

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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| |) | |
| In re: |) | Chapter 11 |
| |) | |
| PGX HOLDINGS, INC, et al., ¹ |) | Case No. 23-10718 (CTG) |
| |) | |
| Debtors. |) | (Jointly Administered) |
| |) | |

SECOND AMENDED NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING FOR JULY 31, 2023 AT 1:00 P.M. (ET)

This hearing will be conducted in-person in Courtroom #7, 3rd Floor. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person court proceeding using Zoom is allowed only in the following circumstances: (i) a party who files a responsive pleading intends to make only a limited argument; (ii) a party who has not submitted a pleading but is interested in observing the hearing; or (iii) other extenuating circumstances as determined by Judge Goldblatt. All participants over Zoom must register in advance. Please register via the Zoom link below no later than July 28, 2023 at 4:00 p.m.:

<https://debuscourts.zoomgov.com/meeting/register/vJItcuqsqDMoHfVAuocR6PF8jwOucHErS1w>

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

CONTESTED MATTERS:

1. Motion of Debtors Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (IV) Granting Related Relief [Docket No. 17; Filed 6/5/2023]

Related Documents:

- A. Declaration of Chad Wallace, Chief Executive Officer of PGX Holdings, Inc., in Support of Debtors' Chapter 11 Petitions and First Day Motions [Docket No. 12; Filed 6/4/2023]

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: PGX Holdings, Inc. (2510); Credit Repair UK, Inc. (4798); Credit.com, Inc. (1580); Creditrepair.com Holdings, Inc. (7536); Creditrepair.com, Inc. (7680); eFolks Holdings, Inc. (5213); eFolks, LLC (5256); John C. Heath, Attorney At Law PC (8362); Progexion ASG, Inc. (5153); Progexion Holdings, Inc. (7123); Progexion IP, Inc. (5179); Progexion Marketing, Inc. (5073); and Progexion Teleservices, Inc. (5110). The location of the Debtors' service address for purposes of these chapter 11 cases is: 257 East 200 South, Suite 1200, Salt Lake City, Utah 84111.



- B. Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Docket No. 70; Filed 6/6/2023]
- C. Omnibus Notice of Second Day Hearing to Be Held on June 28, 2023 at 2:00 p.m. (ET) [Docket No. 74; Filed 6/7/2023]
- D. Debtors' Witness and Exhibit List for Hearing Scheduled for July 31, 2023 at 1:00 p.m. [Docket No. 242; Filed 7/27/2023]
- E. Notice of Proposed Final Order Regarding DIP Financing and Cash Collateral [Docket No. 246; Filed 7/28/2023]
- F. **Notice of Filing of Budget Relating to Proposed Final Order Regarding DIP Financing and Cash Collateral [Docket No. 255; Filed 7/31/2023]**

Response Deadline: June 21, 2023 at 4:00 p.m.; extended solely for the Official Committee of Unsecured Creditors to July 17, 2023 at 4:00 p.m.

Responses Received:

- A. Preliminary Omnibus Objection and Reservation of Rights of Official Committee of Unsecured Creditors to the Debtors' DIP Financing Motion and Bidding Procedures Motion [Docket No. 153; Filed 7/17/2023]
- B. Reply of Debtors in Support of Motion of Debtors Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (IV) Granting Related Relief [Docket No. 191; Filed 7/19/2023]
- C. Blue Torch Finance LLC's (I) Joinder to Reply of Debtors in Support of DIP Motion, (II) Joinder to Reply of Debtors in Support of the Bidding Procedures Motion, and (III) Reservation of Rights [Docket No. 238; Filed 7/26/2023]
- D. Statement of Prospect Capital Corporation Regarding Preliminary Omnibus Objection and Reservation of Rights of Official Committee of Unsecured Creditors to the Debtors' DIP Financing Motion and Bidding Procedures Motion [Docket No. 239; Filed 7/26/2023]
- E. **Supplement to Preliminary Omnibus Objection and Reservation of Rights of Official Committee of Unsecured Creditors to the Debtors'**

DIP Financing and Bidding Procedures Motion [Docket No. 253; File 7/30/2023]

Status: This matter is going forward.

2. Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Lease; and (III) Granting Related Relief [Docket No. 66; Filed 6/6/2023]

Related Documents:

- A. Declaration of Chad Wallace, Chief Executive Officer of PGX Holdings, Inc., in Support of Debtors' Chapter 11 Petitions and First Day Motions [Docket No. 12; Filed 6/4/2023]
- B. Declaration of Neil A. Augustine In Support of the Debtors' Motion for Entry of Orders (I)(A) Approving Bidding Procedures for Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Lease; and (III) Granting Related Relief [Docket No. 67; Filed 6/6/2023]
- C. Declaration of Elise S. Frejka, CIPP/US, In Support of Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Lease; and (III) Granting Related Relief [Docket No. 68; Filed 6/6/2023]

- D. Notice of Revised Proposed Order Regarding Bidding Procedures Motion [Docket No. 192; Filed 7/19/2023]
- E. Debtors' Witness and Exhibit List for Hearing Scheduled for July 31, 2023 at 1:00 p.m. [Docket No. 242; Filed 7/27/2023]
- F. Notice of Intent of the Official Committee of Unsecured Creditors to Offer Witness Testimony and Exhibits at July 31, 2023 Hearing [Docket No. 244; Filed 7/27/2023]
- G. Notice of Revised Stalking Horse Asset Purchase Agreements [Docket No. 250; Filed 7/28/2023]**

Response Deadline: June 21, 2023 at 4:00 p.m.; extended solely for the Consumer Financial Protection Bureau to June 27, 2023 at 5:00 p.m. and for the Official Committee of Unsecured Creditors to July 17, 2023 at 4:00 p.m.

Responses Received:

- A. United States Trustee's Objection to Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Lease; and (III) Granting Related Relief [Docket No. 101; Filed 6/21/2023]
- B. Reply of Debtors in Support of Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Lease; and (III) Granting Related Relief [Docket No. 190; Filed 7/19/2023]
- C. Blue Torch Finance LLC's (I) Joinder to Reply of Debtors in Support of DIP Motion, (II) Joinder to Reply of Debtors in Support of the Bidding

Procedures Motion, and (III) Reservation of Rights [Docket No. 238; Filed 7/26/2023]

D. Supplement to Preliminary Omnibus Objection and Reservation of Rights of Official Committee of Unsecured Creditors to the Debtors' DIP Financing and Bidding Procedures Motion [Docket No. 253; File 7/30/2023]

Status: The Debtors have resolved the objection of the Office of the United States Trustee. This matter is going forward with respect to the objection of the Official Committee of Unsecured Creditors.

3. Debtors' Application for Entry of Order (I) Authorizing the Employment and Retention of Greenhill & Co., LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession, Effective as of Petition Date, and (II) Granting Related Relief [Docket No. 124; Filed 6/30/2023]

Related Documents:

- A. Reply in Support of Debtors' Application for Entry of Order (I) Authorizing the Employment and Retention of Greenhill & Co., LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession, Effective as of Petition Date, and (II) Granting Related Relief [Docket No. 206; Filed 7/19/2023]
- B. Debtors' Witness and Exhibit List for Hearing Scheduled for July 31, 2023 at 1:00 p.m. [Docket No. 242; Filed 7/27/2023]
- C. Supplemental Declaration of Neil A. Augustine in Support of Debtors' Application for Entry of Order (I) Authorizing the Employment and Retention of Greenhill & Co., LLC as Financial Advisor and Investment Banker to the Debtors and Debtors in Possession, Effective as of Petition Date, and (II) Granting Related Relief [Docket No. 247; Filed 7/28/2023]

Response Deadline: July 14, 2023 at 4:00 p.m. extended solely for the Office of the US Trustee to July 18, 2023 at 4:00 p.m. and for the Official Committee of Unsecured Creditors to July 17, 2023 at 4:00 p.m. Responses Received:

- A. Preliminary Objection and Reservation of Rights of Official Committee of Unsecured Creditors to Retention Application for Greenhill & Co., LLC [Docket No. 155; Filed 7/17/2023]

Status: This matter is going forward.

Dated: July 31, 2023
Wilmington, Delaware

/s/ Michael W. Yurkewicz

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