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Counsel for John Deere Construction and Forestry Company

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

In re:

ENVIVA INC., *et al.*,

Debtors.¹

)
) Chapter 11
)

) Case No. 24–10453 (BFK)
)

) (Jointly Administered)
)

**AGREED ORDER IN CONNECTION WITH JOHN DEERE
CONSTRUCTION AND FORESTRY COMPANY’S LIMITED
OBJECTION TO PLAN AND PLAN SUPPLEMENT**

This Agreed Order (the “Order”) is entered into by and among (a) John Deere Construction and Forestry Company *a/k/a* John Deere Financial (“**JDF**”) and Deere Credit, Inc. (“**DCI**,” and together with JDF, “**Deere**”), and (b) the above-captioned debtors and debtors in possession (the “**Debtors**”), by and through their respective counsel (collectively, the “**Parties**”).

WHEREAS, on November 6, 2024, Deere filed the *Limited Objection* (the “**Objection**”) [Doc. No. 1290] to the *Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates* (the “**Amended Plan**”) [Doc. No. 1201] and the *Notice of Filing of Plan Supplement for the Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor*

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 <https://veritaglobal.net/enviva>. The location of the Debtors’ corporate headquarters is: 7500 Old Georgetown Road, Suite 1400, Bethesda, MD 20814



Affiliates (the “**Plan Supplement**,” and together with the Amended Plan, the “**Plan**”) [Doc. No. 1251].

WHEREAS, the Parties have reached an agreement regarding the resolution of the Objection.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES, UPON APPROVAL BY THE COURT OF THIS ORDER, IT IS SO ORDERED AS FOLLOWS:

1. The Objection is resolved as set forth herein.
2. The Debtors and Deere agree that the cure amount for Lease 2000² shall be \$0.
3. The Debtors and Deere agree that all property taxes due on or before November 30, 2024 on the Lease 2000 Equipment have been paid.
4. Any claims under the remaining Deere Contracts (Contract 1527, Contract 6308, Contract 7615, Contract 6756, and Contract 7795) will receive the treatment provided to Holders of Class 2 Claims (Other Secured Claims) under the Amended Plan.
5. Contract 6308, Contract 7619, Contract 6756, and the certain “Lease Agreement (Serial No. Ending 3370, 3658, 6712) Dated: 04/20/2022” shall be removed from the Schedule of Assumed Executory Contracts and Unexpired Leases (the “**Assumption Schedule**”), which amended Assumption Schedule shall be filed by the Debtors in an amended Plan Supplement.
6. The Debtors shall pay Deere’s reasonable attorneys’ fees pursuant to a valid invoice in the amount of \$26,937 on or soon as reasonably practicable after the Effective Date.
7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

² Capitalized but undefined terms herein shall have the meaning ascribed in the Objection.

Dated: Dec 6 2024

Alexandria, Virginia

/s/ Brian F Kenney

THE HONORABLE BRIAN F. KENNEY
UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Dec 10 2024

WE ASK FOR THIS:

**BAKER, DONELSON, BEARMAN
CALDWELL & BERKOWITZ, P.C.**

/s/ J. David Folds

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*Counsel for Deere Credit, Inc. and John Deere
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SEEN AND AGREED:

/s/ Peter J. Barrett

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Counsel to Debtors and Debtors in Possession

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/ J. David Folds

Notice Recipients

District/Off: 0422-1

User: JillGlenn

Date Created: 12/10/2024

Case: 24-10453-BFK

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Recipients of Notice of Electronic Filing:

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