

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:)	Chapter 11
MODIVCARE INC., <i>et al.</i> ,)	Case No. 25-90309 (ARP)
Debtors. ¹)	(Jointly Administered)

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS’ FIRST AMENDED EXHIBIT LIST FOR THE CONFIRMATION HEARING SCHEDULED TO BEGIN ON DECEMBER 8, 2025 AT 9:00 A.M. (PREVAILING CENTRAL TIME)

In accordance with the Agreed Scheduling Order and the parties’ agreement,² the Official Committee of Unsecured Creditors (the “Committee”) in the above-captioned chapter 11 cases hereby files its first amended exhibit list (the “Exhibit List”) for the hearing to consider confirmation of the Debtors’ proposed Plan³ and the Standing Motions,⁴ which is scheduled to begin on December 8, 2025 at 9:00 a.m. (prevailing Central Time) (the “Confirmation Hearing”).

EXHIBITS

The Committee may introduce the following exhibits:

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- ¹ A complete list of each of the debtors (the “Debtors”) in these chapter 11 cases (the “Chapter 11 Cases”) and the last four digits of each Debtor’s taxpayer identification number (if applicable) may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://www.veritaglobal.net/ModivCare>. Debtor ModivCare Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.
 - ² *Stipulation and Agreed Order (I) Scheduling Certain Dates and Deadlines in Connection with Confirmation of the Debtors’ Plan of Reorganization and Associated Proceedings, (II) Establishing Certain Protocols, and (III) Granting Related Relief* [Docket No. 548] (the “Agreed Scheduling Order”).
 - ³ *First Amended Joint Chapter 11 Plan of Reorganization of ModivCare Inc. and Its Debtor Affiliates* [Docket No. 465] (as subsequently modified or amended, the “Plan”).
 - ⁴ *Motion of the Official Committee of Unsecured Creditors for (I) Leave, Derivative Standing, and Authority to Commence and Prosecute Certain Uptier Transaction Claims and Causes of Action on Behalf of the Debtors’ Estates and (II) Exclusive Settlement Authority* [Docket Nos. 728, 732], and *Omnibus Motion of the Official Committee of Unsecured Creditors (I) Objecting to Claims and (II) for (A) Leave, Derivative Standing, and Authority to Commence and Prosecute Certain Lien Challenge Claims Causes of Action on Behalf of the Debtors’ Estates and (B) Exclusive Settlement Authority* [Docket Nos. 729, 733] (collectively, the “Standing Motions”).



EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
1.	First Lien Credit Agreement, dated as of February 3, 2022 <i>[Filed under Seal]</i>				
2.	Joinder and Supplement to Pledge and Security Agreement, dated as of July 13, 2022 <i>[Filed under Seal]</i>				
3.	Agreement to Modify Letter of Credit Commitment, dated as of July 26, 2022 <i>[Filed under Seal]</i>				
4.	Joinder and Supplement to Pledge and Security Agreement, dated as of January 8, 2024 <i>[Filed under Seal]</i>				
5.	Joinder and Supplement to Pledge and Security Agreement, dated as of June 28, 2024 <i>[Filed under Seal]</i>				
6.	Amendment No. 4 to Credit Agreement, dated as of September 30, 2024 <i>[Filed under Seal]</i>				
7.	Solvency Certificate, dated January 9, 2025 <i>[Filed under Seal]</i>				
8.	Omnibus Officer's Certificate for 5th Amendment, dated January 9, 2025 <i>[Filed under Seal]</i>				
9.	Officer's Closing Certificate, dated January 9, 2025 <i>[Filed under Seal]</i>				
10.	July 2024 2Q 2024 Financial Review - Board of Directors Deck (MODV_000036541 - MODV_000036572) <i>[Filed under Seal]</i>				

⁵ Certain Exhibits are being filed under seal because such documents were produced on a "Confidential Information" or "Highly Confidential Information" basis, as such terms are defined in the *Confidentiality Agreement and Stipulated Protective Order* [Docket No. 174] (the "**Stipulated Protective Order**"). The Stipulated Protective Order expressly authorizes filing documents containing "Confidential Information" or "Highly Confidential Information" under seal without filing a separate motion requesting authority to do so. Stipulated Protective Order, ¶ 7(c). In addition, because certain Exhibits are large format spreadsheets, the native files will be delivered to the Court, and the slipsheets for the same will be filed herewith.

