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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:
Powin, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 25-16137 (MBK)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
TO BE HEARD ON SEPTEMBER 25, 2025 AT 11:30 A.M. (ET)**

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: (i) Powin Project LLC [1583], (ii) Powin, LLC [0504], (iii) PEOS Holdings, LLC [5476], (iv) Powin China Holdings 1, LLC [1422], (v) Powin China Holdings 2, LLC [9713], (vi) Charger Holdings, LLC [5241], (vii) Powin Energy Ontario Storage, LLC [8348], (viii) Powin Energy Operating Holdings, LLC [2495], and (ix) Powin Energy Operating, LLC [6487]. The Debtors' mailing address is 20550 SW 115th Avenue Tualatin, OR 97062.



Date and Time: September 25, 2025, at 11:30 A.M. (Prevailing Eastern Time)

Location of Hearing: United States Bankruptcy Court
District of New Jersey
402 East State Street
Trenton, NJ 08608
Courtroom #8

PLEASE TAKE NOTICE that the matters below are currently scheduled to be heard on September 25, 2025, at 11:30 a.m. (prevailing Eastern Time), before the Honorable Judge Michael B. Kaplan. The Hearing will be conducted **as a hybrid hearing, either in person or via Zoom for Government**. Parties wishing to present argument **must** be present in the Courtroom. Counsel who do not intend to argue but who wish to observe; or Counsel who do not intend to argue but wish to have speaking capabilities, if necessary, to preserve their rights; or Counsel with unavoidable conflicts or extenuating circumstances, may request to appear remotely by sending an email to Chambers (chambers_of_mbk@njb.uscourts.gov) indicating the name of the person appearing, their e-mail address, their affiliation, and whom they represent/interest in this case. If the request is approved, the participant will receive appropriate credentials and further instruction.

PLEASE TAKE FURTHER NOTICE that Telephonic information for observational purposes can be found the page on the Court's website devoted to the Powin, LLC case: <https://njb-admin.jdc.ao.dcn/powin>.

The matters set for hearing are divided into the following categories for the purposes of this Agenda:

- I. UNCONTESTED MATTERS
- II. CONTESTED MATTERS
- III. ADJOURNED MATTERS

I. UNCONTESTED MATTERS:

1. *Debtors' Motion for Entry of an Order, Pursuant to § 1121(d) of the Bankruptcy Code, Extending its Exclusive Periods for the Filing of a Chapter 11 Plan* [ECF No. 849].

Response Deadline: At the Hearing.

Responses/Replies Received: None.

Related Documents:

- a. *Certificate of Mailing* [ECF No. 859].

Status: This matter is going forward.

II. CONTESTED MATTERS:

2. *Motion for Adequate Protection Filed on behalf of Ad Hoc Customer Group* [ECF No. 297]. (“**Ad Hoc Group Motion**”)

Response Deadline: July 15, 2025

Responses/Replies Received:

- a. *Supplemental Joinder of Honeywell International Inc.* [ECF No. 347].

Related Documents:

- a. *Application to Shorten Time* [ECF No. 299].
- b. *Order Granting Application to Shorten Time* [ECF No. 306].
- c. *Motion for Entry of an Order Authorizing Ad Hoc Customer Group to Redact and File Under Seal Confidential Information Contained in Exhibits in Connection with Ad Hoc Customer Group’s Declarations and Witness and Exhibit List* [ECF No. 339].
- d. *Application to Shorten* [ECF No. 340].
- e. *Declaration of Ann Walter in Support of Emergency Motion of Ad Hoc Customer Group* [ECF No. 343].
- f. *Order Granting Application to Shorten Time* [ECF No. 344].
- g. *Declaration of Tyler Hansen in Support of Emergency Motion of Ad Hoc Customer Group for Entry of an Order (I) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code and (II) Granting Related Relief* [ECF No. 346].
- h. *Declaration of Tim Reaves in Support of Emergency Motion of Ad Hoc Customer Group for Entry of an Order (I) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code and (II) Granting Related Relief* [ECF No. 348].
- i. *[REDACTED] Witness and Exhibit List* [ECF No. 351].
- j. *Certificate of Service* [ECF No. 352].
- k. *Determination of Adjournment* [ECF No. 388].
- l. *Order Authorizing Ad Hoc Customer Group to Redact and File Under Seal Confidential Information Contained in Exhibits in Connection with Ad Hoc Customer Groups Declarations and Witness and Exhibit List* [ECF No. 678].

