Docket #0005 Date Filed: 7/3/2020

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:	)	
SPEEDCAST INTERNATIONAL LTD., *et al.*,[1]	)	Civil Action No. 4:20-cv-1970
Debtors.	)	

STIPULATION AND AGREED ORDER DESIGNATING THE AD HOC GROUP OF LENDERS AS APPELLEES

Appellant Credit Agricole Corporate and Investment Bank ("CACIB"), Speedcast International Ltd. ("Speedcast") and its debtor affiliates (with Speedcast, the "Debtors"), Credit Suisse AG, Cayman Islands Branch, in its capacity as the administrative agent, and security trustee (in such capacity, the "Prepetition Agent"), and the ad hoc group of secured lenders to Speedcast and certain of its subsidiaries (the "Ad Hoc Group"), through their respective undersigned counsel, hereby stipulate as follows:

RECITALS

WHEREAS, on April 23, 2020 (the "Petition Date"), the Debtors filed voluntary bankruptcy petitions for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (the "Bankruptcy Court");

WHEREAS, also on the Petition Date, the Debtors filed the *Emergency Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition*

[1] A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at http://www.kccllc.net/speedcast. The Debtors' service address for the purposes of these chapter 11 cases is 4400 S. Sam Houston Parkway East, Houston, Texas 77048.

Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims With Superpriority Administrative Expense Status, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing and (VI) Granting Related Relief (Dkt. No. 27)[2] (the "DIP Motion");

WHEREAS, on April 23, 2020 the Bankruptcy Court held an interim hearing on the DIP Motion and, at the conclusion of that hearing, entered the *Corrected Interim Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing and (VI) Granting Related Relief* (Dkt. No. 77);

WHEREAS, on May 11, 2020, CACIB filed an objection to the DIP Motion (Doc. No. 167) ("CACIB's Objection");

WHEREAS, on May 19, 2020, the Debtors, the Ad Hoc Group, and the Prepetition Agent, each filed responses to CACIB's Objection (respectively, Dkt. Nos. 223, 229, and 233);

WHEREAS, on May 20, 2020, the Bankruptcy Court held a final hearing on the DIP Motion and, at the conclusion of the hearing, entered the *Final Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* (Doc. No. 230) (the "Final Order");

WHEREAS, on June 3, 2020, CACIB filed a Notice of Appeal of the Final Order ("Notice of Appeal");

[2] Citations to "Dkt. No. __" refer to the Bankruptcy Court docket in *In re Speedcast International Ltd*, No. 20-32243 (MI).

WHEREAS, the Notice of Appeal designated the Ad Hoc Group as an Interested Party to CACIB's appeal of the Final Order (the "Appeal"); and

WHEREAS, counsel to the parties to this stipulation have conferred and agree that the Ad Hoc Group instead shall be designated an appellee for purposes of the Appeal.

NOW, THEREFORE, IT IS STIPULATED AND AGREED BY THE PARTIES AND HEREBY ORDERED THAT:

1. The Ad Hoc Group shall be designated an appellee in the Appeal, which designation shall supersede the Notice of Appeal's designation of the Ad Hoc Group as an Interested Party.

2. This Stipulation and Agreed Order shall be effective and enforceable immediately upon entry by the Court.

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STIPULATED AND AGREED TO THIS 3rd DAY OF JULY 2020.

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SO ORDERED THIS ___TH DAY OF JULY 2020.

Honorable Lee H. Rosenthal
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2020, a true and correct copy of the foregoing document was served upon all parties via ECF transmission who are authorized to receive electronic notice in this proceeding.

By: */s/ Henry Flores*
Henry Flores