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
11.	Capital Update - Board Discussion Materials Deck, dated September 11, 2024 (MODV_000036621 - MODV_000036629) [<i>Filed under Seal</i>]				
12.	Minutes of a Meeting of the Board of Directors, dated September 11, 2024 (MODV_000036695 - MODV_000036700) [<i>Filed under Seal</i>]				
13.	Special Meeting of the Board of Directors Agenda and Package, dated September 13, 2024 (MODV_000036636 - MODV_000036640) [<i>Filed under Seal</i>]				
14.	Board Update - Discussion Materials Deck, dated September 13, 2024 (MODV_000036641 - MODV_000036643) [<i>Filed under Seal</i>]				
15.	October 2024 3Q 2024 Financial Review - Board of Directors Deck (MODV_000036747 - MODV_000036776) [<i>Filed under Seal</i>]				
16.	Minutes of a Meeting of the Board of Directors, dated October 21, 2024 (MODV_000034263) [<i>Filed under Seal</i>]				
17.	Q3 2024 Finance Report to Audit Committee, dated October 30, 2024 (MODV_000036453 - MODV_000036473) [<i>Filed under Seal</i>]				
18.	Management Update - Board of Directors Presentation Deck, dated November 20, 2024 (MODV_000033492 - MODV_000033502) [<i>Filed under Seal</i>]				
19.	Minutes of a Meeting of the Board of Directors, dated November 22, 2024 (MODV_000034274) [<i>Filed under Seal</i>]				
20.	Minutes of a Meeting of the Finance Subcommittee, dated November 26, 2024 (MODV_000034275) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
21.	Presentation to the Board of Directors, dated November 29, 2024 (MODV_000055484 - MODV_000055497) [<i>Filed under Seal</i>]				
22.	Minutes of a Meeting of the Board of Directors, dated December 9, 2024 (MODV_000034281 - MODV_000034282) [<i>Filed under Seal</i>]				
23.	Special Meeting of the Board of Directors Agenda and Package, dated December 13, 2024 (MODV_000033531 - MODV_000033541) [<i>Filed under Seal</i>]				
24.	2025 Outlook Spreadsheet, dated January 4, 2025 (MODV_000057254) [<i>Filed under Seal</i>]				
25.	2025 Preliminary Outlook (Board Discussion Materials), dated January 6, 2025 (MODV_000046228 - MODV_000046237) [<i>Filed under Seal</i>]				
26.	Minutes of a Meeting of the Board of Directors, dated January 7, 2025 (MODV_000033016 - MODV_000033019) [<i>Filed under Seal</i>]				
27.	Board Discussion Deck, dated January 21, 2025 (MODV_000050380 - MODV_000050441) [<i>Filed under Seal</i>]				
28.	Special Meeting of the Board of Directors Agenda and Materials, dated January 21, 2025 (MODV_000034076 - MODV_000034243) [<i>Filed under Seal</i>]				
29.	Minutes of a Meeting of the Board of Directors, dated January 26, 2025 (MODV_000033025) [<i>Filed under Seal</i>]				
30.	KPMG Audit Committee Discussion Deck, dated February 24, 2025 (MODV_000033292 - MODV_000033322) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
31.	Audit Committee Meeting Agenda and Materials, dated April 25, 2025 (MODV_000033354 - MODV_000033427) [<i>Filed under Seal</i>]				
32.	Finance Report to the Audit Committee, dated April 25, 2025 (MODV_000033441 - MODV_000033463) [<i>Filed under Seal</i>]				
33.	Board of Directors Meeting Agenda, dated April 28, 2025 (MODV_000034902 - MODV_000035088) [<i>Filed under Seal</i>]				
34.	Special Meeting of the Board of Directors Agenda and Materials, dated June 6, 2025 (MODV_000018010 - MODV_000018100) [<i>Filed under Seal</i>]				
35.	UBS Pitch Materials to ModivCare Board of Directors, dated June 9, 2025 (MODV_000018230 - MODV_000018268) [<i>Filed under Seal</i>]				
36.	D. Silvers Update to Board of Directors on Capital Structure Committee, dated June 28, 2025 (MODV_000018333 - MODV_000018334) [<i>Filed under Seal</i>]				
37.	ModivCare Inc., The Capital Structure Committee Meeting Minutes, dated August 7, 2025 (MODV_000078922 - MODV_000078923) [<i>Filed under Seal</i>]				
38.	ModivCare - State of the Union Q2 2025 - Board of Directors Presentation, dated July 2025 (MODV_000018421 - MODV_000018431) [<i>Filed under Seal</i>]				
39.	Q4 2024 State of the Union, dated February 2025 (MODV_000034620 - MODV_000034627) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
40.	Debt Covenant Compliance Excel Spreadsheet, dated April 28, 2025 (MODV_000092747) [<i>Filed under Seal</i>]				
41.	4PM Funds Flow Excel Spreadsheet, dated January 8, 2025 (MODV_000041899) [<i>Filed under Seal</i>]				
42.	10PM 5A Funds Flow Excel Spreadsheet, dated January 8, 2025 (MODV_000043168) [<i>Filed under Seal</i>]				
43.	Borrowing Request with Funds Flow from C. Shandler to JPMorgan, dated January 8, 2025 (MODV_000043979 - MODV_000043993) [<i>Filed under Seal</i>]				
44.	Kirkland & Ellis Legal Opinion, dated February January 9, 2025 [<i>Filed under Seal</i>]				
45.	Project Nuggets Net Leverage and Interest Covenant Analysis (MODV_000044921) [<i>Filed under Seal</i>]				
46.	ModivCare Top Lenders/Debt/Equity Holders Chart, dated as of March 2025 [<i>Filed under Seal</i>]				
47.	ModivCare Inc., Form 8-K, dated March 7, 2025				
48.	ModivCare Inc., Form 8-K, dated March 13, 2025				
49.	ModivCare Inc., Form 8-K, dated April 2, 2025				
50.	ModivCare Inc., Form 8-K, dated August 20, 2025				
51.	ModivCare Inc. August Cleansing Materials, dated August 20, 2025				
52.	JPMorgan Chase Bank Director Candidate List, dated April 4, 2025 (MODV_000036088 - MODV_000036103) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
53.	Email: D. Kiyosaki to V. Christianson re: Refreshed Punch List dated January 8, 2025 (MODV_000043151 - MODV_000043168) [<i>Filed under Seal</i>]				
54.	Email: S. Yousu to G. Raynor re: Updated MODV Materials for Bob, dated January 24, 2025 (FLL_0029354 - FLL_0029359) [<i>Filed under Seal</i>]				
55.	Email: K. Ellich to H. Sampson, B. Gutierrez, S. Kern and F. Khan re: Q Global call notes and slides, dated December 4, 2024 (MODV_000055529 - MODV_000055552) [<i>Filed under Seal</i>]				
56.	Email: Z. Jamal to R. Goldstein, S. Kern, and J. Buchanan re: MODV Update / Intro, dated December 5, 2024 (MODV_000099891 - MODV_000099898) [<i>Filed under Seal</i>]				
57.	Email: H. Sampson to F. Khan, S. Kern, and B. Gutierrez re: Updated Letter, dated December 14, 2024 (MODV_000080682 - MODV_000080685) [<i>Filed under Seal</i>]				
58.	Email: K. Ellich to A. Matina and D. Mounts Gonzales re: Call, dated December 16, 2024 (MODV_000102076 - MODV_000102084) [<i>Filed under Seal</i>]				
59.	Email: Z. Hitzert to M. Warren, V. Baliga, L. Henrikson, J. Canfield, K. Hansen, and S. Lawand re: ModivCare - NDA, dated December 18, 2024 (MODV_CH11_00042602 - MODV_CH11_00042657) [<i>Filed under Seal</i>]				
60.	Email: M. Warren to N. Kanchanapoomi, K. Hansen, L. Henrikson, J. Canfield, S. Lawand, and A. Taylor re: ModivCare - Term Sheet, dated December 29, 2024 (MODV_000038019 - MODV_000038038) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
61.	Email: H. Sampson to B. Gutierrez re: Edit, dated December 20, 2024 (MODV_000056351 - MODV_000056354) [<i>Filed under Seal</i>]				
62.	Email: M. Stamer to J. Sussberg re: ModivCare DIP, dated December 21, 2024 (MODV_000230673 - MODV_000230675) [<i>Filed under Seal</i>]				
63.	Email: C. Dalton to M. Warren, S. Lawand, V. Baliga, L. Henrikson, J. Canfield, and K. Hansen re: ModivCare - NDA, dated December 22, 2024 (MODV_CH11_00042229 - MODV_CH11_00042251) [<i>Filed under Seal</i>]				
64.	Email: N. Kanchanapoomi to M. Patel, K. Levy, Z. Jamal, D. Murphy re: MODV: Term Sheet + Expense Reimbursement Letter, dated December 27, 2024 (MODV_000037714 - MODV_000037739) [<i>Filed under Seal</i>]				
65.	Email: J. Gart to L. Klingbaum, Z. Jamal, and J. Sussberg re: MODV: Term Sheet + Expense Reimbursement Letter, dated December 28, 2024 (MODV_000037747 - MODV_000037765) [<i>Filed under Seal</i>]				
66.	Email: N. Kanchanapoomi to M. Patel, K. Levy, Z. Jamal, D. Murphy re: MODV: Term Sheet + Expense Reimbursement Letter, dated December 28, 2024 (MODV_000037881 - MODV_000037909) [<i>Filed under Seal</i>]				
67.	Email: N. Kanchanapoomi to M. Patel, K. Levy, Z. Jamal, D. Murphy re: MODV: Term Sheet + Expense Reimbursement Letter, dated December 28, 2024 (MODV_000037952 - MODV_000037980) [<i>Filed under Seal</i>]				
68.	Email: Z. Jamal to J. Gart re: ModivCare, dated December 31, 2024 (MODV_000038574 - MODV_000038576) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
69.	Email: M. Warren to N. Kanchanapoomi, Z. Jamal, D. Nemecek, K. Hansen, J. Canfield, J. Gallagher, and K. Levy re: can we catch-up on ModivCare?, dated December 31, 2024 (MODV_000038580 - MODV_000038582) [<i>Filed under Seal</i>]				
70.	Letter: FTI Consulting, Inc. to S. Kern re: ModivCare Interim Management, dated January 1, 2025 (MODV_000000034 - MODV_000000050) [<i>Filed under Seal</i>]				
71.	Email: A. Surinak to J. Gallagher and N. Kanchanapoomi re: ModivCare Call re Financing Proposal, dated January 1, 2025 (MODV_000038665 - MODV_000038698) [<i>Filed under Seal</i>]				
72.	Email: N. Kanchanapoomi to M. Warren, K. Hansen, Z. Jamal, D. Nemecek, J. Canfield, and J. Gallagher re: ModivCare Call re Financing Proposal, dated January 1, 2025 (MODV_000038699 - MODV_000039053) [<i>Filed under Seal</i>]				
73.	Email: H. Sampson to S. Kern, B. Gutierrez, and F. Khan re: Bonds, dated January 4, 2025 (MODV_000057195) [<i>Filed under Seal</i>]				
74.	Email: B. Gutierrez to H. Lowe, H. Sampson, S. Kern, and K. Quinlan re: 1/3/25 - Updated Liquidity, dated January 4, 2025 (MODV_000057200 - MODV_000057201) [<i>Filed under Seal</i>]				
75.	Email: J. Mertens to J. Shapiro re: MODV - 2025 Forecast, dated January 4, 2025 (MODV_000057251 - MODV_000057254) [<i>Filed under Seal</i>]				
76.	Email: C. Shandler to J. Gart, dated January 6, 2025 (MODV_000041025 - MODV_000041028) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
77.	Email: S. Yousuf to Board Directors re: Shareholder Feedback dated January 6, 2025 (MODV_000231751) [<i>Filed under Seal</i>]				
78.	Email: P. Ranjan Das to L. Klingbaum re: Amendment Documentation dated January 7, 2025 (MODV_CH11_00026105 - MODV_CH11_00026108) [<i>Filed under Seal</i>]				
79.	Email: K. Levy to C. Shandler re: Amendment Documentation dated January 8, 2025 (MODV_000041309 - MODV_000041817) [<i>Filed under Seal</i>]				
80.	Email: J. Doe to J. Gallagher re: Refreshed Punch List dated January 8, 2025 (MODV_000041893 - MODV_000041899) [<i>Filed under Seal</i>]				
81.	Email: V. Christianson to PH / RG dated January 8, 2025 re: Refreshed Punch List Attaching 5A Ancillary Documents, Solvency Certificate (MODV_CH11_00022738 - MODV_CH11_00022778) [<i>Filed under Seal</i>]				
82.	Email: D. Murphy to D. Kiyosaki, C. Adrianpoli, T. Robert, and J. Sharpiro re: Confidential 2025 Business Plan Support, dated January 4, 2025 (MODV_000057248 - MODV_000057250) [<i>Filed under Seal</i>]				
83.	Email: J. Shapiro to J. Mertens re: MODV-Covenant Analysis (MODV_000044920 - MODV_000044921) [<i>Filed under Seal</i>]				
84.	Email: R. Chesley to Z. Jamal re: Investor Call, dated January 11, 2025 (MODV_000232167 - MODV_000232169) [<i>Filed under Seal</i>]				
85.	Email: A. Surinak to B. McDonald re: D&O Coverage, dated January 14, 2025 (MODV_000197217 - MODV_000197245) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
86.	Email: N. Ethridge to S. Badavi re: MODV-Consent Process, dated January 14, 2025 (MODV_CH11_00037702 - MODV_CH11_00037704) [<i>Filed under Seal</i>]				
87.	Email: B. Valiga to N. Ethridge to S. Badavi re: MODV-Consent Process, dated January 17, 2025 (MODV_CH11_00037481 - MODV_CH11_00037490) [<i>Filed under Seal</i>]				
88.	Email: A. Szalecki to G. Raynor re: MODV RCF, dated January 19, 2025 (FLL_0030911 - FLL_0030915) [<i>Filed under Seal</i>]				
89.	Email: S. Yousuf to G. Raynor re: PCS Sale, dated February 5, 2025 (FLL_0029460 - FLL_0029464) [<i>Filed under Seal</i>]				