- m. Supplement to the Emergency Motion of Ad Hoc Customer Group for Entry of an Order (I) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code and (II) Granting Related Relief* [ECF No. 809].

Status: This matter is going forward.

In addition, the Debtors note that although the AWS Private Pricing Addendum and related agreements with Amazon Web Services, Inc. (the “AWS Contract”) was originally designated as an “Assumed Contract” pursuant to the *Asset Purchase Agreement* between FlexGen Power Systems, LLC and Powin, LLC [Docket No. 591, Exh. B] (the “APA”), such contract has been removed as an Assumed Contract pursuant to section 2.6(d) of the APA. In addition, although there were certain discussions regarding the consent and assignment agreement and related agreements with PRAXIS Technology Escrow, LLC (the “PRAXIS Contract”) becoming an Assumed Contract, the deadline for addition of this contract has passed, and the Debtors have determined to reject such contract consistent with the APA.

3. *Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(N)(4) of the Bankruptcy Code, (II) Granting Adequate Protection Under Section 363(E) of the Bankruptcy Code, and (III) Granting Other Appropriate Relief Filed by Leah Eisenberg on behalf of DTE Electric Company, Leeward Renewable Energy, LLC, on behalf of Rabbitbrush Solar, LLC, Chaparral Springs, LLC, and Antelope Valley BESS, LLC, Longroad Energy Partners, on behalf of Serrano Solar, LLC, Sun Streams PVS, LLC, and Sun Streams Expansion, LLC* [ECF No. 117]. (“**Licensees Motion**”)

Response Deadline: July 8, 2025 at 4:00 PM

Responses/Replies Received:

- a. *Debtors’ Objection to Application for Order Shortening Time for Notice of (A) Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code, and (B) Motion for Entry of an Order Authorizing Licensees to Redact and File Under Seal Confidential Information Contained in the Energy Supply Agreements and Long Term Services Agreements In Connection with Licensees’ Motion to Compel* [ECF No. 128].
- b. *Joinder of Esvolta, LP to Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, (II) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code, and (III) Granting Other Appropriate Relief* [ECF No. 273].
- c. *Joinder of EDF Power Solutions, Inc. to Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, (II) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code, and (III) Granting Other Appropriate Relief* [ECF No. 274].

- d. *Joinder of Honeywell International Inc. to (A) Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, (II) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code, and (III) Granting Other Appropriate Relief; and Mitsubishi Power Americas, Inc. and Prevalon Energy LLC's Limited Objection and Reservation of Rights to the Omnibus Motion of the Debtors for Entry of an Order (I) Authorizing the Rejection of Legacy Customer Contracts and (II) Granting Related Relief and Reserving All Rights Under the Agreements and with Regard to the Projects and the Bankruptcy Code, Including, but Not Limited to, § 365(n)* [ECF 292]
- e. *Joinder and Reservation of Rights of CS Energy, LLC Regarding the Emergency Motion of Licensees for Entry of an Order (I) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, (II) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code, and (III) Granting Other Appropriate Relief on Behalf of CS Energy, LLC* [ECF No. 353].
- f. *Debtors' Omnibus (I) Objection to (A) Emergency Motion of Licensees for Entry of an Order (1) Compelling the Debtors to Comply with Section 365(n)(4) of the Bankruptcy Code, (2) Granting Adequate Protection Under Section 363(e) of the Bankruptcy Code and (B) Related Joinders and (II) Reply In Support of Omnibus Motion of the Debtors for Entry of an Order (A) Authorizing the Rejection of Legacy Customer Contracts and (B) Granting Related Relief* [ECF No. 357].
- g. *Response on behalf of Rabbitbrush Solar, LLC, Chaparral Springs, LLC, and Antelope Valley BESS, LLC, Longroad Development Company, LLC, on behalf of Serrano Solar, LLC, Sun Streams PVS, LLC, and Sun Streams Expansion, LLC* [ECF No. 382].
- h. *Response on behalf of EPC Services Company* [ECF No. 573].

