

Paul M. Basta (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 Reorganized Debtors

**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)
)	
Reorganized Debtors. ¹)	(Jointly Administered)

**REORGANIZED DEBTORS' MOTION FOR ENTRY OF
FINAL DECREE AND ORDER CLOSING CERTAIN CHAPTER 11 CASES**

In accordance with Article IV.U of the Plan (as defined below),² Enviva Inc. n/k/a Enviva, LLC (the “Lead Debtor”) and certain of its affiliates (before the Effective Date of their chapter 11 plan of reorganization, the “Debtors” and, after the Effective Date of their chapter 11 plan of reorganization, the “Reorganized Debtors”) file this motion (this “Motion”) seeking entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Final Decree”): (i) consolidating the administration of Remaining Matters (as defined below) at *In re Enviva Pellets Epes Holdings, LLC*, Case No.

¹ Due to the large number of debtors (hereinafter, the “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://www.veritaglobal.net/enviva>. The location of the Debtors’ corporate headquarters is: 7500 Old Georgetown Road, Suite 1400 Bethesda, MD 20814.

² Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Plan (as defined below).



24104532412260000000000002

24-10454 (the “Remaining Case”), (ii) closing the chapter 11 cases of certain Debtor entities whose estates have been fully administered (such Debtors, the “Affiliate Debtors” and such cases, the “Affiliate Cases”), set forth on **Schedule 1** to **Exhibit A** hereto, (iii) changing the case caption of the Remaining Case, and (iv) granting related relief.

Jurisdiction and Venue

1. The United States Bankruptcy Court for the Eastern District of Virginia (the “Court”) has jurisdiction over this matter 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 July 10, 1984. This is a core proceeding pursuant to 28 U.S.C. § 157(b). The Reorganized Debtors confirm their consent, pursuant to Rule 7008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), to the entry of a final order by the Court in connection with this Motion.

2. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The bases for the relief requested in this Motion are sections 105 and 350(a) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), and Bankruptcy Rule 3022.

Background

4. On March 12, 2024 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. During the chapter 11 cases, the Debtors operated their businesses and managed their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

5. On March 25, 2024, the Office of the United States Trustee for the Eastern District of Virginia (the “U.S. Trustee”) appointed an official committee of unsecured creditors (the

“Committee”), which Committee was amended on May 23, 2024 [Dockets No. 172, 603]. No request for the appointment of a trustee or examiner has been made in these chapter 11 cases.

6. A detailed description of the Debtors and their businesses, including the Debtors’ business operations, capital structure, financial condition, and the reasons for and objectives of these chapter 11 cases, is set forth in the *Declaration of Glenn Nunziata in Support of Chapter 11 Petitions* [Docket No. 27] (the “First Day Declaration”).

7. On March 14, 2024, the Court entered the *Order Directing Joint Administration of the Debtors’ Chapter 11 Cases* [Docket No. 84] under the case of Enviva Inc., Case No. 24-10453 (the “Lead Case”). The chapter 11 cases other than the Lead Case are as follows:

- Enviva Aircraft Holdings Corp., Case No. 24-10460;
- Enviva Development Finance Company, LLC, Case No. 24-10469;
- Enviva Energy Services, LLC, Case No. 24-10462;
- Enviva GP, LLC, Case No. 24-10463;
- Enviva Holdings GP, LLC, Case No. 24-10465;
- Enviva Management Company, LLC, Case No. 14-10461;
- Enviva MLP International Holdings, LLC, Case No. 24-10464;
- Enviva Partners Finance Corp., Case No. 24-10472;
- Enviva Pellets Bond, LLC, Case No. 24-10466;
- Enviva Pellets Epes Finance Company, LLC, Case No. 24-10473;
- Enviva Pellets Epes Holdings, LLC, Case No. 24-10454;
- Enviva Pellets Epes, LLC, Case No. 24-10471;
- Enviva Pellets Greenwood, LLC, Case No. 24-10455;
- Enviva Pellets Lucedale, LLC, Case No 24-10456;
- Enviva Pellets Waycross, LLC, Case No. 24-10457;
- Enviva Pellets, LLC, Case No. 24-70505;
- Enviva Port of Pascagoula, LLC, Case No. 24-10458;
- Enviva Shipping Holdings, LLC, Case No. 24-10459;
- Enviva Holdings, LP, Case No. 24-10470; and
- Enviva, LP, Case No. 24-10467.

