. Prior to undertaking deposition discovery, any Avoidance Defendant shall meet and confer with the Trustee as to the deponents, subject matter, and scheduling of any depositions, with an eye toward efficiency, including, among other things, limiting any duplication and other burdens of deposition discovery. During such conferences, the Trustee may propose and Avoidance Defendants shall consider when reasonable omnibus deposition proceedings including Avoidance Defendants from multiple Avoidance Actions. No parties shall notice depositions to occur in any Avoidance Action earlier than 75 days following the Discovery Start Date. Upon noticing any deposition, the noticing party must provide at least twenty-one (21) days advance written notice (an "Avoidance Deposition Notice") to the Trustee and to all Avoidance Defendants by email to the Trustee's and Avoidance Defendants' appearing counsel, or, as to Avoidance Defendants for which counsel has not appeared, by U.S. Mail. Where multiple parties wish to depose the same deponent, the Trustee and all Avoidance Defendants shall cooperate in scheduling to avoid duplicative depositions. Upon the request of any Avoidance Defendant wishing to issue an Avoidance Deposition Notice, the Trustee shall furnish a list of Avoidance Defendants and their appearing counsel (including email addresses where available) or mailing address. With respect to any deponent that has previously been deposed in an Avoidance Action, no further deposition may be noticed by any Avoidance Defendant that received an Avoidance Deposition Notice as to such deponent while the Avoidance Defendant was participating in discovery and the deposition occurred at least 75 days following such defendant's Discovery Start Date, except upon the Trustee's advance written consent or order of the Court. Where multiple Avoidance Defendants are participating in depositions, (i) they shall make reasonable efforts to avoid duplicative inquiry; and (ii) where necessary, the parties shall confer regarding reasonable adjustments to the time allocated for deposition discovery pursuant to Civil Rule 30(d)(1).

11. For the avoidance of doubt, the Protective Order and the P.O. Addendum shall apply in any deposition proceedings.

12. For the avoidance of doubt, in light of the anticipated inclusion in the Depository of documents designated Highly Confidential, direct access to the Depository shall be limited to parties' counsel that are eligible for such access. The foregoing shall not prevent such counsel from sharing documents and information obtained through Discovery Proceedings with their applicable client if otherwise permissible under the Protective Order and the P.O. Addendum.

13. Notwithstanding anything herein to the contrary, as to Partially Stayed Avoidance Claims, discovery shall not proceed with respect to any Stayed Issues pending further order of the Court.

14. In light of these Discovery Procedures, the parties shall not be required to hold a discovery planning conference pursuant to Civil Rule 26(f), *provided, however*, the parties shall confer and cooperate in good faith as may be necessary to undertake discovery pursuant to these

Discovery Procedures, including, without limitation, the subject matter set forth in Civil Rule 26(f)(3).

15. For the avoidance of doubt, D. Conn. Local R. Civ. P. 37 shall apply to any disputes arising in discovery proceedings in Avoidance Actions.

EXHIBIT 2 TO NOTICE

(Revised Proposed Order – Redline Version)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

-----X
:

In re: : Chapter 11

:

HO WAN KWOK, *et al.*, : Case No. 22-50073 (JAM)

:

Debtors.¹ : Jointly Administered

:

-----X

**[REVISÉD] PROPOSED] ORDER GRANTING
CHAPTER 11 TRUSTEE’S MOTION FOR ENTRY OF ORDER: (I) SUPPLEMENTING,
AMENDING, AND SUPERSEDING (A) ORDER DIRECTING PARTIES TO
MEDIATION, APPOINTING THE HONORABLE JAMES J. TANCREDI AS
MEDIATOR, AND AMENDING ORDER APPROVING PROCEDURES APPLICABLE
TO AVOIDANCE CLAIM ADVERSARY PROCEEDINGS; AND (B) ORDER
AMENDING ORDER DIRECTING PARTIES TO MEDIATION, APPOINTING THE
HONORABLE JAMES J. TANCREDI AS MEDIATOR, AND AMENDING ORDER
APPROVING PROCEDURES APPLICABLE TO AVOIDANCE CLAIM ADVERSARY
PROCEEDINGS TO FACILITATE CONSENSUAL PRE-LITIGATION AND PRE-
APPEARANCE MEDIATION; AND (II) APPROVING INTERVENTION OF
APPROPRIATE AVOIDANCE DEFENDANTS IN OMNIBUS ALTER EGO ACTIONS
AS TO ALTER EGO CLAIMS AGAINST SPECIFIED ALTER EGO DEFENDANTS**

Upon the motion (the “Motion”) of Luc A. Despins, in his capacity as Chapter 11 Trustee (the “Trustee”) for Ho Wan Kwok (the “Debtor”), for entry of an order (this “Order”) (i) supplementing, amending, and superseding (a) the Court’s *Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings* [ECF No. 3163] (the “Litigation Procedures Order”); and (b) the Court’s ordering amending the Litigation Procedures

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

Order to approve procedures applicable to consensual pre-litigation and pre-appearance mediation [ECF No. 3465] (the “Pre-Litigation Procedures Order” and, together with the Litigation Procedures Order, collectively, the “Procedures Orders”); and (ii) approving the intervention of relevant Avoidance Defendants in *Despins v. ACA Capital Group Ltd., et al.*, Adv. Proc. No. 24-05249 (the “First Omnibus Alter Ego Action”), and/or *AA Global Ventures Limited, et al.*, Adv Proc. No. 24-~~05233~~05322 (the “Second Omnibus Alter Ego Action” and, together with the First Omnibus Alter Ego Action, collectively, the “Omnibus Alter Ego Actions”) for certain purposes; and the Court having found that the relief requested in the Motion is in the best interest of the Debtor’s chapter 11 estate, its creditors, and all parties in interest; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice need be given; and upon proceedings at a hearing held on _____, 2025; and any objections to the relief requested herein having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The *Amended Avoidance Litigation and Mediation Procedures*, including, without limitation, the appended Discovery Procedures (collectively, the “Amended Procedures”) appended hereto as **Exhibit A** are hereby approved and so ordered.²
3. This Order and the Amended Procedures appended hereto shall amend and supersede the existing Procedures Orders.
4. On or before the later of: (a) thirty (30) days from the entry of this Order; or (b): in any Avoidance Action commenced after the filing of the Motion, sixty (60) days from service of the summons and adversary complaint, any Avoidance Defendant wishing to dispute the Trustee’s

² Capitalized terms not expressly defined in this Order shall adopt the meanings ascribed to them in the Amended Procedures.

claims that any of G Club International Limited; G Club Operations LLC; G Fashion (CA); G Fashion Hold Co A Limited; G Fashion Hold Co B Limited; G Fashion Media Group Inc.; GF IP, LLC; GF Italy, LLC; GFNY, Inc.; Himalaya International Financial Group Limited; Himalaya International Reserves Limited; Himalaya International Clearing Limited; Himalaya International Payments Limited; Himalaya Currency Clearing Pty Ltd.; ACA Capital Group Ltd.; Hamilton Capital Holding Limited; Hamilton Investment Management Limited; Hamilton Opportunity Fund SPC; Anton Development Limited; Eastern Profit Corporation Limited; Gold Perfect Limited; Group Dynasty Limited; Joy Chance Holdings Limited; Pacific King Investment Limited; Strong Country Holdings Group Limited; AAGV Limited; Joincorp International Limited; and/or Hong Kong International Funds Investments Limited; ~~and/or Ampleforth Capital Ltd.~~ (collectively, the “Specified Alter Ego Defendants”) are alter egos of and/or that they or their property are equitably or beneficially owned by the Debtor (such claims, collectively, “Alter Ego Claims”) shall file a *Notice of Intervention* in the Omnibus Alter Ego Action in which such claims are pending. The Notice of Intervention shall identify the intervening Avoidance Defendant and identify the specific Alter Ego Claims as to which the Avoidance Defendant seeks to intervene.

5. The intervening Avoidance Defendant’s right to participate in proceedings in Omnibus Alter Ego Actions shall be limited to those claims that the Avoidance Defendant has identified and has standing to dispute. No Notice of Intervention shall be effective unless timely filed.

6. Within thirty (30) days of the filing of any Notice of Intervention, the Trustee may object to an Avoidance Defendant’s intervention in an Omnibus Alter Ego Action by filing an objection in the relevant Omnibus Alter Ego Action for the following reasons: (a) the Trustee disputes the Avoidance Defendant’s standing to participate in the Omnibus Alter Ego Action or

the scope of intervention described in the Notice of Intervention exceeds such standing; or (b) the Notice of Intervention is untimely. Following the filing of such an objection, the relevant Avoidance Defendant may file a reply ~~withing~~within fourteen (14) days, following which the Court shall resolve the Trustee's objection. In the absence of an objection by the Trustee, the Avoidance Defendant's intervention in the Omnibus Alter Ego Action to the extent described in the Notice of Intervention shall be deemed approved.

7. Any judgments entered in the Omnibus Alter Ego Actions with respect to the Specified Alter Ego Defendants shall be binding on all Avoidance Defendants, irrespective of whether an Avoidance Defendant filed a Notice of Intervention in the relevant Omnibus Alter Ego Action. For the avoidance of doubt, and notwithstanding anything to the contrary in the Amended Procedures, this shall include Avoidance Defendants against which the Trustee's Avoidance Claims are otherwise stayed.

8. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

9. This Order shall be effective immediately upon entry.

Exhibit A

(Amended Avoidance Litigation and Mediation Procedures)

Amended Avoidance Litigation and Mediation Procedures

a. The Amended Avoidance Action Procedures (as may be further amended, the “Amended Procedures”) shall apply to: (i) any adversary proceedings commenced by the Trustee on or after February 1, 2024, in which the Trustee asserts claims solely under sections 544, 547, 548, 549, and 550 of the Bankruptcy Code and analogous claims under applicable state law (the “Avoidance Actions”); and/or (ii) in respect to Mediation Procedures (as defined herein) to any claims asserted or that may be asserted by the Trustee.

b. Upon filing a complaint commencing any Avoidance Action (an “Avoidance Complaint”), the Trustee shall file a *Notice of Applicability of Amended Avoidance Litigation and Mediation Procedures* in a form substantially similar to that attached hereto as **Exhibit 1** (the “Amended Procedures Notice”). The Trustee shall serve a copy of the Amended Procedures Notice on each defendant in an Avoidance Action (an “Avoidance Defendant”) together with the Summons and Avoidance Complaint pursuant to Bankruptcy Rule 7004.

c. Motions affecting multiple Avoidance Actions shall be filed in each applicable Avoidance Action and shall use a caption substantially in the form attached hereto as **Exhibit 2**.

d. To the extent that an Avoidance Complaint (including exhibits) contains information that is designated confidential or highly confidential pursuant to the amended Protective Order [Main Case ECF Nos. 923, 3264, 4448] (as may be further modified, the “Protective Order”) and the amended Stipulated Addendum to Protective Order [Main Case ECF Nos. 2460, 3264, 4448] (as may be further modified, the “P.O. Addendum”), the Trustee may file the Avoidance Complaint under seal (a “Sealed Avoidance Complaint”), *provided, however*, the Trustee shall file unsealed a copy of the Avoidance Complaint that redacts any information that is designated confidential or highly confidential (a “Redacted Avoidance Complaint”). Service of a Redacted Avoidance Complaint shall constitute sufficient service of a complaint as required by Bankruptcy Rule 7004. Notwithstanding anything to the contrary in the Protective Order and the P.O. Addendum, upon any Avoidance Defendant and its counsel each executing copies of Exhibit A to the Protective Order and, if applicable, Exhibit A to the P.O. Addendum (a “P.O. Consent”), the Trustee may provide a copy of the unredacted Avoidance Complaint to such Avoidance Defendant. Following the appearance of any self-represented Avoidance Defendant, such Avoidance Defendant shall confer with counsel for the Trustee and advise whether they prefer to receive notice by email or by U.S. Mail and the Trustee shall provide any required notices to the self-represented Avoidance Defendant consistent with their stated preference.

e. An Avoidance Defendant’s time to respond to any Avoidance Complaint (the “Response Date”) shall be sixty (60) days from the date that service is effected on such Avoidance Defendant, *provided, however*, that, without further order of the Court, the Trustee and any Avoidance Defendant may stipulate to further extend the defendant’s Response Date up to ninety (90) additional days. Any such stipulation shall be made in writing and the Trustee shall file such stipulation or otherwise shall file a notice of the stipulated extension on the docket in the applicable Avoidance Action. Notwithstanding anything herein to the contrary:

i. The claims against Avoidance Defendants set forth on **Exhibit 3-A** attached hereto (the “Stayed Avoidance Claims”) shall be stayed pending further order of the Court. At such time that the stay of the Stayed Avoidance Claims is lifted, the Court shall determine whether the Stayed Avoidance Claims shall be subject to the Mediation Procedures and set deadlines for Avoidance Defendants in such actions to respond to the Avoidance Complaints. For the avoidance of doubt, notwithstanding such stay, certain aspects of Stayed Avoidance Claims may be subject to litigation and binding adjudication through the procedure described in the Court’s Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court’s Order).

ii. The claims against Avoidance Defendants set forth on **Exhibit 3-B** attached hereto (the “Partially Stayed Avoidance Claims”), as to any such Avoidance Defendant that has timely appeared and responded to the Trustee’s Avoidance Complaint, shall be stayed pending further order of the Court solely as to any legal or factual issues concerning whether AA Global Ventures Limited; AAGV Limited; Alzarro Enterprises Ltd.; Ampleforth Capital Ltd.; Assets Sino Limited; Auspicious Coast Limited; BSA Strategic Fund I; Canadian Agri-product Monetary Investments Limited; Crane Advisory Group LLC; Delta Konsult Limited; Eagle Eye Investments Limited; Fiesta Investment Ltd.; Glory Asia (H.K.) Limited; Gold Perfect Limited; Group Dynasty Limited; GS Security Solutions Inc.; Guang Hong Limited; H Reserve Management Limited; Head Win Group Limited; Holy City Hong Kong Ventures Limited; Hong Kong International Funds Investments Limited; Hudson Diamond Holdings, Inc.; Infinity Treasury Management Inc.; Insight Phoenix Fund; Joincorp International Limited; Joy Chance Holdings Limited; Kingdom Rich Limited; Long Gate Limited; New Miracle Limited; Pacific King Investment Limited; Rich Group Development Limited; Rising Sun Capital Ltd.; River Valley Operations LLC; Sail Victory Limited; Strong Country Holdings Group Limited; Thousand Stars Company Limited; New Dynamic Development Limited; ACA Capital Group Ltd.; Anton Development Limited; G Club International Limited; G Club Operations LLC; G Fashion (CA); G Fashion Media Group Inc.; GFNY Inc.; Hamilton Capital Holding Ltd.; Himalaya International Clearing Ltd.; Leading Shine Limited; Rule of Law Foundation III Inc.; Rule of Law Society IV Inc.; ~~Saraca Media Group Inc., AA Global Ventures Limited, AAGV Limited, Alzarro Enterprises Ltd., Ampleforth Capital Ltd., Assets Sino Limited, Auspicious Coast Limited, BSA Strategic Fund I, Canadian Agriproduct Monetary Investments Limited, Crane Advisory Group LLC, Delta Konsult Limited, Eagle Eye Investments Limited, Fiesta Investment Ltd., Glory Asia (H.K.) Limited, Gold Perfect Limited, Group Dynasty Limited, GS Security Solutions Inc., Guang Hong Limited, H Reserve Management Limited, Head Win Group Limited, HGA Property Operation LLC, Holy City Hong Kong Ventures Limited, Hong Kong International Funds Investments Limited, Hudson Diamond Holdings, Inc., Infinity Treasury Management Inc., Insight Phoenix Fund, Joincorp Limited; G Fashion Hold Co A Limited; G Fashion Hold Co B Limited; GF IP, LLC; GF Italy, LLC; G Music LLC;~~

Freedom Media Ventures Limited; Wise Creation International Limited; ~~Joy Chanee Holdings~~; Himalaya International Financial Group Limited; ~~Kingdom Rich~~; Himalaya International Reserves Limited; ~~Long Gate~~; Himalaya International Payments Limited; ~~New Mirae Limited~~; ~~Pacific King~~; Himalaya Currency Clearing Pty Ltd; Hamilton Investment Management Limited; Hamilton Opportunity Fund SPC; China Golden Spring (Hong Kong) Group Ltd.; Bravo Luck Limited; ~~Rich Group Development~~; Eastern Profit Corporation Limited; ~~Rising Sun Capital Ltd.~~; ~~River Valley Operations LLC~~; ~~Sail Victory Limited~~; ~~Strong Country Holdings Group Limited~~; and/or ~~Thousand Stars Company Limited~~ ~~Saraca Media Group Inc.~~, were alter-egos of the Debtor and/or whether the property of such entities was property of the Debtor and/or of the Debtor's chapter 11 estate (collectively, the "Stayed Issues"). For the avoidance of doubt, Stayed Issues may be mediated on a voluntary basis and may also be subject to litigation and binding adjudication through the procedure described in the Court's Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court's Order). For the avoidance of doubt, no claims against an Avoidance Defendant shall be subject to a partial stay under this provision of the Amended Procedures unless such Avoidance Defendant has timely appeared and responded to the Trustee's Avoidance Complaint and the existence of Stayed Issues shall not prevent entry of judgment on all claims against any Avoidance Defendant that has not timely responded to the Trustee's Avoidance Complaint.

iii. Upon or after the filing of any new Avoidance Action, the Trustee may designate claims in such action to be Stayed Avoidance Claims or Partially Stayed Avoidance Claims by filing a notice of such designation (a "Stay Designation Notice") in the relevant Avoidance Action. Any Avoidance Defendant wishing to challenge a Stay Designation Notice shall file a response to such notice in the relevant Avoidance Action within seven (7) days of appearing in same, to which the Trustee may reply within fourteen (14) days of the filing of such response. Any disputes over a Stay Designation Notice shall be determined by the Court.

f. In the event that any Avoidance Defendant responds to an Avoidance Complaint by filing a motion pursuant to Civil Rule 12, the Trustee shall have sixty (60) days to respond to such motion, *provided, however*, if such a motion is filed with respect to claims that are stayed or with respect to claims that become stayed while such a motion is pending, the Trustee shall have sixty (60) days to respond to such motion following the termination of the stay. An Avoidance Defendant shall have thirty (30) days to reply to any response by the Trustee to a motion filed pursuant to Civil Rule 12.

g. Unless otherwise ordered by the Court, no initial pretrial conference pursuant to Bankruptcy Rule 7016 will be held prior to discovery in any Avoidance Action and, accordingly, the Summons issued by the Clerk of the Court and served by the Trustee will not include a date for a pretrial conference. To the extent that a party to an Avoidance Action believes that a pretrial conference is necessary to address scheduling or other issues, any party may request such a conference at any time by filing a request on the docket in the Avoidance Action.

h. Discovery in any Avoidance Action as to any claims that are not stayed shall be conducted pursuant to the discovery procedures (the “Discovery Procedures”) appended hereto as **Exhibit 4**. Civil Rule 26 (to the extent incorporated by Bankruptcy Rule 7026), and District of Connecticut Local Civil Rule 7026-1, shall apply to the Avoidance Actions, except to the extent that they are expressly modified by the Amended Procedures (including, without limitation, the appended Discovery Procedures). For the avoidance of doubt, the stay effective during Mediation Proceedings shall include all formal discovery but shall not preclude any informal exchange of documents or information on a voluntary basis or as an Assigned Mediator (as defined herein) may direct.