90.	Email: B. Hannon to J. Monson re: D&O Insurance, dated February 20, 2025 (MODV_000106271 - MODV_000106325) [<i>Filed under Seal</i>]				
91.	Email: A. Szalecki to G. Raynor re: TCW Call, dated February 28, 2025 (FLL_0030033 - FLL_0030034) [<i>Filed under Seal</i>]				
92.	Email: M. Warren to R. Garson re: Lender Appointed Directors, dated March 14, 2025 (FLL_0019873 -FLL_0019893) [<i>Filed under Seal</i>]				
93.	Email: J. Doe to A. Magan re: Bankruptcy Claims Waterfall, dated March 8, 2025 (MODV_000233328 - MODV_000233340) [<i>Filed under Seal</i>]				
94.	Email: R. Ferrara to K. Shepard, B. Gutierrez, H. Sampson re: Elevance Concerns, dated March 12, 2025 (MODV_000063387 - MODV_000063389) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
95.	Email: M. Pezold to S. Kern re: Purchasing ModivCare Assets, dated July 30, 2025 (MODV_000074286 - MODV_000074288) [<i>Filed under Seal</i>]				
96.	Email: H. Sampson to re: Cash and EBITDA Drivers for Q3 2025, dated March 14, 2025 (MODV_000063456 - MODV_000063457) [<i>Filed under Seal</i>]				
97.	Email: L. Norwalk to D. Gonzales re: DMG Conflicts, dated March 13, 2025 (MODV_000213166 - MODV_000213168) [<i>Filed under Seal</i>]				
98.	Email: S. Yousuf to G. Raynor re: Jason Call Script, dated March 19, 2025 (FLL_0030096 - FLL_030099) [<i>Filed under Seal</i>]				
99.	Email: S. Kern to D. Mounts Gonzales, dated March 21, 2025 (MODV_000063693 - MODV_000063694) [<i>Filed under Seal</i>]				
100	Email: K. Quinlan to K. Shepard re: Elevance Bonds, dated March 25, 2025 (MODV_000063960 - MODV_000063968) [<i>Filed under Seal</i>]				
101	Email: J. Gart to D. Silvers re: Background Cleansing Materials, dated March 27, 2025 (FLL_0022593 - FLL_0022683) [<i>Filed under Seal</i>]				
102	Email: J. Larson to N. Nelson re: Centene Remediation Plan, dated March 28, 2025 (MODV_000089271 - MODV_000089287) [<i>Filed under Seal</i>]				
103	Email: S. Shnyder to B. Gelfand re: Director Candidate List, dated April 2, 2025 (FLL_0021697 - FLL_0021731) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
104	Email: B. Gutierrez to F. Khan re: FTI Fees and Deliverables, dated April 22, 2025 [<i>Filed under Seal</i>]				
105	Email: J. Mertens to B. Gutierrez re: Debt Covenant Compliance, dated April 28, 2025 (MODV_000092745 - MODV_000092748) [<i>Filed under Seal</i>]				
106	Email: M. Warren to F. Khan, J. Gart, L. Norwalk re: Resolutions for the Strategic Alternatives Committee, dated May 1, 2025 (FLL_0064232 - FLL_0064253) [<i>Filed under Seal</i>]				
107	Email: S. Kern to C. Shandler re: FTI Transition Plan, dated May 5, 2025 (MODV_000093738 - MODV_000093740) [<i>Filed under Seal</i>]				
108	Email: S. Yousuf to G. Raynor re: ModivCare, dated May 12, 2025 (FLL_0030230 - FLL_0030236) [<i>Filed under Seal</i>]				
109	Email: S. Kern to S. Fortenberry, F. Khan re: 2025 3+9 Forecast Presentation, dated May 19, 2025 (MODV_000122810 - MODV_000122868) [<i>Filed under Seal</i>]				
110	Email: F. Khan to S. Ken re: MDP Letter to Chair of Strategic Alternatives Committee, dated June 4, 2025 (MODV_000126504 - MODV_000126517) [<i>Filed under Seal</i>]				
111	Email: S. Kern and E. Russell re: Fifth Amendment, dated June 10, 2025 (MODV_000070005 - MODV_000070006) [<i>Filed under Seal</i>]				
112	Email: M. Warren to G. Klidonas re: SAC Resolution, dated June 18, 2025 (MODV_000000095 - MODV_000000106) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
113	Email: J. Mertens to D. Murphy, Project Mountains Moelis listserv, S. Kern re FV of Debt, dated June 23, 2025 (MODV_000070621) [<i>Filed under Seal</i>]				
114	Email: D. Gonzalez to C. Shandler re: Cash Forecast Sensitivity, dated June 26, 2025 (MODV_000022568 - MODV_000022574) [<i>Filed under Seal</i>]				
115	Email: J. Zamal to S. Kern and Project Mountain Moelis listserv re: MODV: Capital Structure Committee Meeting, dated June 27, 2025 (MODV_000019919 - MODV_000019923) [<i>Filed under Seal</i>]				
116	Email thread between L. Hendrikson, G. Klidonas, J. Weichselbaum, M. Warren, K. Hansen, L. Montana re: Modiv - Form NDA, dated July 1, 2025 (MODV_000000291 - MODV_000000323) [<i>Filed under Seal</i>]				
117	Email: C. Chaice to R. Garson attaching MODV - Lazard Discussion Materials, dated July 16, 2025 [<i>Filed under Seal</i>]				
118	Email: M. Warren to G. Klidonas, K. Hansen, L. Hendrickson, A. Taylor, J. Ellis, and Moelis Team re: ModivCare: Lender Discussion Materials [Confidential] FRE 408], dated July 18, 2025 (MODV_000020148 - MODV_000020149) [<i>Filed under Seal</i>]				
119	Email: C. Shandler to FTI listserv, K. Shepherd, C. Adrianopoli re: MODV: initial comments to 2025, attaching Board Discussion Materials - Financial Update, dated July 18, 2025 (MODV_000024357 - MODV_000024363) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
120	Email: C. Shandler to R. Saldanha, R. Orcutt, S. Kern, K. Shepherd re: MODV - [DRAFT] Financial Update Materials (7.18.2025), attaching Board Discussion Materials - Financial Update: 2026 Pro Forma Forecast with Comments, dated July 19, 2025 (MODV_000024423 - MODV_000024463) [<i>Filed under Seal</i>]				
121	Email: D. J. Mark to F. Khan, D. Gonzalez, K. Mantel, J. Ma, D. Fetterman re: Director Information Request, attaching Letter re: Silvers, dated July 25, 2025 (MODV_000240340 - MODV_000240343) [<i>Filed under Seal</i>]				
122	Email: G. Klidonas to A. Taylor, K. Hansen, L. Henrikson, J. Ellis, M. Warren, and Moelis listserv, re: ModivCare: TS & Lender Presentation [Confidential FRE 408], attaching Lender Discussion Materials and Restructuring Term Sheet, dated July 25, 2025 (MODV_000001089 - MODV_000001112) [<i>Filed under Seal</i>]				
123	Email: between J. Gart, M. Dunlop, D. Ornstein, G. Moross re: MODV - Thought, dated July 27, 2025 (FLL_0028984 - FLL_0028988) [<i>Filed under Seal</i>]				
124	Email: Z. Jamal to K. Hansen re: MODV Other Bankers, dated July 29, 2025 (MODV_000020262 - MODV_000020263) [<i>Filed under Seal</i>]				
125	Email thread between P. Clarke and S. Sauler re: Updates, dated August 15, 2025 (FLL_0018388 - FLL_0018389) [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
126	Email: A. Carlson to N. Sardi, L. West, G. Klidonas, Moelis listserv, Lazard listserv, J. Ellis, A. Taylor, M. Warren, K. Hansen, L. Henrikson, S. Lawand, re: ModivCare - Daily Check In Call [Company Advisors/Lender Advisors], attaching Company Restructuring Term Sheet Counter Proposal, dated August 15, 2025 (MODV_000003830 - MODV_000003840) [<i>Filed under Seal</i>]				
127	Email: K. Shepherd to M. Lewis, J. Manzella, J. Crawford re: UHC Proposed Amendment Counter, attaching ModivCare Amendment, dated August 19, 2025 (MODV_000236056 - MODV_000236060) [<i>Filed under Seal</i>]				
128	Email: C. Best to G. Klidonas, K. Shepherd, C. Huffman, H. Sampson, D. Scheer, J. Weichselbaum, F. Khan re: Hawaii Update, attaching redlines, dated September 5, 2025 (MODV_000204808 - MODV_000204814) [<i>Filed under Seal</i>]				
129	Email: K. Shepherd to C. Shandler, G. Klidonas, D. Scheer, H. Sampson, F. Khan, S. Kern, FTI listserv, Moelis listserv, attaching UHC Contract, dated September 4, 2025 (MODV_000184381 - MODV_000184399) [<i>Filed under Seal</i>]				
130	Email: H. Sampson to S. Kern, B. Gutierrez, K. Shepherd re: Review of Cash and Adjusted EBITDA Drivers for Q3 Covenant, dated March 13, 2025 (MODV_000114056) [<i>Filed under Seal</i>]				
131	Official Committee of Unsecured Creditors' Notice of Rule 30(b)(6) Deposition to ModivCare Inc. and Its Debtor Affiliates in Connection with the Plan and Disclosure Statement, dated September 10, 2025				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
132	Debtors' Responses and Objections to Official Committee of Unsecured Creditors' Notice of Rule 30(b)(6) Deposition to ModivCare Inc. and Its Debtor Affiliates in Connection with Second Day Pleadings, dated September 22, 2025				
133	Official Committee of Unsecured Creditors' Notice of 30(b)(6) Deposition to the First Lien Lenders in Connection with the Plan, dated October 7, 2025				
134	Debtors' Responses and Objections to Official Committee of Unsecured Creditors' Notice of Rule 30(b)(6) Deposition to ModivCare Inc. and Its Debtor Affiliates in Connection with the UHC Settlement dated October 20, 2025				
135	First Lien Lenders Responses and Objections to the Official Committee of Unsecured Creditors' Notice of 30(b)(6) Deposition to the First Lien Lenders in Connection with the Plan, dated October 24, 2025				
136	Debtors' Amended Responses and Objections to Official Committee of Unsecured Creditors' First Interrogatories to the Debtors, dated November 9, 2025				
137	Verification No. 2 of Daniel B. Silvers to the Debtors; Amended Responses and Objections to Interrogatory Nos. 6-12.				
138	IOI Fabric Labs, dated May 14, 2025 [<i>Filed under Seal</i>]				
139	IOI Connect America, dated May 15, 2025 [<i>Filed under Seal</i>]				
140	IOI Fabric Labs, dated May 29, 2025 [<i>Filed under Seal</i>]				
141	CareRing Personal Care Proposal, dated June 4, 2025 [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
142	Letter of Interest from Curai, Inc. to Deutsche Bank Securities Inc. re: Acquisition of Higi Digital Innovation and Virtual Care Platform - Project Helix - Preliminary Non-Binding Indication of Interest, dated July 29, 2025 [<i>Filed under Seal</i>]				
143	Letter of Interest from PharmaSmart International, LLC re: Acquisition of Higi, dated July 30, 2025 [<i>Filed under Seal</i>]				
144	Letter of Interest from Circadian Health, Inc. to ModivCare, dated July 30, 2025 [<i>Filed under Seal</i>]				
145	Letter of Interest from Teleo Capital to Deutsche Bank re: Acquisition of Monitoring and Higi Businesses from ModivCare, dated July 30, 2025 [<i>Filed under Seal</i>]				
146	Letter of Interest from Galileo, Inc. to Deutsche Bank re: Acquisition of equity interests of the Digital Innovation and Virtual Care Platform (“Higi”), dated July 31, 2025 [<i>Filed under Seal</i>]				
147	ModivCare, August 20 DIP Budget [<i>Filed under Seal</i>]				
148	ModivCare Inc. Three-Statement Model, dated September 23, 2025 [<i>Filed under Seal</i>]				
149	Project Mountains Vendor Summary, prepared as of September 25, 2025 [<i>Filed under Seal</i>]				
150	ModivCare Inc. Financial Projections and Three-Statement Model Deck, dated September 25, 2025 [<i>Filed under Seal</i>]				
151	ModivCare Inc. Working Capital Bridge, dated October 14, 2025 [<i>Filed under Seal</i>]				
152	AlixPartners Labor Analysis, dated November 18, 2025 [<i>Filed under Seal</i>]				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
153	AlixPartners Non-Labor Analysis, dated November 18, 2025 [<i>Filed under Seal</i>]				
154	DIP Precedents Deck, dated September 2025 [<i>Filed under Seal</i>]				
155	AlixPartners G&A Savings Analysis [<i>Filed under Seal</i>]				
156	AlixPartners G&A Savings Analysis IT [<i>Filed under Seal</i>]				
157	AlixPartners Merit and Forecast Comparison Analysis [<i>Filed under Seal</i>]				
158	AlixPartners NEMT Transportation Provider Savings Analysis [<i>Filed under Seal</i>]				
159	PCS Branch Ops Savings Analysis [<i>Filed under Seal</i>]				
160	AlixPartners TTM Spend Analysis SGA [<i>Filed under Seal</i>]				
161	WeDriveU - Press Release, dated April 12, 2019				
162	National Express 2019 Full Year Results, dated February 27, 2020				
163	ModivCare to Acquire CareFinders Total Care Presentation, dated July 26, 2021				
164	Reuters Article re: DWS Stagecoach Offer, dated March 9, 2022				
165	Railway Technology Article re: Kinetic-Globalvia Acquiring Go-Ahead Group, dated June 14, 2022				
166	Globalvia Article re: Purchasing Go-Ahead Group, dated October 12, 2022				
167	Amedisys Form 8-K Exhibit 99.1, dated February 15, 2023				

