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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

:
: **Chapter 11**
:
: **Case No. 24-32428 (KLP)**
:
:
:
:

**AGREED ORDER CONTINUING HEARING ON INSURER SETTLEMENT
MOTIONS AND ESTABLISHING DISCOVERY/BRIEFING SCHEDULE**

The above-captioned debtor (the “Debtor”), the Official Committee of Unsecured Creditors (the “Committee”), and each of the other parties below that have endorsed this order (collectively, the “Other Endorsing Parties”) hereby stipulates and agree as follows:

WHEREAS, on September 12, 2024, this Court entered the *Order (I) Establishing Procedures to Schedule Hearings to Consider the Insurer Settlement Motions; (II) Approving the Form and Manner of Notice Thereof; and (III) Granting Related Relief* [Docket No. 204] (the “Settlement Procedures Order”) that, among other things, schedules a hearing on the Chubb Insurers Settlement Motion¹ [Docket No. 9] and the Certain Settling Insurers Motion [Docket

¹ Capitalized terms used but not defined herein have the meanings given to them in the *Motion of the Debtor for Entry of an Order (I) Establishing Procedures to Schedule Hearings to Consider the Insurer Settlement*



No. 53] on November 12, 2024, at 10:00 a.m. (the “Approval Hearing”).

WHEREAS, the Committee subsequently requested that the Debtor agree to continue the Approval Hearing to the omnibus hearing scheduled on December 10, 2024, because the Committee’s proposed expert witness is unavailable to produce an expert report and to be deposed on a reasonable schedule in advance of the Approval Hearing on November 12.

WHEREAS, the Debtor is willing to agree to continue the Approval Hearing in exchange for the Committee and the Other Endorsing Parties agreeing to entry of this agreed order (the “Agreed Order”) by this Court that (i) provides the Approval Hearing shall be held on December 10, 2024, at 10:00 a.m. (prevailing Eastern Time), and (ii) establishes a discovery/briefing schedule (the “Discovery/Briefing Schedule”) concerning the Chubb Insurers Settlement Motion and the Certain Settling Insurers Motion.

NOW, IT IS THEREFORE STIPULATED AND AGREED AND IT SHALL BE SO ORDERED:

1. The Approval Hearing shall be continued from November 12, 2024, to **December 10, 2024, at 10:00 a.m. (prevailing Eastern Time)**, before the Court in Courtroom 5100 at the United States Bankruptcy Court for the Eastern District of Virginia, 701 East Broad Street, Suite 4000, Richmond, Virginia 23219.

2. The Discovery/Briefing Schedule annexed hereto as **Exhibit 1** shall govern discovery and briefing in connection with the Approval Hearing on the Chubb Insurers Settlement Motion and the Certain Settling Insurers Motion.

3. The relief provided in this Agreed Order shall only apply to the Chubb Insurers Settlement Motion and the Certain Settling Insurers Settlement Motion. No other Settlement

Motions; (II) Approving the Form and Manner of Notice Thereof; and (III) Granting Related Relief [Docket No. 54].

Motion shall be considered at the Approval Hearing.

4. As set forth in the Insurer Settlement Notice annexed as **Exhibit B** to the Settlement Procedures Order, the Debtor shall provide notice of the continued Approval Hearing at the website maintained for the Debtor's bankruptcy case: <https://www.veritaglobal.net/hopeman>.

5. This Agreed Order is subject to the approval of this Court and shall be of no force and effect unless and until it is entered by this Court.

6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretations of this Agreed Order.

Sep 25 2024

Dated: _____, 2024
Richmond, Virginia

/s/ Keith L Phillips
UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Sep 25 2024

SEEN AND AGREED:

/s/ Henry P. (Toby) Long, III

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**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Henry P. (Toby) Long, III

Exhibit 1

Discovery/Briefing Schedule

Date	Event
September 27, 2024	Deadline to Serve Written Discovery Requests related to the Settlement Motions
October 11, 2024	Deadline for Written Responses to Discovery Requests¹
October 18, 2024	Completion of Document Production.. The date on which the rolling production of documents requested (and not objected to) shall be completed.
November 18, 2024	Deadline to Complete Fact Witness Depositions. The deadline by which all depositions of fact witnesses shall be complete.
November 5, 2024	Deadline to Produce Expert Reports²
November 15, 2024	Deadline for Production of any Rebuttal Expert Reports or to Supplement Existing Expert Reports³
November 6, 2024	Commencement of Expert Witness Depositions
November 22, 2024, at 4:00 p.m.	Settlement Motions Objection Deadline
November 20, 2024	Deadline to Complete Expert Witness Depositions. The deadline by which all expert witness depositions shall be complete.

¹ For the avoidance of doubt, nothing herein relieves any party from answering, or producing documents in response to, previously served discovery requests to the extent such answers or productions need to be supplemented.

² All expert reports, including rebuttal reports, produced in these chapter 11 cases must satisfy the requirements of Fed. R. Civ. P. 26(a)(2)(B). Within three (3) business days after the service of any expert report, the serving party must produce copies of any documents or data that were (a) relied on by the witness in forming his or her opinions and (b) have not already been produced in this case.

³ To the extent an expert supplements its report or a rebuttal report is submitted, such expert must be made available for deposition (even if such expert has already been deposed) after submission of such supplemental or rebuttal report and before the deadline to complete expert witness deposition. Such supplemental deposition shall be limited to the content of the supplemental or rebuttal report.

Date	Event
December 4, 2024, at 4:00 p.m.	Deadline to Exchange Deposition Designation Lists
December 5, 2024, at 4:00 p.m.	Deadline of Debtor to File Reply in Support of Settlements
December 4, 2024, at 4:00 p.m.	Deadline to Exchange Final Witness and Exhibit Lists. The deadline by which Participating Parties must simultaneously exchange a final list of witnesses and exhibits (“ Final Witness and Exhibit List ”). ⁴
December 6, 2024, at 10:00 a.m.	Deadline for Exchange of Counter-Designations and Objections to Designations
December 6, 2024, at 12:00 p.m.	Deadline for Objections to Final Witness and Exhibit Lists
December 6, 2024, at 4:00 p.m.	Deadline for Objections to Counter-Designations
December 10, 2024, at 10:00 a.m.	Hearing on Approval of Settlement Motions

⁴ The Final Witness and Exhibit List shall identify all witnesses, excluding rebuttal witnesses, that each Participating Party will call or may call at the Hearing and shall provide a brief summary of each witness’ anticipated testimony. It must also identify all Exhibits that the party intends to introduce at the Hearing, other than those to be used solely for impeachment or rebuttal.