8. On October 4, 2024, the Debtors filed the *Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates* [Docket No. 1150] (as modified, amended, or supplemented from time to time, the “Plan”).

9. On November 14, 2024, the Court entered the *Order Confirming the First Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates* [Docket No. 1393] (the “Confirmation Order”), confirming the Plan. The Confirmation Order is final, non-appealable, and not subject to any pending appeal.³

10. On December 6, 2024, the Reorganized Debtors filed the *Notice of (I) Entry of Order Confirming the Amended Joint Chapter 11 Plan of Reorganization of Enviva Inc. and Its Debtor Affiliates and (II) Occurrence of Effective Date* [Docket No. 1461], disclosing that the Effective Date (as defined in the Plan) occurred on December 6, 2024, the Plan was substantially consummated, and the Debtors emerged from chapter 11 as the Reorganized Debtors.

11. On and following the Effective Date, the Reorganized Debtors, among other things, made distributions to the Holders of Allowed Claims in accordance with the Plan. The Reorganized Debtors continue to reconcile Disputed Claims and may file objections to certain of such Claims (the “Claims Reconciliation Process”). In addition to the Claims Reconciliation Process, the Reorganized Debtors anticipate that certain contract-related matters may require a hearing before the Court, including a cure claim objection,⁴ which is currently held in abeyance pending negotiations among the Reorganized Debtors and the objecting party, and which may be adjudicated by the Court in accordance with Article V.D of the Plan and the *Stipulation and Agreed Order in Connection with Lhoist SA and Carrieres et Fours a Chaux Dumont-Wautier SA’s Objection and Reservation of Rights to the Debtors’ Assumption of Executory Contract and*

³ See Confirmation Order ¶ 184 (“This Confirmation Order is a Final Order, and the period in which an appeal must be filed shall commence upon the entry hereof”) [Docket No. 1393]. Pursuant to Bankruptcy Rule 8002, an appeal must have been filed by no later than November 27, 2024, within 14 days of entry of the Confirmation Order.

⁴ *Objection and Reservation of Rights of Lhoist SA and Carrieres et Fours à Chaux Dumont-Wautier SA to the Debtors’ Assumption of Executory Contract and Proposed Cure Amount* [Docket No. 1285].

Proposed Cure Amount [Docket No. 1468] (the Lhoist Stipulation)” if not resolved consensually (the “Cure Claim Dispute”).⁵

12. Pursuant to the Plan, all requests for payment of Professional Fee Claims for services rendered and reimbursement of expenses incurred prior to the Confirmation Date must be filed no later than 45 days after the Effective Date (the “Fee Applications”).

13. Although the Reorganized Debtors do not anticipate any significant contested matters (other than as described above) related to their chapter 11 cases, miscellaneous motions, applications, pleadings, or other matters or proceedings may arise from time to time (collectively with the Claims Reconciliation Process, the Fee Applications, and the Cure Claim Dispute, the “Remaining Matters”). Any Remaining Matters related to any of the Reorganized Debtors can be filed, administered, and adjudicated in the Remaining Case without any substantive or negative impact on any party in interest.⁶

14. The Reorganized Debtors believe that the cases of the Affiliate Debtors can be closed and that the Final Decree closing the Affiliate Cases is appropriate and may be issued in each Affiliate Case, as it will result in a substantial reduction in Section 1930 Fees (as defined below) incurred for the remainder of these cases. Each of the Affiliate Debtors will pay all the statutory fees of the U.S. Trustee accruing up to the date of the final decrees for their respective

⁵ For the avoidance of doubt, as provided in the Lhoist Stipulation, the rights, arguments, defenses, and remedies of the parties thereto, as set forth in the CIF Biomass Fuel Supply Agreement, dated as of August 3, 2022, between Lhoist SA and Enviva Inc., as assigned by Lhoist SA to Carrières et Fours à Chaux Dumont-Wautier SA, are fully reserved.