EXHIBIT NO.	DESCRIPTION⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
168	ModivCare Investor Presentation, dated February 2023				
169	ModivCare Investor Presentation, dated May 2024				
170	Oppenheimer Quarterly Update - Addus HomeCare Corp. Acquiring Gentiva, dated June 10, 2024				
171	Stephens Research Brief - Addus HomeCare Corp.'s Gentiva M&A, dated June 10, 2024				
172	Lyft - Q2 2024 Fiscal Earnings Supplemental Data, dated August 7, 2024				
173	Lyft, Inc. - Company Conference Presentation, dated September 10, 2024				
174	November 2024 Addus HomeCare Investor Presentation				
175	ModivCare Inc., Schedule 13D, dated December 11, 2024				
176	Kroll - Key Variables as of December 31, 2024				
177	Lyft, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
178	Uber Technologies, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
179	Addus HomeCare Corporation Form 10-K, for the fiscal year ended December 31, 2024				
180	Option Care Health, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
181	DocGo Inc. Form 10-K, for the fiscal year ended December 31, 2024				
182	Teladoc Health, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
183	The Pennant Group, Inc. Form 10-K, for the fiscal year ended December 31, 2024				

EXHIBIT NO.	DESCRIPTION⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
184	Chemed Corporation Form 10-K, for the fiscal year ended December 31, 2024				
185	BrightSpring Health Services, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
186	Enhabit, Inc. Form 10-K, for the fiscal year ended December 31, 2024				
187	Aveanna Healthcare Holdings Inc. Form 10-K, for the fiscal year ended December 31, 2024				
188	AI Catalyst, Schedule 13D, dated January 10, 2025				
189	AI Catalyst, Schedule 13D, dated as of March 6, 2025				
190	Mobico Proposed Sale of NA School Bus, dated April 25, 2025				
191	Mobico Group Plc 2024 Annual Report, dated April 29, 2025				
192	CBO January 2025 Report: The Demographic Outlook: 2025 to 2055, dated May 2, 2025				
193	Lyft Q1 2025 Earnings, dated May 8, 2025				
194	National Health Expenditure Projections 2024-2033 Press Briefing, dated June 25, 2025				
195	Mobico Group Plc Half Year Results for the period ended 30 June 2025				
196	InnovAge Holding Corp. Form 10-K for the fiscal year ended June 30, 2025				
197	I-Squared Article re: National Express Acquisition, dated July 17, 2025				
198	Lyft Q2 2025 Earnings Presentation, dated August 6, 2025				
199	CBO's September 2025 Report: An Update to the Demographic Outlook, 2025 to 2055				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
200	2026 Accrued OpEx Support [<i>Filed under Seal</i>]				
201	FirstGroup plc Annual Report and Accounts 2020				
202	FirstGroup plc Annual Report and Accounts 2025				
203	Aveanna Healthcare LLC Credit Rating BBG				
204	FRED Graph Observations BAMLH0A2HYB				
205	FRED Graph Observations BAMLH0A3HYC				
206	Lyft Inc-A Equity Beta Screenshot				
207	Bloomberg Beta 20 Year Government Bond Data				
208	BrightSpring Health Credit Rating BBG				
209	FRED Graph Observations DFII20, dated November 11, 2025				
210	FRED Graph Observations DGS20				
211	Historical EBITDA multiples (Capital IQ)				
212	U.S. Bureau of Labor Statistics, Occupational Projections (2024-2034)				
213	Centers for Medicare & Medicaid Services, National Health Expenditure (NHE) Projections 2024-2033 Infographic, dated June 2025				
214	Projected, CMS.gov, accessed on November 10, 2025				
215	ModivCare Inc. Investor Presentation 4Q 2024				
216	Capital IQ, Amedisys, Inc., Merger/Acquisition Transaction Details for Deal Closed March 31, 2023				

