

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

In re: Medley LLC, ¹ Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Adv. Docket Nos. 8, 13, 20 & 22

**CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING
STIPULATION FURTHER EXTENDING SCHEDULING ORDER DEADLINES**

The undersigned hereby certifies as follows:

1. On March 3, 2023, the plaintiff in the above-captioned case (the “Plaintiff”) filed the *Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548 and 550* [Adv. Docket No. 1] (the “Complaint”) with the United States Bankruptcy Court for the District of Delaware (the “Court”).

2. On June 23, 2023, the defendant Eversheds Sutherland (US) LLP in the above-captioned case (the “Defendant” and together with the Plaintiff, the “Parties”) filed the *Eversheds Sutherland (US) LLP’s Answer, Affirmative Defenses and Counterclaim to Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548 and 550* [Adv. Docket No. 4].

¹ The Debtor’s current mailing address is c/o Medley LLC Liquidating Trust, c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, DE 19701.



3. On February 13, 2024, the Court entered the *Scheduling Order* [Adv. Docket No. 8] (the “Scheduling Order”) setting various discovery and case management deadlines pursuant to Fed. R. Civ. P. 26 and Local Rules 7007-1, 7016-2 and 9019-5.

4. On June 7, 2025, the Court entered the *Order Approving Stipulation Extending Certain Deadlines in Scheduling Order* [Adv. Docket No. 13].

5. On January 7, 2025, the Court entered the *Order Approving Stipulation Extending Certain Deadlines in Scheduling Order* [Adv. Docket No. 20].

6. On March 24, 2025, the Court entered the *Order Approving Stipulation Extending Certain Deadlines in Scheduling Order* [Adv. Docket No. 22] (the “Third Revised Scheduling Order”).

7. On May 1, 2025, the Defendant filed the *Eversheds Sutherland (US) LLP’s First Amended Answer, Affirmative Defenses and Counterclaim to Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548 and 550* [Adv. Docket No. 25].

8. On June 3, 2025, the Parties entered into a stipulation (the “Stipulation”) further extending the deadlines set forth in the Third Revised Scheduling Order. A proposed form of order (the “Proposed Order”) approving the Stipulation is attached hereto as **Exhibit A**, and a copy of the Stipulation is attached as Exhibit 1 to the Proposed Order.

WHEREFORE, the Plaintiff respectfully requests that the Court enter the Proposed Order attached hereto as **Exhibit A**, approving the Stipulation at its earliest convenience.

[Remainder of Page Intentionally Left Blank]

Dated: June 3, 2025
Wilmington, Delaware

Respectfully submitted,

/s/ Sameen Rizvi

Christopher M. Samis (No. 4909)

Sameen Rizvi (No. 6902)

POTTER ANDERSON & CORROON LLP

1313 N. Market Street, 6th Floor

Wilmington, Delaware 19801

Telephone: (302) 984-6000

Facsimile: (302) 658-1192

Email: csamis@potteranderson.com

srizvi@potteranderson.com

-and-

James S. Carr (admitted *pro hac vice*)

Richard D. Gage (admitted *pro hac vice*)

KELLEY DRYE & WARREN LLP

3 World Trade Center

175 Greenwich Street

New York, New York 10007

Telephone: (212) 808-7800

Facsimile: (212) 808-7897

Email: jcarr@kelleydrye.com

rgage@kelleydrye.com

Counsel for the Plaintiff

EXHIBIT A

Proposed Order

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

In re: Medley LLC, Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Adv. Docket No. ____

**ORDER APPROVING STIPULATION FURTHER
EXTENDING SCHEDULING ORDER DEADLINES**

This Court, having considered the *Stipulation Further Extending Scheduling Order Deadlines* (the “Stipulation”), attached hereto as **Exhibit 1**, between the above-captioned Plaintiff, Medley LLC Liquidating Trust, and the Defendant, Eversheds Sutherland (US) LLP, and the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further or additional notice of the Stipulation must be given; it is hereby:

ORDERED that the Stipulation is APPROVED.