⁶ The Reorganized Debtors reserve all rights to dispute any outstanding Claims, and the failure of the Reorganized Debtors to object to any Claim filed in these chapter 11 cases prior to entry of the Final Decree shall not cause such Claim to be deemed allowed. The Reorganized Debtors request that the Court permit any objections to Claims or Interests to be filed, administered, and adjudicated in the Remaining Case.

cases. The Affiliate Debtors are current with the payment of all such fees that have come due prior to the filing of this Motion.

Relief Requested

15. By this Motion, the Reorganized Debtors seek entry of an order, substantially in the form of the Final Decree attached hereto as **Exhibit A**, closing the Affiliate Debtors' chapter 11 cases, consolidating the administration of all Remaining Matters at the Remaining Case, changing the case caption of the Remaining Case, and granting related relief to reflect the Reorganized Debtors' emergence from chapter 11.

Basis for Relief Requested

16. Section 350(a) of the Bankruptcy Code provides that "[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case." 11 U.S.C. § 350(a). Bankruptcy Rule 3022, in implementing section 350 of the Bankruptcy Code, further provides that "[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case." Fed. R. Bankr. P. 3022.

17. The term "fully administered" is not defined by either the Bankruptcy Code or the Bankruptcy Rules. The Advisory Committee Notes to the 1991 amendments in respect of Bankruptcy Rule 3022 (the "Advisory Notes") comment that "[e]ntry of a final decree closing a chapter 11 case should not be delayed solely because the payments required by the plan have not been completed." The Advisory Notes set forth the following non-exclusive factors for consideration when evaluating whether a case has been fully administered:

- a. whether the order confirming the plan has become final;
- b. whether deposits required by the plan have been distributed;
- c. whether the property proposed by the plan to be transferred has been transferred;

- d. whether the debtor or the successor of the debtor under the plan has assumed the business or management of the property dealt with by the plan;
- e. whether payments under the plan have commenced; and
- f. whether all motions, contested matters, and adversary proceedings have been finally resolved.

See In re A.H. Robins Co., 219 B.R. 145, 150 (Bankr. E.D. Va. 1998) (noting that a number of courts have determined that a case is “fully administered” at a point of “substantial consummation” and examining the concept of “fully administered” in light of the Advisory Notes (citing *Walnut Assocs. v. Saidel*, 164 B.R. 487, 492–93 (E.D. Pa. 1994) and *In re Jordan Mfg. Co.*, 138 B.R. 30, 34 n.1 (Bankr. C.D. Ill. 1992)). Section 1101(2) of the Bankruptcy Code defines substantial consummation as the: (i) transfer of all or substantially all of the property proposed by the plan to be transferred; (ii) assumption by the debtor or by the successor to the debtor under the plan of the business or of the management of all or substantially all of the property dealt with by the plan; and (iii) commencement of distribution under the plan. 11 U.S.C. § 1101(2). Not all of these factors must be present before a court will enter a final decree. *See, e.g., Saidel*, 164 B.R. at 493.

18. Courts have also noted that entry of a final decree is appropriate to stop the accrual of fees paid to the U.S. Trustee pursuant to section 1930 of the United States Code (the “Section 1930 Fees”). *See In re Jay Bee Enters., Inc.*, 207 B.R. 536, 539 (Bankr. E.D. Ky. 1997) (concluding that “it seems appropriate to close this case to stop the financial drain on the debtor” due to accrual of Section 1930 Fees).

19. Here, the foregoing factors weigh strongly in favor of closing each of the Affiliate Cases. The Reorganized Debtors believe that the Affiliate Cases have been fully administered within the meaning of section 350(a) of the Bankruptcy Code. The Reorganized Debtors have substantially consummated the Plan in respect of the Affiliate Cases, and entry of the Final Decree

is appropriate for each Affiliate Case. The Reorganized Debtors will work to resolve the Remaining Matters. If any issues arise relating to the Reorganized Debtors, such matters can be resolved under the Remaining Case without keeping the dockets of the Affiliate Cases open.