i. Any party to an Avoidance Action may request that these Amended Procedures be modified as applied in such Avoidance Action for good cause shown. Such modification shall be requested by motion filed in the applicable Avoidance Action.

j. Any claims asserted or that may be asserted by the Trustee, including, without limitation, Avoidance Claims, shall be subject to the following procedures described in paragraphs (k) through (w) herein governing mediation proceedings (the “Mediation Procedures”).

k. The Trustee and any other party the Trustee believes may be subject to claims owned by the Estate (a “Counterparty”) may stipulate (a “Mediation Stipulation”) to refer the Trustee’s claims against such Counterparty (the “Mediated Claims”) to non-binding mediation proceedings (as set forth herein, the “Mediation Proceedings”). Mediation Stipulations shall be made as follows:

i. Mediation Stipulations shall be made in writing signed by the Trustee and the applicable Counterparty and shall confirm that the Trustee and the Counterparty consent to the Mediation Procedures.

ii. Mediation Stipulations in pending Avoidance Actions shall be filed in the applicable Avoidance Action.

iii. Mediation Stipulations shall be submitted to Judge Tancredi (a “Mediation Referral”) with joint correspondence (whether by letter or by email) to Judge Tancredi’s mediation email address attaching the applicable Mediation Stipulation and briefly (and in a non-argumentative manner) describing the Mediated Claims.

l. If the Trustee has already commenced litigation against a Counterparty at the time that the Trustee and the Counterparty (collectively, the “Mediating Parties”) execute the Mediation Stipulation, litigation shall be stayed (including, without limitation, as to such Counterparty’s obligation to respond to the Avoidance Complaint) until the conclusion of Mediation Proceedings. If any litigation deadlines would otherwise expire during Mediation Proceedings or within thirty (30) days following the termination thereof, such deadlines shall be suspended until the first business day that is thirty (30) days following the termination of Mediation Proceedings, *provided, however*, as to any deadline for the Trustee to respond to a motion filed pursuant to Civil Rule 12 prior to or during Mediation Proceedings, the Trustee’s deadline to respond to such motion shall be the first business day that is sixty (60) days following the termination of Mediation Proceedings. For the avoidance of doubt, notwithstanding such stay, certain aspects of Mediated Claims may be

subject to litigation and binding adjudication through the procedure described in the Court's Order approving these Amended Procedures (*i.e.*, in the Omnibus Alter Ego Actions, as defined in the Court's Order).

m. United States Bankruptcy Judge James J. Tancredi ("Judge Tancredi") has been appointed as the lead mediator, *see* original *Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings* [Main Case ECF No. 3163], and shall continue to oversee all Mediation Proceedings, *provided, however*, mediations shall be conducted by Judge Tancredi or by a mediator from an approved panel of mediators (the "Mediation Panel"). The members of the Mediation Panel shall be selected by Judge Tancredi, subject to the Court's approval of the appointment of each such mediator and rates of compensation applicable to same. For the avoidance of doubt, the Trustee or any Counterparty may suggest potential mediators for appointment to the Mediation Panel to Judge Tancredi and Judge Tancredi may in his discretion consult with the Trustee or such Counterparty regarding their suggestions. The Trustee shall request the Court's approval of mediators selected by Judge Tancredi by filing a motion in the Main Case only with notice filed in any pending Avoidance Actions, and the appointment of a mediator to the Mediation Panel shall become effective upon approval by the Court following the Court's consideration of the motion and any objections or responses to same. All matters concerning the responsibility of parties to Mediation Proceedings to compensate any Assigned Mediator shall be reserved pending the assignment of any mediators to a Mediation Panel that require compensation, if any.

n. Upon a Mediation Referral, Judge Tancredi shall assign the Mediated Claims to be mediated by himself or by a member of the Mediation Panel (the "Assigned Mediator"). Judge Tancredi may also order that related Mediation Proceedings (including, where appropriate, where claims are asserted against multiple defendants in a single Avoidance Action) be consolidated. Upon notification of their assignment, the Assigned Mediator shall determine whether they have any conflicts with respect to the Mediated Claims and, in the event of a conflict, shall recuse themselves and not act in the particular mediation unless such conflict is disclosed to and expressly waived by the Mediating Parties. If the Assigned Mediator is recused, Judge Tancredi shall assign an alternative mediator from the Mediation Panel or shall assign himself to the mediation. If a Mediating Party believes that a conflict of interest precludes the service of the Assigned Mediator or otherwise opposes the assignment of the Assigned Mediator, such party may seek the assignment of a different Assigned Mediator by letter submitted to Judge Tancredi through his mediation email address (with copies to the opposing party and the Assigned Mediator).

o. All proceedings and writings incident to Mediation Proceedings shall be considered privileged and confidential and subject to all protections of Federal Rule of Evidence 408 and shall not be reported or admitted as evidence for any reason except to prove that a party failed to comply with the Mediation Procedures. No stenographic, written, electronic, or any other form of recording or internet posting shall be made at any time during or after the Mediation Proceedings except to memorialize a definitive settlement agreement approved by Judge Tancredi. Judge

Tancredi (including, without limitation, in his capacity as lead mediator and as an Assigned Mediator), any other Assigned Mediator, and their respective agents, shall have absolute judicial immunity as provided under state, federal, and common law, from liability for any act or omission in connection with the Mediation Proceedings, and from compulsory process to testify or produce documents in connection with the Mediation Proceedings except as set forth in this paragraph, and shall be held harmless by all Mediating Parties. Neither any Assigned Mediator nor Judge Tancredi shall be subpoenaed or called as a witness or expert by any party except as set forth in this paragraph. No party shall attempt to compel the testimony of, or compel the production of documents from, the Assigned Mediator (including his/her agents, partners, or employees of their respective law firms or organizations) or Judge Tancredi (including his agents, partners, or employees), *provided, however*, subject to Court order, the Assigned Mediator or Judge Tancredi may be called as a witness by any party and may be compelled to testify on a limited basis in proceedings where it is alleged that a party failed to comply with the Mediation Procedures. Any documents provided to the Assigned Mediator or Judge Tancredi by the parties shall be destroyed within thirty (30) days after the termination of Mediation Proceedings unless the Court orders otherwise.

p. The Assigned Mediator shall preside over any mediation sessions and the rules of evidence shall not apply. The Assigned Mediator shall determine the format of any mediation sessions, including, without limitation, (i) the length and schedule of any sessions, (ii) the order and format of presentations, (iii) the location of sessions and whether sessions are to be held in-person or via videoconference, (iv) whether the Mediating Parties shall be required to provide written submissions, and (v) whether counsel only and/or client representatives with authority to settle Mediated Claims shall be required to attend mediation sessions. The Assigned Mediator may implement any procedures which are reasonable and practical under the circumstances. Judge Tancredi is authorized to seek any amendments to the Mediation Procedures during the Mediation Proceedings that he believes are necessary to assist with the mediation. Any Mediating Party may communicate *ex-parte* with the Assigned Mediator to the extent that their Assigned Mediator deems appropriate. The Trustee and his counsel may communicate *ex-parte* with Judge Tancredi concerning the implementation of these Mediation Procedures, the selection of mediators to the Mediation Panel, the categorization of Avoidance Actions, and/or any recommendations issued by Judge Tancredi to the Court.

q. Mediating Parties shall participate in Mediation Proceedings pursuant to the Mediation Procedures and as directed by the applicable Assigned Mediator in good faith and with a view toward reaching a consensual resolution. An Assigned Mediator may report any noncompliance with the Mediation Procedures to the Court by a written notice, which Judge Tancredi shall cause to be filed in any applicable adversary proceeding or otherwise in the Main Case. If a Mediating Party fails to comply with the Mediation Procedures, the Court may (with or without the filing of a motion by any party) schedule a hearing to consider the appropriateness of sanctions against the noncompliant party. Such sanctions may include, without limitation, assessing costs of the Mediation Proceedings and/or the opposing party's attorneys' fees against

the noncompliant party. Additionally, in cases of willful, persistent, or egregious noncompliance, the Court may enter a default judgment or dismissal against the party that failed to comply with the Mediation Procedures. Failure to achieve settlement and/or termination of Mediation Proceedings alone cannot constitute grounds for a finding of “bad faith” or the imposition of sanctions. An Assigned Mediator (other than Judge Tancredi) may at any time and for any reason recommend to Judge Tancredi that Mediation Proceedings as to any Mediated Claims be reassigned.

r. If Mediation Proceedings are successful in achieving a settlement of the Mediated Claims, in whole or in part, the Assigned Mediator shall prepare a report (the “Mediator’s Report”) indicating whether the Mediating Parties adhered to these Mediation Procedures. The Assigned Mediator may, but shall not be required, to indicate in such Mediator’s Report whether the Assigned Mediator believes that the proposed settlement that the economics and terms of the settlement agreement are fair, reasonable, and in the best interests of the Chapter 11 estate as measured by the standards of *In re Iridium Operating LLC*, 478 F.3d 452, 462 (2d Cir. 2007). If the Mediated Claims are the subject of a pending adversary proceeding, Judge Tancredi shall cause the Mediator’s Report to be filed in the applicable adversary proceeding. If the Mediated Claims are not the subject of a pending adversary proceeding, the Assigned Mediator shall transmit the Mediator’s Report to the Trustee and the Trustee shall provide a copy of such report to the applicable Counterparty. The Mediator’s Report shall not address the substance of mediation discussions or provide details of any settlement that might be reached.

s. The Trustee shall file a motion requesting Court approval as soon as practicable following the issuance of any Mediator’s Report indicating a full or partial settlement. The Trustee may submit a motion seeking such approval under seal (with access limited to the Trustee, the relevant Counterparty, counsel for the Official Committee of Unsecured Creditors, and the United States Trustee) to the extent the Trustee believes that public disclosure of the settlement terms would harm the estate and/or would implicate commercially sensitive or otherwise confidential information public disclosure of which would prejudice parties to the settlement. Where a motion is filed under seal, the Trustee shall file on the public docket a copy of the motion that redacts any commercially sensitive or otherwise confidential information.

