

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

In re:)	
)	Chapter 11
EXTRACTION OIL & GAS, INC. <i>et al.</i> , ¹)	
)	Case No. 20-11548 (CSS)
Reorganized Debtors.)	(Jointly Administered)
)	
)	Re: Docket No. 1978

**CERTIFICATE OF NO OBJECTION REGARDING MOTION FOR AN ORDER
PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE, BANKRUPTCY
RULE 2004, AND BANKRUPTCY LOCAL RULE 2004-1 AUTHORIZING AND
DIRECTING THE EXAMINATIONS OF BANK OF AMERICA N.A. AND MERRILL
LYNCH & CO. f/k/a MERRILL LYNCH, PIERCE, FENNER & SMITH INC.**

The undersigned hereby certifies that, as of the date hereof, he has received no answer, objection or other responsive pleading to the *XOG Litigation Trust’s Motion for an Order Pursuant to Section 105(a) of the Bankruptcy Code, Bankruptcy Rule 2004, and Bankruptcy Local Rule 2004-1 Authorizing and Directing the Examinations of Bank of America N.A. and Merrill Lynch & Co. f/k/a Merrill Lynch, Pierce, Fenner & Smith Inc.* [Docket No. 1978] (the “Motion”) filed by the XOG Litigation Trust (the “Litigation Trust”). The undersigned further certifies that he has reviewed the Court’s docket in this proceeding and no answer or other responsive pleading to the Motion appears thereon. Pursuant to the notice to the Motion, objections to the Motion and the proposed order were to be filed by no later than August 2, 2021 at 4:00 p.m. (prevailing Eastern Time) (the “Objection Deadline”).

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor’s federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR Midstream, LLC (5624). The location of the Reorganized Debtors’ principal place of business is 370 17th Street, Suite 5300, Denver, Colorado 80202.



WHEREFORE, the Litigation Trust respectfully request that the proposed form of order attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Dated: August 4, 2021
Wilmington, Delaware

/s/ Richard W. Riley

WHITEFORD, TAYLOR & PRESTON LLC²

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² Whiteford, Taylor & Preston LLC operates as Whiteford Taylor & Preston L.L.P. in jurisdictions outside of Delaware.

EXHIBIT A

(Proposed Order)

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In re:)	
)	Chapter 11
EXTRACTION OIL & GAS, INC. <i>et al.</i> , ¹)	Case No. 20-11548 (CSS)
)	
Reorganized Debtors.)	(Jointly Administered)
)	
)	Re: Docket Nos. 1978 & ___
)	
)	

**ORDER DIRECTING EXAMINATION OF BANK OF AMERICA N.A.
AND MERRILL LYNCH & CO. f/k/a MERRILL LYNCH, PIERCE,
FENNER & SMITH INC. PURSUANT TO BANKRUPTCY RULE 2004**

Upon the motion (the “Motion”)² of the XOG Litigation Trust (the “Trust”) for entry of an order (this “Order”), pursuant to section 105(a) of the Bankruptcy Code, Bankruptcy Rule 2004 and Bankruptcy Local Rule 2004-1, seeking the entry of an order directing the examination of Bank of America N.A. (“Bank of America”) and Merrill Lynch & Co. (“Merrill”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Trust’s notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing

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² Capitalized terms used but not defined herein have the meanings given to such terms in the Motion.

before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. Bank of America and Merrill are directed to produce all documents responsive to the Trust’s Document Requests attached as **Exhibit B** to the Motion and deliver such documents or other responses to the attention of Kevin G. Hroblak, at Whiteford, Taylor & Preston L.L.P., 7 Saint Paul Street, Baltimore, Maryland 21202 within ten (10) days after entry of this Order or at such other place and time as may be agreed upon by the parties.
3. Bank of America and Merrill shall appear for oral examination regarding the topics set forth in **Exhibit C** to the Motion, such examination to take place at the offices of Whiteford Taylor & Preston LLC, 405 North King Street, Suite 500, Wilmington, Delaware 19801, or such other location on a date set by the Trust’s counsel.
4. The Trust’s rights are reserved to request additional discovery and/or examinations in connection with this matter, including, without limitation, requests based on any information that may be revealed as a result of the examination authorized pursuant to this Order.
5. The Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to the implementation of this Order.