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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)**
:
:
:
:

**SECOND AGREED ORDER CONTINUING HEARING ON INSURER SETTLEMENT
MOTIONS AND MODIFYING 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 stipulate 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, scheduled 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, following a request from the Committee to continue the Approval Hearing to the omnibus hearing scheduled on December 10, 2024, to accommodate the Committee’s proposed expert, the Debtor agreed to continue the Approval Hearing in exchange for the Committee and the Other Endorsing Parties agreeing to entry of the 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 “Original Discovery/Briefing Schedule”) concerning the Chubb Insurers Settlement Motion and the Certain Settling Insurers Motion;

WHEREAS, the Court entered the Agreed Order on September 25, 2024 [Docket No. 247];

WHEREAS, the Committee recently asked the Debtor to continue the Approval Hearing for one week and agree to extensions of certain deadlines in the Original Discovery/Briefing Schedule that have not yet expired (the “Modified Discovery/Briefing Schedule”) so the parties have additional time to engage in discussions concerning the Chubb Insurers Settlement Motion and the Certain Settling Insurers Motion;

WHEREAS, the Debtor is willing to agree to continue the Approval Hearing and a Modified Discovery/Briefing Schedule in exchange for the Committee and the Other Endorsing Parties agreeing to entry of this second agreed order (the “Second Agreed Order”).

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

1. The Approval Hearing shall be continued from December 10, 2024, to **December**

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

16, 2024, at 9:30 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 Modified 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 solely as to the matters set forth in the Modified Discovery/Briefing Schedule.

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

Dated: _____, 2024
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

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

Modified Discovery/Briefing Schedule

Date	Event
December 2, 2024, at 4:00 p.m.	Settlement Motions Objection Deadline
December 9, 2024	Deadline to Complete Expert Witness Depositions Solely as to Experts Previously Noticed for Deposition.
December 11, 2024, at 4:00 p.m.	Deadline to Exchange Deposition Designation Lists
December 12, 2024	Deadline of Debtor to File Reply in Support of Settlements
December 11, 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 ”). ¹
December 13, 2024, at 10:00 a.m.	Deadline for Exchange of Counter-Designations and Objections to Designations
December 13, 2024, at 12:00 p.m.	Deadline for Objections to Final Witness and Exhibit Lists
December 13, 2024, at 4:00 p.m.	Deadline for Objections to Counter-Designations
December 16, 2024, at 9:30 a.m.	Hearing on Approval of Settlement Motions

¹ 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.