

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11
: :
Medley LLC, : Case No. 21-10526 (KBO)
: :
Debtor. :
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MEDLEY LLC LIQUIDATING TRUST, :
: :
Plaintiff, : Adv. Pro. 23-50121-KBO
: :
-against- :
: :
EVERSHEDS SUTHERLAND (US) LLP, : **STIPULATION TO AMEND ANSWER**
: :
Defendant. :
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Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, and at the request of Defendant, Eversheds Sutherland (US) LLP (“Eversheds”), Plaintiff Medley LLC Liquidating Trust (the “Liquidating Trust”), by its undersigned counsel, hereby agrees not to object to Eversheds filing an Amended Answer and Counterclaim as follows:

1. To include and add an additional affirmative defense of “settlement and release” and related description; and
2. To include and add an additional affirmative defense of “good faith” under Section 548(c) to the Bankruptcy Code and any related and relevant state law “good faith” defenses.

Subject to further consent of the Liquidating Trust, Eversheds agrees not to use the amendments to its Answer and Counterclaims herein as a basis to expand the scope of Eversheds’ discovery or as a basis to extend the current discovery schedule. By entering this Stipulation, the Liquidating Trustee does not concede that Eversheds’ affirmative defenses are meritorious and reserves all rights to dispute the merits of all Eversheds’ affirmative defenses.



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Dated: May 1, 2025
Wilmington, Delaware

/s/ Richard D. Gage

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