t. Members of the Mediation Panel shall regularly consult with Judge Tancredi concerning the status of Mediation Proceedings to which they are assigned. Judge Tancredi may submit reports to the Court regarding the progress of Mediation Proceedings and any recommendations of Judge Tancredi to promote the efficient administration of the Avoidance Actions and/or Mediated Claims. Such reports shall be issued in writing and filed on the docket in the Main Case with notice to any Avoidance Defendants that would be impacted by any recommendations of Judge Tancredi. Upon a hearing considering Judge Tancredi’s recommendations and any timely written response but without need for the filing of a motion, the Court may enter further orders addressing such recommendations.

u. The Mediation Procedures shall be subject to modification by further order of the Court, including, without limitation, by a motion filed in the Main Case by the Trustee or any party

in interest for good cause shown, or otherwise as the Court deems appropriate, including, without limitation, based upon Judge Tancredi's recommendations.

v. Mediation Proceedings shall terminate upon the earliest of the issuance of a Mediator's Report indicating a complete resolution of the Mediating Parties' Mediated Claims, a written notice of termination by any Mediating Party or Judge Tancredi (a "Termination Notice"), or an order of the Court terminating such proceedings. Any Termination Notice shall be served on the following parties (as applicable): (i) the Trustee, (ii) the Counterparty, (iii) the Assigned Mediator, and (iv) Judge Tancredi. If the Termination Notice applies to Mediated Claims that are the subject of an adversary proceeding, the issuing party shall cause the Termination Notice to be filed in the applicable adversary proceeding. A Termination Notice may be issued at any time by any of the foregoing parties and for any reason. For the avoidance of doubt, Judge Tancredi may issue a Termination Notice immediately upon a Mediation Referral if Judge Tancredi declines to accept the Mediated Claims for Mediation Proceedings.

w. Notwithstanding anything in these Amended Procedures to the contrary, these Mediation Procedures may be modified by the Court upon the request of the Trustee or any other party in interest, or as otherwise ordered by the Court (including, without limitation, upon recommendations issued by Judge Tancredi), upon a motion filed in the Main Case only in accordance with any applicable rules, provided, however, the revised Mediation Procedures, upon approval, shall be filed in all Avoidance Actions.

EXHIBIT 1

(Amended Procedures Notice)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

-----		X
In re:	:	Chapter 11
	:	
HO WAN KWOK, <i>et al.</i> , ¹	:	Case No. 22-50073 (JAM)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----		X
LUC A. DESPINS, CHAPTER 11	:	
TRUSTEE,	:	
	:	Adv. Proceeding No. xx-xxxxx
Plaintiff,	:	
v.	:	
	:	
[:	
	:	
Defendant.	:	
	:	
-----		X

**[FORM OF] NOTICE OF APPLICABILITY OF
AMENDED AVOIDANCE LITIGATION AND MEDIATION PROCEDURES**

PLEASE TAKE NOTICE that the *Order Granting Motion for Entry of Order: (I) Supplementing, Amending, and Superseding (A) Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings; (B) Order Amending Order Amending*

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings to Facilitate Consensual Pre-Litigation and Pre-Appearance Mediation; and (II) Approving Intervention of Appropriate Avoidance Defendants in Omnibus Alter Ego Actions as to Alter Ego Claims Against Specified Alter Ego Defendants [Main Case ECF No. (____)] appended hereto as **Exhibit 1**, including, without limitation, the *Amended Avoidance Litigation and Mediation Procedures* appended thereto, is hereby made applicable to and governs this adversary proceeding.

Dated: [____], 202_
New Haven, Connecticut

LUC A. DESPINS
CHAPTER 11 TRUSTEE

By: /s/ FORM
[Attorney (ct)]
NEUBERT, PEPE & MONTEITH, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
(203) 781-2884
Email: _____
Counsel for the Chapter 11 Trustee

[FORM OF] Exhibit 1

(Order Granting Motion for Entry of Order: (I) Supplementing, Amending, and Superseding (A) Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings; and (B) Order Amending Order Amending Order Directing Parties to Mediation, Appointing the Honorable James J. Tancredi as Mediator, and Amending Order Approving Procedures Applicable to Avoidance Claim Adversary Proceedings to Facilitate Consensual Pre-Litigation and Pre-Appearance Mediation; and (II) Approving Intervention of Appropriate Avoidance Defendants in Omnibus Alter Ego Actions as to Alter Ego Claims Against Specified Alter Ego Defendants)

EXHIBIT 2
(Form of Caption)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

-----X
:

In re: : Chapter 11

:

HO WAN KWOK, *et al.*,¹ : Case No. 22-50073 (JAM)

:

Debtors. : (Jointly Administered)

:

-----X

LUC A. DESPINS, CHAPTER 11
TRUSTEE,

Plaintiff,
v.

AVOIDANCE DEFENDANTS,

Defendants.

: Adv. Proceeding Nos. 24-05005, 24-05006,
: 24-05008, 24-05009, 24-05010, 24-05011,
: 24-05012, 24-05013, 24-05014, 24-05015,
: 24-05016, 24-05017, 24-05018, 24-05019,
: 24-05020, 24-05021, 24-05022, 24-05023,
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(caption continues on next page)

¹ The Debtors in these chapter 11 cases are Ho Wan Kwok (also known as Guo Wengui, Miles Guo, and Miles Kwok, as well as numerous other aliases) (last four digits of tax identification number: 9595), Genever Holdings LLC (last four digits of tax identification number: 8202) and Genever Holdings Corporation. The mailing address for the Trustee, Genever Holdings LLC, and the Genever Holdings Corporation is Paul Hastings LLP, 200 Park Avenue, New York, NY 10166 c/o Luc A. Despins, as Trustee for the Estate of Ho Wan Kwok (solely for purposes of notices and communications).

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EXHIBIT 3-A

(Fully Stayed Avoidance Claims)

ADV. PROC. NO.	DEFENDANT
Adv. Proc. No. 24-05008	Boardwalk Motor Imports LLC
Adv. Proc. No. 24-05009	Mercantile Bank International Corp.
Adv. Proc. No. 24-05012	Ogier
Adv. Proc. No. 24-05014	Pillsbury Winthrop Shaw Pittman LLP
Adv. Proc. No. 24-05017	Post Oak Motors, LLC
Adv. Proc. No. 24-05022	FAM United LLC
Adv. Proc. No. 24-05023	Studio Cataldi Group SRL
Adv. Proc. No. 24-05026	Yieldesta LP
Adv. Proc. No. 24-05029	Great Bowery Inc dba Camilla Lowther Management
Adv. Proc. No. 24-05032	Hugga LLC
Adv. Proc. No. 24-05037	Triple2 Digital LLC
Adv. Proc. No. 24-05038	D4Zero S.R.L.
Adv. Proc. No. 24-05041	CFG Global Limited
Adv. Proc. No. 24-05043	Loro Piana S.P.A.
Adv. Proc. No. 24-05045	The Quinlan Law Firm, LLC
Adv. Proc. No. 24-05046	Janco SRL
Adv. Proc. No. 24-05050	Oro Mont Alpi SRL
Adv. Proc. No. 24-05051	Mindy Wechsler
Adv. Proc. No. 24-05052	MF19 Inc
Adv. Proc. No. 24-05068	Caribe Condado, LLC
Adv. Proc. No. 24-05080	Reinhard Plank S.R.L.
Adv. Proc. No. 24-05084	Tavares Cutting Inc
Adv. Proc. No. 24-05087	Mosaicon Shoes SRL
Adv. Proc. No. 24-05088	Tokyoseiki Co. LTD
Adv. Proc. No. 24-05089	Pellettieri Di Parma SRL
Adv. Proc. No. 24-05091	Shalom B LLC dba Asher Fabric Concepts
Adv. Proc. No. 24-05094	Solazzo Calzature S.R.L.
Adv. Proc. No. 24-05095	SOD Stone Offroad Design GmbH
Adv. Proc. No. 24-05096	1245 Factory Place, LLC
Adv. Proc. No. 24-05097	Liapull S.R.L.
Adv. Proc. No. 24-05099	American Arbitration Association, Inc.
Adv. Proc. No. 24-05104	Ice24 SRO
Adv. Proc. No. 24-05106	Reach Manufacturing, LLC
Adv. Proc. No. 24-05111	DNM Beauty Distribution
Adv. Proc. No. 24-05113	1322089 B.C. L.T.D.
Adv. Proc. No. 24-05116	Hilton Management, LLC
Adv. Proc. No. 24-05118	J Tan Jewelry Design, Inc.
Adv. Proc. No. 24-05121	Shaylen Music LLC
Adv. Proc. No. 24-05123	Bestview1 Pty Ltd
Adv. Proc. No. 24-05124	Legends OWO LLC
Adv. Proc. No. 24-05127	Waycap S.P.A.
Adv. Proc. No. 24-05129	Fay Ye

