

Paul M. Basta (admitted *pro hac vice*)
Andrew M. Parlen (admitted *pro hac vice*)
Michael J. Colarossi (admitted *pro hac vice*)
**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

Michael A. Condyles (VA 27807)
Peter J. Barrett (VA 46179)
Jeremy S. Williams (VA 77469)
Adolyn C. Wyatt (VA 97746)
KUTAK ROCK LLP
1021 East Cary Street, Suite 810
Richmond, Virginia 23219-0020
Telephone: (804) 644-1700
Facsimile: (804) 783-6192

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)

**NOTICE OF HEARING TO CONSIDER
CONFIRMATION OF THE CHAPTER 11 PLAN FILED BY
THE DEBTORS AND RELATED VOTING AND OBJECTION DEADLINES**

PLEASE TAKE NOTICE THAT on October 4, 2024, the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”) entered an order [Docket No. 1183] (the “Disclosure Statement Order”) that among other things: (a) approved the adequacy of the *Disclosure Statement for the Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates* [Docket No. 1151] (as may be amended, supplemented, or otherwise modified form time to time, the “Disclosure Statement”) as containing “adequate information” pursuant to section 1125(a) of title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”) and (b) authorized the above-captioned debtors and debtors in possession (the “Debtors”) to solicit acceptances for the *Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates* [Docket No. 1150] (as may be amended, supplemented, or otherwise modified form time to time, the “Plan”).²

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’ claims and noticing agent at www.veritaglobal.net/enviva. The location of the Debtors’ corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.

² Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Plan.



2410453241014000000000007

PLEASE TAKE FURTHER NOTICE THAT the hearing at which the Court will consider Confirmation of the Plan (the “Confirmation Hearing”) will be held on November 13, 2024, at 10:30 a.m. (prevailing Eastern Time) before the Honorable Brian F. Kenney, United States Bankruptcy Judge, in Courtroom I of the United States Bankruptcy Court, 200 S. Washington Street, Alexandria, VA 22314.

PLEASE TAKE FURTHER NOTICE THAT the Confirmation Hearing will be held in person and by remote video conference and interested parties who wish to participate by video or audio may do so by registering not less than two (2) business days in advance at: <https://www.zoomgov.com/meeting/register/vJltfuusqTopEkcFAn9BLRKn2TLY-0WQKY0>.

THE CONFIRMATION HEARING MAY BE ADJOURNED FROM TIME TO TIME WITHOUT FURTHER NOTICE OTHER THAN AN ANNOUNCEMENT OF THE ADJOURNED DATE(S) IN OPEN COURT, AT THE CONFIRMATION HEARING, OR BY AN APPROPRIATE FILING WITH THE COURT, AND A NOTICE OF SUCH ADJOURNED DATE(S) WILL BE FILED ON THE DOCKET IN THESE CHAPTER 11 CASES AND AVAILABLE ON THE ELECTRONIC CASE FILING DOCKET AND ON VERITA'S WEBSITE AT WWW.VERITAGLOBAL.NET/ENVIVA.

THE PLAN AND THE DISCLOSURE STATEMENT MAY BE AMENDED, SUPPLEMENTED, OR MODIFIED FROM TIME TO TIME, IF NECESSARY, BEFORE, DURING, OR AS A RESULT OF THE CONFIRMATION HEARING, WITHOUT FURTHER NOTICE TO HOLDERS OF CLAIMS AND INTERESTS, TO THE EXTENT PERMITTED BY THE BANKRUPTCY CODE, THE BANKRUPTCY RULES, AND OTHER APPLICABLE LAW.

CRITICAL INFORMATION REGARDING VOTING ON THE PLAN

Voting Record Date. The voting record date is **October 4, 2024**, which is the date for determining which holders of Claims in Classes 5 and 6 are entitled to vote on the Plan and which Non-Voting Holders are entitled to receive certain informational materials.

Voting Deadline. The deadline for voting on the Plan is **November 6, 2024 at 4:00 p.m. (prevailing Eastern Time) (the “Voting Deadline”)**. If you received a Solicitation Package, including a Ballot, and intend to vote on the Plan you must: (a) follow the instructions carefully; (b) complete all of the required information on the Ballot; and (c) return your completed and signed Ballot according to and as set forth in detail in the applicable Ballot so that it is ***actually received*** by Kurtzman Carson Consultants LLC, d/b/a Verita Global (the “Voting Agent” or “Verita”) no later than the Voting Deadline. Ballots must be submitted (a) through Verita’s online e-ballot platform (the “Electronic Ballot Portal”) at www.veritaglobal.net/enviva or (b) by first class mail, overnight delivery, or hand delivery to Enviva Ballot Processing, c/o Kurtzman Carson Consultants LLC, d/b/a Verita Global, 222 N. Pacific Highway, Suite 300, El Segundo, California 90245, so as to be **actually received** on or before the Voting Deadline.