20. As of the Effective Date, the Plan has been substantially consummated, and the Confirmation Order is a Final Order. *See, e.g.,* Plan, Art. IX.C (““Substantial Consummation” of the Plan, as defined in 11 U.S.C. § 1101(2), shall be deemed to occur on the Effective Date.”). Among other things: (i) the Confirmation Order has become final and non-appealable; (ii) the Debtors have emerged from chapter 11 as reorganized entities; (iii) all property to be transferred under the Plan has been transferred; (iv) on and after the Effective Date, the Reorganized Debtors assumed the business and management of the property dealt with by the Plan; and (v) but for any distributions, payments, or disbursements to be made on any Remaining Matters, the distributions and disbursements required by the Plan have been substantially completed. Each of the conditions precedent to the Effective Date provided for in Article IX.A of the Plan have been satisfied by the Debtors. The Reorganized Debtors or the Litigation Trust, as applicable have sufficient cash for the remaining distributions to be made to the remaining Holders of Claims under the Plan.

21. Although certain matters in the Affiliate Cases remain pending, the open matters can be handled under the Remaining Case without keeping the Affiliate Cases open. The primary open issues in the Debtors’ cases at this point involve the resolution of the outstanding proofs of claim. Any issues affecting the resolution of the proofs of claims and distributions to creditors that have not yet received distributions can be administered through the Remaining Case. *See, e.g., A.H. Robins*, 219 B.R. at 150 (explaining that the pendency of claims matters does not preclude closing a debtor’s chapter 11 case).

22. Bankruptcy courts in the Eastern District of Virginia have entered final decrees and closed cases when various claims and contested matters remained pending and distributions were not yet complete with the bankruptcy court retaining jurisdiction over open claims and ongoing adversary proceedings. *See, e.g., In re Intelsat S.A.*, Case No. 20-32299 (KLP) (Bankr. E.D. Va. Dec. 28, 2022); *In re Le Tote, Inc.*, Case No. 20-3332 (KLP) (Bankr. E.D. Va. Mar. 31, 2021), *In re Pier 1 Imports, Inc.*, Case No. 20-30805 (KRH) (Bankr. E.D. Va. Nov. 18, 2020), *In re Gemstone Solutions Group, Inc.*, Case No. 19-30258 (KLP) (Bankr. E.D. Va. Aug. 12, 2020), *In re Toys “R” Us, Inc.*, Case No. 17-34665 (KLP) (Bankr. E.D. Va. July 2, 2019), *In re Penn Virginia Corporation*, Case No. 16-32395 (KLP), (Bankr. E.D. Va. Feb. 1, 2018), *In re The Gymboree Corporation*, Case No. 17-32986 (KLP) (Bankr. E.D. Va. Jan. 19, 2018); *In re Patriot Coal Corporation*, Case No. 15-32450 (KLP) (Bankr. E.D. Va. Mar. 2, 2016); *In re AMF Bowling Worldwide, Inc.*, Case No. 12-36495 (KRH) (Bankr. E.D. Va. Aug. 13, 2013); *In re Movie Gallery, Inc.*, Case No. 10-30696 (KLP) (Bankr. E.D. Va. Aug. 18, 2011); *In re Workflow Mgmt., Inc.*, Case No. 10-74617 (SCS) (Bankr. E.D. Va. Apr. 26, 2011), and *In re US Airways, Inc.*, Case No. 04-13819 (SSM) (Bankr. E.D. Va. Apr. 13, 2006). Keeping the Affiliate Cases open at this point serves no purpose, and entry of the Final Decree will allow the Reorganized Debtors to avoid incurring unnecessary Section 1930 fees for the Affiliate Cases, while continuing to pay any applicable Section 1930 fees for the Remaining Case. In addition, closing the Affiliate Cases will have no impact on the resolution of claims or on distribution in accordance with the Plan. Moreover, in the unlikely event an interested party needs to reopen a closed case, such party will have the ability to do so in order to address specific matters that may arise.

23. Finally, section 105(a) of the Bankruptcy Code provides the Court with broad powers in the administration of a case under title 11. Section 105(a) of the Bankruptcy Code

provides that “[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title,” and further that “no provision of this title shall be construed to preclude the court from . . . taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules.” 11 U.S.C. § 105(a).