EXHIBIT NO.	DESCRIPTION⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
217	Capital IQ, Amedisys, Inc., Merger/Acquisition Transaction Details for Deal Closed August 14, 2025				
218	“PE Firms Reportedly Strike \$1.4B Deal for Wellspring’s Help at Home,” Private Equity Insights				
219	Sarah Pringle, “Centerbridge, Vistria team up in \$1.4bn deal for Wellspring's Help at Home,” PE Hub, dated September 18, 2020				
220	Capital IQ, Hospice and Person Care Divisions of Kindred at Home, Merger/Acquisition Transaction Details for Deal Closed August 11, 2022				
221	“Humana Announces Agreement to Divest Majority Interest in Kindred at Home Hospice and Personal Care Divisions to Clayton, Dubilier & Rice,” Business Wire, dated April 21, 2022				
222	Nobina Annual and Sustainability Report 2021/22				
223	Capital IQ, Simplura Health Group, Merger/Acquisition Transaction Details for Deal Closed November 18, 2020				
224	Capital IQ, VRI Intermediate Holdings, LLC, Merger/Acquisition Transaction Details for Deal Closed September 22, 2021				
225	Gartner, Inc., Gartner for Finance Leaders, Finance Spend & Headcount: Top 10 Benchmark Metrics				
226	Computer Economics Avasant Research, IT Spending & Staffing Benchmarks: Chapter 30 Healthcare Payors Subsector Benchmarks 2023/2024				

EXHIBIT NO.	DESCRIPTION ⁵	OFFERED	OBJECTION	ADMITTED	DISPOSITION
227	Markets and Markets, Remote Patient Monitoring (RPM) Market Global Forecast to 2030, dated February 2025				
228	Debtors' Responses and Objections to Official Committee of Unsecured Creditors' Notice of Rule 30(b)(6) Deposition to ModivCare Inc. and Its Debtor Affiliates in Connection with the Plan and Disclosure Statement, dated October 10, 2025				
229	Special Meeting of the Board of Directors Agenda and Package, dated January 2, 2025 (MODV_000033712 - MODV_000033735) [<i>Filed under Seal</i>]				
	<i>In addition to the exhibits included herein, the Committee and the Debtors have agreed on a joint exhibit list, which was filed at Docket No. 935.</i>				

The Committee reserves all rights, including, without limitation, to: (i) amend and/or supplement the Exhibit List, including to add and/or remove documents at any time prior to the conclusion of the Confirmation Hearing, as appropriate; (ii) use additional exhibits (a) for purposes of rebuttal, impeachment, or refreshing recollection, (b) in response to arguments, evidence, objections, filings, exhibits, or demonstratives of other parties, or (c) as a consequence of the unexpected unavailability of a witness, or a witness unexpectedly testifying; and (iii) rely upon, and use as evidence, (a) any exhibits included on the exhibit lists of other parties and (b) any pleading, hearing transcript, order, or other document filed with the Court in these Chapter 11 Cases. Designation of any document on the Exhibit List does not waive any objection that the Committee may have if other parties seek to introduce into evidence any documents that the

Committee has included on the Exhibit List. The Committee reserves all rights to object to any document listed on any party's exhibit list. The Committee further reserves the right to use and rely upon demonstratives. By including a document on this Exhibit List, the Committee does not agree or admit that a document or category of documents is admissible for any or all purposes or that the producing party has properly designated a document. The Committee reserves the right to object if other parties seek to introduce into evidence exhibits that the Committee has identified.