Related Documents:

- a. *Motion to Seal* [ECF No. 118].
- b. *Application to Shorten Time* [ECF No. 119].
- c. *Notice of Hearing to Compel* [ECF No. 182]
- d. *Notice of Hearing to Seal* [ECF No. 183]
- e. *Certificate of Service* [ECF No. 213].
- f. *Determination of Adjournment* [ECF No. 373].
- g. *Supplemental Declaration of Dustin Wambeke in Support of Emergency Motion* [ECF No. 600].

- h. *Declaration of Fred Ihimodu in Supplemental Support of Emergency Motion* [ECF No. 601].
- i. *Declaration of Jeremy Law in Supplemental Support of Emergency Motion* [ECF No. 602].
- j. *Licensees' Witness and Exhibit List* [ECF No. 604].
- k. *Certificate of Service* [ECF No. 607].
- l. *Order Authorizing Licensees to Redact and File Under Seal Confidential Information Contained in the Energy Supply Agreements and Long-Term Services Agreements in Connection with Licensees Motion to Compel* [ECF No. 673].

Status: This matter is adjourned as to the primary movants to October 23, 2025, at 12:30 P.M., but certain joinders intend to proceed or have not responded as of the time of this Agenda.

Specifically, the following joinders are going forward: ECF Nos. 273; 274; 292; and 353

In addition, the Debtors note that although the AWS Contract was originally designated as an "Assumed Contract" pursuant to the *Asset Purchase Agreement* between FlexGen Power Systems, LLC and Powin, LLC [Docket No. 591, Exh. B] (the "APA"), such AWS Contract has been removed as an Assumed Contract pursuant to section 2.6(d) of the APA. In addition, although there were certain discussions regarding the PRAXIS Contract becoming an Assumed Contract, the deadline for addition of this contract has passed, and the Debtors have determined to reject such contract consistent with the APA.

III. ADJOURNED MATTERS:

- 4. *Motion to Compel Payment of Agreed-Upon Storage, Transportation, and Associated Fees by BHER Ravenswood Solar I, LLC and for Sanctions Against BHER Ravenswood Solar I, LLC Filed on behalf of Mainfreight Inc* [ECF No. 818].

Related Documents:

- a. *Application to Shorten Time* [ECF NO. 819].
- b. *Objection of BHER Ravenswood Solar I, LLC to Mainfreight Inc.'s Motion to Compel Payment and for Sanctions Against BHER Ravenswood Solar I, LLC for Charges Related to Goods Mainfreight, Inc. Refuses to Deliver to BHER Ravenswood, LLC and to Hearing said Motion on Shortened Notice* [ECF No. 821].

- c. Notice of Hearing on Mainfreight, Inc.'s Motion to Compel Payment of Agreed-Upon Storage, Transportation, and Associated Fees by BHER Ravenswood Solar I, LLC and for Sanctions against BHER Ravenswood Solar I, LLC [ECF No. 829].*
- d. Withdrawal of Document Application to Shorten Time [ECF No. 830].*

Status: This matter has been adjourned to October 23, 2025, at 12:30 P.M.

[Concluded on the following page]

Dated: September 24, 2025

TOGUT, SEGAL & SEGAL LLP

/s/ Frank A. Oswald

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- and -

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