24. Section 105(a) authorizes the Court to consolidate the administration of the Affiliate Cases. Efficiently consolidating any remaining matters in this manner appropriately reflects the Reorganized Debtors' emergence from chapter 11. Moreover, no creditors or stakeholders will be adversely affected because all of their rights and Claims will be preserved in the Remaining Case, including any bar dates or applicable deadlines.

25. Pursuant to Article IV.U of the Plan, the Reorganized Debtors, in their sole discretion, are permitted to change the caption of the remaining open Chapter 11 Case as desired. Accordingly, the Reorganized Debtors request that the caption for the Remaining Case be changed to be substantially similar to the following:

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

In re:

Enviva Pellets Epes Holdings, LLC,

Reorganized Debtor.¹

Chapter 11

Case No. 24-10454 (BFK)

¹ On [●], 2025, the Court entered the *Final Decree and Order Closing Certain Chapter 11 Cases* [Docket No. [●]], closing the affiliated chapter 11 cases and directing that all motions, notices, and other pleadings related to any of the affiliated debtors be filed in this case. The location of the Reorganized Debtors' corporate headquarters is: 7500 Old Georgetown Road, Suite 1400 Bethesda, MD 20814.

26. Consolidating the Remaining Matters at the Remaining Case, closing the Affiliate Cases, and amending the case caption will not impede the wind down of this reorganization

proceeding. Specifically, there will be no impediment to the review, reconciliation and, if necessary, the litigation of proofs of claim. As such, there is no prejudice to any party from the relief requested herein.

27. The Reorganized Debtors believe the relevant factors support finding the Reorganized Debtors have substantially consummated the Plan in respect of the Affiliate Cases, the Affiliate Cases have been administered within the meaning of section 350(a) of the Bankruptcy Code, and entry of the Final Decree is appropriate at this time for each Affiliate Case. Accordingly, the Reorganized Debtors request the Court enter the Final Decree, in accordance with sections 350(a) and 105(a) of the Bankruptcy Code and Bankruptcy Rule 3022, consolidating the Remaining Matters at the Remaining Case and closing each of the Affiliate Cases, but retaining jurisdiction over any and all matters pending in the chapter 11 cases.

Notice

28. Notice of this Motion has been provided by delivery to the following parties or their counsel, as applicable: (a) the Assistant United States Trustee for the Eastern District of Virginia; (b) Davis Polk & Wardwell LLP as co-counsel to the Ad Hoc Group; (c) McGuireWoods LLP as co-counsel to the Ad Hoc Group; (d) McDermott Will & Emery LLP as counsel to the agent under the DIP Facility; (e) Cahill Gordon & Reindel LLP as counsel to the agent under the Senior Secured Credit Facility; (f) Kilpatrick Townsend & Stockton LLP as counsel to the indenture trustee under the 2026 Notes; (g) Kramer Levin Naftalis & Frankel LLP as counsel to the indenture trustees under the Bond Green Bonds and the Epes Green Bonds; (h) the United States Attorney's Office for the Eastern District of Virginia; (i) the Securities and Exchange Commission; (j) the Internal Revenue Service; and (k) all persons listed on the Core/2002 Notice List. The Reorganized Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

No Prior Request

29. No prior request for the relief sought in this Motion has been made to this or any other court.

[Remainder of page intentionally left blank]

Wherefore, the Reorganized Debtors respectfully request that the Court enter the Final Decree, substantially in the form attached as **Exhibit A**, and grant such other and further relief to which the Reorganized Debtors may be entitled.