EXHIBIT 1

Stipulation

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

In re: Medley LLC, ¹ Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Docket No. 8

STIPULATION FURTHER EXTENDING SCHEDULING ORDER DEADLINES

This stipulation (the “Stipulation”) is entered into by and between the Medley LLC Liquidating Trust (“Plaintiff”) and Eversheds Sutherland (US) LLP (“Defendant,” and together with Plaintiff, the “Parties”). The Parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

RECITALS

WHEREAS, on March 3, 2023, Plaintiff filed its Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548, and 550 [ECF No. 1], in the above-captioned case (the “Complaint”);

WHEREAS, on June 23, 2023, Defendant filed its Answer, Affirmative Defenses and Counterclaim to the Complaint [ECF No. 4];

¹ The Debtor’s current mailing address is c/o Medley LLC Liquidating Trust, c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, DE 19701.

WHEREAS, on July 14, 2023, Plaintiff filed its Reply to Counterclaim [ECF No. 5];

WHEREAS, on February 12, 2024, Plaintiff, after conferring with Defendant, filed the Certification of Counsel Regarding Scheduling Order [ECF No. 7], submitting the proposed Scheduling Order [ECF No. 7-1] (the “Proposed Scheduling Order”) agreed to by the Parties;

WHEREAS, on February 13, 2024, the Court approved the Proposed Scheduling Order and entered the final Scheduling Order [ECF No. 8] (the “Scheduling Order”) setting various deadlines related to discovery and case management;

WHEREAS, paragraph 12 of the Scheduling Order provides that “[d]eadlines contained in this Scheduling Order may be extended by written agreement of the parties or upon written motion or stipulation for cause shown;”

WHEREAS, on June 12, 2024, the Parties agreed in writing to extend the deadlines in the Scheduling Order by thirty (30) days;

WHEREAS, on July 9, 2024, the Parties agreed in writing to extend the deadlines in the Scheduling Order by an additional thirty (30) days;

WHEREAS, on July 15, 2024, the Court entered the Stipulation Extending Scheduling Order Deadlines [ECF No. 13];

WHEREAS, on September 10, 2024, the Parties filed a Stipulation Regarding Appointment of Mediator Hon. Christopher S. Sontchi (Ret.) of Sontchi LLC (the “Mediator”) [ECF No. 14];

WHEREAS, on September 13, 2024, the Court entered the Order Assigning Adversary Proceeding to Mediation and Setting Mediation Deadlines [ECF No. 17];

WHEREAS, the Parties agreed to stay all case deadlines pending mediation and instead agreed to engage in limited discovery in aid of mediation;

WHEREAS, on October 28, 2024, the Parties attended the mediation before the Mediator but no settlement was achieved;

WHEREAS, on October 29, 2024, the Mediator filed a Completion of Mediation [ECF No. 18], the mediation was held and no settlement was achieved;

WHEREAS, on January 6, 2025, the Parties agreed in writing to extend the deadlines in the Scheduling Order;

WHEREAS, on January 7, 2025, the Court entered the Stipulation Extending Scheduling Order Deadlines [ECF No. 20];

WHEREAS, on March 18, 2025, the Parties agreed in writing to extend the deadlines in the Scheduling Order;

WHEREAS, on March 24, 2025, the Court entered the Stipulation Extending Scheduling Order Deadlines [ECF No. 22];

WHEREAS, on May 1, 2025, the Parties entered a Stipulation allowing Defendant to amend its Answer [ECF No. 24];

WHEREAS, on May 1, 2025, Defendant filed its Amended Answer [ECF No. 25];

WHEREAS, on May 2, 2025, Defendant filed its Motion for Summary Judgment Dismissing the Complaint on its affirmative defense of settlement and release [ECF No. 26];