RESERVATION OF RIGHTS

The Committee reserves the right to call or introduce one or more, or none, of these exhibits listed in the Exhibit List at the Confirmation Hearing. The Committee further reserves the right to supplement, add to, subtract from, or otherwise amend this Exhibit List at any time prior to the conclusion of the Confirmation Hearing. The Committee reserves the right to use as their own exhibit, any exhibit identified or offered by any other party. Designation of any exhibit above does not waive any objections the Committee may have to any exhibit listed on any other party's exhibit list. The Committee reserves the right to revise the Exhibit List pending the Court's ruling on any evidentiary motions.

December 8, 2025
Houston, Texas

/s/ Charles R. Koster

WHITE & CASE LLP

Charles R. Koster (Texas Bar No. 24128278)
609 Main Street, Suite 2900
Houston, Texas 77002
Telephone: (713) 496-9700
Facsimile: (713) 496-9701
Email: charles.koster@whitecase.com

WHITE & CASE LLP

J. Christopher Shore (admitted *pro hac vice*)
Scott Greissman (admitted *pro hac vice*)
Andrew Zatz (admitted *pro hac vice*)
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
Email: cshore@whitecase.com
sgreissman@whitecase.com
azatz@whitecase.com

- and -

WHITE & CASE LLP

Gregory F. Pesce (admitted *pro hac vice*)
111 South Wacker Drive, Suite 5100
Chicago, Illinois 60606
Telephone: (312) 881-5400
Facsimile: (312) 881-5450
Email: gregory.pesce@whitecase.com

*Counsel for the Official Committee of Unsecured
Creditors*

Certificate of Service

I certify that on December 8, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Charles R. Koster

Charles R. Koster

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

MODIVCARE INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-90309 (ARP)

(Jointly Administered)

**DEBTORS' RESPONSES AND OBJECTIONS TO
OFFICIAL COMMITTEE OF UNSECURED CREDITORS'
NOTICE OF RULE 30(b)(6) DEPOSITION TO MODIVCARE INC. AND ITS DEBTOR
AFFILIATES IN CONNECTION WITH THE PLAN AND DISCLOSURE STATEMENT**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, made applicable to herein by Rules 7026, 7034, and 9014 of the Federal Rules of Bankruptcy Procedure, the Local Rules of the United States Bankruptcy Court for the District of Texas, and any other applicable law, rules, or orders of the Court, the above-captioned debtors and debtors in possession (collectively, the “Debtors”), by and through their undersigned counsel, hereby provide the following responses and objections (the “Responses” and each a “Response”) to the Notice of 30(b)(6) Deposition to Debtors in Connection with the Plan and Disclosure Statement (the “Topics” and each a “Topic”) served by the Official Committee of Unsecured Creditors (the “Committee”) on September 10, 2025.

¹ A complete list of each of the Debtors in these chapter 11 cases (the “Chapter 11 Cases”) and the last four digits of each Debtor’s taxpayer identification number (if applicable) may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://www.veritaglobal.net/Modivcare>. Debtor Modivcare Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.

EXHIBIT

CX-228

**Exhibit
1**

11/20/2025

The Debtors have undertaken a good-faith, preliminary review of the Topics and the information reasonably available at this stage of the Chapter 11 Cases. The Responses are made without prejudice to, and are not a waiver of, any argument, right, or defense the Debtors may assert in these Chapter 11 Cases, including, without limitation, with respect to the confirmation hearing or any other contested matter or adversary proceeding. The Debtors expressly reserve the right to amend, supplement, or modify these Responses, and to raise additional objections as discovery progresses and additional facts become known.

GENERAL OBJECTIONS

1. In addition to those grounds for objection that are set forth specifically in response to each Topic, the Debtors object to the Topics, including the Definitions therein, on the following grounds (these “General Objections”). The Debtors’ specific responses and objections to the Topics are subject to, incorporate, and shall be read in light of, these General Objections. Any undertaking to provide testimony in response to any Topic remains subject to these General Objections.

2. The Debtors object to the Topics as overbroad and unduly burdensome to the extent they purport to require the Debtors’ designee(s) to testify as to information that is neither relevant nor proportional to the needs of these Chapter 11 Cases and/or the confirmation hearing. The Debtors provide these Responses without conceding the relevance or materiality of the subject matter of any Topic.

3. The Debtors object to the Topics to the extent they purport to impose obligations on the Debtors that differ from or exceed those set forth by the Federal Rules of Civil Procedure (the “Federal Rules”), the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the Local Rules of the United States Bankruptcy Court for the District of Texas (the “Local Rules”),

or any other applicable laws or rules (collectively, and together with the Federal Rules, the Bankruptcy Rules, and the Local Rules, the “Applicable Rules”).

4. The Debtors object to the Topics to the extent they purport to seek testimony or the production of information that is protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privileges, protections, or immunities. The Debtors hereby claim all such privileges, protections, and immunities and waive none. In the event the Debtors inadvertently disclose any such protected information, such disclosure is not intended and shall not be deemed to be a waiver by the Debtors of any privilege or protection.

5. The Debtors will not provide privileged or protected testimony in response to the Topics. Any disclosure of privileged, protected, or immune testimony is inadvertent and is not intended to waive, and shall not constitute a waiver of, any applicable privileges, protections, or immunities, or any other ground for objection to the production or use of such testimony. Nothing contained in the Debtors’ Responses, or testimony in response to the Topics, is intended to be, or in any way shall be deemed to be, a waiver of any such applicable privilege, immunity, or protection. Any disclosure of protected or privileged testimony is inadvertent and is not intended to waive those privileges, immunities, or protections or any other ground for objection to discovery or use of such testimony.

6. The Debtors object to each and every Topic to the extent it is not sufficiently particularized to satisfy the requirements of Federal Rules 26 and 30, Bankruptcy Rules 7026 and 7030, the Local Rules, and any other Applicable Rule. A notice of deposition under Federal Rule 30(b)(6) must “describe with reasonable particularity the matters for examination.”

7. The Debtors object to the Topics to the extent they purport to require the Debtors’ designee(s) to testify as to information without reference to a time period or subject matter.

8. The Debtors object to the Topics to the extent they purport to require the Debtors' designee to testify as to information not within the Debtors' knowledge or not reasonably available to the Debtors.

9. The Debtors object to the Topics to the extent they purport to require the Debtors' designee to testify as to information that is not presently within the possession, custody, or control of the Debtors, or to the extent they seek information that can be obtained from another source that is more convenient, less burdensome, or less expensive—including, but not limited to, other parties in interest in these Chapter 11 Cases, or through publicly-available sources.

10. The Debtors object to the Topics to the extent they are vague, ambiguous, overly broad, and unduly burdensome. Where possible, the Debtors have made reasonable assumptions as to the intended meaning while preserving any objection as to vagueness and ambiguity.