Richmond, Virginia
Dated: December 26, 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 23219-4071
Telephone: (804) 644-1700
Facsimile: (804) 783-6192
Email: michael.condyles@kutakrock.com;
peter.barrett@kutakrock.com;
jeremy.williams@kutakrock.com
adolyn.wyatt@kutakrock.com

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Paul M. Basta (admitted *pro hac vice*)
Michael J. Colarossi (admitted *pro hac vice*)
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
Email: pbasta@paulweiss.com
mcolarossi@paulweiss.com

Counsel to the Reorganized Debtors

Exhibit A

Proposed Final Decree

Paul M. Basta (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 Reorganized Debtors

**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)
)	
Reorganized Debtors. ¹)	(Jointly Administered)
)	

FINAL DECREE AND ORDER CLOSING CERTAIN CHAPTER 11 CASES

Upon the motion (the “Motion”)² of the Reorganized Debtors in the above-captioned cases seeking entry of an order, pursuant to sections 105(a) and 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022, (i) consolidating the administration of Remaining Matters at *In re Enviva Pellets Epes Holdings, LLC*, Case No. 24-10454, (ii) closing the Affiliate Cases, set forth on **Schedule 1** to **Exhibit A** hereto, while leaving open the Remaining Case, (iii) changing the case caption of the Remaining Case, and (iv) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the Amended Standing Order; and this Court

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.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. § 1408; and this Court having found that the relief requested in the Motion is in the best interests of the Reorganized Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Reorganized Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at any hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings heard before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted.
2. Each of the Affiliate Cases, as identified on **Schedule 1** attached to this Final Decree, are hereby closed.
3. The Remaining Case of Enviva Pellets Epes Holdings, LLC, Case No. 24-10454, shall remain open pending entry the entry of a final decree or order by this court.
4. Following entry of this Final Decree, the case caption for the Remaining Case shall read as follows:

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

In re:)	Chapter 11
)	
Enviva Pellets Epes Holdings, LLC,)	Case No. 24-10454 (BFK)
)	
Reorganized Debtor. ¹)	
)	

¹ On [●], 2025, the Court entered the *Final Decree and Order Closing Certain Chapter 11 Cases* [Docket No. [●]], closing the affiliated chapter 11 cases and directing that all motions, notices, and other pleadings related to any of the affiliated debtors be filed in this case. The location of the Reorganized Debtors' corporate headquarters is: 7500 Old Georgetown Road, Suite 1400 Bethesda, MD 20814.

5. Notwithstanding anything to the contrary in the *Order Directing Joint Administration of the Debtors' Chapter 11 Case* [Docket No. 84], all unresolved Claims against the estates of the Affiliate Debtors (collectively, the “Outstanding Claims”) and the Remaining Matters shall be consolidated and transferred to Enviva Pellets Epes Holdings, LLC’s chapter 11 case for administration and resolution in accordance with the Plan. The Affiliate Debtors, their creditors, and parties in interest shall have standing in Enviva Pellets Epes Holdings, LLC’s chapter 11 case with respect to the administration of all unresolved Claims, the Remaining Matters, and any other related matters, whether or not they are pending before the Court in the Remaining Case or the Affiliate Cases.

6. The Court retains jurisdiction and authority with regard to the Remaining Matters, whether or not they pertain to the Remaining Case or the Affiliate Cases and whether or not they are pending before the Court in the Remaining Case or the Affiliate Cases. Any actions with regard to the Remaining Matters, including with respect to the Claims Reconciliation Process and the Fee Applications, whether currently pending in an Affiliate Case or not, shall be filed, administered, and adjudicated in the Remaining Case without the need to reopen any Affiliate

Case. Any failure of the Reorganized Debtors to file an objection to any claim or interest in the Affiliate Cases on or prior to the entry of this Final Decree shall not constitute allowance of the claim or interest and shall not result in such claim or interest being deemed an Allowed Claim (as defined in the Plan) against or in any Reorganized Debtor. Any final Fee Application not already filed prior to the entry of this Final Decree shall be filed, administered, and adjudicated in Enviva Pellets Epes Holdings, LLC's chapter 11 case.

7. All deadlines applicable in the chapter 11 cases as to the Outstanding Claims shall continue to apply as if those Outstanding Claims had not been consolidated and transferred to Enviva Pellets Epes Holdings, LLC's chapter 11 case.

8. The clerk of the United States Court for the Eastern District of Virginia (the "Clerk") and other relevant parties are authorized to take whatever actions are necessary to update the ECF filing system and their respective records to reflect the relief set forth in this Final Decree, including the insertion of a docket entry in each of the Affiliate Cases substantially similar to the following:

An order has been entered in this case directing that all further reporting concerning the administration of the assets and liabilities in this case will occur only in the case of the Enviva Pellets Epes Holdings, LLC, Case No. 24-10454. All further pleadings and other papers shall be filed in, and all further docket entries shall be made in, Case No. 24-10454. The docket in Case No. 24-10454 should be consulted for all matters affecting this case.