Adv. Proc. No. 24-05131	Lawrence River
Adv. Proc. No. 24-05136	ASAP SRL
Adv. Proc. No. 24-05137	Bellerive Attorneys at Law
Adv. Proc. No. 24-05139	Houston Litstar LLC
Adv. Proc. No. 24-05140	Quinones Law PLLC
Adv. Proc. No. 24-05142	Immobiliara Barbara 2000 SRL
Adv. Proc. No. 24-05143	Dream Projects LLC
Adv. Proc. No. 24-05146	Fortnum Information Security Limited
Adv. Proc. No. 24-05148	Galaxy Ltd
Adv. Proc. No. 24-05150	Jialin Qin
Adv. Proc. No. 24-05151	Li Sho Yo
Adv. Proc. No. 24-05153	Ming Ni
Adv. Proc. No. 24-05155	Hayashi Meiou
Adv. Proc. No. 24-05156	12476517 Canada Society
Adv. Proc. No. 24-05157	DP Textile & Apparel Inc
Adv. Proc. No. 24-05160	LA International Foundation
Adv. Proc. No. 24-05164	National Sweepstakes Company, LLC
Adv. Proc. No. 24-05165	Oxford Visionary Ltd.
Adv. Proc. No. 24-05166	Chris Lee
Adv. Proc. No. 24-05169	D&D Solutions LLC
Adv. Proc. No. 24-05170	The Gertz File Investigative Reporting Project Inc
Adv. Proc. No. 24-05173	Wenhua Gong
Adv. Proc. No. 24-05176	Luminescence Co Ltd
Adv. Proc. No. 24-05177	Xiaobo He
Adv. Proc. No. 24-05180	Richmond Strategic Advisor <u>Advisors, LLC</u>
Adv. Proc. No. 24-05191	Deng Qian
Adv. Proc. No. 24-05193	Fiesta Investments Ltd
Adv. Proc. No. 24-05195	Shujuan Milne
Adv. Proc. No. 24-05197	Great Lakes Drone Company, <u>LLC</u>
Adv. Proc. No. 24-05198	G-Service LLC
Adv. Proc. No. 24-05205	Marini Pietrantoni Muniz LLC
Adv. Proc. No. 24-05207	Bering Yachts LLC
Adv. Proc. No. 24-05210	Jiayao Gan
Adv. Proc. No. 24-05215	Bradley Staple, dba Staples Building Solutions
Adv. Proc. No. 24-05217	Haisong Peng
Adv. Proc. No. 24-05218	Hou Yuan Chan
Adv. Proc. No. 24-05224	OSC Orbit Services Company LLC
Adv. Proc. No. 24-05227	Tao Zheng
Adv. Proc. No. 24-05230	Cayuse Government Services, <u>LLC</u>
Adv. Proc. No. 24-05231	9 East 40th Street, <u>LLC</u>
Adv. Proc. No. 24-05232	Daihao Zhou
Adv. Proc. No. 24-05234	Lyzon Enterprises Corporation
Adv. Proc. No. 24-05235	Halley Chen CPA Professional Corporation

Adv. Proc. No. 24-05236	Feng Yi
Adv. Proc. No. 24-05237	Qiang Hu
Adv. Proc. No. 24-05239	Jianhai Jiao
Adv. Proc. No. 24-05240	Fengjie Ma
Adv. Proc. No. 24-05241	MZC Financial Inc
Adv. Proc. No. 24-05242	Cotton Craft Textiles Intl Trading
Adv. Proc. No. 24-05243	Ihotry Ltd
Adv. Proc. No. 24-05244	Quick-Equip LLC
Adv. Proc. No. 24-05245	RM Auctions Deutschland GmbH
Adv. Proc. No. 24-05245	Qiang Guo
Adv. Proc. No. 24-05246	WA & HF LLC
Adv. Proc. No. 24-05248	Curiosity Corp.
Adv. Proc. No. 24-05248	Flying Colours Corp
Adv. Proc. No. 24-05248	River Valley Operations LLC
Adv. Proc. No. 24-05248	Supreme SG PTE LTD
Adv. Proc. No. 24-05248	Top California Beach Corporation
Adv. Proc. No. 24-05248	Wang's Realty Management Service Inc
Adv. Proc. No. 24-05250	Scarabaeus Wealth Management AG
Adv. Proc. No. 24-05251	LLC Stz Fund No. 1
Adv. Proc. No. 24-05252	Gettr USA Inc
Adv. Proc. No. 24-05253	Ivy Capital Advisor Limited
Adv. Proc. No. 24-05254	NAV Consulting Inc
Adv. Proc. No. 24-05255	Ziba Limited
Adv. Proc. No. 24-05256	New Mulberry PTE Ltd
Adv. Proc. No. 24-05257	Mishcon de Reya LLP
Adv. Proc. No. 24-05258	Hogan Lovells International LLP
Adv. Proc. No. 24-05259	Top Target General Trading LLC
Adv. Proc. No. 24-05260	GCP Investment Advisors SL
Adv. Proc. No. 24-05261	Starling Bank Ltd.
Adv. Proc. No. 24-05262	Red Team Partners
Adv. Proc. No. 24-05263	G Club Holdco I LLC
Adv. Proc. No. 24-05263	G Club Three
Adv. Proc. No. 24-05263	HAA Group Pty Ltd
Adv. Proc. No. 24-05263	Mountains of Spices Inc
Adv. Proc. No. 24-05263	Omicron Nutraceutical LLC
Adv. Proc. No. 24-05263	Rosy Acme Ventures Limited
Adv. Proc. No. 24-05264	Smaragdos Mamzeris
Adv. Proc. No. 24-05265	Siu Ming Je
Adv. Proc. No. 24-05266	Gong Jianfen
Adv. Proc. No. 24-05267	Khaled Ashafy
Adv. Proc. No. 24-05268	Pure Global Group Limited
Adv. Proc. No. 24-05269	Himalaya Australia Athena Farm Inc.
Adv. Proc. No. 24-05269	Himalaya Australia PTY Ltd

Adv. Proc. No. 24-05269	Himalaya Boston Mayflower LLC
Adv. Proc. No. 24-05269	Himalaya New World Inc
Adv. Proc. No. 24-05269	Himalaya New York Rock Inc
Adv. Proc. No. 24-05269	Himalaya Shanghai Farm LLC
Adv. Proc. No. 24-05269	Himalaya UK Club
Adv. Proc. No. 24-05269	Himalaya Worldwide SL
Adv. Proc. No. 24-05269	HML Vancouver Sailing Farm Ltd
Adv. Proc. No. 24-05269	Golden Gate Himalaya Farm LLC
Adv. Proc. No. 24-05269	MOS Himalaya Foundation Inc
Adv. Proc. No. 24-05269	UK Himalaya Ltd
Adv. Proc. No. 24-05270	Crocker Mansion Estate LLC and Taurus Fund
Adv. Proc. No. 24-05271	Weihua Li
Adv. Proc. No. 24-05271	Rongrong Li
Adv. Proc. No. 24-05271	Zhang Lin
Adv. Proc. No. 24-05271	Mi Kyung Yang
Adv. Proc. No. 24-05271	Xue Wang
Adv. Proc. No. 24-05271	Yaping Zhang
Adv. Proc. No. 24-05271	Zhixuan Li
Adv. Proc. No. 24-05271	Fanggui Zhu
Adv. Proc. No. 24-05271	Yuechen Lan
Adv. Proc. No. 24-05271	Tian Shu Huang
Adv. Proc. No. 24-05271	Shiying Li
Adv. Proc. No. 24-05271	Jianxiao Chen
Adv. Proc. No. 24-05272	Hayman Hong Kong Opportunities Onshore Fund LP
Adv. Proc. No. 24-05274	Kin Ming Je
Adv. Proc. No. 24-05274	Sin Ting Rong
Adv. Proc. No. 24-05275	Lamp Capital LLC
Adv. Proc. No. 24-05275	Golden Spring (New York) Ltd
Adv. Proc. No. 24-05275	Greenwich Land LLC
Adv. Proc. No. 24-05275	HCHK Technologies Inc
Adv. Proc. No. 24-05275	HCHK Property Management Inc
Adv. Proc. No. 24-05275	Lexington Property and Staffing Inc
Adv. Proc. No. 24-05275	Leading Shine NY Ltd
Adv. Proc. No. 24-05275	G Club International Limited
Adv. Proc. No. 24-05275	G Club Operations LLC
Adv. Proc. No. 24-05275	G Fashion
Adv. Proc. No. 24-05275	G Fashion Media Group Inc
Adv. Proc. No. 24-05275	Rule of Law Foundation III Inc
Adv. Proc. No. 24-05275	Rule of Law Society IV Inc.
Adv. Proc. No. 24-05275	GFNY Inc
Adv. Proc. No. 24-05275	Anton Development Limited
Adv. Proc. No. 24-05275	Himalaya International Clearing Ltd

Adv. Proc. No. 24-05275	China Golden Spring Group (Hong Kong) Ltd
Adv. Proc. No. 24-05275	GF Italy LLC
Adv. Proc. No. 24-05275	ACA Capital Group Ltd
Adv. Proc. No. 24-05275	Hamilton Investment Management Ltd
Adv. Proc. No. 24-05275	Hamilton Opportunity Fund SPC
Adv. Proc. No. 24-05275	Hamilton Capital Holding Ltd
Adv. Proc. No. 24-05275	Himalaya Currency Clearing Pty Ltd
Adv. Proc. No. 24-05275	Himalaya International Financial Group Ltd
Adv. Proc. No. 24-05275	Himalaya International Reserves Ltd
Adv. Proc. No. 24-05275	Hudson Diamond NY LLC
Adv. Proc. No. 24-05275	Saraca Media Group Inc
Adv. Proc. No. 24-05275	G Fashion International Limited
Adv. Proc. No. 24-05276	ZYB Associates, LLC d/b/a Law Offices of Yongbing Zhang
Adv. Proc. No. 24-05276	Yongbing Zhang
Adv. Proc. No. 24-05286	Clear Treasury Limited
Adv. Proc. No. 24-05287	Ascentiq Solutions Limited
Adv. Proc. No. 24-05288	5ivetech Limited
Adv. Proc. No. 24-05289	Aviva PLC
Adv. Proc. No. 24-05290	Birchstone Capital AG
Adv. Proc. No. 24-05291	Callsign Ltd
Adv. Proc. No. 24-05292	Epic IT Ltd
Adv. Proc. No. 24-05293	Goodman Masson Ltd
Adv. Proc. No. 24-05294	Hays Specialist Recruitment Limited
Adv. Proc. No. 24-05295	G Club Two
Adv. Proc. No. 24-05296	Offensive Shield Ltd
Adv. Proc. No. 24-05297	Kionasoft LLC
Adv. Proc. No. 24-05298	HP Inc UK Limited
Adv. Proc. No. 24-05299	Zendesk Inc
Adv. Proc. No. 24-05300	IW Group Services UK Ltd
Adv. Proc. No. 24-05301	Qun Ju
Adv. Proc. No. 24-05302	Whole Alpha Trading LLC (f/k/a Art Operation LLC)
Adv. Proc. No. 24-05303	CyberApt Recruitment Ltd
Adv. Proc. No. 24-05304	Teneo Ltd UK
Adv. Proc. No. 24-05305	Telehouse International Corporation of Europe Ltd
Adv. Proc. No. 24-05306	I.com Solutions Limited
Adv. Proc. No. 24-05307	Softcat PLC
Adv. Proc. No. 24-05308	The Golden Sealine Limited
Adv. Proc. No. 24-05309	Haitong International Securities
Adv. Proc. No. 24-05310	Qiu Yue Shou
Adv. Proc. No. 24-05316	Foley Hoag LLP
Adv. Proc. No. 24-05317	Norris McLaughlin PA
Adv. Proc. No. 25-05006	CRISP Insurance Advisors
Adv. Proc. No. 25-05007	Hatstone Lawyers (BVI) Ltd

