

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
)	
PGX HOLDINGS, INC., <i>et al.</i> , ¹)	Case No. 23-10718 (CTG)
)	
Debtors.)	(Jointly Administered)
)	
)	Related to Docket Nos. 466, 468 and 570

**DEBTORS’ WITNESS AND EXHIBIT LIST FOR
HEARING SCHEDULED FOR OCTOBER 27, 2023, AT 10:00 A.M.**

PLEASE TAKE NOTICE THAT the above-captioned debtors and debtors in possession (collectively, the “Debtors”) hereby submit their witness and exhibit list in connection with the confirmation hearing currently scheduled to begin on October 27, 2023, at 10:00 a.m. (prevailing Eastern Time) (the “Hearing”).

WITNESSES²

1. Chad Wallace, Chief Executive Officer of PGX Holdings, Inc. – to testify concerning the matters contained in the Declaration of Chad Wallace in Support of Debtors’ Chapter 11 Petitions and First Day Motions [Docket No. 12] and the Declaration of Chad Wallace in Support of Confirmation of the Second Amended Joint Plan of PGX Holdings, Inc. and its Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 575] and supplementary direct testimony in support of confirmation.
2. Matthew Henry of Alvarez & Marsal North America, LLC – to testify concerning the matters contained in the Declaration of Matthew Henry, Managing Director at Alvarez & Marsal North America, LLC in Support of Confirmation of the Second

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PGX Holdings, Inc. (2510); Credit Repair UK, Inc. (4798); Credit.com, Inc. (1580); Creditrepair.com Holdings, Inc. (7536); Creditrepair.com, Inc. (7680); eFolks Holdings, Inc. (5213); eFolks, LLC (5256); John C. Heath, Attorney At Law PC (8362); Progrexion ASG, Inc. (5153); Progrexion Holdings, Inc. (7123); Progrexion IP, Inc. (5179); Progrexion Marketing, Inc. (5073); and Progrexion Teleservices, Inc. (5110). The location of the Debtors’ service address for purposes of these chapter 11 cases is: 257 East 200 South, Suite 1200, Salt Lake City, Utah 84111.

² Pursuant to agreement between the Debtors and counsel for the Official Committee of Unsecured Creditors, witnesses’ direct testimony may be presented, in whole or in part, via declaration.



Amended Joint Plan of PGX Holdings, Inc. and its Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 573] and supplementary direct testimony in support of confirmation.

3. Sydney Reitzel of Kurtzman Carson Consultants LLC – to testify concerning the matters contained in the Declaration of Sydney Reitzel the Solicitation and Tabulation of Votes on the First Amended Joint Chapter 11 Plan of PGX Holdings, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 569] and supplementary direct testimony in support of confirmation.
4. Any person called as a witness by another party.
5. Rebuttal witnesses as necessary.

PLEASE TAKE FURTHER NOTICE THAT the Debtors reserve all rights to amend, supplement, and modify the Witness List and Exhibit List and introduce into evidence (i) any exhibits listed by other parties, (ii) any documents for the purposes of rebuttal or impeachment, (iii) any documents subsequently filed, or (iv) any pleadings or other court filings. The Debtors further reserve the right to call any witness identified by any other party or for the purposes of rebuttal.

EXHIBITS

Ex. No.	Document	Counsel Seeking to Admit Exhibit
1.	Declaration of Chad Wallace, Chief Executive Officer of PGX Holdings, Inc., in Support of Debtors' Chapter 11 Petitions and First Day Motions [Docket No. 11].	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP
2.	Declaration of Chad Wallace in Support of Confirmation of the Second Amended Joint Plan of PGX Holdings, Inc. and its Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 575].	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP

Ex. No.	Document	Counsel Seeking to Admit Exhibit
3.	Declaration of Matthew Henry, Managing Director at Alvarez & Marsal North America, LLC in Support of Confirmation of the Second Amended Joint Plan of PGX Holdings, Inc. and its Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 573]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP
4.	Declaration of Sydney Reitzel the Solicitation and Tabulation of Votes on the First Amended Joint Chapter 11 Plan of PGX Holdings, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 569]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP
5.	Liquidation Analysis for Solicitation Version of First Amended Disclosure Statement for the First Amended Joint Plan of PGX Holdings, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 488, Ex. B]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP
6.	Class Action Adversary Proceeding Complaint for Violation of WARN Act 29 U.S.C. §2101, et seq. [Adv. Pro. No. 23-10718; Docket No. 1]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
7.	Answer to Class Action Adversary Proceeding Complaint for Alleged Violation of WARN Act 29 U.S.C. §2101, et seq. [Adv. Pro. No. 23-10718; Docket No. 4]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
8.	Plaintiff's Motion for Class Certification and Related Relief [Adv. Pro. No. 23-10718; Docket No. 5]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
9.	Plaintiff's Brief in Support of Motion for Class Certification and Related Relief [Adv. Pro. No. 23-10718; Docket No. 6]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
10.	Defendants' Objection to Plaintiff's Motion for Class Certification (Adv. D.I. 5) [Adv. Pro. No. 23-10718; Docket No. 8]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP

Ex. No.	Document	Counsel Seeking to Admit Exhibit
11.	Plaintiff's Reply Brief in Support of Motion for Class Certification and Related Relief [Adv. Pro. No. 23-10718; Docket No. 13]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
12.	Defendants' Motion for Summary Judgment [Adv. Pro. No. 23-10718; Docket No. 16]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
13.	Opening Brief in Support of Defendants' Motion for Summary Judgment [Adv. Pro. No. 23-10781; Docket No. 17]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
14.	Supplemental Declaration of Chad Wallace in Support of Defendants' Motion for Summary Judgment [Adv. Pro. No. 23-10781; Docket No. 18]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
15.	Plaintiff's Brief in Opposition to Defendants' Motion for Summary Judgment and Cross-Motion to Defer Ruling [Adversary Pro. No. 23-10781; Docket No. 28]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
16.	Letter Ruling Regarding Class Certification [Adversary Pro. No. 23-10718; Docket No. 29]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
17.	Defendant's Reply Brief in Support of Summary Judgment and Objection to Cross-Motion to Defer Ruling [Adversary Pro. No. 23-10781; Docket No. TBD]	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
18.	July 21, 2021 Second Lien Financing Agreement by and between PGX Holdings, Inc., etc. and Prospect Capital Corp. et al.	Holland & Hart LLP
19.	December 28, 2022 Amendment No. 1 to Second Lien Financing Agreement	Holland & Hart LLP
20.	March 17, 2023 Notice of Borrowing by PGX Holdings, Inc. to Prospect Capital	Holland & Hart LLP

Ex. No.	Document	Counsel Seeking to Admit Exhibit
21.	March 24, 2023 Letter from Prospect Capital Corp. to PGX Holdings, Inc. Declining PGX's March 17, 2023 draw request	Holland & Hart LLP
22.	March 29, 2023 Second Notice of Borrowing by PGX Holdings, Inc. to Prospect Capital Corp	Holland & Hart LLP
23.	Examples of Termination Notices	Holland & Hart LLP
24.	Any exhibits identified by any other party.	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP
25.	Any exhibits necessary for rebuttal or impeachment.	Kirkland & Ellis LLP and/or Klehr Harrison Harvey Branzburg LLP and/or Holland & Hart LLP

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October 25, 2023
Wilmington, Delaware

/s/ Michael W. Yurkewicz

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