11. The Debtors reserve the right to assert additional objections to the Topics and to supplement their General Objections and specific responses and objections.

12. The Debtors' agreement to provide a witness to testify as to information responsive to a particular Topic is not intended to and should not be construed as: (1) a waiver of the Debtors' General Objections or specific responses and objections; (2) an agreement that requests for similar information will be treated in a similar manner; (3) an agreement any testimony provided is admissible; or (4) an admission of any fact or law.

13. The Debtors object to the Topics to the extent they assume disputed facts or legal conclusions or to the extent they purport to call for legal conclusions.

14. Nothing in these Responses and Objections shall be construed as an admission that information sought by the Topics exists, is in the possession, custody, or control of the Debtors, is relevant, is material, or is admissible in evidence; that any statement, characterization, assumption,

argument, or conclusion in the Topics is accurate or complete; or that the Debtors are adopting, affirming, or accepting any statement, characterization, assumption, argument, or conclusion in the Topics. The Debtors reserve the right to object to the relevance, admissibility, and use of these Responses and any testimony produced pursuant thereto in this matter, including in any trial of this matter, and in any other proceeding.

OBJECTIONS TO DEFINITIONS

1. Unless specified otherwise, the Debtors do not adopt the Committee's definitions of words and phrases. The Debtors object to the "Definitions" stated in the Topics to the extent they are susceptible to more than one distinct interpretation or are inconsistent with the ordinary and customary meaning of such words and phrases or the Applicable Rules.

2. The Debtors object to Definition 6 ("Board") as overbroad, unduly burdensome, and not proportional because it purports to include "any board of directors, managers, or comparable supervisory body" and "any group or committee."

3. The Debtors object to Definition 10 ("Debtors") as vague and ambiguous, overbroad, seeking to impose burden and expense that outweigh any benefit, not proportional to the needs of these Chapter 11 Cases, and/or are not reasonably calculated to lead to the discovery of admissible evidence for the Second Day Hearing, because it purports to include any of the Debtors "current or former affiliates, subsidiaries, parent corporations, predecessors, or successors entities" and "all" of their "former directors, officers, employees, agents, attorneys, advisors, and representatives" into the definition of the "Debtors." This definition is overbroad and unduly burdensome to the extent it would require Debtors to conduct an investigation to identify any and all of the Debtors' successors, affiliates, insiders, members, managers, partners (including limited partners), boards of directors (including any committee or subcommittees of

such boards), directors, officers, employees, agents, professionals, consultants, advisors, attorneys (including outside counsel), representatives, and persons and other entities acting or purporting to act on their behalf. For purposes of the Responses, the Debtors shall interpret the term Debtors in accordance with how “Debtors” is defined in footnote 1 herein.

4. The Debtors object to the Definitions of “Concerning,” “in connection with,” “referencing,” “referring to,” “regarding,” “relating to,” and “Including” to the extent that they purport to impose burdens or obligations on the Debtors that are broader than, inconsistent with, or not authorized by any of the Applicable Rules. The Debtors further object to these definitions on the grounds that they are overbroad, unduly burdensome, seek to impose burden and expense that outweigh their benefits, are not proportional to the needs of these Chapter 11 Cases, and are not reasonably calculated to lead to the discovery of admissible evidence for the Second Day Hearing. For purposes of the Responses, the Debtors will construe the “Concerning,” “in connection with,” “referencing,” “referring to,” “regarding,” “relating to,” and “Including” consistently with the Applicable Rules and will limit its Responses accordingly.

OBJECTIONS TO INSTRUCTIONS

5. The Debtors object to the following Instructions to the Topics. The failure to object to any of the Instructions shall not be deemed a waiver of any objections, nor a concession that any of such instructions are appropriate.

6. The Debtors object to the Instructions on the grounds that they are overly broad and unduly burdensome, seek discovery that is not proportional to the needs of these Chapter 11 Cases and/or is not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing, and to the extent they purport to impose on the Debtors obligations that are different than or exceed those imposed by the Applicable Rules.

7. The Debtors object to Instruction No. 2 to the extent it broadens Topics beyond a reasonable scope or conflicts with these objections and limitations. The Debtors will apply Definitions that are sufficiently narrow as those imposed by the Applicable Rules.

8. The Debtors object to Instruction No. 3 due to the inclusion of “attorneys” to the extent it seeks privileged information or imputes third-party knowledge to the Debtors. The Debtors will not disclose privileged communications or mental impressions and will not impute knowledge of non-Debtors.

9. The Debtors object to Instruction No. 4 to the extent it unreasonably expands scope. The Debtors will interpret this Instruction reasonably and proportionately, in a manner consistent with the Applicable Rules.

SPECIFIC RESPONSES AND OBJECTIONS TO THE TOPICS

TOPIC NO. 1:

All valuations, from 2021 to the present, of (i) any or all of the Debtors, (ii) any or all of the Debtors’ assets, and (iii) any or all of the Debtors’ current or former business units.

RESPONSE TO TOPIC NO. 1:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it demands “All valuations” across a multi-year period for “any or all” of the 72 Debtors across “any or all” of the Debtors’ “assets” and “current or former business units” without limitation. The Debtors further object to this Topic as vague, ambiguous, and not proportional, including insofar as it seeks any form of valuation without reasonable particularity as to scope, purpose, preparer, or time frame. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce Mr. Zul Jamal from Moelis to testify regarding Moelis's valuation analysis for these Chapter 11 Cases.

TOPIC NO. 2:

The Valuation Analysis, including any underlying data, assumptions, models, and other related materials.

RESPONSE TO TOPIC NO. 2:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome to the extent it seeks testimony on "any underlying data, assumptions, models, and other related materials" without limitation. The Debtors further object to this Topic to the extent it seeks information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce Mr. Zul Jamal from Moelis to testify regarding Moelis's valuation analysis for these Chapter 11 Cases.

TOPIC NO. 3:

From 2021 to the present, all financial statements, business plans, financial projections, balance sheets, liquidity analyses, fairness opinions, solvency opinions and solvency certifications for (i) any or all of the Debtors and (ii) any or all of the Debtors' business units.

RESPONSE TO TOPIC NO. 3:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks information related to "all" of the given subject matters for "any or all" of the 72

Debtors across “any or all” of their business units without limitation. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 4:

The Debtors’ projected cash flows and liquidity from 2023 through emergence from the Chapter 11 Cases, including the Initial Approved Budget.

RESPONSE TO TOPIC NO. 4:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks information related to projections from 2023. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 5:

The Financial Projections, including any underlying data, assumptions, models, and other related materials.

RESPONSE TO TOPIC NO. 5:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome to the extent it seeks testimony on “any underlying data, assumptions, models, and other related

materials” without limitation. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 6:

The Debtors’ intercompany receivables, intercompany payables, intercompany payments, intercompany transactions, and outstanding balances among the Debtors.

RESPONSE TO TOPIC NO. 6:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. It would not be possible to prepare a witness to testify on every single intercompany receivable, payable, payment, transaction, and outstanding balance among the Debtors. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic. To clarify, the witness will testify about the Debtors’ intercompany cash management system and cash movements at a high level, but if there are specific payments, transfers, or transactions on which the Committee would like testimony, it should identify those in advance so the witness can adequately prepare.

TOPIC NO. 7:

The Debtors’ tangible and/or intangible assets, tangible and/or intangible liabilities, and Unencumbered Assets.

RESPONSE TO TOPIC NO. 7:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. It would not be possible to prepare a witness to testify on every single intangible asset and tangible and/or intangible liability of the Debtors. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic. To clarify, the witness will testify about the Debtors' assets and liabilities at a high level, but if there are specific assets and liabilities on which the Committee would like testimony, it should identify those in advance so the witness can adequately prepare.