Adv. Proc. No. 25-05008	CyGlass Inc
Adv. Proc. No. 25-05009	Strategic Political Management LLC
Adv. Proc. No. 25-05010	David Consulting Inc
Adv. Proc. No. 25-05011	Melbourne ROLF Incorporated
Adv. Proc. No. 25-05012	Bambee Inc
Adv. Proc. No. 25-05014	JS Morlu LLC
Adv. Proc. No. 25-05015	Cesare Attolini NY LLC
Adv. Proc. No. 25-05016	Global Shuttle Pte Ltd
Adv. Proc. No. 25-05017	Hee-Seup Shin
Adv. Proc. No. 25-05020	Abu Dhabi Motors LLC
Adv. Proc. No. 25-05021	Savino Del Bene USA Inc
Adv. Proc. No. 25-05023	Mandelli USA Inc
Adv. Proc. No. 25-05024	Prodome Management Consulting LLC
Adv. Proc. No. 25-05025	Taiwan Baudau Farm International Limited Company
Adv. Proc. No. 25-05026	CSQ Project Development Consultants
Adv. Proc. No. 25-05027	Cyjax Limited
Adv. Proc. No. 25-05028	KDEBECHE Inc
Adv. Proc. No. 25-05029	Chan Chih Hsing
Adv. Proc. No. 25-05030	O'Rourke (Midlands) Ltd
Adv. Proc. No. 25-05031	Chetu Inc
Adv. Proc. No. 25-05032	VP Bank (BVI) Ltd
Adv. Proc. No. 25-05034	Wenlong Wang
Adv. Proc. No. 25-05035	Xiang Zeng
Adv. Proc. No. 25-05036	17 State Owner LLC
Adv. Proc. No. 25-05037	BitGo Trust Company Inc
Adv. Proc. No. 25-05038	S.A. Leather
Adv. Proc. No. 25-05040	SDL Auctions Ltd
Adv. Proc. No. 25-05042	Passione Rossa LLC
Adv. Proc. No. 25-05044	BMW of Freeport
Adv. Proc. No. 25-05046	Vision Building Energy Efficiency LLC d/b/a Bee
Adv. Proc. No. 25-05047	FV Bank International Inc
Adv. Proc. No. 25-05067	X49 FZ LLC
Adv. Proc. No. 25-05068	Yay Design Inc
Adv. Proc. No. 25-05069	Ping Tang
Adv. Proc. No. 25-05070	A.C.N. 676 287 157 PTY Ltd
Adv. Proc. No. 25-05071	Lee Thian Guan John
Adv. Proc. No. 25-05072	Dante Emanuel Leslie Delroy Brown
Adv. Proc. No. 25-05073	Azeem Bashir
Adv. Proc. No. 25-05074	Azalea M Garcia Corujo Esq (AGC Consulting)
Adv. Proc. No. 25-05076	Yuekun Ji
Adv. Proc. No. 25-05077	Andrew David Law
Adv. Proc. No. 25-05078	Richard E Signorelli Attorney at Law
Adv. Proc. No. 25-05081	Syed Ehsan Haque

Adv. Proc. No. 25-05082	Ali Albakri
Adv. Proc. No. 25-05087	Cedric DuPont Antiques
Adv. Proc. No. 25-05088	1stDibs.com
Adv. Proc. No. 25-05089	Warp & Weft
Adv. Proc. No. 25-05090	Westland Antiques Limited
Adv. Proc. No. 25-05091	Artistic Tile Inc
Adv. Proc. No. 25-05092	Gold Medal Service LLC
Adv. Proc. No. 25-05093	Lobel Modern Inc
Adv. Proc. No. 25-05094	NY Blinds and Shades Inc dba Innovation Shades
Adv. Proc. No. 25-05095	Labarbiera Custom Homes LLC
Adv. Proc. No. 25-05096	MonStar Air Heating & Cooling LLC
Adv. Proc. No. 25-05097	Picture Perfect Glass & Mirror LLC
Adv. Proc. No. 25-05098	Prevenitas Inc
Adv. Proc. No. 25-05099	Marmiro Stones Inc
Adv. Proc. No. 25-05100	Chenyang Wang
Adv. Proc. No. 25-05100	Danni Yu
Adv. Proc. No. 25-05100	Foteini Kantziou
Adv. Proc. No. 25-05100	Haitao Guan
Adv. Proc. No. 25-05100	Jian Jiao
Adv. Proc. No. 25-05100	Kai Zhao
Adv. Proc. No. 25-05100	Le Qiao
Adv. Proc. No. 25-05100	Lee Shin Jiet
Adv. Proc. No. 25-05100	Naseer Ahmad Khan
Adv. Proc. No. 25-05100	Niels Bom Olesen
Adv. Proc. No. 25-05100	Xianggang Li
Adv. Proc. No. 25-05100	Xiaona Chen
Adv. Proc. No. 25-05100	Xu Zhang
Adv. Proc. No. 25-05100	Ying Hu
Adv. Proc. No. 25-05100	Yuxiang Diao
Adv. Proc. No. 25-05100	Zelin Li
Adv. Proc. No. 25-05100	Zhuowei Xu
Adv. Proc. No. 25-05101	Armanino LLP
Adv. Proc. No. 25-05102	Rizwan Javed
Adv. Proc. No. 25-05104	Astound Broadband
Adv. Proc. No. 25-05105	Ace Decade Holdings Limited
Adv. Proc. No. 25-05105	Bravo Luck Limited
Adv. Proc. No. 25-05105	Eastern Profit Corporation Limited
Adv. Proc. No. 25-05105	Guang Hong Limited
Adv. Proc. No. 25-05105	H Reserve Management Ltd
Adv. Proc. No. 25-05105	New Dynamic Development Limited

EXHIBIT 3-B

(Partially Stayed Avoidance Claims)

ADV. PROC. NO.	DEFENDANT
Adv. Proc. No. 24-05006	Amazon Web Services, <u>Inc.</u>
Adv. Proc. No. 24-05007	Blueberry Builders
Adv. Proc. No. 24-05011	E.L.J.M. Consulting LLC
Adv. Proc. No. 24-05016	Imperius International Trad <u>Trade</u> Co Ltd.
Adv. Proc. No. 24-05019	Mary Fashion <u>SPAS.p.A.</u>
Adv. Proc. No. 24-05021	Bannon Strategic Advisors Inc
Adv. Proc. No. 24-05024	TT Resources 1 Pty Ltd
Adv. Proc. No. 24-05027	Yanping Wang
Adv. Proc. No. 24-05028	Yuqiang Qin
Adv. Proc. No. 24-05028	Yunfu Jiang
Adv. Proc. No. 24-05030	Vision Knight Capital (China) Fund
Adv. Proc. No. 24-05036	Mei Guo
Adv. Proc. No. 24-05044	Teris-Phoenix, LLC
Adv. Proc. No. 24-05054	Style Eyes Inc. d/b/a Ginger Finds
Adv. Proc. No. 24-05056	FFP (BVI) Limited
Adv. Proc. No. 24-05057	Amazon. <u>com</u> , Inc.
Adv. Proc. No. 24-05057	Hing Chi Ngok
Adv. Proc. No. 24-05057	Alex Hadjicharalambous
Adv. Proc. No. 24-05057	Bernardo Enriquez
Adv. Proc. No. 24-05057	Chunguang Han
Adv. Proc. No. 24-05057	Mei Guo
Adv. Proc. No. 24-05058	Anthem Blue Cross Blue Shield <u>Health Plans, Inc.</u>
Adv. Proc. No. 24-05059	Federal Express <u>Corporation</u>
Adv. Proc. No. 24-05060	Apple Inc.
Adv. Proc. No. 24-05060	Alex Hadjicharalambous
Adv. Proc. No. 24-05060	Bernardo Enriquez
Adv. Proc. No. 24-05060	Chunguang Han
Adv. Proc. No. 24-05060	Mei Guo
Adv. Proc. No. 24-05065	A.Z. Bigiotterie S.A.S. DI Zanutto Gabriele & C.
Adv. Proc. No. 24-05069	B&H Foto & Electronics Corp.
Adv. Proc. No. 24-05069	Hing Chi Ngok
Adv. Proc. No. 24-05069	Alex Hadjicharalambous
Adv. Proc. No. 24-05069	Bernardo Enriquez
Adv. Proc. No. 24-05069	Chunguang Han
Adv. Proc. No. 24-05075	Marcella Monica Falciani
Adv. Proc. No. 24-05077	American Express <u>Company</u>
Adv. Proc. No. 24-05077	American Express Centurion Bank
Adv. Proc. No. 24-05077	American Express Bank, FSB
Adv. Proc. No. 24-05077	American Express National Bank, FSB
Adv. Proc. No. 24-05077	American Express Travel Related Services Company, Inc.

