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Counsel to the Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

In re:)	Chapter 11
ENVIVA INC., <i>et al.</i> ,)	Case No. 24-10453 (BFK)
Debtors. ¹)	(Jointly Administered)

FIRST OMNIBUS ORDER (I) AUTHORIZING THE DEBTORS TO REJECT THE REJECTED CONTRACTS AND (II) GRANTING RELATED RELIEF

Upon the Motion² filed by the above-referenced debtors and debtors in possession (collectively, the “*Debtors*”) for entry of an order (the “*Order*”) (i) authorizing the Debtors to reject the Rejected Contracts and (ii) granting related relief, all as more fully set forth in the Motion, the First Day Declaration, and the Rajcevich Declaration; and the Court having jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference from the United States District Court for the Eastern District of Virginia*, dated August 15, 1984; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the Court may enter a final order consistent with Article III of

¹ Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors’ proposed claims and noticing agent at www.kcellc.net/enviva. The location of the Debtors’ corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.

² Capitalized terms used but not otherwise defined herein shall have the meaning set forth in the Motion.



the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Motion, the First Day Declaration, and the [Rajceвич Declaration]; and the Court having found that the relief requested in the Motion is in the best interests of the Debtors and their respective estates, creditors, and other parties in interest; and the Court having found that proper and adequate notice of the Motion and hearing thereon has been given and that no other or further notice is necessary; and the Court having found that good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and all of the proceedings had before the Court in connection with the Motion, it is HEREBY ORDERED THAT:

1. The Rejected Contracts, attached hereto as **Schedule 1**, including, to the extent applicable, any and all related exhibits, confirmations, agreements, amendments, or modifications thereto, are hereby rejected effective as of the entry of the Order.

2. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

3. Unless specifically provided herein, and notwithstanding any actions taken hereunder, nothing contained in the Motion or this Order shall constitute, nor is it intended to constitute, an implication or admission as to the validity or priority of any claim or lien against the Debtors, a waiver of the Debtors', or any party in interest's, rights to subsequently dispute such claim or lien, a promise or requirement to pay any prepetition claim, an implication or admission that any particular claim is of a type specified or defined in the Motion or any proposed order, a waiver of the Debtors', or any other party in interest's, rights under the Bankruptcy Code or any other applicable law, or the assumption or adoption of any agreement, contract, or lease under section 365 of the Bankruptcy Code.

4. The Court retains exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: Jun 10 2024
Alexandria, Virginia

/s/ Brian F Kenney
UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Jun 11 2024

WE ASK FOR THIS:

/s/ Jeremy S. Williams
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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jeremy S. Williams

Schedule 1

Rejected Contracts⁵

⁵ For the avoidance of doubt, all contracts, agreements, or arraignments listed or otherwise referred to in this Schedule 1 are inclusive of any and all amendments, addenda, and exhibits to the same.

Non-Debtor Counterparty	Debtor Counterparty	Description	Non-Debtor Counterparty Notice Address(es)
HomeTrust Bank	Enviva Pellets, LLC	Equipment Lease Agreement, dated September 7, 2022	17065 Nat Bynum Lane Cornelius, NC 28031 USA
Ryder Integrated Logistics Inc.	Enviva Pellets, LLC	Master Transportation Agreement, dated June 22, 2020	Mike S. Mandell 11690 NW 105th Street Miami, FL 33178 USA
Tin Nhan Company	Enviva Inc.	FOB Master Biomass Fuel Supply Agreement, dated May 24, 2023	Lot A2, A3, Phu Tai Industrial Zone Tran Quang Dieu Ward Quy Nhon City, Binh Dinh Province, Vietnam
Tin Nhan Company	Enviva Inc.	FOB Biomass Fuel Supply Confirmation No. 1, dated May 24, 2023	Lot A2, A3, Phu Tai Industrial Zone Tran Quang Dieu Ward Quy Nhon City, Binh Dinh Province, Vietnam