CRITICAL INFORMATION REGARDING OBJECTING TO THE PLAN

Plan Objection Deadline. The deadline for filing objections to the Plan is **November 6, 2024, at 4:00 p.m., prevailing Eastern Time (the “Plan Objection Deadline”)**. All objections to the relief sought at the Confirmation Hearing ***must***: (a) be in writing; (b) state the name and

address of the objecting party and the amount and nature of the Claim or Interest of such party; (c) state with particularity the legal and factual basis for and nature of any objection and, if practicable, a proposed modification to the Plan (or related materials) that would resolve such objection; (d) conform to the applicable Bankruptcy Rules and Bankruptcy Local Rules; **and** (d) be filed with the Court (contemporaneously with a proof of service) and served upon the following parties **on or before the Plan Objection Deadline:**

- The Debtors: (i) Enviva Inc., 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814, Attn: Jason Paral (jason.paral@envivabiomass.com); (ii) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019, Attn: Paul M. Basta (pbasta@paulweiss.com), Andrew M. Parlen (aparken@paulweiss.com), Michael J. Colarossi (mcolarossi@paulweiss.com), and Jessica I. Choi (jchoi@paulweiss.com); and (iii) Kutak Rock LLP, 1021 East Cary Street, Suite 810, Richmond, VA 23219, Attn: Peter J. Barrett (peter.barrett@kutakrock.com), Jeremy S. Williams (jeremy.williams@kutakrock.com); and Adolyn C. Wyatt (adolyn.wyatt@kutakrock.com);
- The Assistant United States Trustee for the Eastern District of Virginia: 1725 Duke Street, Suite 650, Alexandria, VA 22314, Attn: Nicholas S. Herron (nicholas.s.herron@usdoj.gov);
- Counsel to the Ad Hoc Group: (i) Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, NY 10017, Attn: Damian S. Schaible (damian.schaible@davispolk.com), David Schiff (david.schiff@davispolk.com), and Joseph W. Brown (joseph.w.brown@davispolk.com); and (ii) McGuireWoods LLP, 800 East Canal Street, Richmond, VA 23219, Attn: Dion W. Hayes (dhayes@mcguirewoods.com) and K. Elizabeth Sieg (bsieg@mcguirewoods.com);
- Counsel to the Agent under the DIP Facility: McDermott Will & Emory LLP, 500 North Capital Street, NW, Washington, DC 200001, Attn: Jennifer B. Routh (jrouth@mwe.com) and One Vanderbilt Avenue, New York, NY 10017, Attn: Jonathan I. Levine (jlevine@mwe.com) and Lucas B. Barrett (lbarrett@mwe.com);
- Counsel to the Agent under the Senior Secured Credit Facility: Cahill Gordon & Reindel LLP, 32 Old Slip, New York, NY 10005, Attn: Joel Moss (jmoss@cahill.com) and Jordan Wishnew (jwishnew@cahill.com);
- Counsel to the Indenture Trustee under the 2026 Notes: Kilpatrick Townsend & Stockton LLP, 1100 Peachtree Street NE, Suite 2800, Atlanta GA 30309-4528, Attn: Paul M. Rosenblatt (prosenblatt@ktslaw.com);
- Counsel to the Indenture Trustee under the Bond Green Bonds and Epes Green Bonds: (i) Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036, Attn: Amy Caton (acaton@kramerlevin.com) and Douglas Buckley (dbuckley@kramerlevin.com); and (ii) Greenberg Traurig, LLP, 1750 Tysons Blvd., Suite 1000, McLean, VA 221802, Attn: Thomas J. McKee, Jr. (mckeet@gtlaw.com), 90 South 7th Street, Suite 3500, Minneapolis, MN 55402, Attn: Peter D. Kieselbach

(kieselbachp@gtlaw.com), 450 South Orange Avenue, Suite 650, Orlando, FL 32801, Attn: Warren S. Bloom (bloomw@gtlaw.com);

- Counsel to the Committee: (i) Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, Attn: Ira S. Dizengoff (idizengoff@akingump.com), Abid Qureshi (aqureshi@akingump.com), and Jason P. Rubin (jrubin@akingump.com), 2001 K Street, N.W., Washington, D.C. 20006, Attn: Scott L. Alberino (salberino@akingump.com); and (ii) Hirschler Fleischer PC, 1676 International Drive, Suite 1350, Tysons, VA 22102, Attn: Lawrence A. Katz (lkatz@hirschlerlaw.com) and Kristen E. Burgers (kburgers@hirschlerlaw.com).

UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN ACCORDANCE WITH THIS NOTICE (THE “NOTICE”), THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT OBJECTIONS TO THE PLAN AS CONCEDED, AND ENTER AN ORDER APPROVING THE PLAN WITHOUT FURTHER NOTICE OR A HEARING. IF THE PLAN IS CONFIRMED BY THE COURT, IT WILL BE BINDING ON ALL OF THE DEBTORS’ CREDITORS AND INTEREST HOLDERS. FAILURE TO FILE A TIMELY OBJECTION TO THE PLAN WILL RESULT, IF THE PLAN IS CONFIRMED, IN THE APPLICATION OF SUCH PROVISIONS OF THE PLAN TO EACH OF THE DEBTORS’ CREDITORS AND INTEREST HOLDERS, AS APPLICABLE. YOU ARE ADVISED AND ENCOURAGED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS, AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THESE CHAPTER 11 CASES, AS YOUR RIGHTS MAY BE AFFECTED. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

IMPORTANT INFORMATION REGARDING RELEASES, INJUNCTIONS, AND EXCULPATIONS

PLEASE BE ADVISED THAT ARTICLE VIII OF THE PLAN INCLUDES CERTAIN RELEASE, INJUNCTION, AND EXCULPATION PROVISIONS.

HOLDERS OF CLAIMS OR INTERESTS WHO AFFIRMATIVELY OPT-IN TO GRANTING THE RELEASES CONTAINED IN ARTICLE VIII OF THE PLAN SHALL BE DEEMED TO HAVE CONSENTED TO THE RELEASES CONTAINED IN ARTICLE VIII OF THE PLAN AND TO UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASE AND DISCHARGE THE RELEASED PARTIES FROM ANY AND ALL CAUSES OF ACTION.

YOU ARE PERMITTED TO GIVE AND RECEIVE CERTAIN MUTUAL RELEASES UNDER THE PLAN IF YOU OPT-IN TO DOING SO. IF YOU DO NOT ELECT TO OPT-IN TO THE RELEASES SET FORTH IN ARTICLE VIII OF THE PLAN, YOU WILL FOREGO THE BENEFIT OF OBTAINING THE MUTUAL RELEASES SET FORTH IN ARTICLE VIII OF THE PLAN.

YOU ARE ADVISED AND ENCOURAGED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS, AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THESE CHAPTER 11 CASES, AS YOUR RIGHTS MAY BE AFFECTED. IF YOU DO NOT

HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE. YOUR RECOVERY UNDER THE PLAN REMAINS UNAFFECTED WHETHER OR NOT YOU ELECT TO OPT IN TO THE RELEASES.

NOTICE IN RESPECT OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES OF THE DEBTORS AND RELATED PROCEDURES

In accordance with Article V of the Plan, and in accordance with sections 365 and 1123 of the Bankruptcy Code, except as otherwise provided in the Plan or in any contract, instrument, release, or other agreement or document entered into in connection with the Plan, as of and subject to the occurrence of the Effective Date and the payment of any applicable Cure Claims, all Executory Contracts or Unexpired Leases shall be assumed by and assigned to the applicable Reorganized Debtor or its designated assignees in accordance with the provisions and requirements of sections 365 and 1123 of the Bankruptcy Code without the need for any further notice to or action, order, or approval of the Court, regardless of whether such Executory Contract or Unexpired Lease is set forth on the Schedule of Assumed Executory Contracts and Unexpired Leases, other than: (1) those that are identified on the Schedule of Rejected Executory Contracts and Unexpired Leases, subject to the consent of the Majority Consenting 2026 Noteholders; (2) those that have been previously rejected or assumed by a Final Order or otherwise in accordance with the Assumption and Rejection Procedures Order; (3) those that are the subject of a motion to reject Executory Contracts or Unexpired Leases that is pending on the Effective Date; (4) those that are subject to a motion to reject an Executory Contract or Unexpired Lease pursuant to which the requested effective date of such rejection is after the Effective Date; or (5) those that have previously expired or terminated pursuant to their own terms or by agreement of the parties thereto. The assumption or rejection of all Executory Contracts or Unexpired Leases in the Chapter 11 Cases or in the Plan shall be determined by the Debtors, with the consent of the Majority Consenting 2026 Noteholders.

