



**B. Michael Krakovsky**

Mr. Krakovsky is the Debtors' proposed investment banker. Mr. Krakovsky's direct testimony has been presented by the Debtors through the *Declaration of Michael Krakovsky in Support of Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 16]. Mr. Krakovsky will be available for cross examination at the Second-Day Hearing. Mr. Krakovsky will be testifying from his home in Park City, Utah.

C. Any and all witnesses submitted or called by any other parties in this matter.

**II. Exhibits**

A. *Declaration of Michael Krakovsky in Support of Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 16]

B. *Declaration of M. Benjamin Jones in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 17]

C. *Final Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief*

D. DIP Budget

E. Any and all exhibits submitted or listed by any other parties or any exhibit needed to establish foundation, impeach or refresh the recollection of a witness, or rebut testimony provided by any witness.

**RESERVATION OF RIGHTS**

The Debtors reserve the right to (i) supplement and/or revise the Witness and Exhibit List as appropriate in advance of the Second-Day Hearing; (ii) call any witness or submit any exhibit identified by any party in advance of or at the Second-Day Hearing; and (iii) call any witness at the Second-Day Hearing that is not included on any witness list for purposes of impeachment or rebuttal.

Dated: Atlanta, Georgia  
June 26, 2024

**MCDERMOTT WILL & EMERY LLP**

*/s/ Daniel M. Simon*

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