9. Entry of this Final Decree is without prejudice to (i) the rights of any party in interest to seek to reopen any of the Affiliate Cases for cause shown in accordance with section 350(b) of the Bankruptcy Code and (ii) the rights of the Reorganized Debtors, or any entity authorized pursuant to the Plan, to dispute any Claim that was filed against the Debtors in the chapter 11 cases as contemplated by the Plan and the Confirmation Order. Nothing in this Final Decree shall change the amount or nature of any distribution, or any other substantive rights, that

any claim against or interest in any Reorganized Debtor would have been entitled to under the Plan, the Confirmation Order, the Bankruptcy Code, the Bankruptcy Rules, or otherwise had this Final Decree not been entered.

10. The Reorganized Debtors shall file one or more monthly operating report(s) covering the time period from November 1, 2024 to December 6, 2024 (if not already filed by the time of entry of this Final Decree), and serve a true and correct copy of such reports on the U.S. Trustee. All further reporting concerning the administration of the assets and liabilities of the Affiliate Debtors shall occur only in Enviva Pellets Epes Holdings, LLC's chapter 11 case.

11. For the purposes of calculating Section 1930 Fees payable to the Office of the United States Trustee for the Eastern District of Virginia, all disbursements made by the Debtors identified on **Schedule 1** up to the date of entry of this Final Decree will be included in the calculation, and the Debtors shall pay these amounts promptly. The Reorganized Debtors shall provide the United States Trustee documentation regarding such disbursements as the United States Trustee may reasonably request. No disbursements made by or on behalf of any of the Debtors identified on **Schedule 1** after the date of entry of this Final Decree will be included in subsequent calculations, and no minimum quarterly fees will be payable in respect of the Affiliate Cases on **Schedule 1** for periods after entry of this Final Decree.

12. The Court will retain jurisdiction to enforce or interpret its own orders pertaining to the Chapter 11 Cases. Furthermore, the Court will retain jurisdiction over any matter pending in the Chapter 11 Cases.

13. Notwithstanding any provision in the Bankruptcy Rules to the contrary, the terms and conditions of this Final Decree shall be immediately effective and enforceable upon its entry.

14. The Reorganized Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Decree in accordance with the Motion.

Dated: _____
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/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 23219-4071

Telephone: (804) 644-1700

Facsimile: (804) 783-6192

Email: michael.condyles@kutakrock.com;

peter.barrett@kutakrock.com;

jeremy.williams@kutakrock.com

adolyn.wyatt@kutakrock.com

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

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

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

1285 Avenue of the Americas

New York, New York 10019

Telephone: (212) 373-3000

Facsimile: (212) 757-3990

Email: pbasta@paulweiss.com

mcolarossi@paulweiss.com

Counsel to the Reorganized Debtors

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

Affiliate Cases

<u>Name</u>	<u>Case Number</u>
Enviva Inc.	24-10453
Enviva Pellets Greenwood, LLC	24-10455
Enviva Pellets Lucedale, LLC	24-10456
Enviva Pellets Waycross, LLC	24-10457
Enviva Port of Pascagoula, LLC	24-10458
Enviva Shipping Holdings, LLC	24-10459
Enviva Aircraft Holdings Corp.	24-10460
Enviva Management Company, LLC	24-10461
Enviva Energy Services, LLC	24-10462
Enviva GP, LLC	24-10463
Enviva MLP International Holdings, LLC	24-10464
Enviva Holdings GP, LLC	24-10465
Enviva Pellets Bond, LLC	24-10466
Enviva, LP	24-10467
Enviva Development Finance Company, LLC	24-10469
Enviva Holdings, LP	24-10470
Enviva Pellets Epes, LLC	24-10471
Enviva Partners Finance Corp.	24-10472
Enviva Pellets Epes Finance Company, LLC	24-10473
Enviva Pellets, LLC	24-70505