Adv. Proc. No. 24-05082	Ohtzar Shlomo Solomon Treasure LLC
Adv. Proc. No. 24-05085	Vandenloom LLC <u>Inc.</u>
Adv. Proc. No. 24-05090	Swans Team Design Inc
Adv. Proc. No. 24-05093	2 B Packing LLC
Adv. Proc. No. 24-05098	Shing Seung Ankerite Engineering Ltd.
Adv. Proc. No. 24-05102	Ocorian Consulting Ltd
Adv. Proc. No. 24-05105	N87 Inc.
Adv. Proc. No. 24-05109	Moran Yacht Management, Inc
Adv. Proc. No. 24-05112	<u>Anthem HealthChoice Assurance, Inc. f/k/a Empire HealthChoice, Inc., d/b/a Empire Blue Cross Blue Shield</u>
Adv. Proc. No. 24-05115	Cloudflare, Inc.
Adv. Proc. No. 24-05122	Indium Software Inc
Adv. Proc. No. 24-05125	Rilievi Group S.R.L.
Adv. Proc. No. 24-05133	Beile Li
Adv. Proc. No. 24-05134	V.X. Cerda & Associates PA
Adv. Proc. No. 24-05135	Liberty Jet Management Corp.
Adv. Proc. No. 24-05141	Flat Rate Movers, <u>Ltd.</u>
Adv. Proc. No. 24-05145	Manhattan Motorcars, Inc
Adv. Proc. No. 24-05154	Kamel Debeche
Adv. Proc. No. 24-05159	Gold Leaf Consulting Limited
Adv. Proc. No. 24-05161	Mandelli USA, Inc.
Adv. Proc. No. 24-05168	The Francis Firm PLLC
Adv. Proc. No. 24-05172	Federal Corporation (Japan)
Adv. Proc. No. 24-05174	SGB Packaging <u>Group, Inc.</u>
Adv. Proc. No. 24-05175	Lau Lai Chun Annie-, <u>a/k/a Annie Lau a/k/a Lau Lai Chun Annie</u>
Adv. Proc. No. 24-05186	Berkeley Rowe Ltd <u>Limited</u>
Adv. Proc. No. 24-05188	Weddle Law PLLC
Adv. Proc. No. 24-05189	TD Avenue (The Diamond Avenue)
Adv. Proc. No. 24-05192	Forbes Hare <u>LLP</u>
Adv. Proc. No. 24-05199	Lawall & Mitchell LLC
Adv. Proc. No. 24-05199	Aaron Mitchell
Adv. Proc. No. 24-05203	Oasis Tech Limited
Adv. Proc. No. 24-05206	Hao Haidong
Adv. Proc. No. 24-05211	Putnam's Landscaping LLC
Adv. Proc. No. 24-05223	G-Translators Pty Ltd
Adv. Proc. No. 24-05226	ACASS Canada Ltd.
Adv. Proc. No. 24-05238	Qiang Guo
Adv. Proc. No. 24-05248	Tut Co Limited
Adv. Proc. No. 24-05263	BSA Strategic Fund I
Adv. Proc. No. 24-05263	Hong Kong International Funds Investments Limited
Adv. Proc. No. 24-05271	Junjie Jiang

<u>Adv. Proc. No. 24-05315</u>	<u>Spears & Imes, LLP</u>
<u>Adv. Proc. No. 25-05005</u>	<u>All Air Custom Brokers Inc</u>
<u>Adv. Proc. No. 25-05013</u>	<u>Salesforce Inc.</u>
<u>Adv. Proc. No. 25-05018</u>	<u>Grubhub Holdings Inc</u>
<u>Adv. Proc. No. 25-05022</u>	<u>E.L.J.M. Consulting LLC</u>
<u>Adv. Proc. No. 25-05033</u>	<u>Ya Li</u>
<u>Adv. Proc. No. 25-05043</u>	<u>Yan Yan Tsang</u>
<u>Adv. Proc. No. 25-05045</u>	<u>Bourne In Time Inc</u>
<u>Adv. Proc. No. 25-05048</u>	<u>Qiang Guo</u>
<u>Adv. Proc. No. 25-05049</u>	<u>Cohen Howard LLP</u>
<u>Adv. Proc. No. 25-05052</u>	<u>N.A.R. Enterprises Inc dba dba Luxury Cleaning NY</u>
<u>Adv. Proc. No. 25-05058</u>	<u>Reichard & Escalera LLC</u>
<u>Adv. Proc. No. 25-05061</u>	<u>Schulman Bhattacharya LLC</u>
<u>Adv. Proc. No. 25-05075</u>	<u>Jinfeng Wu</u>
<u>Adv. Proc. No. 25-05079</u>	<u>Hao Li</u>
<u>Adv. Proc. No. 25-05083</u>	<u>Rovello Electric Inc</u>
<u>Adv. Proc. No. 25-05084</u>	<u>The Fania Company</u>
<u>Adv. Proc. No. 25-05085</u>	<u>The Vision Group Inc dba Bank & Olufsen</u>
<u>Adv. Proc. No. 25-05086</u>	<u>Weatherstest Co Inc</u>
<u>Adv. Proc. No. 25-05101</u>	<u>Janover LLC</u>
<u>Adv. Proc. No. 25-05101</u>	<u>Armanino LLP</u>
<u>Adv. Proc. No. 25-05101</u>	<u>Armanino CPA LLP</u>
<u>Adv. Proc. No. 25-05101</u>	<u>Armanino Advisory LLC</u>
<u>Adv. Proc. No. 25-05103</u>	<u>Xiuli Wang</u>
<u>Adv. Proc. No. 25-05104</u>	<u>RCN Networks, LLC</u>
<u>Adv. Proc. No. 25-05104</u>	<u>Astound Networks, LLC</u>
<u>Adv. Proc. No. 25-05104</u>	<u>Astound Networks New York, LLC</u>
<u>Adv. Proc. No. 25-05104</u>	<u>Radiate Holdco, LLC</u>

EXHIBIT 4

(Discovery Procedures in Avoidance Actions)

DISCOVERY PROCEDURES IN AVOIDANCE ACTIONS

1. These Discovery Procedures shall apply to all Avoidance Actions unless otherwise ordered by the Court.

2. No later than sixty (60) days following the Court's approval of these Discovery Procedures, the Trustee shall create an electronic discovery depository (the "Depository") comprised of data rooms (the "Data Rooms") each containing all non-privileged¹ documents² in the possession of the Trustee related to the following subject matter:

- a. Golden Spring (New York) Limited³;
- b. Lamp Capital LLC;
- c. Leading Shine NY Ltd.;
- d. Hudson Diamond NY LLC;
- e. Lexington Property and Staffing, Inc.;
- f. HCHK Technologies, Inc.;
- g. HCHK Property Management, Inc.;
- h. Greenwich Land LLC;
- i. New Dynamic Development Limited;
- j. Taurus Fund LLC; ~~and~~

k. The Trustee's allegations in Avoidance Complaints asserting claims for actual fraudulent transfer under section 548 of the Bankruptcy Code and/or N.Y. Debtor & Creditor Law regarding the Debtor's "shell game" of using alter egos and nominees to hold title to his assets and conduct his affairs. *See, e.g., Avoidance Complaint in Despina v. Agora Lab, Inc.* [Adv. Proc. No. 24-05005 Docket No. 1] ¶¶ 15-27, 32-34.; ~~and~~

1. The Avoidance Defendants, *provided, however*, the Trustee need not include documents related to Avoidance Defendants (i) as to which the Trustee has solely asserted Stayed Avoidance Claims, (ii) that are engaging in Mediation Proceedings as of the date

¹ "Non-privileged" as used in paragraph 2 above shall mean not subject to any attorney-client privilege, work product, or similar privilege or protection, that is owned or controlled by the Trustee, including, without limitation, in respect to the Trustee's own attorney-client relationships and creation of work product by the Trustee and/or his professionals and/or pursuant to the *Consent Order Regarding Control of Attorney-Client Privilege and Work Product Protection Related to Rule 2004 Subpoenaed Documents and Information* [Main Case ECF No. 856] (as may be further modified, the "Privileges Order") and/or the Bankruptcy Code (including, without limitation, as successor to the Debtor).

² Documents shall be uploaded to the data room in the form produced to the Trustee, including any available metadata. If not apparent from such metadata, the Trustee will cooperate to respond to any inquiries by Avoidance Defendants as to the source of documents in the Data Rooms. Further, at the request of any Avoidance Defendant undertaking discovery, the Trustee will supply copies of subpoenas and document requests issued to producing parties with respect to documents in the Data Rooms.

³ For the avoidance of doubt, in producing all documents related to the entities set forth in subparagraphs (a) through (j), the Trustee shall include, among other things, all documents related to any prepetition or postpetition transfers made via such entities.

which is sixty (60) days following the Court's approval of these Discovery Procedures, or (iii) as to which the Trustee's claims have been resolved by settlement or dismissal.

3. With respect to documents as to which the Trustee asserts privilege, work product, or any similar privilege or protection, the Trustee shall produce a categorical privilege log generally identifying by producing parties and/or categories of documents those documents covered by the above subject matter that have been withheld from the Data Rooms, *provided, however*, the Trustee need not include on such log the work product of, or communications between and among, the Trustee, his counsel, and his other advisors.