The Debtors do not intend to serve copies of the lists of Executory Contracts and Unexpired Leases to be assumed, assumed and assigned, or rejected pursuant to the Plan on all parties-in-interest in these Chapter 11 Cases. The Debtors will send Cure Notices or Rejection Notices, as applicable, advising applicable counterparties to Executory Contracts and Unexpired Leases that their respective contracts or leases are being assumed, assumed and assigned, or rejected, and the proposed Cure Claim or Rejection Damages Claim no later than twenty-one (21) days prior to the Confirmation Hearing. Please note that if no amount is stated in the Cure Notice or Rejection Notice for a particular Executory Contract or Unexpired Lease or a counterparty to an Executory Contract or Unexpired Lease does not receive a Cure Notice or Rejection Notice, the Debtors believe that there is no Cure Claim or Rejection Claim, as applicable, outstanding for such contract or lease. Any objection by a counterparty to an Executory Contract or Unexpired Lease to a proposed assumption, assumption and assignment, rejection, or related Cure Claim or Rejection Damages Claim, must be Filed, served, and actually received by the Debtors in accordance with the Plan and the procedures set forth above and in the Cure Notices.

ADDITIONAL INFORMATION

Obtaining Solicitation Materials. The materials in the Solicitation Package are intended to be self-explanatory. If you should have any questions or if you would like to obtain copies of

the Disclosure Statement Order, Disclosure Statement, the Plan, the Plan Supplement, or related documents, you may obtain a copy free of charge by (i) visiting the website maintained by the Voting Agent, at www.veritaglobal.net/enviva, (ii) writing to Enviva Ballot Processing, c/o Kurtzman Carson Consultants, LLC, d/b/a Verita Global, 222 N. Pacific Highway, Suite 300, El Segundo, California 90245 and referencing “Enviva” in the subject line; or (iii) calling the Voting Agent at (888) 249-2695 (toll-free) or +1 (310) 751-2601 (international toll). You may also obtain copies of any pleadings filed in the Chapter 11 Cases for a fee via PACER at: <http://www.vaeb.uscourts.gov>.

Please be advised that the Voting Agent is authorized to answer questions about, and provide additional copies of, the solicitation materials, but may **not** advise you as to whether you should vote to accept or reject the Plan or provide any legal advice.

The Plan Supplement. The Debtors will file the Plan Supplement with the Court on or before October 23, 2024. The Debtors have the right to amend the documents contained in, and exhibits to, the Plan Supplement through the Effective Date, subject to the terms of the Plan.

BINDING NATURE OF THE PLAN

IF CONFIRMED, THE PLAN SHALL BIND ALL HOLDERS OF CLAIMS AND INTERESTS WHETHER OR NOT SUCH HOLDER WILL RECEIVE OR RETAIN ANY PROPERTY OR INTEREST IN PROPERTY UNDER THE PLAN, HAS FILED A PROOF OF CLAIM IN THE CHAPTER 11 CASES, OR FAILED TO VOTE TO ACCEPT OR REJECT THE PLAN OR VOTED TO REJECT THE PLAN.

Richmond, Virginia
Dated: October 9, 2024

/s/ Jeremy S. Williams

KUTAK ROCK LLP

Michael A. Condyles (VA 27807)

Peter J. Barrett (VA 46179)

Jeremy S. Williams (VA 77469)

Adolyn C. Wyatt (VA 97746)

1021 East Cary Street, Suite 810

Richmond, Virginia 23219-0020

Telephone: (804) 644-1700

Facsimile: (804) 783-6192

PAUL, WEISS, RIFKIND,

WHARTON & GARRISON LLP

Paul M. Basta (admitted *pro hac vice*)

Andrew M. Parlen (admitted *pro hac vice*)

Michael J. Colarossi (admitted *pro hac vice*)

1285 Avenue of the Americas

New York, NY 10019-6064

Telephone: (212) 373-3000

Facsimile: (212) 757-3990

*Counsel to the Debtors and
Debtors in Possession*