WHEREAS, on May 16, 2025, Parties entered a Stipulation extending Plaintiff's time to respond to the Motion for Summary Judgment to July 15, 2025 [ECF No. 30];

WHEREAS, on May 19, 2025, the Court entered the Stipulation extending Plaintiff's time to respond to the Motion for Summary Judgment to July 15, 2025 [ECF No. 31];

WHEREAS, May 28, 2025; the Parties agreed in writing to bifurcate the remaining discovery to finish discovery related to the Summary Judgment Motion in advance of Plaintiff's

time to respond to the Summary Judgment Motion and to alter the remaining discovery deadlines keyed off of the Court's decision on the Summary Judgment Motion;

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED that:

1. The recitals set forth above are hereby incorporated in full and made a part of this Stipulation.

2. All remaining document discovery shall be completed no later than twenty days after the Court's decision on the Summary Judgment Motion.

3. All fact depositions shall be completed no later than sixty days after the Court's decision on the Summary Judgment Motion.

4. Any expert report required pursuant to Fed. R. Civ. P. 26(a)(2)(B) shall be served by the party which bears the burden of proof for that issue no later than twenty-one days after the completion of depositions. Any party's expert report intended to rebut any other expert report, shall be provided no later than twenty-one days after expert reports are served. All reports shall provide the information required by Fed.R.Civ.P. 26(a)(2)(B). All expert discovery, including any depositions of experts, shall be completed by no later than twenty-one days after rebuttal expert reports are served.

5. All dispositive motions shall be filed and served no later than twenty-one days after the completion of expert discovery, and shall be subject to Local Rule 7007-1.

6. The parties shall file, no later than three (3) business days prior to the date set for trial, their Joint Pretrial Memorandum approved by all counsel and shall contemporaneously deliver two (2) copies thereof to Judge Owens's Chambers.

7. As soon as is feasible after the close of all expert discovery, the Plaintiff shall contact the Court to schedule a final pretrial conference in accordance with Local Rule 7016-2(a).

8. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of the Adversary Proceeding subject to this Scheduling Order and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible. The Plaintiff shall immediately advise Chambers, in writing, of any occurrence or circumstance that the Plaintiff believes may suggest or necessitate the adjournment or other modification of the trial setting.

9. Nothing in this Stipulation shall be construed to prevent the Parties from agreeing to further extensions as appropriate.

10. This Stipulation may be executed in counterparts, and a facsimile or photocopy of this Stipulation, and the signatures hereto, shall have the same effect, and may be accepted with the same authority, as the original.

Dated: June 3, 2025

/s/ James S. Carr

Christopher M. Samis (No. 4909)

**POTTER ANDERSON &
CORROON LLP**

1313 N. Market Street, 6th Floor
Wilmington, Delaware 19801

Tel: (302) 984-6000

Fax: (302) 658-1192

Email: csamis@potteranderson.com

James S. Carr (admitted *pro hac vice*)

Richard D. Gage (admitted *pro hac vice*)

KELLEY DRYE & WARREN LLP

3 World Trade Center
175 Greenwich Street
New York, New York 10007

Tel: (212) 808-7800

Fax: (212) 808-7897

Email: jcarr@kelleydrye.com

rgage@kelleydrye.com

Counsel to Plaintiff

/s/ William E. Chipman, Jr.

William E. Chipman, Jr. (No. 3818)

**CHIPMAN BROWN CICERO &
COLE, LLP**

Hercules Plaza
1313 North Market Street, Suite 5400
Wilmington, Delaware 19801

Tel: (302) 295-0191

Fax: (302) 295-0199

Email: chipman@chipmanbrown.com

Adam D. Cole

**CHIPMAN BROWN CICERO &
COLE, LLP**

501 Fifth Avenue, 15th Floor
New York, New York 10017

Tel: (646) 685-8364

Email: cole@chipmanbrown.com

Counsel to Defendant