4. Access to the Depository shall be limited to attorneys appearing for Avoidance Defendants that (a) have individually certified compliance with these Discovery Procedures⁴, and (b) whose law firms and applicable clients have executed P.O. Consents.⁵ In accessing any Data Room(s), the accessing attorney shall certify compliance with these requirements and shall list the Avoidance Defendant(s) for which the accessing attorney is accessing the Data Room(s). Avoidance Defendants accessing documents and information in the Data Rooms shall be deemed to understand that the Trustee's creation of and delivery of documents into the Depository is subject to the following reservation of rights:

- a. The vast majority of the documents and information in the Depository was compiled by the Trustee from third parties in the course of his investigation and the Trustee makes absolutely no representations or warranties whatsoever as to the accuracy, completeness, and/or authenticity of documents or information therein.
- b. The inclusion of documents or information in the Depository shall not constitute an admission or basis to argue that such documents or information are relevant or admissible, nor that the documents are genuine, nor shall the inclusions of documents or information in the Depository constitute an admission of any facts.
- c. The inclusion of documents or information in the Depository shall not constitute nor evidence any waiver of attorney-client privilege, the work product doctrine, or any other privilege or protection exercisable by the Trustee, whether in his own right or as successor-in-interest.
- d. The Trustee and any Avoidance Defendants participating in discovery reserve all rights and objections with respect to documents and information contained in the Depository.
- e. The Protective Order applies to all documents and information contained in the Depository to the extent that such documents and information are designated "Confidential" or "Highly Confidential" and access to the Depository shall be

⁴ This certification shall be provided in a form reasonably acceptable to the Trustee.

⁵ To obtain access to the Depository, the P.O. Consents must consent to both the Protective Order and the P.O. Addendum. "Applicable clients" as used in paragraph 3 above shall mean the Avoidance Defendant for which the attorney access the Data Room(s) is appearing and for which Avoidance Defendant the attorney is accessing the Data Room(s).

strictly limited to counsel for Avoidance Defendants that have (individually or through their law firms) agreed to be bound by the Protective Order.

- f. Counsel that obtain documents or information through Discovery Proceedings in any Avoidance Action may only share such documents and information with the client(s) as to which such Discovery Proceedings are conducted. For the avoidance of doubt, counsel that obtain documents or information through Discovery Proceedings as to one client may not share such documents or information with any other individuals or entities (including counsel's other client(s), unless such other clients are independently entitled to access the documents or information in accordance with these Discovery Procedures).

5. The following discovery schedule (the "Discovery Schedule") shall apply in Avoidance Actions, with deadlines running from the date that discovery is commenced (the "Discovery Start Date"):

- a. No later than seven days after the Discovery Start Date, the Trustee shall grant the Avoidance Defendant's counsel, provided such counsel is otherwise eligible to access the Depository, access to the Data Rooms containing documents related to the claims asserted in the applicable Avoidance Action. If the Trustee and the Avoidance Defendant disagree about which Data Rooms should be accessible to an Avoidance Defendant's counsel, the parties shall meet and confer to seek to resolve such disagreement, following which the disagreement may be submitted to the Court by a motion filed in the relevant Avoidance Action.

- b. No later than fourteen (14) days after the Discovery Start Date, the parties shall exchange initial disclosures pursuant to Civil Rule 26(a)(1) ("Automatic Disclosures"), *provided, however*, any obligation of the Trustee to produce documents as part of the Trustee's Automatic Disclosures shall be satisfied by the Trustee's granting of access to the Avoidance Defendant to any relevant Data Rooms.

- c. Any initial interrogatories, requests for admission, and/or requests for production of documents (collectively, the "Written Discovery Requests"), pursuant to Civil Rules 33, 34, and 36, made applicable to the Avoidance Actions by Bankruptcy Rules 7033, 7034, and 7036, as well as initial subpoenas to third-parties, shall be served no later than ninety (90) days after the Discovery Start Date. The parties may serve supplemental Written Discovery Requests and subpoenas, consistent with the other dates and deadlines set forth herein, based on newly discovered information or developments in the litigation.

- d. The deadline for the completion of all fact discovery, including deposition discovery, discovery conducted through the Depository, discovery conducted pursuant to Written Discovery Requests, under, *e.g.*, Bankruptcy Rules 7030, 7033, 7034, and 7036, and Civil Rules 30, 33, 34, and 36, and/or third-party discovery pursuant to Bankruptcy Rule 9016 and Civil Rule 45, shall be three hundred (300) days after the Discovery Start Date.

e. Any party that believes expert discovery is required shall provide written notice to all other parties no later than sixty (60) days prior to the close of discovery. Upon receipt of such notice, the parties shall confer regarding a schedule for expert discovery including, without limitation, disclosure and deposition deadlines, which schedule the parties shall submit to the Court for approval. In the absence of agreement as to the schedule governing expert discovery, the parties shall request a status conference to address the matter.

f. The deadlines above may be extended (a) up to ninety (90) days by a written stipulation between the parties filed in the applicable Avoidance Action; and/or (b) upon a motion by any party by order of the Court.

6. Notwithstanding anything herein to the contrary, any Avoidance Defendants wishing to serve Written Discovery Requests on the Trustee shall, prior to service: (i) make diligent efforts to obtain any documents and information sought from the Depository; (ii) exclude from Written Discovery Requests any requests for documents and information available through the Depository; (iii) meet and confer with the Trustee regarding the availability of documents and information in the Depository and the contemplated Written Discovery Requests and to discuss other Avoidance Defendants that may be undertaking discovery with respect to the same or similar subject matter; and (iv) make reasonable efforts to coordinate with other Avoidance Defendants⁶ to avoid duplicative or cumulative discovery and to serve joint requests where reasonably possible, including, by way of example, by service of common interrogatories. The Trustee reserves all rights to object to such Written Discovery Requests, including without limitation on the grounds that the requests, in the aggregate, are duplicative and/or overly burdensome on the Trustee. Any disputes as to the foregoing shall be resolved by the Court upon appropriate motion.

7. Discovery shall be available in any Avoidance Action (“Discovery-Eligible Actions”) except for those in which: (a) the Trustee’s claims are Stayed Avoidance Claims under subparagraph (e)(i) of the Amended Procedures; and/or (b) any Defendant is participating in Mediation Proceedings with the Trustee regarding the claims in such action. Any party to a Discovery-Eligible Action may file a Notice of Discovery Start Date in such action, which filing shall fix the Discovery Start Date as the later of: (x) the first business day at least seventy (70) days after entry of the Court’s order approving these Discovery Procedures; or (b) the date of the filing of the Notice of Discovery Start Date.

8. For the avoidance of doubt, documents and information that are in the possession of a party solely under circumstances that render such documents and information subject to mediation privilege and confidentiality shall not be discoverable.

9. The inclusion of documents and information in the Depository shall not constitute nor be evidence of a waiver of attorney-client privilege, the work product doctrine, or any other

⁶ For the avoidance of doubt, the obligation to coordinate with other Avoidance Defendants shall apply only when other Avoidance Defendants are known to the Avoidance Defendant subject to the obligation, including, without limitation, following the Trustee advising that other Avoidance Defendants are seeking the same or similar discovery.

privilege or protection exercisable by the Trustee, whether in his own right or as a successor-in-interest. Nor shall the inclusion of documents and information in the Depository constitute or be evidence of a waiver of the work product doctrine with respect to the Trustee's investigation of the Debtor's financial affairs, which protection the Trustee has expressly reserved.

10. Prior to undertaking deposition discovery, any Avoidance Defendant shall meet and confer with the Trustee as to the deponents, subject matter, and scheduling of any depositions, with an eye toward efficiency, including, among other things, limiting any duplication and other burdens of deposition discovery. During such conferences, the Trustee may propose and Avoidance Defendants shall consider when reasonable omnibus deposition proceedings including Avoidance Defendants from multiple Avoidance Actions. No parties shall notice depositions to occur in any Avoidance Action earlier than 75 days following the Discovery Start Date. Upon noticing any deposition, the noticing party must provide at least twenty-one (21) days advance written notice (an "Avoidance Deposition Notice") to the Trustee and to all Avoidance Defendants by email to the Trustee's and Avoidance Defendants' appearing counsel, or, as to Avoidance Defendants for which counsel has not appeared, by U.S. Mail. Where multiple parties wish to depose the same deponent, the Trustee and all Avoidance Defendants shall cooperate in scheduling to avoid duplicative depositions. Upon the request of any Avoidance Defendant wishing to issue an Avoidance Deposition Notice, the Trustee shall furnish a list of Avoidance Defendants and their appearing counsel (including email addresses where available) or mailing address. With respect to any deponent that has previously been deposed in an Avoidance Action, no further deposition may be noticed by any Avoidance Defendant that received an Avoidance Deposition Notice as to such deponent while the Avoidance Defendant was participating in discovery and the deposition occurred at least 75 days following such defendant's Discovery Start Date, except upon the Trustee's advance written consent or order of the Court. Where multiple Avoidance Defendants are participating in depositions, (i) they shall make reasonable efforts to avoid duplicative inquiry; and (ii) where necessary, the parties shall confer regarding reasonable adjustments to the time allocated for deposition discovery pursuant to Civil Rule 30(d)(1).

11. For the avoidance of doubt, the Protective Order and the P.O. Addendum shall apply in any deposition proceedings.

12. For the avoidance of doubt, in light of the anticipated inclusion in the Depository of documents designated Highly Confidential, direct access to the Depository shall be limited to parties' counsel that are eligible for such access. The foregoing shall not prevent such counsel from sharing documents and information obtained through Discovery Proceedings with their applicable client if otherwise permissible under the Protective Order and the P.O. Addendum.

13. Notwithstanding anything herein to the contrary, as to Partially Stayed Avoidance Claims, discovery shall not proceed with respect to any Stayed Issues pending further order of the Court.

14. In light of these Discovery Procedures, the parties shall not be required to hold a discovery planning conference pursuant to Civil Rule 26(f), *provided, however*, the parties shall confer and cooperate in good faith as may be necessary to undertake discovery pursuant to these

Discovery Procedures, including, without limitation, the subject matter set forth in Civil Rule 26(f)(3).

15. For the avoidance of doubt, D. Conn. Local R. Civ. P. 37 shall apply to any disputes arising in discovery proceedings in Avoidance Actions.