TOPIC NO. 8:

The tax attributes of any or all of the Debtors, their consolidated group, and any or all of the Debtors' business units.

RESPONSE TO TOPIC NO. 8:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks information related to the given subject matter for "any or all" of the 72 Debtors and an undefined "consolidated group" across "any or all" of their business units without limitation. The Debtors also object to this Topic as vague and ambiguous insofar as the term "tax attributes" is undefined. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing. The Debtors object to this Topic to the extent it seeks information protected by the attorney-client privilege, the attorney work product doctrine, the

joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, the Debtors are willing to meet-and-confer over this Topic to better understand what the Committee is seeking, but as drafted, this Topic is too broad, vague, and ambiguous to agree to produce a witness.

TOPIC NO. 9:

The Plan and exhibits thereto, including underlying data, assumptions, models, and other related materials.

RESPONSE TO TOPIC NO. 9:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks “underlying data, assumptions, models, and other related materials” without limitation. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 10:

The classification and treatment of claims under the Plan.

RESPONSE TO TOPIC NO. 10:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors further object to this Topic to the extent it seeks documents or

information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to non-privileged information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 11:

The Q1 2025 Transactions, as described in pages 25-26 and 29-30 of the Disclosure Statement, including the negotiation, evaluation, review, and approval of the Q1 2025 Transactions.

RESPONSE TO TOPIC NO. 11:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks information about the given subject matter without limitation. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will agree to produce a witness(es) to testify about the Q1 2025 Transactions, but the Committee should attempt to further narrow down this Topic to identify what aspects of the Q1 2025 Transactions it seeks testimony on, as this Topic is too broad, vague, and ambiguous as drafted to be able to adequately prepare a witness.

TOPIC NO. 12:

Any business plan concerning, or prepared in connection with, the Q1 2025 Transactions.

RESPONSE TO TOPIC NO. 12:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome as it seeks “Any business plan” related to the given subject matter without limitation. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors respond that no standalone document called a “business plan” was prepared for the Q1 2025 Transactions.

TOPIC NO. 13:

The Debtors’ solvency (i) during the one-year period preceding the Q1 2025 Transactions and (ii) in the months following the Q1 2025 Transactions.

RESPONSE TO TOPIC NO. 13:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 14:

Strategic alternatives to the Q1 2025 Transactions considered by the Debtors.

RESPONSE TO TOPIC NO. 14:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 15:

The evaluation, review, and approval of any Related Party transactions.

RESPONSE TO TOPIC NO. 15:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome, particularly as it purports to seek information related to “any Related Party transactions” without limitation.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 16:

The nomination and appointment of directors from a list of directors provided by the First Lien Lenders, as described on page 23 of the Disclosure Statement.

RESPONSE TO TOPIC NO. 16:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome.

The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 17:

The Plan Investigation, as described on page 37 of the Disclosure Statement, including (i) the scope, timing, and status of the investigation, (ii) the appointment of Daniel B. Silvers as Independent Director, (iii) the retention of advisors by Mr. Silvers, and (iv) findings or conclusions of the Plan Investigation.

RESPONSE TO TOPIC NO. 17:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues and not reasonably calculated to lead to the discovery of admissible evidence for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic to the extent it is non-privileged.

TOPIC NO. 18:

The formation, composition, advisors, and mandate of (i) the Strategic Alternatives Committee and (ii) Capital Structure Committee, as described on page 23 of the Disclosure Statement.

RESPONSE TO TOPIC NO. 18:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 19:

Any prepetition efforts to sell or market any of the Debtors or the Debtors' business segments, including for the "PCS and RPM segments," as described on page 23 of the Disclosure Statement.

RESPONSE TO TOPIC NO. 19:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 20:

The directors and officers (D&O) liability insurance coverage available to the Debtors as of the Petition Date.

RESPONSE TO TOPIC NO. 20:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic on the grounds that the D&O policies speak for themselves. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 21:

The “operational challenges” described on page 30 of the Disclosure Statement, including cash calls from surety bond providers and the Company’s ability to meet those demands, as well as customer retention challenges.

RESPONSE TO TOPIC NO. 21:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic insofar as it seeks information not relevant to the issues for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 22:

Communications with any of the Debtors’ “trade creditors,” as defined on page 26 of the Disclosure Statement, concerning the Chapter 11 Cases prior to the Petition Date.

RESPONSE TO TOPIC NO. 22:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors object to this Topic as overly broad and unduly burdensome. It would not be possible to prepare a witness to testify about every single communication with a trade creditor. The Debtors further object to this Topic as not relevant to any claim, or defense, or issue for the confirmation hearing.

Subject to, and without waiving the foregoing objections, the Debtors are willing to meet-and-confer on this Topic, but as drafted, it is too broad and vague to adequately prepare a witness to testify about all of the Debtors’ communications with trade creditors.

TOPIC NO. 23:

The “prepetition restructuring efforts” and “strategic alternatives” evaluated and considered by the Debtors, as described on page 31 of the Disclosure Statement.

RESPONSE TO TOPIC NO. 23:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as vague and ambiguous in so far as it seeks information about all “prepetition restructuring efforts” and “strategic alternatives” without defining or narrowing such terms. The Debtors object to this Topic as not relevant to any claim, or defense, or issue for the confirmation hearing. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 24:

The negotiation and terms of the RSA, the Disclosure Statement, and the Plan.

RESPONSE TO TOPIC NO. 24:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 25:

The decision by the Debtors to enter into the RSA and pursue confirmation of the Plan.

RESPONSE TO TOPIC NO. 25:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors object to this Topic as it calls for legal conclusions. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

TOPIC NO. 26:

The (i) Causes of Action, (ii) Intercompany Claims, or (iii) Avoidance Actions belonging to the Debtors and their estates that are or might be released, waived, abandoned, or extinguished under the RSA and/or the Plan.

RESPONSE TO TOPIC NO. 26:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors object to this Topic as it calls for legal conclusions. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic to the extent it is non-privileged.

TOPIC NO. 27:

The Releases, Injunctions, and Exculpation provisions pursuant to the Plan.

RESPONSE TO TOPIC NO. 27:

The Debtors incorporate by reference each of the foregoing General Objections as though fully set forth herein. The Debtors object to this Topic as overly broad and unduly burdensome. The Debtors object to this Topic as it calls for legal conclusions. The Debtors further object to this Topic to the extent it seeks documents or information protected by the attorney-client

privilege, the attorney work product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege, immunity, or protection.

Subject to, and without waiving the foregoing objections, the Debtors will produce a witness to testify as to a reasonable scope of information known or reasonably available to the Debtors regarding this Topic.

Dated: October 10, 2025
Boston, Massachusetts

Respectfully Submitted,

/s/ Elizabeth R. Marks

Elizabeth R. Marks

LATHAM & WATKINS LLP

Proposed Counsel for the Debtors and Debtors in Possession

Certificate of Service

I certify that on October 10, I caused a copy of the foregoing document to be served via electronic mail on the following counsel of record for Official Committee of Unsecured Creditors:

White & Case LLP
Charles R. Koster
J. Christopher Shore
Scott Greissman
Andrew T. Zatz
Erin M. Smith
Ashley R. Chase
charles.koster@whitecase.com
cshore@whitecase.com
sgreissman@whitecase.com
azatz@whitecase.com
erin.smith@whitecase.com
ashley.chase@whitecase.com

Proposed Counsel to the Official Committee of Unsecured Creditors

/s/ Elizabeth R. Marks

Elizabeth R. Marks

[FILED UNDER SEAL]

CX-229

Special Meeting of the Board of Directors Agenda and Package, dated January 2, 2025
(MODV_000033712 - MODV_000033735)